



City of Lambertville
Regularly Scheduled Session
Tuesday, September 16, 2014, 6:30 P.M.
Phillip L. Pittore Justice Center
25 South Union Street, Lambertville, NJ
MINUTES

STATEMENT OF COMPLIANCE.

Mayor DelVecchio called the meeting to order at 7:00 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, SEPTEMBER 12, 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, Councilman Sanders, Councilwoman Warner, Council President Stegman, Mayor DelVecchio.

Absent: None.

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

Mayor and Council did not go into closed session.

PLEDGE OF ALLEGIANCE.

Mayor DelVecchio led the public in the Pledge of Allegiance.

MOMENT OF SILENCE.

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

APPROVAL OF MINUTES.

Mayor DelVecchio asked for a motion to approve the following sets of minutes: August 19, 2014 Regularly Scheduled Session Minutes, and August 19, 2014 Closed Session Minutes. Council President Stegman made a motion to approve the minutes as submitted/amended. 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.

Mayor DelVecchio asked for 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. Council President Stegman made a motion to

approve the administrative reports. 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.

Mayor DelVecchio asked for a motion to approve the Bills List and the Amended Bills List. Councilwoman Asaro made a motion to approve the Bills List and the Amended Bills List. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

PROCLAMATIONS – none.

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

Mayor DelVecchio added Resolution Number 125 to the consent agenda and asked for a motion to approve the resolutions listed on the consent agenda.

Resolution Number 116-2014: A Resolution to Accept the 2013 Audit Prepared by Suplee Clooney.

City of Lambertville
RESOLUTION NUMBER 116-2014
A Resolution Certifying and Accepting the 2013 Audit

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

WHEREAS, the Annual Report of Audit for the year 2013 has been filed by a Registered Municipal Accountant with the *Municipal Clerk* pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

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

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

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

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

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

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

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

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

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON September 16, 2014.

Resolution Number 117-2014: A Resolution to Approve the Corrective Action Plan Prepared by the CMFO, Christie Ehret.

City of Lambertville
RESOLUTION NUMBER 117-2014
A Resolution Approving the Corrective Action Plan for the 2013 Audit

WHEREAS, Suplee Clooney completed their audit of the City of Lambertville's 2013 Financial Records which was received on August 15, 2014, and
WHEREAS, the CMFO of the City of Lambertville has prepared the corrective action plan which outlines how the recommendation will be addressed.
NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that the Corrective Action Plan as prepared by the CMFO is hereby approved for submission to the State of New Jersey, Department of Community Affairs, Division of Local Government Services.
ADOPTED: September 16, 2014

Resolution Number 118-2014: A Resolution Requesting Approval to Insert a Special Item of Revenue in the Budget, Chapter 159, for the Body Armor Grant in the Amount of \$1,527.49.

City of Lambertville
RESOLUTION NUMBER 118-2014
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)

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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 \$1,527.49 for Body Armor.

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 \$1,527.49 which item is now available as revenue from the receipt of the Body Armor.

BE IT FURTHER RESOLVED that a like sum of \$1,527.49 is hereby appropriated under the caption of:

OPERATIONS "EXCLUDED FROM CAP"
Body Armor \$1,527.49

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: September 16, 2014

Resolution Number 119-2014: A Resolution Requesting Approval to Insert a Special Item of Revenue in the Budget, Chapter 159, for the Recycling Tonnage Grant in the Amount of \$5,090.55.

City of Lambertville
RESOLUTION NUMBER 119-2014
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 \$5,090.55 Recycling Tonnage Grant.

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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 \$5,090.55 which item is now available as revenue from the receipt of the Recycling tonnage Grant.

BE IT FURTHER RESOLVED that a like sum of \$5,090.55 is hereby appropriated under the caption of:

OPERATIONS "EXCLUDED FROM CAP"		
Recycling Tonnage Grant	r	\$5,090.55

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: September 16, 2014

Resolution Number 120-2014: A Resolution Requesting Approval to Insert a Special Item of Revenue in the Budget, Chapter 159, for the Alcohol Education Rehab Grant in the Amount of \$2,067.80.

City of Lambertville
RESOLUTION NUMBER 120-2014
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 \$2,067.80 Alcohol Education Rehab 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 \$2,067.80 which item is now available as revenue from the receipt of the Alcohol Education Rehab Grant.

BE IT FURTHER RESOLVED that a like sum of \$2,067.80 is hereby appropriated under the caption of:

OPERATIONS "EXCLUDED FROM CAP"		
Alcohol Education Rehab Grant		\$2,067.80

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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: September 16, 2014

Resolution Number 121-2014: A Resolution to Approve Change Order Number 1 for the York Street Resurfacing Project in the Amount of \$2,477.38.

City of Lambertville
RESOLUTION NUMBER 121-2014

A Resolution Approving Change Order Number 1 for the York Street Resurfacing Project in the Amount of \$2,477.38.

WHEREAS, the York Street Resurfacing Project was completed by TopLine Construction Corp in 2013, and

WHEREAS, change order number 1 in the amount of \$2,477.38 was presented by the City Engineer and represents item numbers 2, 3, 6, 9, 20, 21, 22, and 23 were removed from the project scope due to field conditions, and

WHEREAS, bid item numbers 1, 7, 8, 10, 11, 13 were also reduced, and

WHEREAS, the milling of additional pavement surface and install additional wearing course, excavate and provide full depth pavement restoration, install traffic striping and markings, were all added to the scope of the project for the North Union Street parking lot.

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 change order number 1 in an amount not to exceed \$2,477.38 is hereby authorized to Top Line Construction Co.,

ADOPTED: September 16, 2014

Resolution Number 122-2014: A Resolution to Adopt a Policy on Nondiscrimination in City Employment.

City of Lambertville
RESOLUTION NUMBER 122-2014

A Resolution to adopt the Nondiscrimination in City Employment Policy

The City of Lambertville is committed to providing a work environment that is free of discrimination and unlawful harassment. Actions, words, jokes, or comments based on an individual's sex, sexual orientations, gender identity, race, ethnicity, age, religion, or any other legally-protected characteristic will not be tolerated. As an example, sexual conduct (both overt and subtle) is a form of employee misconduct that is demeaning to another person, undermines the integrity of the employment relationship, and is strictly prohibited.

Any employee who wants to report an incident of sexual or other unlawful harassment should promptly report the matter to his or her supervisor. If the supervisor is unavailable or the employee believes it would be inappropriate to contact that person, the employee should immediately contact the Mayor. Employees are encouraged to raise concerns and make reports without fear of reprisal.

Any supervisor or manager who becomes aware of possible sexual or other unlawful harassment should promptly advise the mayor who will handle the mater in a timely and confidential manner.

Anyone engaging in sexual or other form of unlawful harassment will be subject to disciplinary action, up to and including discharge.

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Harassment on the basis of sex is a violation of Title VII of the Civil Rights Act of 1964, Section 701, et seq., as amended by 42 USCA Section 2000(e), et seq. The Mayor and Council of the City of Lambertville hereby affirm their commitment to the law and to the policy that underlies it.

Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature are inappropriate in the workplace particularly when:

- a. Submission to such conduct is either explicitly or inexplicably made to a term or conditions of an individual's employment; or
- b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting an individual; or
- c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Because our society is sensitive to this issue and because of the desire of all employees to be treated with dignity and respect, every City of Lambertville employee is to avoid acting in a way which would or could be interpreted as being inappropriate by either the recipient or by members of the public or objective third parties.

Any employee who feels that he or she been the recipient of an inappropriate sexual advance or harassment of any type by another employee is to immediately report such activity to the Mayor. The Mayor is to take appropriate action and to report such activity to the members of the Council. The Mayor is to immediately intervene and come to the assistance of any employee when it appears in any given set of circumstances that his or her intervention is necessary to protect the employee's dignity and respect.

Employees are informed that it is the policy of the Mayor and Council of the City of Lambertville to protect their dignity and respect and that if they should ever be placed in circumstances where they feel uncomfortable that they are to immediately discuss the matter with the Mayor who is to be sensitive and receptive to their concerns. If the matter is not addressed to the employee's satisfaction, he or she is to discuss the matter with the Council, which will take appropriate action or assist to the extent possible. Employees are to feel free to discuss their complaints of sexual harassment with management in confidence without fear of reprisal. The Mayor and Council members are to treat any such discussion discreetly and are not to give them any notoriety. The following guidelines are available for assisting the Mayor and Council members in handling sexual harassment cases:

- a. Treat complaint in a serious vein.
- b. Find out what complainant regards as inappropriate behavior.
- c. Obtain and document the facts pertaining to the incident.
- d. If an investigation is necessary, it should be handled in a professional manner protecting the identities of all parties concerned.
- e. If the investigation results in a finding that sexual harassment did occur, corrective action should be taken immediately. In many cases, a written warning may be all that is necessary. However, appropriate corrective action should be consistent with the seriousness of the offense.

This policy statement is designed to emphasize the commitment of the Mayor and Council of the City of Lambertville to individual dignity. The Mayor and Council represent all the residents of the City. Neither the Mayor nor members of the Council nor any management individual can have absolute control over the activities of any individual employee or any third party. Every individual during the course of any day interrelates with other individuals. No one can always be as sensitive to another's feelings as is appropriate. This policy statement is designed to have employees and management individuals become as sensitive as possible to any area which is uniquely personal. However, neither the Mayor nor the Council nor any management personnel can assume responsibility for individual conduct which is not sanctioned in the workplace.

Adopted: September 16, 2014

Resolution Number 123-2014: A Resolution to Authorize a 3 Month Extension for the Frenchtown Inter-local Agreement for Construction Services.

City of Lambertville

RESOLUTION NUMBER 123-2014

A Resolution to Authorize One Additional 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 extended the existing contract for an additional three months, ending on September 30, 2014 with Resolution Number 82-2014.
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 contract with the Borough of Frenchtown for Interlocal Construction Code Services is hereby extended to December 31, 2014.
ADOPTED: September 16, 2014

Resolution Number 124-2014: A Resolution Authorizing the Submission of the Best Practice Inventory for 2014.

City of Lambertville

RESOLUTION NUMBER 124-2014

A Resolution to Authorize the Submission of the 2014 Best Practice Inventory for the City of Lambertville

WHEREAS, the City of Lambertville received the information on the Best Practice Inventory on Thursday, September 11, 2014, and
WHEREAS, the City Clerk and CMFO have reviewed the categories and scored them accordingly, and
WHEREAS, Mayor and Council received the submission information for the City of Lambertville on Friday, September 12, 2014, and
WHEREAS, the City has scored a 45 with yes, n/a or prospective answers and will receive 100% state aid.
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 2014 Best Practice Inventory is hereby authorized for submission to the Division of Local Government Services in the Department of Community Affairs.
ADOPTED: September 16, 2014

Resolution Number 125-2014: A Resolution to Adopt the Lambertville Operations Plan dated 09-01-14.

City of Lambertville

RESOLUTION NUMBER 125-2014

A Resolution to Support and Adopt the Lambertville Operations Plan Dated 09-01-14

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 Lambertville Operations Plan dated September 1, 2014 is supported by Mayor and Council and adopted as part of the City's procedures for all Emergencies.

ADOPTED: September 16, 2014

Council President Stegman made a motion to adopt the resolutions listed 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.

ORDINANCES – INTRODUCTION AND FIRST READING.

Ordinance Number 25-2014: *A Bond Ordinance to Fund the Purchase of a New Phone System for City Hall (\$5,600), a F350 Pick-Up Truck with Plow (\$40,000), and a new body for the 1999 Garbage Truck (\$70,000), for a total amount of \$120,000.*

Mayor DeVecchio read the ordinance into the record by title. He informed the members of the public present that this ordinance will fund the purchase of a new phone system for City Hall, a new F350 pick-up truck for public works and a new body for the 1999 garbage truck for a total of \$120,000.

CITY OF LAMBERTVILLE, NEW JERSEY

ORDINANCE NO. 25-2014

AN ORDINANCE OF THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, PROVIDING FOR ACQUISITION OF EQUIPMENT AND UNDERTAKING OF REPAIRS TO CITY OWNED PROPERTY IN AND FOR THE CITY, APPROPRIATING \$120,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$114,000 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 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 \$120,000, including the sum of \$6,000 as the down payment for the improvements and purposes 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 \$114,000, 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 acquisition of equipment and undertaking of repairs to City owned property,

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consisting of (i) replacement of Loadmaster Body, or equivalent, for City solid waste vehicle, (ii) acquisition of public works vehicle (F-350 or equivalent), including title, radio, lettering, etc. and (iii) acquisition and repairs to City Hall and equipment, including new phone system, 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 \$114,000 authorized herein.

(c) The estimated cost of the improvements or purposes authorized herein is \$120,000.

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 5.00 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 \$114,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$15,000 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

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authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 1 hereof.

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

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

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

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

Mayor DelVecchio asked if there were any questions from the public. There being no questions, he asked for a motion to introduce on first reading, Ordinance Number 25-2014. Councilwoman Warner made a motion to introduce on first reading Ordinance Number 25-2014. Councilman Sanders seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

The public hearing is scheduled for Tuesday, October 21, 2014.

Ordinance Number 26-2014: *An Ordinance to Amend Chapter VIII, Municipal Parking Areas and Metered Parking, Article 1, Parking Lots, Section 8-23, North Union Street Lot, 8-23.4, Creating a Maximum of Five Parking Spaces for Individual Parking at a Fee of \$45 Per Month.*

Mayor DelVecchio read the Ordinance into the record by title. He said this ordinance will take five of the metered parking spaces in the North Union Street lot and make them permitted spaces only for a fee of \$45 per month and explained it was like what was recently done at the Phillip L. Pittore Justice Center.

City of Lambertville

ORDINANCE NUMBER 26-2014

An Ordinance to Amend Chapter VIII, Municipal Parking Areas and Metered Parking, Article 1, Parking Lots, Section 8-23, North Union Street Lot, 8-23.4, Creating A Maximum of Five Parking Spaces for Business Parking at a Fee of \$45 Per Month

NORTH UNION STREET PARKING LOT:

8-23.4 Parking by Permit. In addition to the metered parking spaces, there shall be created a maximum of five (5) parking spaces which shall be available to individuals by permit only. The permits will be issued by the City Clerk on a first come first served basis. Each spot shall be numbered to correspond with the permit number and available to the permit holder at all times.

8-23.5 Fees. The fee for the permit shall be forty-five (\$45) dollars per month with a late fee of five (\$5) dollars if not paid by the fifth (5th) of the month. If the fee is not paid by the tenth (10th) of the month,

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the permit shall be null and void and available for issuance to another business. A list will be maintained by the City Clerk to be utilized in the event of vacancy.

FIRST READING AND INTRODUCTION: September 16, 2014
SECOND READING AND PUBLIC HEARING: October 21, 2014

Mayor DelVecchio asked the clerk to check the ordinances on the last time the monthly fee was increased.

Council President Stegman made a motion to introduce Ordinance Number 26-2014. 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 October 21st.

Ordinance Number 27-2014: *An Ordinance to Amend the Staff Handbook of the City of Lambertville to Include a Donated Sick Leave Policy.*

Mayor DelVecchio read the ordinance into the record by title. He informed the members of the public present that this ordinance establishes a policy to permit employees to donate sick time to a co-worker who is ill and out of sick and vacation time. Councilman Sanders stated that this was a good thing to do for the city employees.

City of Lambertville
ORDINANCE NUMBER 27-2014

An Ordinance to Amend the Staff Handbook of the City of Lambertville to Include a Donated Sick Leave Policy

POLICY:

It is policy of the City of Lambertville to implement and administer a Donated Leave Program in compliance with Department of Personnel rules and regulations, and in accordance with the New Jersey Administrative Code (4A:6-1.2), without interfering with any employee's rights to privacy as protected by Federal and State laws, rules or regulations.

PROCEDURE:

Recipient Eligibility:

An employee shall be eligible to receive donated sick or vacation leave if the employee:

1. Has completed at least one year of continuous service;
2. Has exhausted all accrued sick, vacation and administrative leave, all sick leave injury benefits, if any, and all compensatory time off;
3. Has not, in the two-year period immediately preceding the employee's need for donated leave, been disciplined for chronic or excessive absenteeism, chronic or excessive lateness or abuse of leave, and;
4. Either;
 - a. Suffers from a "catastrophic health condition or injury",
 - b. Is needed to provide care to a member of the employee's immediate family who is suffering from a "catastrophic health condition or injury", or

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- c. Requires absence from work due to the donation of an organ (which shall include, for example, the donation of bone marrow).

A “catastrophic health condition or injury” shall be defined as follows:

With respect to an employee, a “catastrophic health condition or injury” is a life-threatening condition or combination of conditions or a period of disability required by his/her mental or physical health or the health of the employee’s fetus and requiring the care of a physician who provides a medical verification of the need for the employee’s absence from work for 60 or more work days.

With respect to an employee’s immediate family member, “a catastrophic health condition or injury” is a life-threatening condition or combination of conditions or a period of disability required by his/her mental or physical health and requiring the care of a physician who provides a medical verification of the need for the family members’ care by the employee for 60 or more work days.

Program Requirements for Leave Recipient:

A City employee may request participation in the Donated Leave Program as a leave recipient or the employee’s supervisor may make such a request on behalf of the employee for his/her participation in the program if the following conditions are met:

1. The employee or supervisor requesting the employee’s acceptance as a leave recipient shall submit to the City Clerk a DCA Donated Leave Program Application Form and medical verification from a physician or other licensed health care provider concerning the nature and anticipated duration of the disability resulting from either the “catastrophic health condition or injury”, or the donation of an organ, as the case may be.
2. When the City Clerk has approved an employee as a leave recipient, the employee will be notified. The City Clerk shall, with the employee’s consent, post the Donated Leave program Posting Form for 30 days in a conspicuous location to encourage the donation of leave time and shall inform appropriate negotiations representatives. If the employee is unable to consent to this posting, the employee’s family may consent on his/her behalf. If a donated leave applicant is deemed ineligible, the City Clerk will advise the employee in writing, stating the reason(s) for ineligibility.
3. A leave recipient must receive at least five sick or vacation days or a combination thereof from one or more leave donors to participate in the Donated Leave Program.
4. A leave recipient shall receive no more than 180 sick or vacation days and shall not receive any such days on a retroactive basis.
5. While using donated leave time, the leave recipient shall accrue sick and vacation leave and be entitled to retain such leave upon his/her return to work.
6. Any unused donated leave shall be returned to the leave donors on a prorated basis upon the leave recipient’s return to work. If the proration of leave days results in less than one day per donor, that leave time shall not be returned.
7. Upon retirement, the leave recipient shall not be granted Supplemental Compensation On Retirement for any unused sick days received through the Donated Leave Program.
8. The City Clerk will notify the Department of Labor, Temporary Disability Insurance (TDI) to ensure that a recipient receiving donated leave is terminated from the TDI program for that period of time.
9. The recipient’s participation in the Donated Leave Program will end when the participant is medically cleared to return to work on a full-time basis.

Donate Eligibility:

A City employee shall be eligible to donate sick or vacation leave if the following criteria are met:

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1. A leave donor shall donate only whole sick days or whole vacation days, and may not donate more than 10 such days to any one recipient.
2. A leave donor shall have remaining at least 20 days of accrued sick leave if donating sick leave and at least 12 days of accrued vacation leave if donating vacation leave.
3. A leave donor shall not revoke the leave donation.
4. If a leave donor is not in the same Department as the leave recipient, appropriate arrangements shall be made by the City Clerk to adjust leave records.

Program Requirements for Leave Donor:

A City employee may request participation in the Donated Leave Program as a leave donor if the following conditions are met:

1. An employee, who wishes to donate leave time to an approved leave recipient, must complete and submit a Donor Leave Transfer Form to the City Clerk. The completed form must be received by the date on which the posting expires.

If the donor is found eligible to participate, the donor will be notified, in writing, of the number and type of leave days which will be subtracted from the donor's leave balance(s). If the prospective donor is deemed ineligible, the City Clerk will advise the employee, in writing, stating the reason(s) for ineligibility.

2. The identity of each donor will be kept confidential unless permission is received from the donor to release the name to the recipient. The recipient must request such information.

NOTE: An employee shall be prohibited from threatening or coercing or attempting to threaten or coerce another employee for the purpose of interfering with rights involving donating, receiving or using donated leave time. Such prohibited acts shall include, but not be limited to, promising to confer or conferring a benefit such as an appointment, promotion or monetary or making a threat to engage in, or engaging in, an act of retaliation against an employee.

CITY OF LAMBERTVILLE
DONATED LEAVE PROGRAM

APPLICATION

I request approval to participate in the Donated Leave Program. I understand that participation in this program will result in the posting of a notice to all City employees attesting to my eligibility and soliciting the donation of leave time. The specific nature of my illness will be kept confidential.

I certify that I have not solicited nor offered anything of value for the donation of paid leave time.

I have not (directly or indirectly) intimidated, threatened, or coerced nor have I attempted to intimidate, threaten or coerce any employee for the purpose of obtaining a donation of paid leave.

I have not interfered with any right (which another employee may have) with respect to contributing, receiving, or using paid leave under this program.

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I understand that I cannot receive Temporary Disability Insurance (TDI) benefits for the same periods that I am being paid wages from donated sick or vacation leave or while using any of my own leave time during this program. I also understand that the Temporary Disability Benefits Law requires that I use all of the donated leave before benefits can be paid.

PLEASE PRINT:

_____ Employee's Last Name, First Name, MI	_____ Employee's SSN
_____ Employee's Signature	_____ Date

If the employee is unable to sign, a member of the employee's family must complete the information below.

PLEASE PRINT:

_____ Employee's Last Name, First Name, MI	_____ Employee's SSN
_____ Family Member's Signature	_____ Date

Family Member's Relationship to Employee: _____

CITY OF LAMBERTVILLE
DONATED LEAVE PROGRAM

DONOR LEAVE TRANSFER

INSTRUCTIONS:

If you wish to donate, please complete and submit this form to:
City Clerk
18 York Street
Lambertville, NJ 08530

The completed form must be ***received*** by the date on which the posting expires.

DONATION:

I hereby direct the City of Lambertville to transfer leave credit as indicated below to be used as the recipient's personal sick or vacation leave.

RECIPIENT'S NAME: _____ **DEPARTMENT:** _____

I wish to donate _____ of my sick days to the above named recipient.
I wish to donate _____ of my vacation days to the above named recipient.

This donation will NOT reduce my earned accrued sick leave balance below 20 days. This donation will NOT reduce my earned accrued vacation leave balance below 12 days.

CHECK ONE: **CONSENT TO THE RELEASE OF MY NAME**
 DO NOT CONSENT TO THE RELEASE OF MY NAME

PLEASE PRINT:

_____ Employee's Last Name, First Name, MI _____ Employee's SSN

_____ Employee's Signature _____ Date

CERTIFICATION:

I certify that I have not solicited nor accepted anything of value for the donation of paid leave time.

_____ Employee's Signature _____ Date

CITY OF LAMBERTVILLE
DONATED LEAVE PROGRAM

POSTING

Employee's Name: _____

Division: _____ Work Unit: _____

Posting Period; _____ to: _____

The employee named above has applied to participate in City of Lambertville's **Donated Leave Program** under the provisions of City of Lambertville *Policy and Procedure*

This employee meets the requirements of the program and has been approved for participation.

If you wish to donate, please complete and submit a **Donor Leave Transfer form** to:

City Clerk
18 York Street
Lambertville, NJ 08530

The deadline for donating leave time for use by the employee named above is:
_____.

Completed Donor Leave Transfer forms **must** be received by the City Clerk by the above stated date.

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APPROVAL: _____ **DATE:** _____

First Reading and Introduction: September 16, 2014
Second Reading and Public Hearing: October 21, 2014

Mayor DelVecchio asked for a motion to introduce on first reading, Ordinance Number 27-2014. Councilman Sanders made a motion to introduce Ordinance Number 27-2014. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

The public hearing is scheduled for October 21, 2014.

ORDINANCES – SECOND READING AND FINAL ADOPTION.

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 into the record by title. He informed the members of the public present that this ordinance will fund the generator at the Lambertville Free and Public Library and potentially fund the automatic generator at the Phillip L. Pittore Justice Center. The generator installed at City Hall is fully operational. To date, the City has spent \$363,000 on the generator projects.

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

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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 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.

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(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.

Mayor DelVecchio opened the public hearing for Ordinance Number 23-2014 and asked for comments or questions from the public. Hearing no questions or comments from the public, Mayor DelVecchio asked for a motion to close the public hearing on the Bond Ordinance, Number 23-2014, to supplement funding for the generators for the Library and Justice Center. Councilwoman Warner made a motion to close the public hearing. 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 23-2014 on second reading and final approval. Councilwoman Warner made a motion to adopt Ordinance Number 23-2014, a bond ordinance to provide supplemental funding for the generators at the Library and Justice Center. Councilman Sanders seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

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 the ordinance into the record by title. He informed the members of the public present that this ordinance will fund the resurfacing of Wilson Street, a project of United Water. United Water will install a new water main and three new hydrants on Wilson Street. The City will reimburse United Water for the resurfacing of the street.

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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.

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

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

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

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

Mayor DelVecchio opened the public hearing on Ordinance Number 23-2014. He asked for questions or comments from the public. Hearing no questions or comments from the public, Mayor DelVecchio asked for a motion to close the public hearing on Ordinance Number 23-

2014, which will fund the reimbursement to United Water for the resurfacing of Wilson Street. Councilwoman Warner made a motion to close the public hearing on Ordinance Number 23-2014. 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 on second reading and final approval, Ordinance Number 23-2014. Councilwoman Asaro made a motion to adopt on second reading and final approval, Ordinance Number 23-2014 to fund the reimbursement to United Water for the resurfacing of Wilson Street. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION: Joseph Donnelly was present from the Delaware River Joint Toll Bridge Commission to present Mayor and Council with a proclamation celebrating the 200 years of crossing the Delaware. Mayor DelVecchio thanked Mr. Donnelly on behalf of the Delaware River Joint Toll Bridge Commission for all of their support and help throughout the years during Shad Festival, and the Annual Tree Lighting but also for the assistance they provided in early 2014 with snow removal. Mr. Donnelly informed Mayor and Council that the Delaware River Joint Toll Bridge Commission was planning on burying a time capsule and if they had something to include in it they should contact him.

CORRESPONDENCE.

SOUTH HUNTERDON REGIONAL SCHOOL DISTRICT BAND PARENT ORGANIZATION: A letter asking permission to sell raffle tickets on the corner of North Union and Bridge Streets on weekends beginning September 13 and 14 and ending November 8 and 9 from 10 am to 5 pm.

ANITA AND MAX CRANDALL: A letter of acknowledgement of Nate Barson, Animal Control Officer's actions with a bat in an attic.

JCP&L: Notice of a public hearing, PBU Docket Number ER14040370.

NEW JERSEY WATER AUTHORITY: Notice of a meeting with residents of the canal to discuss the project at 6 pm on Tuesday, September 16 at the Phillip L. Pittore Justice Center located at 25 South Union Street.

NEW JERSEY TRANSIT PUBLIC HEARING NOTICE to gather information and receive comments from interested parties concerning programs developed pursuant to the Senior Citizen and Disabled Resident Transportation Assistance Act.

CITY OF LAMBERTVILLE BOARD OF FIRE COMMISSIONERS DISTRICT #1; Notice of Annual Fire Inspection – October 5th at 2 pm, staging at Hibernia Fire Company, requesting the closure of York Street at 2:15 pm, Fire Prevention – October 8th, and Santa Run – December 20th.

Councilman Sanders made a motion to approve the request for a road closure on October 5 starting at 2 pm on York Street between North Union and North Main. Councilwoman Asaro

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

DENISE JARVIS: request permission to close Ferry Street between Union and Main Streets on Saturday, October 18, 2014 from 4 – 8 pm for the annual block party, with a rain date of Sunday, October 19, 2014.

Councilman Sanders made a motion to approve the request for a block party on October 18th with a rain date of October 19th from 4 – 8 pm. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION's notice of off-peak and overnight travel restrictions on the Lambertville New Hope Toll-Supported Bridge during the week of September 15, 2014.

MICHAEL SULLIVAN: request for approval of a road closure on North Union Street, north of Cherry Lane from 8 AM to 8 PM on October 4, 2014 for a yard sale/flea market on the block.

Councilwoman Asaro made a motion to approve the request for a yard sale/flea market on October 4 from 8 AM to 8 PM beginning at Cherry Lane and ending at the dead-end. Council President Stegman seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

BUCKS COUNTY PLAYHOUSE & THEATRE AND LAMBERTVILLE HALL: request for an increase in occupancy to 150 people at the Lambertville Hall on September 27th for the Oscar Hammerstein Festival.

Mayor DelVecchio informed the members of the public present that the Bucks County Playhouse & Theatre has made a request for approval of a special event on September 27th at the Lambertville Hall for 150 attendees. Mayor DelVecchio said he asked for something in writing from City officials and they are not supportive. He read the statement submitted by Ken Rogers, the City's Construction Official into the record:

I cannot agree to the increased occupancy for this event. What is slowly happening is they are changing the use of the building. If they want to apply for a change in use from a "B" business use with less than 50 occupants as it is now to an "A-3" assembly use with all the proper prior approval and any necessary upgrades to the interior as required by code then I would have no objection.

Mayor DelVecchio read the statement from the City's Zoning Officer into the record:

“Although the ordinance permits City Council to evaluate the special event in regards to the individual benefit to the community, construction and building code issues are not evaluated. The current use is approved for business with a maximum of 50 occupants. If continual request are made for an increase of occupancy, construction issues should be addressed for safely allowing the increase. Zoning issues of off street parking

requirements can be justified as a temporary special event, but code enforcement should be addressed for assembly use.”

Mayor DelVecchio said they have asked for the occupancy be allowed to increase 150 attendees but are currently permitted 50. Councilman Sanders noted that the Council needed to inquire as to whether the expanded use would offend fire safety standards. Anne LaFriniere from Lambertville Hall was present and she said the entire building had been renovated and was fit with sprinklers and fire alarms. Council President Stegman asked if there could be a compromise between what they asked for and what is granted.

Anne LaFriniere of the Lambertville Hall said this was their last request. She said the committee was meeting on October 6 and they were hopeful that they would be able to work out the issues of the application with the Planning Board. She also said that they would be able to cap the attendance for the classes so they didn't exceed the occupancy set by Mayor and Council for this event.

Council President Stegman made a motion to approve the request of Bucks County Playhouse and the Lambertville Hall for a special event on September 27th with the number of occupants to not exceed 101. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

APPOINTMENT TO LMUA.

Mayor DelVecchio nominated Joe Polizzi of 57 South Main Street to the position of Alternate II with the Lambertville Municipal Utilities Authority. Councilman Sanders made a motion to confirm his appointment. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

UNFINISHED BUSINESS.

Update on Various Construction Improvement Projects.

2014 Road Projects.

North Union Street, Phase III: work began on September 3 and is anticipated to be finished by the end of September or beginning of October.

Cottage Hill Resurfacing Project: the City will be upgrading the speed humps and we are waiting for estimates and a change order to proceed.

Upper York & Washington Streets: the City Engineer is in the process of surveying.

Update on projects for flood relief:

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

Miscellaneous.

Update on various non-construction projects:

FEMA GRANT for the generator projects: The City is waiting for either a letter to proceed or additional questions.

South Hunterdon Regional School District – no update.

Shared Services.

Frenchtown – the City extended the contract for an additional three months to give Frenchtown time to review the old contract.

Garbage & Recycling – no update.

NEW BUSINESS – nothing to report.

ANNOUNCEMENTS.

COLUMBUS DAY: All City offices will be closed on Monday, October 13th for Columbus Day. Pick-up of all food wastes will be on Tuesday, October 14th.

SAVE THE DATE!

FREE RABIES CLINIC is scheduled for Saturday, September 20th from 1 – 3 pm at the Union Fire House located at 230 North Main Street.

15th ANNUAL AIDS WALK is scheduled for Sunday, September 21st. Registration is at 9 AM. For additional information, visit www.factbuckscounty.org.

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 18, 2014 from 11:30 am to 2 pm with a rain date of October 25, 2014.

PUBLIC PARTICIPATION/PETITION OF CITIZENS AND PUBLIC DISCUSSION.

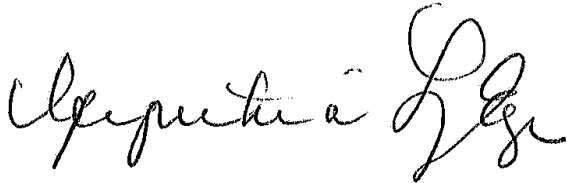
NJ WATER AUTHORITY: Mayor DeVecchio asked for a motion to send a letter to the New Jersey Water Authority and copy the Governor's Office, requesting that the New Jersey Water Authority work with the City's Shade Tree Commission in selecting trees to replant which will replace the trees removed and to cut the tree root growing out of the embankment by the Bank of Princeton even with the wall. Councilwoman Asaro made a motion to authorize the letter to the New Jersey Water Authority and copying the Governor's Office. Council President Stegman seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

ADJOURNMENT.

City of Lambertville
Regularly Scheduled Session
September 16, 2014, 6:30 p.m.
Justice Center, 25 South Union Street, Lambertville
Agenda
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The meeting adjourned at 7:37 p.m. with a motion made by Council President Stegman and seconded by Councilwoman Warner. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Cynthia L. Ege". The signature is fluid and cursive, with a large initial "C" and "E".

Cynthia L. Ege
CMR, RMC, City Clerk

The September 16, 2014 regularly scheduled session minutes were approved at the October 21, 2014 City Council meeting.