



City of Lambertville
Regularly Scheduled Session
Wednesday, June 17, 2015, 6:30 p.m.
Phillip L. Pittore Justice Center
25 South Union Street, Lambertville
MINUTES

STATEMENT OF COMPLIANCE.

The meeting was called to order at 6:30 pm by Council President Stegman who read the statement of compliance with the Open Public Meetings Act into the record, noting that the annual meeting notice was published in the January 8th edition of the Beacon; the Clerk provided the required notice on Monday, June 15, 2015 to the Democrat, the Times, posted the agenda to the bulletin board at city hall, the website at www.lambertvillenj.org, and noticed 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 (arrived at 6:40 p.m.).

Absent: None.

RESOLUTION TO GO INTO CLOSED SESSION.

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 p.m. and reconvene in open session at 7 p.m.**

RESOLUTION

“Authorizing a Closed Session at the June 17, 2015 Lambertville City Council Meeting to Discuss Contracts, Personnel, Acquisition of Property, Possible Litigation”

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Lambertville that a closed session shall be held on June 17, 2015, in the Phillip L. Pittore Justice Center, located at 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.

ADOPTED:

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

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Mayor DelVecchio and City Council re-convened in regular session at 6:59 p.m. with a motion made by Councilman Sanders and seconded by Councilwoman Warner. An affirmative voice 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 in the United States Armed Forces.

APPROVAL OF MINUTES.

Mayor DelVecchio asked for a motion to approve the following sets of minutes: May 19, 2015 Regularly Scheduled Session Minutes, May 19, 2015 Closed Session Minutes. Councilman Sanders made a motion to approve the minutes as submitted. 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 administrative reports from the following departments: 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.

PROCLAMATIONS.

David Wintermute.

Proclamation

WHEREAS, David Wintermute was born and raised in the City of Lambertville, and resides on Swan Street; and

WHEREAS, Mr. Wintermute has been employed with Lehigh Fluid Power, Inc. since March of 1978 and is currently the Department Supervisor, CNC Programmer and Operator; and

WHEREAS, he has Coached for the Lambertville-West Amwell Youth Baseball & Softball Association since March of 1972; and

WHEREAS, he has served the community through his volunteer efforts with the Hibernia Fire Company: President 1979-1981 and Treasurer since 1982; Lambertville Recreation Commission, Vice Chair 1996-1998, Chairman 1999-2008; Lambertville-West Amwell Youth Baseball and Softball Association: President 2013 to present; Director of Operations 1980-2013; Treasurer 1973-1978; and the Lambertville Fire Police: Treasurer 2001 to present; and

WHEREAS, the Community is celebrating Dave “Wink” Wintermute’s 43 years of coaching LWAYBSA baseball on Sunday, June 28th: Rain or Shine at Hewitt Park in West Amwell.

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 Dave “Wink” Wintermute is hereby acknowledged for his many contributions to the community.

BE IT FURTHER RESOLVED that Sunday, June 28th is hereby proclaimed Dave “Wink” Wintermute Day in the City of Lambertville.

ADOPTED: June 17, 2015

Mayor DelVecchio asked for a motion to approve the proclamation honoring Dave “Wink” Wintermute for his years of service to the Lambertville West Amwell Youth Baseball Association. Councilman Sanders made a motion to approve the proclamation. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

RESOLUTIONS.

Consent Agenda: *The following resolutions on a consent agenda are considered routine and shall be enacted by one motion. Should any member of City Council seek separate discussion of any item, that item shall be removed and discussed separately.*

Resolution Number 82-2015: *A Resolution to Authorize the Purchase of a 2016 Ford Police Explorer Utility SUV off NJ State Contract, Number 88728 in the amount of \$34,037, Plus Computer System, Radar, A/V Recorder, Mobile Radio, and Emergency Lights for a total purchase of \$50,978.36 Funded Through Capital Ordinance 11-2015.*

City of Lambertville

RESOLUTION NUMBER 82 - 2015

A Resolution to Authorize the Purchase of a 2016 Ford Police Explorer Utility SUV Off NJ State Contract, Number 88728 in the Amount of \$34,037, Plus Computer System, Radar, A/V Recorder, Mobile Radio, and Emergency Lights for a Total Purchase Amount of \$50,978.36 Funded Through Capital Ordinance Number 11-2015

WHEREAS, the Capital Ordinance Number 11-2015 in the amount of \$52,000 was adopted on June 13, 2015; and

WHEREAS, the purchase of the vehicle is off NJ State Contract Number 88728 in the amount of \$34,037; and

WHEREAS, the computer system, radar, A/V Recorder, mobile radio, and emergency lights will all be purchased and installed by independent vendors.

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, that the purchase of the 2016 Ford Police Explorer Utility SUV Off NJ State Contract Number 88728 in the amount of \$34,037 plus the incidentals which include the computer system, radar, A/V Recorder, mobile radio, and emergency lights for a total amount of \$50,978.36 is hereby authorized.

ADOPTED: June 17, 2015

Resolution Number 83-2015: A Resolution to Re-Appoint the Police Director to a Three Year Term, Ending April 5, 2018.

City of Lambertville

RESOLUTION NUMBER 83 - 2015

A Resolution to Re-Appoint the Police Director to a Three Year Term, Ending April 5, 2018

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, that Bruce Cocuzza is hereby re-appointed to the position of Police Director for a three year term beginning April 6, 2015 and ending April 5, 2018.

ADOPTED: June 17, 2015

Resolution Number 84-2015: A Resolution Requesting the Insertion of A Special Item of Revenue In the 2015 Budget for the Clean Communities Grant In the Amount of \$9,810.55.

City Of Lambertville

RESOLUTION NUMBER 84-2015

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 \$9,810.55 for Clean Communities Grant.

NOW THEREFORE, BE IT RESOLVED that the City of Lambertville hereby requests the Director of Division of Local Finance to approve the insertion of an item of revenue in the 2014 CY Budget in the amount of \$9,810.55 which item is now available as revenue from the receipt of the Clean Communities Grant.

BE IT FURTHER RESOLVED that a like sum of \$9,810.55 is hereby appropriated under the caption of:

OPERATIONS "EXCLUDED FROM CAP"
Clean Communities Grant \$9,810.55

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

ADOPTED: June 17, 2015

Resolution Number 85-2015: *A Resolution to Authorize the Request for Proposals through Competitive Contracting for Credit Card Processing.*

City of Lambertville
RESOLUTION NUMBER 85 - 2015
A Resolution to Authorize the Request for Proposals through Competitive Contracting for Credit Card Processing

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, that the City Clerk is hereby authorized to solicit for proposals for credit card processing through the competitive contracting process.

ADOPTED: June 17, 2015

Resolution Number 86-2015: *A Resolution to Authorize the Alcohol Beverage Control Licenses for 2015.*

City of Lambertville
RESOLUTION NUMBER 86-2015
“Annual Renewal of Alcoholic Beverage Control Licenses for 2015-2016”
WHEREAS, application has been received from the following establishments for renewal of the Alcoholic Beverage License currently held by them for premises located in the City of Lambertville, New Jersey:

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

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Masset Group Inc.	1017-33-005-008	Plenary Retail Consumption License
Mitchell's Café Inc.	1017-33-004-004	Plenary Retail Consumption License
Schermerhorn Jeffrey F.	1017-44-011-004	Plenary Retail Distribution License
Swan Hotel The	1017-33-009-002	Plenary Retail Consumption License
Targa Investments	1017-33-007-003	Plenary Retail Consumption License
Toscanni Post 120 American Legion	1017-31-012-001	Club License
Walker's Wine & Spirits, Inc.	1017-44-010-005	Plenary Retail Distribution License

WHEREAS, Stephen Williamson has filed a renewal for license number 1017-33-001-005 for a Plenary Retail Consumption License and is required to apply for a 12:39 Ruling, and Mr. Williamson is actively looking for a site for a Restaurant and/or Bar within the City limits, and **WHEREAS**, the application process has changed and each applicant is in the process of completing their forms online; and the City Clerk is in the process of obtaining the Alcoholic Beverage Retail License Clearance Certificate for each entity, and **WHEREAS**, no written objection to the renewal of these licenses was received by the City Clerk; and **WHEREAS**, the Lambertville Police Department is in the process of conducting an inspection of each establishment for compliance with the required licensing and posting documentation requirements and recommend approval; and **NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Lambertville, County of Hunterdon, State of New Jersey, that the above licenses be renewed for the 2015-2016 license year upon completion of the requirements as outlined by the Attorney General's Office and that the City Clerk be directed to forward a certified copy of this Resolution and the renewal applications to the Division of Alcoholic Beverage Control, Department of Law and Public Safety, for processing, and to the applicants; and **BE IT FURTHER RESOLVED** that the City Clerk be authorized to issue the 2015-2016 licenses to the proper holder prior to the effective date of June 30, 2016.
ADOPTED: June 17, 2015

Resolution Number 87-2015: A Resolution to Authorize the Request for Proposals through Competitive Contracting for the Redesign of the City's Website (www.lambertvillenj.org).

City of Lambertville
RESOLUTION NUMBER 87 - 2015
A Resolution to Authorize the Request for Proposals through Competitive Contracting for the Redesign of the City's Website
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, that the City Clerk is hereby authorized to solicit for proposals for the redesign of the City's Website through the competitive contracting process.

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ADOPTED: June 17, 2015

Resolution Number 88-2015: A Resolution to Correct Resolution Number 69-2014, the S&W for the Librarian in An Amount Not to Exceed \$15,000.

City of Lambertville

RESOLUTION NUMBER 88-2015

A Resolution to Correct the 2014 S&W for the Librarian of the Lambertville Free Public Library
WHEREAS, resolution number 69-2014 adopted on May 8, 2014 in correctly recorded the salary of the Librarian, Harold Dunn as \$4,200; and

WHEREAS, the Board of the Lambertville Free and Public Library notified the city of the error, and have stated the correct salary is \$15 per hour, not to exceed \$15,000 annually.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lambertville, County of Hunterdon, State of New Jersey that the salary & wage recorded for 2014 for Harold Dunn, the Librarian of the Lambertville Free and Public Library is hereby authorized in an amount not to exceed \$15,000 annually.

ADOPTED: June 17, 2015

Resolution Number 89-2015: A Resolution to Authorize the Clerk to Submit the Raffle Application Filed by the Elks for 50/50 Raffles.

City of Lambertville

RESOLUTION NUMBER 89-2015

A Resolution to Authorize the Clerk to Submit the Raffle Application Filed by the Elks to the State of New Jersey Legalized Games of Chance Control Commission for an On Premise 50/50 Raffles(Various Dates) and Casino Night to be held on October 17, 2015

WHEREAS, the City Clerk received the raffle applications from the Elks on Tuesday, June 09, 2015 for the on premise 50/50 raffles and Casino Night scheduled for October 17, 2015; and
WHEREAS, On June 9, 2015, copies of the applications were forwarded to the police department for their review and comments; and

WHEREAS, the City Clerk has completed the determinations statements as required by the State of New Jersey, Legalized Games of Chance Control Commission.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lambertville, County of Hunterdon, State of New Jersey, that the City Clerk is hereby authorized to submit the applications filed by the Elks to the State of NJ LGCCC.

ADOPTED: June 17, 2015

Resolution Number 90-2015: A Resolution to Authorize the Mayor and Clerk to Sign the Contract with Phoenix Advisors, LLC for the 2015 Calendar Year.

City of Lambertville

RESOLUTION NUMBER 90-2015

A Resolution to Authorize the Contract With Phoenix Advisors, LLC for the 2015 Calendar Year

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lambertville, County of Hunterdon, State of New Jersey, that the Mayor, City Attorney and City Clerk are hereby authorized to sign the contract with Phoenix Advisors, LLC to assist the city with the filing of the municipal continuing disclosure for the 2015 calendar year.

ADOPTED: June 17, 2015

Resolution Number 91-2015: *A Resolution to Authorize the Refund of An Over Payment for Block 1006, Lot 35 In The Amount of \$3,206.27 to Arthur Banker.*

City of Lambertville

RESOLUTION NUMBER 91-2015

A Resolution To Authorize the Tax Overpayment for Block 1006, Lot 35 In the Amount of \$3,206.27 to Arthur Banker

Whereas the City of Lambertville Tax Collector confirmed that the owner of the property located at 20 Elm St Block 1006 Lot 35 has a tax overpayment from the May 2015 tax quarter payment. Whereas this overpayment is in the amount of \$3,206.27
Now, therefore, be it resolved that the Lambertville City Council does hereby authorize and approve this same overpayment in the amount of \$3,206.27 be refunded to the property owner as listed below.

ADOPTED: June 17, 2015

Resolution Number 92-2015: *A Resolution of the City of Lambertville Adopting the Municipal Shared Services Defense Agreement to Retain Dr. Burchell, in An Amount Not to Exceed \$2,000.*

City of Lambertville

RESOLUTION NUMBER 92-2015

A Resolution of the City of Lambertville Adopting the Municipal Shared Services Defense Agreement to Retain Dr. Burchell

WHEREAS, the City of Lambertville anticipates filing a Declaratory Judgment Action in the Superior Court of New Jersey Hunterdon County in furtherance of the Supreme Court's March 10, 2015 decision captioned In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015) (the "Supreme Court Decision"); and

WHEREAS, Fair Share Housing Center ("FSHC"), through the services of David Kinsey, has prepared what it considers to be the statewide fair share numbers (the "FSHC Numbers") for use by the 15 vicinage Mt. Laurel Judges to calculate a municipality's affordable housing obligation pursuant to the Supreme Court Decision; and

WHEREAS, the City of Lambertville desires to participate in the preparation of a statewide fair share analysis to be undertaken by Rutgers, The State University of New Jersey ("Rutgers"), through Dr. Robert W. Burchell, Principal Investigator, and various other experts employed by Rutgers in order to establish a rational and reasonable methodology (the "Burchell Fair Share Analysis") for determination of a municipality's obligation to provide a realistic opportunity through its land use ordinances for its fair share of the region's affordable housing needs in accordance with the Mount Laurel Doctrine as set forth in In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) ("Decision") and prior decisions of the Courts of New Jersey, and the Fair Housing Act, N.J.S.A. 52:27D-301 et. seq.; and

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WHEREAS, Rutgers, utilizing Dr. Burchell as the Principal Investigator and author has agreed to prepare the Burchell Fair Share Analysis within 90 days of being retained to establish his view of the proper way to determine each municipality's fair share obligation; and

WHEREAS, Dr. Burchell estimates the cost to prepare the initial Burchell Fair Share Analysis will be \$70,000; and

WHEREAS, it is anticipated that there will be a need for Dr. Burchell to analyze any challenges to his conclusions and prepare a rebuttal report to said challenges which is not included in the \$70,000; and

WHEREAS, it is anticipated that if each municipality contributes \$2,000, there will be sufficient monies to pay the cost to prepare the initial Burchell Fair Share Analysis, to analyze any challenges to the Initial Fair Share Analysis and to Prepare A Rebuttal Report given the number of municipalities that have expressed an interest in retaining Burchell; and

WHEREAS, a Municipal Shared Services Defense Agreement (hereinafter MSSDA"), has been prepared (a) so that monies can be collected to enter into an agreement with Rutgers (hereinafter "the Rutgers Agreement") and so that Burchell, along with various other experts from Rutgers, can perform the tasks described above and (b) so that the rights and responsibilities of each municipality that wishes to sign the agreement to retain Rutgers are defined; and

WHEREAS, the MSSDA provides that the Law Offices of Jeffrey R. Surenian and Associates, LLC ("Surenian") will serve as the administrative entity to sign the Rutgers agreement on behalf of the municipalities that signed the MSSDA and paid the \$2,000 fee; and

WHEREAS, it is imperative given the time constraints for municipalities that wish to retain Burchell to sign the MSSDA and pay the \$2,000 fee so that Burchell can conduct the necessary analysis; and

WHEREAS, notwithstanding the foregoing, it is possible that the MSSDA may need to be changed as a result of ongoing negotiations with the Rutgers agreement following execution of the MSSDA and the payment of the \$2,000 fee; and

WHEREAS, in such an event, any member that objects to the changes that Rutgers may require shall have the opportunity to relinquish membership in the Municipal Group and to receive back the \$2,000 payment as more specifically set forth in the MSSDA.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Lambertville, as follows:

1. The terms and conditions of the MSSDA attached hereto are hereby approved, ratified and confirmed.
2. The amount of \$2,000 is hereby authorized to be expended by the City of Lambertville for Rutgers through Dr. Robert Burchell, Principal Investigator to prepare the Burchell Fair Share Analysis.

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3. A certification of funds authorizing the aforesaid expenditure has been signed by the Chief Financial Officer of the City of Lambertville and is appended hereto.
4. The Mayor be and is hereby authorized to execute the aforesaid MSSDA to memorialize the participation of the City of Lambertville in the preparation of the Burchell Fair Share Analysis and to take any and all actions reasonably required to effectuate said Agreement.
5. The City of Lambertville hereby authorizes Jeffrey R. Surenian, Esq. to execute on behalf of the City of Lambertville the Research Agreement with Rutgers to initiate and complete Burchell Fair Share Analysis and to do such other actions to effectuate the purposes of said Research Agreement.
6. If further changes to the MSSDA are needed as a result of finalizing the Rutgers Agreement, within ten (10) days of notification by Surenian of the changes, the City of Lambertville will inform Surenian if it objects to the changes and wishes to withdraw from the Municipal Group and obtain a refund of the \$2000 it paid.
7. This Resolution shall take effect immediately.

Resolution Number 93-2015: A Resolution to Authorize the Mayor, City Attorney and Clerk to Execute the Documents Required for the Amendments to the Small Cities Grant with the State of New Jersey.

City of Lambertville

RESOLUTION NUMBER 93-2015

A Resolution To Authorize the Mayor, City Attorney and City Clerk to Execute the Paperwork Required to Amend the Small Cities Application with the State of New Jersey

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that the Mayor, City Attorney and City Clerk are hereby authorize the execute the paperwork necessary to amend the Small Cities Application with the State of New Jersey to permit multiple applications for the same property.

ADOPTED: June 17, 2015

Resolution Number 94-2015: A Resolution to Authorize the Contract for Redevelopment Attorney with Parker McCay in an Amount Not to Exceed \$250.00 per hour, Covering July 1, 2015 through June 30, 2016.

City of Lambertville

RESOLUTION NUMBER 94-2015

A Resolution To Authorize the Contract with Parker McCay for the Position of Redevelopment Attorney for a 12 Month Period at a Rate Not to Exceed \$250 Per Hour

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that the contract with Parker McCay for

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the position of Redevelopment Attorney for the City of Lambertville at a rate not to exceed \$250.00 per hour for a contract period not to exceed 12 months.
 BE IT FURTHER RESOLVED that the Mayor, City Attorney and City Clerk are hereby authorized to execute the contract with Parker McCay.

ADOPTED: June 17, 2015

Resolution Number 95-2015: A Resolution to Reject the Bid Received for the Remediation and Reconstruction of Cavallo Park.

City of Lambertville
RESOLUTION NUMBER 95-2015
A Resolution to Reject the Bid Received from Earthworks Inc. for the Remediation and Reconstruction of Cavallo Park

WHEREAS, on May 21, 2015, the city advertised in the Times for the solicitation of bids for the remediation and reconstruction of Cavallo Park; and

WHEREAS, a pre-bid meeting was held at the site on Thursday, June 4, 2015, and

WHEREAS, an amendment to the bid form-site work, cleanout detail and revised sheet 4 of 9 of Engineer's drawings; and

WHEREAS, the bid opening was held on Tuesday, June 16, 2015 at 10 am at City Hall located at 18 York Street in the city; and

WHEREAS, the city publicly opened and read the following bids:

Company	Address	Base Bid	Option A	Option B
Earthworks, Inc.	13 Morello Court Farmingdale, NJ	\$890,000	\$344,975	\$1,146,580

WHEREAS, the city architect and attorney have reviewed the bids received and have determined that the bid received was responsive and responsible; and

WHEREAS, the bid amounts exceed the amount budgeted for this project.

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, that the bid received on June 16, 2015 for the remediation and reconstruction of Cavallo Park is hereby rejected because it exceeds the budgeted amount for this project.

BE IT FURTHER RESOLVED that the City Architect and Engineer are hereby authorized to rebid the project.

ADOPTED: June 17, 2015

Resolution Number 96-2015: A Resolution Requesting the Insertion of a Special Item of Revenue in the Budget of Any Municipality, Pursuant to NJSA 40A:4-87, Alcohol Education Rehab in the amount of \$884.00.

City of Lambertville
RESOLUTION NUMBER 96-2015

***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 \$884.00 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 \$884.00 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 \$884.00 is hereby appropriated under the caption of:

OPERATIONS "EXCLUDED FROM CAP"
Alcohol Education Rehab Grant \$884.00

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

ADOPTED: June 17, 2015

Resolution Number 97-2015: A Resolution to Authorize the Mayor, City Attorney and City Clerk to Sign the Discharge Papers for the Small Communities Loan for 189 George Street in the Amount of \$39,340.00.

City of Lambertville
RESOLUTION NUMBER 97-2015

A Resolution to Authorize the Mayor, City Attorney and City Clerk to Sign the Discharge of Mortgage for 189 George Street In the Amount of \$39,340.00

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, that the Mayor, City Attorney and City Clerk are hereby authorized to sign the discharge of mortgage papers for 189 George Street in the Amount of \$39, 340.00.

ADOPTED: June 17, 2015

Mayor DelVecchio acknowledged the police director for his years of service to the community and said that the city was pleased with his work; that the citizens are well served and he asked that he continue doing what he is doing.

Mayor DelVecchio asked for a motion to adopt resolutions as listed on the consent agenda. Councilwoman Asaro made a motion to adopt the resolutions. Council President Stegman seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

BILLS LISTS.

Mayor DelVecchio asked for a motion to approve the bills list and the addendum to the bills list. Councilman Sanders made a motion to approve the 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.

ORDINANCES – INTRODUCTION AND FIRST READING.

Ordinance Number 14-2015: A Capital Ordinance to Fund the Filing of the Declaratory Judgement, Update the Master Plan for all COAH Matters in an Amount Not to Exceed \$30,000.

Mayor DelVecchio read the ordinance into the record by title. He informed the members of the public present that this ordinance is to fund the professional fees for representation of all COAH matters and the filing of the Declaratory Judgement and to update the Master Plan. He introduced Brian Shotts, the attorney representing the City. Mayor DelVecchio asked Mr. Shotts to explain what this will do for the City. Mr. Shotts informed the members of the public present that this will protect the city from COAH claims, and give the city the ability to go with Dr. Burchell's law suit to challenge the fair share housing numbers.

ORDINANCE NO. 14-2015

AN ORDINANCE OF THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, PROVIDING FOR THE PROFESSIONAL AND CONSULTING FEES RELATED TO THE CITY'S COAH STATUS AND FAIR SHARE HOUSING OBLIGATIONS AND APPROPRIATING \$30,000 TO FUND 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. For the purpose of providing for the fees for legal, planning and consulting services related to the City's declaratory judgment motion to affirm the City's compliance with its constitutional obligation to provide appropriate levels of affordable housing under the State of New Jersey's Mount Laurel court decisions, including but not limited to filing certain legal papers, participating in certain legal proceedings and updating the City's Master Plan through a statutory process, and including

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expenses incurred in the planning, design and bidding such services, there is hereby appropriated the sum of \$30,000 from the City's Capital Surplus Account.

Section 2. The capital budget or temporary capital budget (as applicable) of the City is hereby amended to conform with the provisions of this 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 3. This ordinance shall take effect as provided by law.

Mayor DelVecchio asked for a motion to introduce on first reading, Ordinance Number 14-2015, a capital ordinance to fund professional and consulting fees related to COAH and Fair Share Housing Obligations. Council President Stegman made a motion to introduce on first reading Ordinance Number 14-2015. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

The public hearing is scheduled for July 21, 2015.

Ordinance Number 15-2015: *An Amend the General Code of the City of Lambertville, Chapter VIII, Section 8-29, Rules and Regulations, VI. Application Types, Adding VI: Bed and Breakfast Establishments.*

Mayor DelVecchio read the ordinance into the record by title. He informed the members of the public present that this ordinance is to permit Bed and Breakfast Businesses to obtain a hang-tag for parking. Mayor DelVecchio stated that in a small way, the Bed and Breakfast is the city's partner as they pay hotel tax.

Council President Stegman commented that this will be for the exclusive use of the customers of the Bed and Breakfast establishments who are located on a street with meters. Mayor and Council Members will delineate where the parking will be for each establishment.

Mayor DelVecchio commented that four Bed and Breakfast establishments have closed (York Street House, Apple Inn, Martin Coryell House, and the one located on Coryell & George Street).

City of Lambertville
Ordinance 15- 2015

An Ordinance to Amend Chapter VIII, Article III, 8-29, Rules and Regulations, Adding Section VI, Creating Hang-Tag Spaces for Bed & Breakfast Businesses

NEW SECTION:

VI. APPLICATION TYPES.

- vi. BED AND BREAKFAST BUSINESSES (B&B's): B&B's with no more than ten (10) rooms and located within the metered area of the City of Lambertville, shall be eligible to purchase up to 10 parking stickers per year for a fee of \$100 per sticker. The maximum number of parking stickers shall be limited to the number of rooms.

- a. The Bed and Breakfast Business must:

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- i. File with the application a copy of the resolution of approval issued by the Planning or Zoning Board of the City of Lambertville.
- ii. Must be registered with the State of New Jersey, Division of Taxation for Hotel and Motel Taxes.
- b. The fees must be paid in full annually and cannot be pro-rated.
- c. Hang-tags can only be issued and used by visitors of the Bed and Breakfast business and are strictly prohibited for owners or employees.
- d. The parking area permitted will be designated by an official of the City of Lambertville in a low-use zone.
- e. Lost or damaged stickers can be replaced for a fee of \$25.00

INTRODUCED: June 17, 2015
PUBLIC HEARING: July 21, 2015
ADOPTED:

Mayor DelVecchio asked for a motion to introduce Ordinance Number 15-2015, amending Chapter 8, Article 3, Metered Parking. Councilman Sanders made a motion to introduce on first reading Ordinance Number 15-2015. Council President Stegman seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

The public hearing is scheduled for July 21, 2015.

Ordinance Number 16-2016: A Capital Ordinance to Fund Renovations to the Public Works Site, Located at 120 Quarry Street, In An Amount Not to Exceed \$82,000.

Mayor DelVecchio read the ordinance into the record by title. He informed the members of the public present that this ordinance is to fund renovations at the public works site; specifically the new roof and an eight foot wooden fence.

City of Lambertville

ORDINANCE NO. 16-2015

AN ORDINANCE OF THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, PROVIDING FOR IMPROVEMENTS AND REPAIRS TO THE CITY'S PUBLIC WORKS COMPLEX AND APPROPRIATING \$82,000 TO FUND 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. For the purpose of undertaking improvements and repairs to the City's Public Works Complex, located at 120 Quarry Street, including but not limited to repairing or replacing the roof of the garage structure and repairing or replacing the fencing bordering the complex, and including expenses incurred in the planning, design and bidding such services, there is hereby appropriated the sum of \$82,000 from the City's Capital Surplus Account.

Section 2. The capital budget or temporary capital budget (as applicable) of the City is hereby amended to conform with the provisions of this 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 3. This ordinance shall take effect as provided by law.

Mayor DelVecchio asked for a motion to introduce on first reading, Ordinance Number 16-2015, a capital ordinance to fund renovations at the Public Works Department. Councilman Sanders made a motion to introduce on first reading Ordinance Number 16-2015. Council President Stegman seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

The public hearing is scheduled for July 21, 2015.

Ordinance Number 17-2015: *A Bond Ordinance to Amend Ordinance Number 10-2015 to Add Funding for the Retaining Walls With in the Right of Way, Including Speed Humps and Sidewalks for the Upper York and Washington Street Reconstruction Project in An Amount Not to Exceed \$230,000 for retaining walls plus engineering.*

Mayor DelVecchio read the ordinance into the record by title. He informed the members of the public present that this ordinance is to amend the bond ordinance number 10-2015 to add \$230,000 to fund the retaining walls plus engineering for the Upper York Street Project. Mayor DelVecchio commented that the retaining walls will assist with deterring the water; fix the walls so that debris didn't wash into Ely Creek/Field and/or North Franklin Street Residences; and stabilize the road.

CITY OF LAMBERTVILLE, NEW JERSEY

ORDINANCE NO. 17-2015

AN ORDINANCE OF THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, AMENDING ORDINANCE 10-2015 IN ITS ENTIRETY TO PROVIDE FOR THE RECONSTRUCTION IMPROVEMENTS TO PORTIONS OF UPPER YORK STREET AND UPPER WASHINGTON STREET IN AND FOR THE CITY, APPROPRIATING, APPROPRIATING \$1,130,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,130,000 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. Bond Ordinance 10-2015, finally adopted May 19, 2015 (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

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described in Section 3 hereof, there is hereby appropriated the \$1,130,000, including a grant of \$250,000 to be received by the City on a reimbursement basis from the New Jersey Department of Transportation (the "State Grant"). Pursuant to N.J.S.A. 40A:2-11(c), no down payment is required because the project set forth in Section 3 is being funded in part by the State Grant.

"Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$1,130,000, 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 improvements to the curbing, sidewalks, roadways, retaining walls and intersections of Upper York Street and Upper Washington Street (east of Route 179), as more fully set forth in the project summary on file in the Office of the City Clerk, and including all work and related materials necessary therefor or incidental thereto.

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

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

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

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

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

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

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of respective amounts or

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obligations for the several purposes and the respective reasonable life thereof within the limitations of the Local Bond Law, is 20.00 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,130,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$250,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvements or purposes.

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

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

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

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

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

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 DeVecchio asked for a motion to introduce on first reading, Ordinance Number 17-2015, a bond ordinance to amend Ordinance Number 10-2015 for the reconstruction of Upper York and Washington Streets to include retaining walls on the property located in the city right of way. Councilman Sanders made a motion to introduce on first reading, Ordinance Number 17-2015. 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 July 21, 2015.

ORDINANCES – SECOND READING AND FINAL ADOPTION.

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Ordinance Number 12-2015: An Ordinance to Amend Zone Line Change and the Zoning Map of the City of Lambertville for Properties fronting Bridge and Ferry Streets that are Split Zoned Lots.

Mayor DelVecchio read the ordinance by title into the record. He informed the members of the public present that this ordinance will correct an error made by a previous planner when the properties facing Ferry Street were rezoned and placed in the R2 district.

City of Lambertville
ORDINANCE NUMBER 12-2015

An Ordinance to Amend Zone Line Change and the Zoning Map of the City of Lambertville for Properties fronting Bridge and Ferry Streets that are Split Zoned Lots

WHEREAS, the Planning Board members and board professionals reviewed the application submitted by the Bridge Street Foundation for 57 Bridge Street, block 1042, lot 28 at their December 4, 2014 regularly scheduled session, and

WHEREAS, the Planning Board members and board professionals determined the rezoning of the rear portion of the property currently located in the Residential 2 Zone to the Central Business District to be consistent with the property's frontage on Bridge Street, and

WHEREAS, the Planning Board members have recommended the City Council approve the revision of the zoning map to rezone the rear portion of the property currently located in the Residential 2 Zone to the Central Business District, and

WHEREAS, Planning Board members would also like the City Council to approve revisions to the zoning map to be consistent with the zoning of properties that are split zoned fronting either Bridge Street or Ferry Street, and

WHEREAS, the Planning Board members have recommended the properties fronting Bridge Street be rezoned to the Central Business District and the properties fronting Ferry Street be rezoned to the Residential 2 Zone, and

WHEREAS, the Planning Board members and board professionals determined the rezoning of block 1042, lots 24 and 26, which front both Bridge Street and Ferry Street, by the location of the Principal Building/Use on the property, and

WHEREAS, the Planning Board members and board professionals recommended the properties in question be rezoned as follows:

CBD DESIGNATION:

Block 1042, Lot 2	Block 1042, Lot 23	Block 1042, Lot 28
Block 1042, Lot 18	Block 1042, Lot 24	Block 1042, Lot 29
Block 1042, Lot 21	Block 1042, Lot 27	

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RESIDENTIAL 2 DESIGNATION:

Block 1042, Lot 3.01	Block 1042, Lot 7	Block 1042, Lot 26
Block 1042, Lot 5	Block 1042, Lot 8	
Block 1042, Lot 6	Block 1042, Lot 16	

FIRST READING AND INTRODUCTION: May 19, 2015

SECOND READING AND PUBLIC HEARING: June 17, 2015

Mayor DelVecchio explained that this ordinance will fix the properties that face Ferry Street by putting the entire lot into the R2, and the lot of properties that fronts on Bridge Street in the CBD. He introduced Emily Goldman, the City's Planner and Tim Korzun the Chairperson of the Planning Board.

Mayor DelVecchio opened the public hearing on Ordinance Number 12-2015. He asked for any questions or comments.

John Woods of Ferry Street addressed Mayor and Council and asked if this ordinance adjusted the lot line for the property owned by the Bridge Street Foundation. He expressed concern for the ability to use the rear yard for a bar or restaurant. City Planner Emily Goldman answered Mr. Woods and stated that this ordinance was to correct the zoning only. Mr. Woods expressed concern for the rear lot being rezoned to the CBD as he felt it would give the owners the ability to do more without the neighbors being given the opportunity to express their concern. The Planning Board Chairman, Tim Korzun, answered Mr. Woods and stated that instead of going to the Zoning Board of Adjustment, they would file an application with the Planning Board.

Mayor DelVecchio commented that all of the lots fronting Ferry Street will be in the Residential 2 Zone. All of the lots, with the exception of the flag lot and lot 24 will be in the CBD.

Mayor DelVecchio asked for a motion to close the public hearing on Ordinance Number 12-2015. Councilman Sanders 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 on second reading and final approval, Ordinance Number 12-2015. Councilwoman Warner made a motion to adopt Ordinance Number 12-2015 on second reading. Council President Stegman seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Ordinance Number 13-2015: A Bond Ordinance to Amend Ordinance Number 25-2015, Adding \$16,000 to Equipment Maintenance and Repairs for Public Works/Garbage and Recycling Trucks.

Mayor DelVecchio read the ordinance into the record by title. He informed the members of the public present that this ordinance is to amend ordinance number 25-2014 to fund equipment maintenance and repairs for the public works department. Ordinance Number 25-2014 was used to fund three major repairs to equipment.

City of Lambertville

ORDINANCE NUMBER 13-2015

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$16,000 FOR ACQUISITION OF EQUIPMENT AND UNDERTAKING OF REPAIRS TO CITY OWNED PROPERTY IN AND FOR THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$15,200 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 \$16,000, such sum being in addition to the \$120,000 appropriated therefore by bond ordinance #25-2015 of the City finally adopted October 21, 2014 (the "Prior Ordinance") and including the sum of \$800 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 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 \$15,200 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement heretofore authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of equipment and undertaking of repairs to City owned property, consisting of (i) replacement of Loadmaster Body, or equivalent, for City solid waste vehicle and repairs to existing vehicles, (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 improvement or purpose is \$129,200, including the \$114,000 bonds or notes authorized under the Prior Ordinance and the \$15,200 bonds or notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$136,000, including the \$120,000 appropriated under the Prior Ordinance and the \$16,000 appropriated herein.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers

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

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

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

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

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 5 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 \$15,200, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$17,500 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement. Of this amount, \$15,000 was estimated for these items of expense in the Prior Ordinance and an additional \$2,500 is estimated therefore herein.

Section 7. The City hereby declares the intent of the City to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

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

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

Section 10. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations

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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 of rate or amount.

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

Mayor DelVecchio opened the public hearing on Ordinance Number 13-2015 and asked for any questions or comments from the public.

Mayor DelVecchio asked for a motion to close the public hearing for Ordinance Number 13-2015. Councilwoman Asaro made a motion to close the public hearing for Ordinance Number 13-2015. Councilwoman Warner seconded the motion. An affirmative roll call 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 13-2015. Councilwoman Asaro made a motion to adopt on second reading and final approval. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

CORRESPONDENCE.

CRAIG CHIANESE: Resignation from the Environmental Commission.

COUNTY OF HUNTERDON, DEPARTMENT OF HUMAN SERVICES: Notice of Public Hearing for the Department's SFY2016 Senior Citizen and Disabled Resident Transportation Assistance Program.

NEW BUSINESS.

Board Appointments.

Mayor DelVecchio asked for a motion to accept the resignation of Craig Chianese from the Environmental Commission. Councilman Sanders made a motion to accept the resignation. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Mayor DelVecchio nominated Jane Rosenblatt to fill an unexpired term. Council President Stegman made a motion to confirm the nomination made by Mayor DelVecchio. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

OLD BUSINESS.

Update on Various Construction Improvement Projects.

Cavallo Park: Mayor DelVecchio informed the members of the public present that the city bid the project and it was awarded/rejected this evening. He asked the City Clerk to contact Cindy Randazzo about the delay in the ground breaking ceremony.

2015 Road Projects/Upper York Street and Washington Street (from York to Route 179): The city met with residents on May 27th. Based on the comments from that meeting, the city is revisiting the retaining walls on the city owned property. This will delay the project but it will also allow the city to complete the job in a manner that will structurally provide for a better outcome.

Library Roof: the project is about 1 week behind due to the rain.

Generator Projects: the project includes a generator at the Free Public Library and the Phillip L. Pittore Justice Center. The project is about to go out to June 19 and will be on the July 21st agenda for award.

Update on projects for Flood Relief.

Swan Creek Flood Gates: the application for FMA and PDM were released and are due back on August 3. Mayor DeVecchio asked the Clerk to send the amended application to Caren Franzini and Tom Eagan.

Update on Various Non-Construction Projects.

Garbage & Recycling: nothing to report.

ANNOUNCEMENTS.

RECREATION COMMISSION'S SUMMER CAMP for students age 6 – 12 is scheduled to begin June 22 through July 31. Information has been posted to the city's website at www.lambertvillenj.org! Mayor DeVecchio informed the members of the public present that the City still needs kids!

FREE RABIES CLINIC is scheduled for Saturday, September 19, 2015 from 1 – 3 pm at the Union Fire House located at 230 North Main Street in the City.

PUBLIC COMMENT.

Mayor DeVecchio informed the members of the public present that the City engineer is working on drainage and rain gardens for the North Union Street Park.

Mayor DeVecchio asked the clerk to put together a schedule for the website and credit card processing.

John Woods informed the members of the public present that the Human Rights Council would be meeting at 7 pm on June 30th at City Hall.

ADJOURNMENT.

The meeting adjourned at 7:43 p.m. with a motion made by Councilman Sanders and seconded by Councilwoman Warner. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Respectfully submitted,

City of Lambertville
Regularly Scheduled Session
Wednesday, June 17, 2015, 6:30 p.m.
Justice Center, 25 South Union Street, Lambertville
Minutes
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Cynthia L. Ege, CMR, RMC, City Clerk

The June 17, 2015 regularly scheduled meeting minutes were approved at the July 21, 2015 regularly scheduled meeting of the governing body.

