



**City of Lambertville**  
**Regularly Scheduled Session**  
**Tuesday, August 16, 2016, 6:30 p.m.**  
**Phillip L. Pittore Justice Center**  
**25 South Union Street, Lambertville**  
**MINUTES**

**STATEMENT OF COMPLIANCE:**

Mayor DelVecchio called the meeting to order at 6:31 p.m. and read the following statement of compliance with the Open Public Meetings Act into the record: the Clerk provided the required notice on Friday, August 12, 2016 to the Democrat, the Times, posted the agenda to the bulletin board at city hall, the website at [www.lambertvillenj.org](http://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.

Absent: None

**CLOSED SESSION.**

Resolution to go into Closed Session to discuss contracts, acquisition of property, potential law suits and personnel.

**PLEASE NOTE:** *Mayor and Council will go into closed session at 6:30 p.m. and re-convene in open session at 7:00 p.m.*

**RESOLUTION**

*"Authorizing a Closed Session at the August 16, 2016 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 16, 2016, 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 Council President Stegman. An affirmative voice vote was taken in favor of the motion by all members present. **MOTION CARRIED.**

Mayor DelVecchio and City Council re-convened in regular session at 6:50 p.m. with a motion made by Council President Stegman and seconded by Councilwoman Asaro. 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 minutes as listed on the meeting agenda: July 19, 2016, 2016 Regularly Scheduled Session Minutes, July 19, 2016 Closed Session Minutes, August 1, 2016 Special Session Minutes. Councilman Sanders made a motion to approve the minutes as submitted. Councilwoman Asaro 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 as listed on the meeting agenda: Tax Collector – Cynthia McBride, Municipal Court Administrator – Patricia Wozniak (emailed 08-15-16), Construction Official – Ken Rogers, Zoning Officer – Dick McManus, Fire Inspector – Frank D’Amore, Police Director – Bruce Cocuzza, 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.**

### **Owow Cow Creamery in recognition of their award the title “Best Ice Cream Shop.”**

Mayor DelVecchio invited the representatives of OwowCow Creamery to join him at the dais while the Council members took turns reading the proclamation into the record.

*Proclamation*

**WHEREAS**, OwowCow Creamery opened its Lambertville ice cream shop located at 237 North Union Street in April 2014; and

**WHEREAS**, with the mantra “*food nourishes both body and spirit*,” OwowCow makes its ice cream fresh daily from ingredients — milk, eggs, honey, and assorted fruits — all sourced from

local farms, ensuring the continuance of the small, family-owned agricultural industries that have been a hallmark of our region;

**WHEREAS**, OwowCow Creamery is thankfully opened throughout the year, allowing residents and visitors to satisfy their ice cream cravings regardless of the weather; *and*

**WHEREAS**, the business has received numerous recognitions both regionally and nationally for their ice cream, a status confirmed by the oftentimes long lines emanating from in front of the ice cream counter; *and*

**WHEREAS**, OwowCow Creamery was declared on July 20, 2016, by the noted Star-Ledger/NJ.com food critic Pete Genovese to be the **BEST ICE CREAM SHOP IN NEW JERSEY**, besting nine finalists other and more than 40 other nominated ice cream shops throughout the state.

**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 OwowCow Creamery is hereby congratulated for its recognition and thanked for bringing further renown to our City; *and*

**BE IT FURTHER RESOLVED** that Saturday, August 23, 2016 is hereby proclaimed as oWowCow Creamery Day in the City of Lambertville!

**ADOPTED:** August 16, 2016

David M. DelVecchio, Mayor

Mayor DelVecchio asked for a motion to adopt the proclamation honoring OwowCow Creamery for their designation as the best ice cream in New Jersey. Councilman Sanders made a motion to adopt the proclamation. 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 commented that he visited OwowCow a lot after a heavy workout for one of their vanilla shakes. Councilman Sanders and Councilwoman Asaro both commented that their families are frequent visitors at OwowCow.

Mayor DelVecchio asked Amber of OwowCow for comments. She stated that this is a great community, great staff and they love people who come back for vanilla shakes.

**Caffe Galleria in recognition of their award as the second best Gelato Shop in New Jersey!**

Mayor DelVecchio invited Bethann Caruso to join him at the dais while Council members took turns reading the proclamation into the record.

*Proclamation*

**WHEREAS**, Caffe Galleria, located on North Union Street in the City of Lambertville, was recognized on August 5 by Star-Ledger/NJ.com food critic Peter Genovese to be one of best gelato shops in the entire State of New Jersey; *and*

WHEREAS, Gelato is an Italian-style ice cream that has enjoyed a place as a relatively recent sensation in the United States; and

WHEREAS, Caffè Galleria has been a staple of Lambertville's culinary scene since 1995, when it was first opened by the late Dawn Raia, who stated a desire to create a restaurant "for local artists to go, showcase their work, 'talk shop'" and enjoy a meal or just a cup of coffee; and

WHEREAS, Dawn's vision and commitment to the City of Lambertville and the arts community has been maintained by her longtime partner and current Caffè Galleria manager Beth Caruso, along with a dedicated staff.

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that Caffè Galleria is hereby congratulated on its success in Lambertville and in its recognition as one of New Jersey's Best Gelato Shops.

ADOPTED: August 16, 2016

David M. DelVecchio, Mayor

Mayor DelVecchio asked for a motion to adopt the Proclamation honoring Caffè Galleria for their designation as the second best gelato in New Jersey. Council President Stegman made a motion to adopt the proclamation. 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 and Council members all congratulated and commented that the gelato and the food at Caffè Galleria is really very good.

## **RESOLUTIONS – CONSENT AGENDA.**

*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.*

Mayor DelVecchio informed the members of the public present that resolution number 107-2016 is on hold until the surveying is complete. He read the resolutions into the record.

Resolution Number 105-2016: A Resolution to Authorize the Refund of Bulk Rate Garbage Fees to Randy Carone in the Amount of \$56.00.

City of Lambertville

### **RESOLUTION NUMBER 105-2016**

*A Resolution to Authorize the Refund of A Bulk Rate Garbage Permit to Randy Carone in the Amount of \$56.00*

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Lambertville, County of Hunterdon, State of New Jersey, that the refund of a bulk rate garbage permit in the amount of \$56 to Randy Carone is hereby authorized...

ADOPTED: August 16, 2016

Resolution Number 106-2016: *A Resolution to Authorize the City Clerk to File the Paperwork Necessary for the Temporary Decorative Lighting for the Snowflakes with JCP&L at a Rate of \$3.50 (in 2015 it was \$3) per Light per Day.*

**City of Lambertville**

**RESOLUTION NUMBER 105-2016**

*A Resolution Authorizing the City Clerk to File the Application with JCP&L for the Holiday Lighting of 2016*

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 2016 holiday lighting.

ADOPTED: August 16, 2016

Resolution Number 108-2016: *A Resolution to Authorize the Contract with Van Cleef Engineering for the Survey and Mark Out of the Welcome Signs.*

**City of Lambertville**

**RESOLUTION NUMBER 108-2016**

*A Resolution Authorizing the Mayor and City Clerk to Sign the Contract with Van Cleef Engineering for the Survey and Other Work Associated with the Installation of the Two Welcome Signs*

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 sign the contract with Van Cleef Engineering for the surveying and other work associated with the installation of two Welcome Signs in an amount not to exceed \$4,000.

ADOPTED: August 16, 2016

Resolution Number 109-2016: *A Resolution to Authorize the Refund of Payment for the 2016 Summer Camp for Liz Horvath Due to a Conflict with Vacation.*

**City of Lambertville**

**RESOLUTION NUMBER 109-2016**

*A Resolution Authorizing the Refund for the 2015 Summer Camp Fee to Liz Horvath Due to a Conflict With their Personal Schedule, In An Amount of \$120*

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville in the County of Hunterdon that, due to a conflict with their personal schedule, the refund in the amount of \$120 for the 2016 Summer Camp to Liz Horvath is hereby authorized.

ADOPTED: August 16, 2016

Resolution Number 110-2016: *A Resolution to Support the Drive Sober or Get Pulled Over 2016 Statewide Labor Day Campaign, August 19 through September 5, 2016.*

**City of Lambertville**

**RESOLUTION NUMBER 110-2016**

*A Resolution to Support the Drive Sober or Get Pulled Over 2016 Statewide Labor Day Campaign, August 19 through September 5, 2016*

**Whereas**, in 2014, 9,967 people were killed in alcohol impaired driving crashes, accounting for 31% of all traffic related deaths in the U.S.; and

**Whereas**, over 1.1 million drivers were arrested for driving under the influence of alcohol or narcotics, and

**Whereas**, an enforcement crackdown is planned to combat impaired driving;

**Whereas**, summertime and holidays are traditionally a time of social gatherings which often include alcohol, and are some of the most deadly times on U.S. roads due to impaired driving; and

**Whereas**, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout N.J. to participate in the *2016 Labor Day Crackdown Campaign*;

**Whereas**, the project will involve increased impaired driving enforcement from August 19 through September 5, 2016; and

**Whereas**, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

**Therefore**, be it resolved that the City of Lambertville declares its support for the *2016 Labor Day Crackdown Campaign* from August 19 through September 5, 2016 and pledges to increase awareness of the dangers of drinking and driving.

ADOPTED: August 16, 2016

Resolution Number 111-2016: A Resolution to Award/Reject the Bids Received for the Justice Center Bathrooms.

City of Lambertville

RESOLUTION NUMBER 111-2016

*A Resolution to Award/Reject the Bids Received for the Bathrooms At the Phillip L. Pittore Justice Center*

**WHEREAS**, on Wednesday, August 3, 2016, the City of Lambertville received two bids for the bathrooms at the Phillip L. Pittore Justice Center; and

**WHEREAS**, the City received the following bids:

Aero Plumbing and Heating	PO Box 51 Vienna, NJ, 07880-0051	\$44,900.00
DeSapio Construction, Inc.	280 Ridge Road Frenchtown, NJ 08825	\$36,450.00

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**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the City of Lambertville that the bids received for the Phillip L. Pittore Justice Center are hereby rejected because the bids exceed the funds budgeted to complete the project and are not reasonable in price on the basis of cost estimates prepared for the City of Lambertville by the City Architect..

**BE IT FURTHER RESOLVED** that the Mayor, City Clerk and City Attorney are hereby authorized to rebid the project in accordance with N.J.S.A. 40A:11.

ADOPTED: August 16, 2016

Resolution Number 112-2016: A Resolution to Authorize the Change of Ownership for the Plenary Retail Consumption Liquor License Number 1017-33-008-007, for the Lville House LLC, Authorizing the Transfer of 50% interest of Scott Schroeder to Victor Afonso of 804 A. Street, Belmar, New Jersey.

City of Lambertville

RESOLUTION NUMBER 112-2016

*A Resolution to Authorize the Person to Person Transfer for the LV House LLC, Authorizing the Change of Ownership for the Plenary Retail Consumption Liquor License from Scott Schroeder to Victor Afonso, for License Number 1017-33-008-0007*

**WHEREAS**, on Monday, August 1, 2016, the owners of the LV House LLC advertised the change of ownership for Alcoholic Beverage Control License Number 1017-33-008-007 in the Legal Section of the Times; and

**WHEREAS**, the LV House LLC filed the Change in Corporate Structure with the Clerk's Office on August 9, 2016 to change 50% interest of Scott Schroeder to full ownership of Victor Afonso of 804 A. Street, Belmar, NJ; and

**WHEREAS**, the notice provided in the newspaper directed all complaints and/or comments to the Clerk's Office located at 18 York Street in the City of Lambertville and to the public hearing on the Person to Person Transfer scheduled for the Council Meeting on August 16, 2016; and

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the City of Lambertville, County of Hunterdon, State of New Jersey that the following is true:

The Clerk certified the advertisement appeared in the legal section of the August 1, 2016 edition of the Times;

The change in ownership/ person-to-person transfer was filed in the Clerk's Office on August 9, 2016;

The Clerk and the Governing Body of the City of Lambertville, County of Hunterdon, State of New Jersey received no opposition to the change in ownership/person-to-person transfer.

**BUT IT FURTHER RESOLVED** that this application for license number 1017-33-008-007 is hereby approved by the Governing Body of the City of Lambertville, County of Hunterdon, State of New Jersey for submission to the State of New Jersey, Alcoholic Beverage Control Commission.

ADOPTED: August 16, 2016

Resolution Number 113-2016: A Resolution to Authorize the Renewal of an Inactive License Pursuant to N.J.S.A. 33:1-12.39 for 2016/2017, License Number 1017-33-001-005, In the Name of Stephen Williamson, Docket Number 06-16-283-83889.

**City of Lambertville**

**RESOLUTION NUMBER 113-2016**

*A Resolution to Authorize the Renewal of an Inactive License Pursuant to N.J.S.A. 33:1-12.39 for 2016/2017, License Number 1017-33-001-005, In the Name of Stephen Williamson, Docket Number 06-16-283-83889.*

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the City of Lambertville that the Alcoholic Beverage Control License number 1017-33-001-005, license name of Stephen Williamson approved by the State of New Jersey, Department of Law and Public Safety, Division of Alcoholic Beverage Control under docket number 06-16-283.83889, is hereby authorized for renewal for the term beginning July 1, 2016 and ending June 30, 2017.

ADOPTED: August 16, 2016

Resolution Number 114-2016: A Resolution to Award/Reject the Bid Received for the Fence at Public Works.

**City of Lambertville**

**RESOLUTION NUMBER 114-2016**

*A Resolution to Approve/Reject the Bids Received for the Fence Replacement at the Public Works Garage Located at 120 Quarry Street*

**WHEREAS**, on December 11, 2015 and again on May 20, 2016, the City of Lambertville accepted formal bids for the fence replacement at Public Works located at 120 Quarry Street in the City; and

**WHEREAS**, the bids received exceeded the funds budgeted for the project and were rejected; and

**WHEREAS**, the City changed the specifications for the project and solicited for bids a deadline of August 10, 2016; and



**WHEREAS**, the following quotes were received:

National Fence System, Avenel, NJ, \$94,160.00  
Pro Max Fence Systems, Inc., Reading, PA, \$186,907.00  
Senco Metals LLC, Hackensack, NJ, \$87,000.00

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the City of Lambertville that the bids received are hereby rejected because they exceed the funds budgeted to complete this project and are not reasonable in price on the basis of cost estimates prepared for the City of Lambertville by the City Architect.

**BE IT FURTHER RESOLVED** that the Mayor, City Clerk and City Attorney are hereby authorized to negotiate with contractors for the completion of the project in accordance with N.J.S.A. 40A:11-1.

ADOPTED: August 16, 2016

*Resolution Number 115-2016: A Chapter 159 Resolution to Request the Insertion of a Special Item of Revenue for Click it or Ticket Grant in the Amount of \$5,000.*

*City Of Lambertville*  
18 York Street  
Lambertville, NJ 08530

Phone (609) 397-0110

Fax (609) 397-2203

**RESOLUTION NO. 115-2016**

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

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

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

**WHEREAS**, the Chief Financial Officer has certified that the City has received a grant in the amount of \$5,000.00 – Click It or Ticket 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 2013 CY Budget in the amount of \$5,000.00 which item is now available as revenue from the receipt of the Click It or Ticket Grant.

**BE IT FURTHER RESOLVED** that a like sum of \$5,000.00 is hereby appropriated under the caption of:

OPERATIONS "EXCLUDED FROM CAP"

Click It or Ticket Grant \$5,000.00

**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: August 16, 2016

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

**BILLS LIST.**

Mayor DelVecchio asked for a motion to approve the bills list and the addendum to the bills list. Council President Stegman 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 24-2016:** *An Ordinance to Repeal Ordinance Number 02-2012 and Adopt the New Handbook and Policies and Procedures Manual for the Employees, Volunteers and Officials of the City of Lambertville.*

Mayor DelVecchio read the ordinance into the record by title. He informed the members of the public present that this ordinance will repeal the ordinance enacted for the Staff Handbook and adopt the new handbook, permitting the City to update the handbook by resolution.

**City of Lambertville**

**ORDINANCE NUMBER 24-2016**

*An Ordinance Establishing Procedures to Adopt Personnel Practices and authorizing the Mayor to implement Said Practices with all Officials, Appointees, Employees, Prospective Employees, Volunteers, and Independent Contractors of the City.*

**BE IT ORDAINED** by the Mayor and Council of the City of Lambertville that:

**Section 1.** The Mayor and Council of the City of Lambertville shall by ordinance establish titles for public employment by the Mayor and Council of the City of Lambertville and salary ranges for City employees (Ordinance Number 15-2016).

**Section 2.** The Mayor and Council of the City of Lambertville shall by resolution adopt and amend from time to time personnel policies and procedures including rules concerning the hiring and termination of employees, terms and conditions of employment, and regulations required to comply with applicable Federal and State employment related law. The personnel policies and

procedures adopted pursuant to said resolution(s) shall be applicable to all officials, appointees, employees, prospective employees, volunteers and independent contractors of the (local unit type).

**Section 3.** As per the Lambertville City Code, 2014, Chapter II, Administrative Code, the Mayor shall be responsible to implement and enforce the personnel practices adopted by ordinance or resolution authorized pursuant to this section. If there is a conflict between said personnel practices and any duly adopted and lawful collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, the practices adopted pursuant to this ordinance shall prevail.

**Section 4.** The following Ordinance is hereby repealed: Ordinance Number 02-2012.

**Section 5:** The Salary & Wage Ordinance was introduced at a public meeting of the Governing Body on March 15, 2016. It was finally adopted after a public hearing held at the regularly scheduled session of Mayor and Council held on April 19, 2016. This ordinance establishes the salary and wage guide with a range of compensation for the officials and employees of the City of Lambertville. This Ordinance shall remain until a new ordinance revising the range of compensation is adopted by the Governing Body of the City of Lambertville.

**Section 6.** This ordinance shall take effect immediately upon passage and publication as required by law.

**FIRST READING AND INTRODUCTION:** August 16, 2016

**SECOND READING, PUBLIC HEARING AND FINAL APPROVAL:** September 20, 2016

Mayor DelVecchio asked for a motion to introduce on first reading Ordinance Number 24-2016. Councilman Sanders made a motion to introduce on first reading Ordinance Number 24-2016. Council President Stegman 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 20, 2016.

## **ORDINANCES – SECOND READING AND FINAL ADOPTION.**

**Ordinance Number 20-2016:** *An Ordinance to Amend Bond Ordinance Number 20-2016 to Fund Phase 1 Upgrades to the North Union and Cherry Street Park, Adding \$190,000.00.*

Mayor DelVecchio read the ordinance into the record by title. He informed the members of the public present that this ordinance will fund Phase 1 of the upgrades to the North Union Street Park. The members of the Environmental Commission held public meetings to solicit for ideas and the Mayor and Councilman Sanders and also Council President Stegman as separate meetings met with the residents of North Union Street to address their concerns. Phase 1 will implement drainage measures that will address the concerns of the residents of North Union Street.

CITY OF LAMBERTVILLE, NEW JERSEY

ORDINANCE NO. 20-2016

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**AN ORDINANCE OF THE CITY OF LAMBERTVILLE,  
IN THE COUNTY OF HUNTERDON, NEW JERSEY,  
PROVIDING FOR PERMITTING AND  
CONSTRUCTION OF PHASE 1 OF NORTH UNION  
STREET PARK IMPROVEMENTS IN AND FOR THE  
CITY, APPROPRIATING \$190,000 THEREFOR, AND  
AUTHORIZING THE ISSUANCE OF \$180,500 IN  
GENERAL IMPROVEMENT BONDS OR NOTES OF  
THE CITY TO FINANCE THE SAME.**

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

**Section 1.** 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 a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the \$190,000, including the sum of \$9,500 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 \$180,500, 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 hereby authorized and the purposes for which the bonds or notes are to be issued is final design and permitting and related approvals for the project and the construction of Phase I of the park and recreation 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 \$180,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$25,000 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 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 20-2016 funding phase 1 of the upgrades to the North Union Street Park and asked for questions or comments.

Mayor DelVecchio asked for a motion to close the public hearing for Ordinance Number 20-2016. Council President Stegman made a motion to close the public hearing. Councilman Sanders seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Mayor DelVecchio asked for a motion to adopt on second reading Ordinance Number 20-2016. Councilman Sanders made a motion to adopt on second reading, granting final approval of Ordinance Number 20-2016. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

### **CORRESPONDENCE.**

JERSEY CENTRAL POWER & LIGHT: Notice of annual Universal Service Fund Compliance Filing, BPU Docket No. ER16060536.

HART VENTURE GROUP, LLC: Letter requesting disposition on AirBNB.

UNION FIRE COMPANY: Letter requesting help with a drainage issue.

DEBORAH JONES: Letter requesting approval for the annual block party on Coryell Street between North Main and North Franklin Street on Sunday, September 4, rain date of September 11, from 1 to 10 pm. Request is for road closure, garbage cans.

Mayor DelVecchio asked for a motion to approve the request for a block party on Coryell Street, closing Coryell from North Main to Franklin Street made by Deborah Jones. Council President Stegman made a motion to authorize the road closures for the block party scheduled for September 4, rain date of September 11 from 1 to 10 pm. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

DELAWARE RIVER TOWNS CHAMBER OF COMMERCE AND VISITORS BUREAU: Letter requesting approval of the 36<sup>th</sup> Annual Shad Festival, including road closures, additional police coverage and public works assistance with garbage and recycling.

### **Road Closures**

Closure of the North Union Street Parking Lot from Wednesday morning, April 26 through Tuesday, May 2. 9 AM to 8 PM for the following streets: Union Street

from York to Ferry Street; Church Street from Union to Main Street; Kline's Court from Bridge to Ferry Street; Ferry Street from Kline's Court to Union Street. Suspended parking for the following streets: Main Street from York to Ferry Street; Bridge Street from Lambert Lane to Main Street; Parking lot by the Public Library; Phillip L. Pittore Justice Center Parking Lot.

Mayor DelVecchio asked for a motion to authorize the request of the Delaware River Towns Chamber of Commerce for Shad Festival 2017 Road Closures, assistance with garbage and recycling and police coverage.

Councilman Sanders made a motion to approve the request subject to the resolution of police coverage and public works schedule. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

**JERSEY CENTRAL POWER & LIGHT:** Notice of Proposed Transfer of Transmission Assets and Lease of Real Property Assets to Mid-Atlantic Interstate Transmission ("MAIT"), LLC, BPU Docket No. EM15060733.

**COUNTY OF HUNTERDON, DEPARTMENT OF HUMAN SERVICES:** Notice of Public Hearing for Department's SFY2017 Senior Citizen and Disabled Resident Transportation Assistance Program grant application.

**ELIZABETHTOWN GAS:** Notice of Public Hearings on the 2.9% Change in Rates.

**ELIZABETHTOWN GAS:** Notice of Public Hearings on the 2016/2017 Annual Compliance Filings for a Change In the Statewide Electric and Gas Permanent Universal Service Fund Program, BPU Docket No. ER16060536.

**LAMBERTVILLE ANIMAL HOSPITAL:** Request for a dog walk on October 29 from 10 am to 1 pm with a rain date of October 30<sup>th</sup> to benefit Lambertville Animal Welfare.

Mayor DelVecchio asked for a motion to approve the request made by Laurie Weinstein for use of the Justice Center for a dog walk to raise funds for the Lambertville Animal Welfare.

Councilman Sanders made a motion to approve the request subject to the DRCC's review and approval. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

**STATE OF NJ DOT:** Notice of acceptance of applications for the TAP Grant, a federal program.

**LAMBERTVILLE BRASS CONCERT:** Request to use Lambertville Public Square on August 27 from 6 -8 pm for a concert – request withdrawn.

**HUNTERDON HELPLINE:** Request for donations.

**CENTENARY UNITED METHODIST CHURCH:** Request for approval of annual block party on September 10 from 9 am to 5 pm, closing Jefferson Street from North Union to George.

Councilman Sanders made a motion to approve the request for a block party. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

### **UNFINISHED/OLD BUSINESS.**

Mayor DelVecchio gave an update on the following projects:

COAH – The City Planner is working on the vacant land analysis and once complete the City will meet with the Court Master.

CRS: The application for the City's CRS Rating has been filed with the exception of one report. The Clerk was asked to contact the Special Engineer for a status report.

CLINTON STREET – the project is in the engineering phase.

TAPING MEETINGS – the City is waiting to hear back from Comcast.

PUBLIC WORKS – rejected the bid for fences as they exceed the budget.

NORTH UNION AND CHERRY STREET – the public hearing to fund phase 1 was on the agenda for this meeting.

SWAN CREEK FLOOD PROJECT – Tom Horn had a meeting in Trenton on the permits required for the application for funding through alternate sources. The City also submitted copies of resident letters to our representatives in Congress and to Senator Booker's Office. The Mayor noted that when Senator Booker visited Lambertville on August 6<sup>th</sup>, he hand delivered a packet of information to the Senator about the City's application to FEMA.

YORK STREET RECONSTRUCTION – the City did not receive a response to our first round of bidding because of the complexities of the project. The City Engineer revised the bid document and it is currently out to bid. The Mayor and Council will hold a special session on August 31<sup>st</sup> to award the bid.

### **NEW BUSINESS.**

Boards/Committees: Mayor DelVecchio made the following nominations: Halloween Parade Committee: Resignation of Muriel Meserve and Pam Baker; Appointment of JoAnne Daley and Filomena Hengst and to the Pipeline Committee: Appointment of Filomena Hengst and Lauren Rosenthal McManus. Council President Stegman made a motion to confirm the nominations made by Mayor DelVecchio. Councilman Sanders seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Trick or Treating, Monday, October 31, 2016: North Union Street road closure beginning at York Street and ending at Buttonwood Street from 5 to 8:30 p.m.

Mayor DelVecchio informed the members of the public present that the City has been closing down North Union Street between York and Buttonwood for several years and it has been very successful in providing a safe venue for families to trick or treat. He asked for a motion to close North Union Street between York and Buttonwood Streets from 5 to 8:30 pm. Councilman Sanders made a motion to approve the road closure for October 31 for Trick or Treating. Council



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

Mayor DelVecchio directed the Clerk to prepare a proclamation honoring Muriel Meserve for her years of service.

### **ANNOUNCEMENTS.**

MONDAY, SEPTEMBER 5, LABOR DAY: all city offices will be closed on Monday, September 5<sup>th</sup> for Labor Day. Third Can Food Waste will be picked up on Tuesday, September 6<sup>th</sup>.

FREE RABIES CLINIC will be held on Saturday, September 17 from 1 – 3 pm at the Union Fire House located at 230 North Main Street in the City.

HALLOWEEN PARADE will be held on Sunday, October 30, 2016 with step off at 3 pm at the corner of North Union and York Streets.

### **PUBLIC PARTICIPATION/PETITIONS OF CITIZENS AND PUBLIC DISCUSSION.**

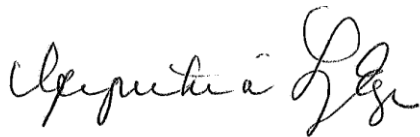
Steve Chernoski from the press asked who designed the rain gardens for the North Union Street Park. Mayor DelVecchio directed him to the City Engineer.

Bethann Caruso, Caffe Galleria, questioned if the same three spaces in front of her restaurant would be reserved prior to Shad Festival beginning Wednesday through the weekend. Discussion ensued. The Police Director and Public Works Director stated that in 2016 a contractor was supposed to install a new sewer line but never showed up. The reservation was not related to the Shad Festival. When possible, the City will ensure that this does not happen the week of Shad Festival.

### **ADJOURNMENT.**

The meeting adjourned at 7:50 p.m. with a motion made by Councilman Sanders and seconded by Councilwoman Asaro. 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

**City of Lambertville**

**Regularly Scheduled Session**

**Tuesday, August 16, 2016, 6:30 p.m.**

**Phillip L. Pittore Justice Center, 25 South Union Street, Lambertville**

**Agenda**

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*The August 16, 2016 session minutes were approved at the regularly scheduled session of Mayor and Council held on September 20, 2016.*