



City of Lambertville
Regularly Scheduled Session
Tuesday, August 18, 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 6:35 p.m. by Mayor DelVecchio who read a statement of compliance with the Open Public Meetings Act, noting the following: the annual meeting notice was published in the January 8th edition of the Beacon. The Clerk provided the required notice on Friday, August 14, 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 (by phone), Councilwoman Warner, Council President Stegman, Mayor DelVecchio.

Absent: None.

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 August 18, 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 August 18, 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 6:36 p.m. with a motion made by Councilwoman Warner and seconded by Councilwoman Asaro. An affirmative voice/roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

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Mayor DelVecchio and City Council re-convened in regular session at 7:00 p.m. with a motion made by Council President Stegman and seconded by Councilwoman Warner. An affirmative voice/roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

PLEDGE OF ALLEGIANCE.

Mayor DelVecchio led the public in the Pledge of Allegiance.

MOMENT OF SILENCE.

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

APPROVAL OF MINUTES.

Mayor DelVecchio asked for a motion to approve the following minutes: July 21, 2015, Regularly Scheduled Session Minutes, July 21, 2015 Closed Session Minutes and August 7, 2015 Special Session Minutes. Councilwoman Warner made a motion to approve the minutes as listed on the agenda. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present.

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. Councilwoman Warner made a motion to approve the Administrative Reports as listed on the meeting agenda. Councilwoman Asaro 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: *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 113-2015: A Resolution to Authorize the Person-to-Person Transfer of the Alcoholic Beverage Plenary Retail Distribution License Number 1017-44-001-004 from Jeffrey Schermerhorn to Wonderful World of Wines, LLC.

City of Lambertville

RESOLUTION NUMBER 113-2015

A Resolution to Authorize the Person-to-Person Transfer of Alcoholic Beverage Control License Number 1017-44-011-004 from Jeffery Schermerhorn to Wonderful World of Wines, LLC

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WHEREAS, the attorney for Jeffery Schermerhorn submitted the application for a person-to-person transfer of the Alcoholic Beverage Control License Number 1017-44-011-004 on July 8, 2015, and

WHEREAS, the advertisement was placed in the Hunterdon County Democrat on July 16 and July 23, 2015, and

WHEREAS, the application for a person-to-person transfer was the subject of a public hearing on Tuesday, August 18, 2015, and

WHEREAS, members of the public had the opportunity to comment, and

WHEREAS, the City Attorney and Police Director have reviewed the application and have no objection to the transfer, and

NOW THEREFORE BE IT RESOLVED, by the governing body of the City of Lambertville, State of New Jersey that the application is hereby approved by the Mayor and Council, and the Clerk is hereby authorized to submit the application for a person-to-person transfer to the State of New Jersey Attorney General's Office.

ADOPTED: August 18, 2015

Resolution Number 114-2015: *A Resolution to Authorize Change Order Number 1 to Frank Cyrwus, Inc., in the amount of \$5,579.89 for the Library Roof for the roof deck, wood gutter lining and chimney repairs.*

City of Lambertville

RESOLUTION NUMBER 114-2015

A Resolution to Authorize Change Order #1 to Frank Cyrwus, Inc., In the Amount of \$5,579.89 for the Library Roof

WHEREAS, the City Architect reviewed and approved Change Order #1 for the roof reconstruction of the Lambertville Free Public Library located at 6 Lilly Street payable to Frank Cyrwus, Inc. for the roof deck, wood gutter lining and chimney repairs in the amount of \$5,579.89; and

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville, County of Hunterdon, State of New Jersey, that Change Order #1 for the Library Roof in the Amount of \$5,579.89 to Frank Cyrwus, Inc., is hereby authorized.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute the documents for Change Order #1.

ADOPTED: August 18, 2015

Resolution Number 115-2015: *A Resolution to Authorize the Refund of Escrow to Habitat for Humanity for the Redevelopment of 32 Belvidere Avenue in an Amount Not to Exceed \$2,622.54.*

City of Lambertville

RESOLUTION NUMBER 115-2015

A Resolution to Authorize the Refund of Escrow to Habitat for Humanity for the Redevelopment Project of 32 Belvidere Avenue in An Amount Not to Exceed \$2,622.54

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WHEREAS, the City of Lambertville received a letter on August 3 from Habitat from Humanity requesting a refund of unused escrow for the redevelopment project located at 32 Belvidere Avenue, and

WHEREAS, the City Clerk asked the City Engineer and Redevelopment Attorney Thomas Hastie to close out their files, and

WHEREAS, the Finance Department has determined the balance in the account is \$2,622.54.

NOW THEREFORE BE IT RESOLVED, by the governing body of the City of Lambertville, State of New Jersey, that refund to Habitat for Humanity for escrow fees for the redevelopment project of 32 Belvidere Avenue in an amount not to exceed \$2,622.54 is hereby authorized.

ADOPTED: August 18, 2015

Resolution Number 116-2015: A Resolution to Authorize the Contract with Bob White Fencing in the Amount of \$12,664 for the Fencing at Cavallo Park, Noting this is less than the Required 10% Off State Contract Pricing of EB Fence, LLC.

City of Lambertville

RESOLUTION NUMBER 116-2015

A Resolution to Authorize the Contract with Bob White Fencing for Cavallo Park in An Amount Not to Exceed \$12,664

WHEREAS, the City Architect for the City of Lambertville solicited for quotes for the split rail fence at Cavallo Park, and

WHEREAS, the City Architect for the City of Lambertville checked the State Contract List for the purchase of a split rail fence and found EB Fence, LLC's Listing with State Contract Number A88679, and

WHEREAS, a review of the quotes received and the State Contract for EB Fence, LLC reflected the most advantageous quote received was from Bob White Fencing, and

WHEREAS, in accordance with N.J.S.A. 40A:11-5(4), the City may award a contract to a bidder whose proposal is less than 10% of that offered through State Contract, the City Architect recommends that the City award the contract to Bob White Fencing in an amount not to exceed \$12,664.

NOW THEREFORE BE IT RESOLVED, by the governing body of the City of Lambertville, State of New Jersey, that the contract with Bob White Fencing in an amount not to exceed \$12,664 is hereby authorized.

BE IT FURTHER RESOLVED that the Mayor, City Attorney and City Clerk are hereby authorized to execute the contract.

BE IT FURTHER RESOLVED THAT the Clerk is hereby directed to file a copy of this resolution with the State of New Jersey, Director of Division of Local Government Services.

ADOPTED: August 18, 2015

Resolution Number 117-2015: A Resolution to Award the Bid for Credit Card Processing to Nationwide Payment Solutions At a Rate Not to Exceed \$2.40% to the User for Credit Card Fees and \$.50 Each for Echeck, Plus \$85 per Unit to the Municipality.

City of Lambertville
RESOLUTION NUMBER 117-2015

A Resolution to Authorize the Contract with Nationwide Payment Solutions for the Processing of Credit Cards and Echecks

WHEREAS, the Government Electronic Payment Acceptance Act (N.J.S.A. 40A:5-44 et. seq., P.L. 1995, c.325)(“Act”) authorizes a local unit to establish a card payment system or electronic funds transfer system for the collection of charges, taxes, fees, assessments, fines or other obligations, and

WHEREAS, pursuant to the “Act” the municipality is authorized to assess and collect service charges related to obligations owed to or collected by the local unit when credit cards, debit cards, or electronic funds transfer systems are utilized, and

WHEREAS, the City of Lambertville completed a bid process for the processing of payments via credit card and echecks, and

WHEREAS, the City received two bids and they are as follows:

Nationwide Payment Solutions, Scarborough, ME, 2.4% with a minimum of \$1.95 for credit cards (Visa, Master Card, Discover Card and American Express) and \$.50 for each echeck charged to the user with a fee of \$85 per unit charged to the City;

Reliance Star Tech Support, Great Neck, NY, 30% plus an authorization fee of \$.10, gateway fee of \$.10, plus fees assessed to the City ranging from \$54.99 per month plus set-up fees, voice AVS fees, chargeback fees, dues and assessments.

WHEREAS, the City Attorney has reviewed the bids received and has determined them to be responsive and responsible.

NOW THEREFORE BE IT RESOLVED, by the governing body of the City of Lambertville, County of Hunterdon, State of New Jersey, that the contract with Nationwide Payment Solutions is hereby authorized at a rate of \$85 per unit.

BE IT FURTHER RESOLVED THAT the Mayor, City Attorney and City Clerk are hereby authorized to execute the contract.

ADOPTED: August 18, 2015

Resolution Number 118-2015: *A Resolution to Accept the 2014 Audit Prepared by Suplee Clooney and Company.*

City of Lambertville
RESOLUTION 118-2015

A Resolution To Certify the Annual Audit

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

WHEREAS, the Annual Report of Audit for the year (*insert fiscal year*) 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,

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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

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.

Resolution Number 119-2015: A Resolution to Authorize the Acceptance of Credit Cards and Echecks as a Form of Payment.

City of Lambertville
RESOLUTION NUMBER 119-2015
A Resolution to Authorize Electronic Fund Acceptance Payments

WHEREAS, the Government Electronic Payment Acceptance Act (N.J.S.A. 40A:5-44 et. seq., P.L. 1995, c.325)("Act") authorizes a local unit to establish a card payment system or electronic funds transfer system for the collection of charges, taxes, fees, assessments, fines or other obligations, and

WHEREAS, pursuant to the "Act" the municipality is authorized to assess and collect service charges related to obligations owed to or collected by the local unit when credit cards, debit cards, or electronic funds transfer systems are utilized, and

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NOW THEREFORE BE IT RESOLVED, by the governing body of the City of Lambertville, County of Hunterdon, State of New Jersey, pursuant to the provisions of the Act and the rules and regulations established by the Division of Local Government Services, hereby institutes an electronic payment system whereby the City shall accept payment by credit cards, debit cards, or electronic checks via internet service for the payment of property taxes, vital statistic fees, building department fees, dog license fees and other fees and assessments or obligations. When such payments are made via internet, the City shall also provide for the delivery of electronically transmitted receipts.

BE IT FURTHER RESOLVED that a convenience charge will be charged to cardholders who make credit card, debit card or electronic check payments online or in person. A 2.4% fee with a minimum charge of \$1.95 will be charged for payments made by debit or credit card. A \$.50 fee will be charged for each electronic check. Cardholders will be advised of said convenience fees prior to finalizing payment.

BE IT FURTHER RESOLVED THAT the City shall also continue to accept payments made by non-electronic means.

BE IT FURTHER RESOLVED that this service is not authorized for the payment of delinquent local unit obligations or for the redemption of local unit liens.

BE IT FURTHER RESOLVED THAT this resolution shall take effect immediately.

ADOPTED: August 18, 2015

Resolution Number 120-2015: A Resolution to Authorize the Tax Collector to Cancel and/or Refund the Erroneous Assessment for Block 1096, Lot 5, In the Amount of \$830.09 due to the Tax Assessor's Error.

City of Lambertville

RESOLUTION NUMBER 120-2015

A Resolution to Authorize the Tax Collector to Cancel and/or Refund the Erroneous Assessment for Block 1096, Lot 5, In the Amount of \$830.09 due to the Tax Assessor's Error.

WHEREAS, the Tax Collector has identified an erroneous assessment for block 1096, lot 5 in the amount of \$830.09 with the 2015 taxes, and

WHEREAS, this is due to an error made by the Tax Assessor, and

NOW THEREFORE BE IT RESOLVED, by the governing body of the City of Lambertville, County of Hunterdon, State of New Jersey, that the Tax Collector is hereby authorized to cancel and/or refund the 2015 taxes in an amount not to exceed \$830.09.

ADOPTED: August 18, 2015

Resolution Number 121-2015: A Resolution to Authorize the Refund of a Tax Overpayment for Block 1049, Lot 5 In An Amount Not to Exceed \$1,521.49 to Tamara & Wayne Brengel for 60 South Main Street.

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RESOLUTION NUMBER 121-2015

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A Resolution to Authorize the Refund of a Tax Overpayment for Block 1049, Lot 5 In An Amount Not to Exceed \$1,521.49 to Tamara & Wayne Brengel for 60 South Main Street.

WHEREAS, the Tamar & Wayne Brengel paid their third quarter taxes for block 1049 lot 5, 60 South Main Street on July 31, 2015 in the amount of \$1,521.49, and

WHEREAS, the bank also paid the third quarter taxes for block 1049 lot 5, 60 South Main Street on August 7, 2015 in the amount of \$1,521.49.

NOW THEREFORE BE IT RESOLVED, by the governing body of the City of Lambertville, County of Hunterdon, State of New Jersey that the refund of the duplicate payment for block 1049, lot 5, 60 South Main Street in the amount of \$1,521.49 payable to Tamara & Wayne Brengel is hereby authorized.

ADOPTED: August 18, 2015

Resolution Number 122-2015: *A Resolution to Authorize the Clerk to File the Application With First Energy/JCP&L for the Annual Holiday Lighting for the 2015 Season.*

City of Lambertville
RESOLUTION 122-2015

A Resolution Authorizing the City Clerk to File the Application with JCP&L for the Holiday Lighting of 2015

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville in the County of Hunterdon that the Mayor and City Clerk are hereby authorized to complete and sign the application with JCP&L for the 2015 holiday lighting.

ADOPTED: August 18, 2015

Resolution Number 123-2015: *A Resolution to Authorize the Contracts with Venders for the Reconstruction of Cavallo Park.*

City of Lambertville
RESOLUTION NUMBER 123-2015

A Resolution to Authorize Contracts With Venders for the Reconstruction of Cavallo Park

WHEREAS, the Cavallo Park project was the subject of three bid attempts by the City of Lambertville; May 21, 2015, July 13, 2015 and August 6, 2015; and

WHEREAS, the first bid received (May 21, 2015) was rejected because it exceeded the budget and was for the remediation and reconstruction of Cavallo Park; and

WHEREAS, the City of Lambertville's second attempt (July 13, 2015) split the project into categories which resulted in the award for the remediation and the rejection of the bids received for the reconstruction of Cavallo Park because the amount of the bid exceeded the budget, and the reconstruction portion of the project was rebid for the third time with the bid opening on August 6, 2015, and

WHEREAS, the third attempt (August 6, 2015) at bidding the reconstruction of the project yielded no bids and as per N.J.S.A. 40A-11-5, the Governing Body, acting by two-thirds vote of

its full membership may enter into a negotiated contract if: on two occasions no bids were received; on two occasions it rejected bids because they were too high or not independently arrived at; or a combination of one instance of each situation; and

WHEREAS, the City Attorney has reviewed the statute, N.J.S.A. 40A:11 and has determined the City has met the standards set in the Statute and are ok to proceed with negotiating and soliciting for proposals.

NOW THEREFORE BE IT RESOLVED, by the governing body of the City of Lambertville, County of Hunterdon, State of New Jersey that the Mayor, Clerk and City Attorney are authorized to execute the following contracts:

- LANDSCAPING, MASONRY AND ELECTRIC WORK: awarded to Mark Shabling in an amount not to exceed \$94,470.00;
- SIGNS & PLAQUES: awarded to KC Signs & Awnings in an amount not to exceed \$5,995.00;
- PAVILION: a purchase off State Contract Number 81422, awarded to General Recreation, Inc., in an amount not to exceed \$37,566.00.

ADOPTED: August 7, 2015

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

ORDINANCES – SECOND READING AND FINAL ADOPTION.

Ordinance Number 18-2015: *An Ordinance to Amend the General Ordinance of the City of Lambertville, Chapter VII, Parking, Section 7-4.7 to add a Handicapped Parking Space in front of 51 S. Franklin Street.*

Mayor DelVecchio read the ordinance into the record by title. He informed the members of the public present that this ordinance will create a handicapped parking space in front of 51 South Franklin Street. Mayor DelVecchio asked the Police Director and Acting Public Works Director if they had an opportunity to visit the site and if they had any issue with the ordinance. The Police Director confirmed that he and the Public Works Director visited the site and had no issue with the ordinance as presented.

City of Lambertville

ORDINANCE NUMBER 18-2015

An Ordinance to Amend the General Ordinances of the City of Lambertville, Chapter VII, Parking, Section 7-4.7 to add a Handicapped Parking Space in front of 51 S. Franklin Street

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

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

Handicapped parking space in front of 51 South Franklin Street.

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

Introduced: July 21, 2015
Public Hearing: August 18, 2015

Mayor DelVecchio opened the public hearing on Ordinance 18-2015 and asked for public comment. There being no public comment, Mayor DelVecchio asked for a motion to close the public hearing for Ordinance 18-2015. 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 on second reading and final approval, Ordinance Number 18-2015. Council President Stegman made a motion to adopt Ordinance Number 18-2015 on second reading. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Ordinance Number 19-2015: An Ordinance to Amend the General Ordinances of the City of Lambertville, Chapter VII, Parking, Section 7-4.7 to add a Handicapped Parking Space in front of 5 Arnett Avenue.

Mayor DelVecchio read the Ordinance into the record by title. He informed the members of the public present that this ordinance is to add a handicapped parking space in front of 5 Arnett Avenue. He asked the Police Director and Acting Public Works Director if they had an opportunity to visit the site and if they had any issue with the ordinance. The Police Director confirmed that he and the Public Works Director visited the site and had no issue with the ordinance as presented.

City of Lambertville
ORDINANCE NUMBER 19-2015

An Ordinance to Amend the General Ordinances of the City of Lambertville, Chapter VII, Parking, Section 7-4.7 to add a Handicapped Parking Space in front of 5 Arnett Avenue

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

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

Handicapped parking space in front of 5 Arnett Avenue.

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

Introduced: July 21, 2015
Public Hearing: August 18, 2015

Mayor DelVecchio opened the public hearing on Ordinance Number 19-2015 and asked for comments from the public. There being no comments from the public, Mayor DelVecchio asked for a motion to close the public hearing on Ordinance Number 19-2015. Councilwoman Warner

made a motion to close the public hearing on Ordinance Number 19-2015. 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 19-2015. Council President Stegman made a motion to adopt Ordinance Number 19-2015 on second reading and final approval. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Ordinance Number 20-2015: A Bond Ordinance to Fund the Engineering for Drainage and Rain Gardens at the North Union and Cherry Street Lot in an Amount Not to Exceed \$45,000.00.

Mayor DelVecchio read Ordinance Number 20-2015 into the record by title. He informed the members of the public present that this Ordinance is to fund the engineering of drainage and rain gardens at the North Union and Cherry Street lot. This honors the Mayor and Council's agreement with the members of the neighborhood to not exacerbate the flooding issues. Marcus Rayner was present, a resident of North Union Street and he concurred with the Mayor's statement.

City of Lambertville

ORDINANCE NO. 20-2015

ORDINANCE OF THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, PROVIDING FOR ENGINEERING SERVICES RELATED TO NORTH UNION STREET PARK IMPROVEMENTS IN AND FOR THE CITY, APPROPRIATING \$45,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$42,750 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 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 \$45,000, including the sum of \$2,250 as the down payments 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 \$42,750, 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 are engineering services related to the future construct park and recreation

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amenities at an existing undeveloped lot located at the intersection of North Union and Cherry Streets, currently referred to as "North Union Street Park," 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 obligations for the several purposes and the respective reasonable life thereof within the limitations of the Local Bond Law, is 15.00 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 \$42,750, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$45,000 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, including the State Grant, shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

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

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

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

Mayor DelVecchio opened the public hearing on Ordinance Number 20-2015 and asked for questions from the public. There being no further comments from the public, Mayor DelVecchio asked for a motion to close the public hearing on Ordinance Number 20-2015. Councilwoman Warner made a motion to close the public hearing on Ordinance Number 20-2015.

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 20-2015 on second reading and final approval. Councilwoman Warner made a motion to adopt Ordinance Number 20-2015. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Ordinance Number 21-2015: A Bond Ordinance to Fund: Renovations to the Public Works Site (\$82,000), Revision of the City Website (\$25,000), Purchase of a Police SUV (\$52,000) and to Repeal Capital Ordinance Number 11-2015, Cancel \$25,000 from Capital Ordinance 08-2015, Plus Bonding Fees In An Amount Not to Exceed \$159,000.00.

Mayor DelVecchio read the Ordinance into the record by title. He informed the members of the public present that this ordinance is a bond ordinance to fund the revision of the city's website, upgrades/renovations of the Public Works Department, the purchase of a Police SUV and to clean up some paperwork by repealing Capital Ordinance Number 11-2015, and Cancel \$25,000 from Capital Ordinance Number 08-2015.

City of Lambertville
ORDINANCE NO. 21-2015
AN ORDINANCE OF THE CITY OF LAMBERTVILLE, IN
THE COUNTY OF HUNTERDON, NEW JERSEY; PROVIDING
FOR VARIOUS CAPITAL IMPROVEMENTS AND RELATED
EXPENSES IN AND FOR THE CITY, APPROPRIATING \$159,000

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***THEREFOR, AUTHORIZING THE ISSUANCE OF \$151,050 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 the members thereof affirmatively concurring), pursuant to the Local Bond Law, Chapter 169 of the Laws of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The several 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 several improvements or purposes described in Section 3 hereof, there is hereby appropriated the respective sums amounting in the aggregate to \$159,000, including the sum of \$7,950 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 several down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$151,050, 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 are as follows:

<u>Purpose</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
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	\$82,000	\$77,900	\$4,100	10
Acquisition of a 2015 Chevy Tahoe (or equivalent) for use by the City's Police Department, including any specialized equipment necessary to allow vehicle to be used for its intended purposes, and including expenses incurred in the bidding, shipping or registering thereof	\$52,000	\$49,400	\$2,600	5

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Re-design of the City's website and related equipment and expenses, and including expenses incurred in the planning, design and bidding thereof	\$25,000	\$23,750	\$1,250	5
TOTALS	\$159,000	\$151,050	\$7,950	7.578616

(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 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 7.57 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 \$151,050, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$45,000 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. The \$25,000 appropriated under Section 1 of Ordinance 08-2015 and Ordinance 11-2015 is hereby repealed and any appropriations made thereunder shall be re-deposited into the City's Capital Surplus Account.

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 21-2015 and asked for public comment. There being no comments from the public, Mayor DelVecchio asked for a motion to close the public hearing on Ordinance Number 21-2015. Councilwoman Warner made a motion to close the public hearing on Ordinance Number 21-2015. 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 Ordinance Number 21-2015. Council President Stegman made a motion to adopt on second reading Ordinance Number 21-2015. 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 22-2015: *An Ordinance to Amend the General Ordinances of the City of Lambertville, Chapter X, Building and Housing, Requiring Real Estate Disclosure of the Special Flood Hazard Area.*

Mayor DelVecchio read Ordinance Number 22-2015 into the record by title. He informed the members of the public present that this Ordinance will require Real Estate Disclosure of the Special Flood Hazard Area for federally funded mortgages by Real Estate Agents for those who are in need of flood insurance. This will help the City improve on our CRS Rating and save residents in the flood zone 20% on their flood insurance.

City of Lambertville
Ordinance Number 22-2015
An Ordinance to Amend the General Code of the City of Lambertville, Chapter X, Building and Housing, Inserting Real Estate Disclosure of the Special Flood Hazard Area After Section 10-7.16

10-8 Real Estate Disclosure of the Special Flood Hazard Area.

Disclosure of a property's potential flood hazard to prospective buyers must be made by the owner, his/her representative or real estate agent. Notification to the prospective buyer or tenant includes a clear statement in writing informing him/her if the building or structure is all or in part mapped within the Special Flood Hazard Area (1% annual chance flood) on the effective FEMA Flood Insurance Rate Map and if the prospective buyer would have a potential obligation to purchase flood insurance (structure and/or contents) to satisfy a Federally backed mortgage. The words "Flood insurance is required" must be used on the disclosure if the building or structure is all or in part of the Special Flood Hazard Area. The disclosure must be a separate document from the seller's disclosure and is distinct from whether the seller experienced a flood while in ownership of the building or structure; for potential renters, the disclosure shall note if the landlord has experienced flooding during his/her ownership. The notice should state that additional information is available from the City of Lambertville's Construction Office.

First Reading and Introduction: August 18, 2015
Second Reading and Public Hearing: September 15, 2015

Mayor DelVecchio opened the public hearing and asked for questions and comments from the public.

Council President Stegman asked if the property owner had to purchase flood insurance. John Miller, the Special Engineer for the City of Lambertville responded that if it is a cash purchase, they do not need to carry flood insurance. Council President Stegman confirmed that it is only if you are taking out a mortgage on a property in the flood plain. Council President Stegman asked if the Construction Official had the FEMA Maps. The City Clerk will confirm that the Construction Official has the FEMA Maps required to assist property owners and Real Estate Agents in determining if a property is in the flood zone. Council President Stegman commented that it isn't a good idea to leave it up to the Real Estate Agent. Mayor DelVecchio said that this ordinance makes the requirement for the Real Estate Agent to disclose. John Miller said that he will provide the necessary documentation (brochure and materials) to the Construction Office. Council President Stegman asked if only the rear of the property was in the flood plain if this would still apply. John Miller commented that it applies only if the flood crosses over all or part of the structure.

There being no further questions from the public, Mayor DelVecchio asked for a motion to introduce Ordinance Number 22-2015 on first reading. Councilwoman Warner made a motion to introduce Ordinance Number 22-2015 on first reading. 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 informed the members of the public present that the public hearing is scheduled for September 15, 2015.

Ordinance Number 23-2015: *An Ordinance to Amend Ordinance Number 2006-09, The City of Lambertville Zoning Ordinance as of 1971, As Amended and Entitled: An Ordinance to Create A New Section Entitled “Stormwater Management” Establishing Minimum Design and Performance Standards for the Control of Stormwater Runoff Quantity.*

Mayor DelVecchio read the ordinance into the record by title. He informed the members of the public present that this ordinance creates a new section titled “Stormwater Management” and establishes minimum design and performance standards for the control of Stormwater runoff quantity. This too will help the City to reduce our CRS rating from an 8 to a 6; saving property owners additional money off their flood insurance. It cleans up the language in our current ordinance. John Miller commented that it adds definitions to a requirement already in place; makes more clear points, and he said the Mayor is correct, it cleans up the language.

City of Lambertville
Ordinance Number 23-2015
An Ordinance to Amend the City of Lambertville Zoning Ordinance of 1971, As Amended Entitled: An Ordinance Creating A New Section Entitled “Stormwater Management”

Section 2: Definitions.

Adding Retention

“Retention” means the storage of runoff indefinitely until it is lost through soil infiltration, evaporation, plant uptake, irrigation, non-potable reuse or any combination of these destinations.

Section 3: General Standards

Adding stormwater retention

Section 4: Stormwater Management Requirements

Changing the language in A.1, A.5, B.1.a, c (1), C.7,

- A. Nonstructural Stormwater Management Strategies
 - 1. Removing Nonstructural Stormwater Management Strategies Point System (NSPS spreadsheet); adding ...and provide testimony
 - 5. The New Jersey Stormwater Best Management Practices Manual provides guidance and a qualitative assessment called the Low Impact Development Checklist for nonstructural stormwater management strategies that shall be used to describe the measures proposed by the applicant.
- B. Erosion Control, Ground Water Recharge and Stormwater Runoff Quantity Control Standards.
 - 1. This subsection contains minimum design and performance standards to control erosion, maintain ground water recharge, and control stormwater runoff quantity impacts of major development projects.
 - a. The minimum design and performance standards for erosion control are those established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et

seq. and implementing rules. While the trigger to submit an Application for Soil Erosion and Sediment Control Plan Certification is 5,000 square-feet, there may be instances, such as with steep slopes, where a lower threshold has merit. In the case where slopes exceed 15% as defined by the City's Steep Slope Ordinance and 150 square-feet is proposed to be disturbed, an Erosion Control design must accompany the application.

- c. The minimum design and performance standards for the control of stormwater runoff quantity are as follows:
 - (1) The design engineer shall demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures will result in retention onsite, with no discharge, of the runoff from the 1.25-inch, 2-hour rainfall event.

C. Stormwater Runoff Quality Standards.

7. Additional information and examples are contained in the New Jersey Stormwater Best Management Practices Manual found here:
http://www.state.nj.us/dep/stormwater/bmp_manual2.htm.

Section 5: Calculation of Stormwater Runoff and Ground Water Recharge.
Adding or modifying the following sections:

B. Ground Water Recharge Calculations

1. In complying with the design and performance standard in Section 4, the design engineer-professional hydrogeologist may calculate ground water recharge in accordance with New Jersey Groundwater Recharge Spreadsheet (NJGRS) computer program as described in the Department's current Stormwater Best Management Practices Manual. Alternative ground water recharge calculation methods may be used upon approval by the land use board or municipal engineer/hydrogeologist.
2. Ground Water Recharge May be employed to meet or partially meet the retention requirement in Section 4B. above.
3. Field testing is required to derive values for permeability (hydraulic conductivity). Field methodologies that are applied should be as per N.J.A.C. 7:9A-6.4 through 7:9A-6.7.

Section 6: Standards for Structural Stormwater Management Measures
Adding retention to B.

Modifying C. Manufactured Treatment Devices

- 1. Manufactured treatment devices may be used to meet the requirements found in Section 4 of this ordinance, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department and the applicant has made a record that non-structural techniques are infeasible for the site in question.**
- 2. Non-verified manufactured treatment devices may also be used for purposes other than underground discharge of stormwater, where such devices provide a clear benefit to stormwater quality or flow control in a manner that facilitates improved nonstructural stormwater management controls on the site, or avoids the need for approval of off-site mitigation. Such devices may be beneficial as pretreatment to aboveground stormwater management systems. The benefits of proposed non-verified manufactured treatment devices must be proved to the satisfaction of the review agency.**

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Section 9: Maintenance and Repair
Modifying

E. The person(s) identified in 9.B.2 above for the long term maintenance of the facility shall cause to be prepared and submit a report to the Lambertville City Clerk by March 15th of every year that certifies the completion of maintenance responsibilities for the prior year. The responsible party shall allow a representative of the City to inspect the stormwater management facilities.

First Reading and Introduction: August 18, 2015
Second Reading and Public Hearing: September 15, 2015

Mayor DelVecchio asked if there were any questions or comments from the public.

Council President Stegman asked if the City's regulations are more stringent than those of Hunterdon County. John Miller said no, and we are saying "design." Mayor DelVecchio commented that the city's ordinance has a mini and an aggressive depending on the size of the property.

There being no further questions, Mayor DelVecchio asked for a motion to introduce Ordinance Number 23-2015 on first reading. Councilwoman Asaro made a motion to introduce Ordinance Number 23-2015 on first reading. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Ordinance Number 24-2015: An Ordinance to amend the General Ordinances of the City of Lambertville, Chapter XIX, Flood Damage Prevention, Adding the Community Rating System Language To Reduce Flood Insurance Premiums, Adding the following References: Freeboard, Base Flood, Lowest Floor, Substantial Improvement and Substantial Damage Development, and Critical Facilities Descriptions.

Mayor DelVecchio read the ordinance into the record by title. He informed the members of the public present that this ordinance is to amend Chapter XIX, Flood Damage Prevention, and adding language referencing the Community Rating System, Freeboard, Base Flood, Lowest Floor, Substantial Improvement, Substantial Damage Development, and Critical Facilities to the Ordinance. He informed the members of the public present that this Ordinance will also assist the city with the reduction of our CRS rating from an 8 to a 6. This also adds a procedure for a variance from the governing body to allow the property owner to find a solution.

City of Lambertville
Ordinance Number 24-2015
An Ordinance to Amend Chapter XIX, Flood Damage Prevention Adding the Following Thresholds: Cumulative Substantial Improvement CSI and Lower Substantial Improvement LSI Categories

19-1 STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES.

19-1.2 Findings of Fact.
Adding the following language:

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c. The City of Lambertville participates as a Community in the FEMA National Flood Insurance Program and the Community Rating System.

19-1.3 Statement of Purpose.

Adding the following language after letter f:

g. To reduce flood insurance premiums.

19-1.4 Methods of Reducing Flood Losses.

Adding the following language after letter a:

b. Regulating new, altered or damaged buildings and structures with higher than Federal Standards.

19-2 Definitions.

Adding Critical facility, Freeboard, and changing the definition of Substantial damage and Substantial improvement:

Critical facility is one that provides essential community services. Typical these are, but not limited to, fire and police stations, ambulance squad, emergency operations center, city hall, electric substations, public works yard, school and nursing homes and shelters.

Freeboard shall mean the factor of safety height added to the elevation of the Base Flood elevation to set the structure's lowest floor elevation. For the purpose of this ordinance, a two (2) foot Freeboard shall be used for all residential and nonresidential. Substantial improvement and rebuild of Substantial damage development.

Substantial damage shall mean damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damage condition would equal or exceed forty (40%) percent of the market value of the structure before the damage occurred.

Substantial improvement shall mean any combination of reconstruction, rehabilitation, addition, or other improvement of a structure taking place during a 10-year period, the cumulative cost of which exceeds forty (40%) percent of the market value of the structure before the "start of construction" of the improvement. For each building or structure, the 10-year period begins on the date of the first improvement or repair of that building or structure. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

- a. Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or
- b. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure".

19-5.2 Specific Standards.

Amending the language in a. Residential Construction, b. Nonresidential Construction, c. Manufactured Homes, and adding d. Critical Facilities.

- a. Residential Construction.
 1. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated with two (2) feet of freeboard above base flood elevation;

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- b. Nonresidential Construction
 - 1. (a) Elevated to the level of the base flood elevation plus two (2) feet of freeboard;
 - 2. (a) Be flood proofed so that below the base flood level plus two (2) feet of freeboard, the structure is watertight with walls substantially impermeable to the passage of water;
- c. Manufactured Homes.
 - 2. All manufactures homes to be placed or substantially improved within an area of special flood hazard shall be elevated on a permanent foundation such that the top of the lowest floor is at or above the base flood elevation plus two (2) feet of freeboard.
- d. Critical Facilities
 - 1. **Critical facilities shall be prohibited from the 0.2 percent annual chance flood (equaled or exceeded in any given year) as defined on the FEMA effective Flood Insurance Rate Map;**
 - 2. **If a Critical facility must be located in the Special Flood Hazard Area or the Shaded X Zone on the Flood Insurance Rate Map (0.2% annual chance flood; the “500-year” floodplain)**
 - (a) **It shall be elevated to the level of the 0.2 percent chance flood, or,**
 - (b) **It shall be flood proofed up to the elevation of the 0.2 percent chance flood.**

First Reading and Introduction: August 18, 2015
Second Reading and Public Hearing: September 15, 2015

Mayor DelVecchio asked for questions or comments from the public.

Carne Franzini asked what this would accomplish. John Miller reviewed the ordinance changes and said the Construction Office would be required to track the permits issued. It creates a higher freeboard.

Councilwoman Asaro commented that these ordinances were good things to have.

Council President Stegman asked what “freeboard” meant. John Miller explained that it is a boating term and is the distance between the boat and the wall. Since the mapping could be off, it adds 1 additional foot to the requirement.

Mayor DelVecchio commented that John Miller did a lot of work on these ordinances and thanked him for all he is doing to help the City and to save residents money. He said this will also help the City with our application to FEMA for the Swan Creek Flood Gates. John Miller commented that the State is going to start weighing the CRS Rating when reviewing applications as part of the process.

Mayor DelVecchio asked for a motion to introduce on first reading, Ordinance Number 24-2015. Councilwoman Warner made a motion to introduce Ordinance Number 24-2015. 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 informed the members of the public present that the public hearing is scheduled for September 15, 2015.

Ordinance Number 25-2015: A Bond Ordinance to Fund the Redevelopment Study, Redevelopment Plan, Master Plan Updates and Bonding Fees in an amount of \$45,000.

Mayor DelVecchio read the ordinance into the record by title. He informed the members of the public present that this is a bond ordinance to fund the Redevelopment Study and Redevelopment Plan. This also includes amendments to the Master Plan. This is for the 20 acre property included and adjacent to the old high school.

City of Lambertville
ORDINANCE NO. 25-2015

AN ORDINANCE OF THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, PROVIDING FOR PLANING AND LEGAL SERVICES RELATED TO CONNAUGHT HILL REDEVELOPMENT EFFORTS IN AND FOR THE CITY, APPROPRIATING \$45,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$42,750 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 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 \$45,000, including the sum of \$2,250 as the down payments 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 \$42,750, 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 are planning and legal services to study and delineate a potential redevelopment area and draft and adopt a redevelopment plan, and associated changes to City Land Use records and controls, 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

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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 15.00 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 \$42,750, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$45,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvements or purposes.

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

Section 7. Any grant moneys received for the purposes described in Section 3 hereof, including the State Grant, 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

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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 or comments from the public. There being no questions or comments from the public, Mayor DelVecchio asked for a motion to introduce on first reading, Bond Ordinance Number 25-2015. Councilwoman Warner made a motion to introduce Ordinance Number 25-2015. 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 informed the members of the public present that the public hearing is scheduled for September 15, 2015.

BILLS LIST.

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

PUBLIC WORKS DIRECTOR.

Mayor DelVecchio gave Lester E. Myers, Jr. the Oath of Office for the position of Director of the Division of Public Works, Parks and Public Property while Councilwoman Warner held the Bible. Mayor DelVecchio informed the members of the public present that the Public Works Department is being managed with one less person, collects garbage and recycling weekly and now picks up the Food Waste Recycling program one time per week. The City set a record in 2014 of over 1,000 tons in recycling. The Food Waste Program will be expanding to include restaurants and additional participants. Mr. Myers was congratulated by the members of Council and the public.

CORRESPONDENCE.

UNITED METHODIST CENTENARY CHURCH: Request for approval of a block party on September 12 from 9 am to 5 pm on Jefferson Street from North Union to George Street to celebrate their 150th Anniversary.

Councilwoman Asaro made a motion to approve the request of the United Methodist Centenary Church. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

JCP&L: Annual Universal Service Fund Compliance Filing, PBU Docket No. ER15060732.

KEZIAH GROTH-TUFT: A college student who completed a Greenhouse Gas Inventory of local government operations in 2014. Mayor DelVecchio introduced Keziah Groth-Tuft to the members of the public. He informed everyone that Keziah completed a study of the City of Lambertville's Greenhouse Gas Inventory of Local Government Operations for 2014. A copy of her report was included in packets. The report outlines greenhouse gas emissions by activity of

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the City of Lambertville as the first step in creating a local climate action framework for Lambertville City.

Councilman Sanders complimented Keziah on her work. He then dropped the call and left the meeting.

Mayor DeVecchio asked Keziah where she attended college. She responded that she was enrolled in Dickinson College in Carlyle, Pennsylvania.

Keziah gave the following report:

The greenhouse gas inventory completed this summer covers the 2014 emissions of the city electrical accounts including facilities and street lights, facility heating, solid waste removal, and the waste water treatment process. The report goes into significant detail regarding the methodology for the inventory but for now I will give an overview of my findings and recommendations for greenhouse gas emissions reductions in the future. Our solid waste removal system is responsible for 92% of the city government's greenhouse gas emissions, although this is somewhat misleading as this covers the waste produced by the entire city instead of just government operations. After solid waste removal, the waste water treatment process and general electricity usage is responsible for 3% of the city's greenhouse gas emissions each. Lastly, heating oil for facilities and the fuel used by the city's vehicles (the solid waste and public works trucks, as well as police cars).

The "biggest bang for our buck" that we could tackle in decreasing our greenhouse gas footprint in the future would be to further cut down the solid waste emissions. Already, we avoid landfill emissions by using a waste-to-energy incinerating facility and have cut our trash in half with the single-stream recycling program. If Lambertville further expanded the pilot "third-can" composting program, the city government could cut its overall greenhouse gas emissions by 30%. Other options to reduce greenhouse gas emissions that we should look into would be further converting heating oil facilities to natural gas, switching to a Clean Power Choice provider under JCP&L, and gradual transitions to more fuel-efficient and green-powered vehicles. This greenhouse gas emissions inventory is the first step in the Climate Action Framework program in the EPA. Should Lambertville expand on its involvement in this program, it could be another focal point for our Sustainable Jersey work as well as open the door to new networks and funding opportunities for green and climate neutral programs in Lambertville. The next steps for this program would be to adopt and carry out some of the suggestions listed here as well as any new ones in the aim to reduce the city of Lambertville's greenhouse gas emissions.

Mayor DeVecchio informed Keziah that this report will be on the city's website and he asked her to write a letter to residents informing them of the impact of our recycling program. Keziah said she would be happy to do that. Mayor DeVecchio will write a letter for Keziah for her to submit to college. He asked her about her next semester at college and she said she was going to Jordon to work on water availability.

Members of the Governing Body thanked Keziah for her research and input and wished her well in Jordan.

COUNTY OF HUNTERDON: Resolution Urging the New Jersey Governor Christie to protect local property taxpayers by respecting the structure and preserving the integrity of the fiscally solvent local pension system.

LAMBERTVILLE HISTORICAL SOCIETY: Request for use of City Hall on Sunday, October 18, for the Annual Autumn House Tour.

DENISE JARVIS: Request for a block party on September 27th. Mayor and Council held this request to the September 15 session.

NEW BUSINESS.

Board Appointments.

Halloween Road Closures: North Union Street from York to Buttonwood Street will be closed to allow for trick or treating from 5:30 – 9 pm. Property owners are asked to move their cars prior to 5:30 pm.

Mayor DelVecchio asked for a motion to approve the plan for Halloween Road Closures. Councilwoman Asaro made a motion to approve the road closures as outlined by the Police Director. Council President Stegman 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 gave an overview of the progress and timeline for Cavallo Park. He informed the members of the public present that the remediation of the park started on August 10th. The reconstruction project is due to start the end of August. It is anticipated that the park will reopen in October, weather permitting.

Generator Projects.

Free and Public Library – project was awarded at the July 21, 2015 session. A preconstruction meeting with the contractor is scheduled for Friday, August 21st.

Phillip L. Pittore Justice Center – project will be rebid in October.

Update on Projects for Flood Relief.

Swan Creek Flood Gates – application was submitted on August 3, 2015 for PDM and FMA Funding. NJOEM needs to submit their application and project rankings to FEMA by August 28th. FEMA anticipates selecting projects for funding by October 31st and entering into grant agreements by December 31st. Mayor DelVecchio informed the members of the public present that the City is also working to find out our ranking with the State OEM and also pursuing funding from NJEIT.

Update on Various Non-Construction Projects.

Garbage & Recycling.

Garbage & Recycling Numbers.

Food Waste Recycling.

ANNOUNCEMENTS.

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.

ANNUAL PET PARADE is scheduled for Saturday, October 17th from 11:30 am -2:00 pm. Rain date is Saturday October 24th.

ANNUAL HOUSE TOUR is scheduled for Sunday, October 18, 2015.

ANNUAL HALLOWEEN PARADE is scheduled for Sunday, October 25, 2015. Step Off is at 3 PM at the corner of North Union and York Streets.

PUBLIC COMMENT.

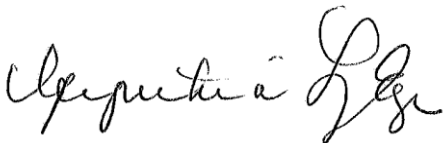
Caren Franzini commented that the ordinances are great and asked how the City was going to notify residents in the flood plain. She expressed concern for property owners understanding the language in the ordinances. Councilwoman Asaro suggested that John Miller hold a special meeting with property owners. Mayor DeVecchio said the City would hold a meeting with residents and Real Estate Agents.

Caren Franzini also commented that the Food Waste Program is great and the City should be advertising it more.

ADJOURNMENT.

The meeting adjourned at 7:49 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,



Cynthia L. Ege, CMR, RMC, City Clerk

The August 18, 2015 session minutes were approved at the regularly scheduled session of Mayor and Council held on September 15, 2015.

