



City of Lambertville
Regularly Scheduled Session
Tuesday, January 17, 2017, 6:30 p.m.
Phillip L. Pittore Justice Center, 25 South Union Street, Lambertville
MINUTES

STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT.

Mayor DelVecchio called the meeting to order at 6:35 p.m. and read the following statement of compliance with the Open Public Meetings Act into the record: The January 17, 2017 Session was advertised in the January 9th edition of the times, noticed was provided on January 13, 2017 to the Times, Democrat, on the Bulletin Board at City Hall, on the City's website at www.lambertvillenj.org, to department heads, City Attorney, City Engineer and to various people on the list serve.

ROLL CALL.

The City Clerk 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.

RESOLUTION

"Authorizing a Closed Session at the January 17, 2017 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 January 17, 2017, 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 6:34 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.

Mayor DelVecchio and City Council re-convened in regular session at 6:57 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.

PLEDGE OF ALLEGIANCE.

Mayor DelVecchio led the public in the Pledge of Allegiance.

MOMENT OF SILENCE.

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The City Clerk 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: December 20, 2016 Regular Session Minutes, December 20, 2016 Closed Session Minutes, December 28, 2016 Regular Session Minutes, January 1, 2017 Regular Session Minutes. Council President Stegman made a motion to approve the minutes as submitted. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

ADMINISTRATIVE REPORTS.

Mayor DelVecchio asked for a motion to approve the Administrative Reports: Tax Collector – Cynthia McBride, Municipal Court Administrator – Patricia Wozniak, Construction Official – Kenneth Rogers, Zoning Officer – Dick McManus, Fire Inspector – Frank D’Amore, Police Director – Bruce Cocuzza, City Clerk – Cynthia Ege, 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.

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.

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.*

Mayor DelVecchio informed the members of the public present that the consent agenda was amended, removing Resolution Number 33-2016 amending the contract with John Morgan Thomas (will be completed at a later date) and adding Resolution Number 39-2016 authorizing change order number 1 for the Upper York Street Reconstruction Project in an amount not to exceed \$6,146.05.

RESOLUTION NUMBER 34-2017: A Salary & Wage Resolution for the Frenchtown Fourth Quarter 2016 Shared Services Agreement.

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RESOLUTION NUMBER 34-2017

A Salary & Wage Resolution for the Fourth Quarter 2016 for the Shared Services Agreement with the Borough of Frenchtown.

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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, that the following salary & wage for the fourth quarter shared services agreement with the Borough of Frenchtown is hereby authorized:

Victor Timpanero, \$ 776.54

Tim Dieterman, \$ 450.00

Kenneth Rogers, \$2,324.35

ADOPTED: January 17, 2017

RESOLUTION NUMBER 35-2017: *A Resolution to Correct Resolution Number 32-2017 Appointing Frank D'Amore as the Fire Official for the City of Lambertville.*

City of Lambertville

RESOLUTION 35-2017

A Resolution to Correct Resolution Number 32-2017, Appointing Frank D'Amore as the Fire Official for the City of Lambertville

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey that Frank D'Amore is hereby appointed as the Fire Official for the City of Lambertville beginning January 1, 2017.

ADOPTED: January 17, 2017

RESOLUTION NUMBER 36-2017: *A Resolution to Authorize the Mayor, City Attorney and City Clerk to Sign the Contract with Ag Choice LLC for Organic Recycling Services at a Rate Not to Exceed \$47 Per Ton.*

City of Lambertville

RESOLUTION NUMBER 36-2017

A Resolution to Authorize the Mayor, City Attorney and City Clerk to Execute the Contract With Ag Choice LLC For Organic Recycling Services at a Rate Not To Exceed \$47 Per Ton.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Lambertville, County of Hunterdon, State of New Jersey the Mayor, City Attorney and City Clerk are hereby authorized to sign the contract with Ag Choice LLC for Organic Recycling Services at a rate not to exceed \$47 per ton.

ADOPTED: January 17, 2017

RESOLUTION NUMBER 37-2016: *A Resolution to Make Budget Transfers Between Appropriations in the 2016 General Fund Budget.*

City of Lambertville

RESOLUTION NUMBER 37-2017

A Resolution to Make Budget Transfers Between Appropriations in the 2016 General Fund Budget

WHEREAS, certain 2016 Budget Appropriation balances are expected to be insufficient for the remainder of the year;

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, in accordance with N.J.S.A. 40A:4-58, the Treasurer be and is hereby authorized to make transfers between appropriations in the 2016 Budget for the City of Lambertville as follows:

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<i>ACCOUNT NUMBER</i>	<i>ACCOUNT TITLE</i>	<i>FROM</i>	<i>TO</i>
<i>DPW S&W</i>	<i>6-01-26-290-102</i>	<i>5,535.00</i>	
<i>Snow Removal</i>	<i>6-01-26-290-103</i>		<i>5,535.00</i>
<i>Health Benefits</i>	<i>6-01-23220300</i>	<i>9,025.00</i>	
<i>Waivers</i>	<i>6-01-23-220-292</i>		<i>9,025.00</i>
<i>TOTAL:</i>		<i>14,560.00</i>	<i>14,560.00</i>

ADOPTED: January 17, 2017

RESOLUTION NUMBER 38-2017: *A Resolution to Award and/or Reject the Bids Received for Improvements to City Buildings (Justice Center and City Hall).*

City of Lambertville
RESOLUTION NUMBER 38-2017
A Resolution to Award and/or Reject the Bids Received for Improvements to City Buildings (Justice Center and City Hall).

WHEREAS, on December 14, 2016 the City of Lambertville accepted public bids for work at the Phillip L. Pittore Justice Center and City Hall;

WHEREAS, the following bids were received:

Company	Address	Justice Center Bathrooms	City Hall Bathroom & Miscellaneous
Kunzman Construction	238 Oak Summit Road Pittstown, NJ 08867	\$41,809.50	\$67,320.40
YP Construction Inc.	1582 Route 27 Edison, NJ 08817	\$86,600.00	\$83,800.00
CMG of Easton, Inc.	400 S. Greenwood Avenue St 300 Easton, NJ 18045	\$52,600.00	\$69,200.00
Helios Construction Inc.	1315 Allenhurst Avenue Ocean, NJ 07712	\$23,000	\$33,000
Hawley Bros Inc.	192 Harrison Road Chesterfield, NJ 08515	\$45,815.00	\$49,544.00
TNS Construction, LLC	1294 Waterloo Road Stanhope, NJ 07874	\$29,900.00	\$47,300.00
De Sapia Construction, Inc.	280 Ridge Road Frenchtown, NJ 08825	\$36,450.00	\$79,000.00

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Golden Crown Contractors, Inc.	4099 South Broad Street Yardville, NJ 08620	No bid	\$57,945.00
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WHEREAS, the City Architect has reviewed the bids received and has determined they are responsive and responsible;

WHEREAS, the City Municipal Finance Officer has determined there are sufficient funds available for the installation of a new bathroom at the Phillip L. Pittore Justice Center and that there is not sufficient funds available for the additional work at City Hall.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that the bid received from Helios Construction Inc. in the amount of \$23,000 for the completion of the work at the Phillip L. Pittore Justice Center is awarded;

BE IT FURTHER RESOVLED that all other bids received for the completion of work for City Hall are hereby rejected as they exceed the funds budgeted.

BE IT FURTHER RESOVLED that the Mayor, City Attorney and City Clerk are hereby authorized to sign the contract with Helios Construction Inc. for the completion of the work at the Phillip L. Pittore Justice Center in an amount not to exceed \$23,000.

ADOPTED: January 17, 2017

RESOLUTION NUMBER 39-2017: A Resolution to Authorize the Mayor, City Attorney and City Clerk to Sign Change Order 1 for Upper York Street Reconstruction Project in an Amount Not to Exceed 46,146.05.

City of Lambertville
RESOLUTION NUMBER 39-2017

*A Resolution to Authorize the Mayor, City Attorney and City Clerk to Sign
Change Order 1 for the York Street Reconstruction Project In An Amount not to
Exceed \$6,146.05*

WHEREAS, the City Engineer has prepared change order number 1 for the Upper York Street Improvement Project – Proposals A & B which includes:

DECREASE: of concrete, leveling pad, dense graded aggregate, hot mix asphalt 19M64 base, and mobilization/demobilization in a total reduction of \$36,298.60; and

INCREASE: in detectable warning surface, traffic stripes, hot mix asphalt, 9.5M64, 6 x 18 inch concrete curb, 3” schedule 40 pipe, water service and sewer relocation through the city’s wall in an increase not to exceed \$42,444.65; and

WHEREAS, the total increase for change order number 1 is \$6,146.05; and

WHEREAS, the City Attorney reviewed the change order and the City Municipal Finance Officer has determined there are sufficient funds available to fund change order number 1 for Black Rock Enterprises, LLC in an amount of \$6,146.05.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that change order

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number 1 for Black Rock Enterprises, LLC for the Upper York Street Improvements Project, Proposals A & B is hereby authorized in an amount not to exceed \$6,146.05.

BE IT FURTHER RESOVLED that the Mayor, City Attorney and City Clerk are hereby authorized to sign change order number 1 in an amount not to exceed \$6,146.05.

ADOPTED: January 17, 2017

Mayor DelVecchio asked for a motion to approve the resolutions listed on the consent agenda. Council President Stegman made a motion to approve the resolutions. 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 02-2017: An Ordinance to Amend the General Code of the City of Lambertville, Chapter XI, Fire Prevention, Amending Fees (last amended in 2012).

Mayor DelVecchio read the ordinance into the record by title. He informed the members of the public present that this ordinance is to amend the fees for Chapter XI, Fire Prevention, which has not been amended since 2012.

City of Lambertville

Ordinance 02-2017

An Ordinance to Amend CHAPTER XI, FIRE PREVENTION, SECTION 11-1.6, 11-4,

11-1 NEW JERSEY UNIFORM FIRE CODE.

11-1.6 Non-Life Hazard Uses.

a. In addition to the regulations required by the Uniform Fire Code, the following non-life hazard uses shall register with the Bureau of Fire Prevention and pay an annual fee as set forth in the Uniform Fire Code, N.J.S.A. 52:72D-192 et. Seq.

(1) Where a building or structure has more than one use which may include a business use as defined herein, then each separate use shall be subject to the appropriate fees and registration as set forth in this chapter.

(2) Where two or more of the same use or different uses exist in the same building or premises, each use shall be considered as separate and distinct and shall be subject to the appropriate fees and registration as set forth in this chapter.

(3) Mercantile uses, as defined in the latest edition of the BOCA Basic National Building Code, shall be subject to the above fees and registration as set forth in this chapter.

(4) Storage buildings, as defined in the latest edition of the BOCA Basic National Building Code, shall be subject to the fees and registration as set forth in this chapter.

(5) Factory and industry uses, as defined in the latest edition of the BOCA Basic National Building Code, shall be subject to the fees and registration as set forth in this chapter.

UCC Code Type

Business Use Group

B-1 under 2500 square feet \$50

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B-2 2500-4999 square feet	\$100
B-3 5000-9999 square feet	\$125
B-4 10000 and over square fee	\$ 150
Factory Use Group	
F-1 under 5000 square feet	\$100
F-2 5000 and over square feet	\$125
Mercantile Use Group	
M-1 under 6000 square feet	\$75
M-2 6000-11999 square feet	\$150
Storage Use Group	
S-1 under 2500 square feet	\$50
S-2 2500 square feet and over	\$100
Utilities Use Group	
U-1 under 2500 square feet	\$100
U-2 2500 and over square feet	\$200

All of the foregoing uses shall be inspected for compliance with the provisions of this chapter periodically, but not less than once every 24 months, such inspections to be performed under the City of Lambertville Bureau of Fire Prevention.

Annual fee: The owner of each multifamily dwelling unit or apartment complex shall pay a fee for inspection of the subject premises. The fees are hereby established at \$50 for the inspection of the common areas in premises with three or more dwelling units and \$10 per unit of dwelling space for all premises. For each occasion that an owner fails to provide access after receipt of two notices, a fee of \$75 shall be imposed in addition to the inspection fee.

Smoke Detector Carbon Monoxide \$50

UCC Code Type

- b. Uses not classified above will be classified as business uses.
- c. Uses required to be registered with the State as life hazard uses shall not be required to register under this subsection.
- d. Any buildings, structures, or premises that are “tax exempt” according to the official tax records of the City will be exempt from the non-life hazard use registration fee. However, these buildings will be inspected as required by the Uniform Fire Code.
- e. Vacant buildings will be charged and inspected according to the previous use of the building.

11-1.7.1.1

Inspections of multifamily dwellings and apartments:

A. Inspections. Each multiple-dwelling unit or apartment shall be inspected at least once during each twenty-four-month period by a City Fire Code Official, or City Fire Inspector, for the purpose of determining the extent each multifamily dwelling or apartment complies with the Borough's fire and safety codes. All such premises or building shall be subject to such inspection and registration, regardless of any other state or municipal inspections which may be conducted of such premises.



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B. Definitions. The definition of any and all terms relevant to this section shall be the same as those definitions as set forth in the Hotel and Multiple Dwelling Law, N.J.S.A. 55:13A-3, and such definitions are specifically incorporated into this section by reference herein. C. Inspection fee. The owner of each multifamily dwelling unit or apartment complex shall pay a fee for inspection of the subject premises. The fees are hereby established at \$50 for the inspection of the common areas in premises with more than three dwelling units and \$10 per unit of dwelling space for all premises. For each occasion that an owner fails to provide access after receipt of two notices, a fee of \$75 shall be imposed in addition to the inspection fee. D. Persons authorized to conduct inspections. The inspection shall be conducted by a municipal official authorized by the Mayor and Council and licensed as a certified Fire Official and Fire Inspector. Such official may be accompanied by any other Borough official necessary to conduct adequate fire and safety inspections. E. Powers of Inspectors. The Inspectors under this section are hereby granted all the powers necessary and appropriate to carry out and execute the purposes of this section, including, but not specifically limited to, the power to: (1) Enter and inspect any multifamily dwellings and apartments and to make such investigation as is reasonably necessary;

(2) Administer and enforce the provisions of any and all Borough regulations or ordinances; (3) Compel the owner of any multifamily dwelling, apartment or rooming house to produce any and all files, books, documents or other objects which are necessary in order to carry out the purposes of this section; (4) Issue any and all complaints necessary against any person violating provisions of this section or any other section of Borough ordinances and to prosecute or cause to be prosecuted any violations of this section or any other section of the Borough ordinances in any state or local court.

11-1.7 Permits. In accordance with N.J.A.C. 5:70-209(c) and in accordance with the audit performed by DCA.

11-1.8 Technical Amendments. Reserved. (Ord. #89-04, paragraph 8)

11-1.9 Board of Appeals. Pursuant to N.J.S.A. 52:27D-206 and N.J.S.A. 52:27D-208 any person aggrieved by any action of the local enforcing agency shall have the right to appeal to the local Construction Board of Appeals. If no such body exists, appeals shall be made to the County Construction Board of Appeals. (Ord. #89-04, paragraph 9)

11-1.10 Enforcement, Violations, and Penalties. Enforcement, violations, and penalties shall be in conformity with the Act and Regulations and Rules of the Department of Community Affairs. (Ord. #89-04, paragraph 10)

11-1.11 Certificate of Smoke Detector Compliance. The fee for a Certificate of Smoke Detector compliance as required by N.J.A.C. 5:70-2.3 shall be fifty (\$50.00) dollars.

11-2 FIRE DISTRICT

11-2.1 Created. There is created in the City one (1) fire district to be known and designated as "Fire District of the City of Lambertville, County of Hunterdon." (Ord. 1/21/80, paragraph 1)

11-2.2 Boundaries. Geographical boundary of the fire district shall be identical with the geographical boundary of the City of Lambertville as now established or as it may be changed in the future. (Ord. 1/21/80, paragraph 2)

11-3 FIRE ALARM SYSTEM.

11-3.1 Established. There shall be as established in the City a fire alarm system with necessary wires for the same attached to the poles of the telephone, electric light and telegraph companies in accordance with the reservation in the several ordinances granting them the use and occupancy of the streets for their poles and wires. (Ord. 5/18/25, paragraph 1)

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11-3.2 Supervision. The fire alarm system shall be constructed and controlled under the general supervision of the Chief Engineer and Board of Engineers of the City Fire Department under such rules and regulations as may hereafter be adopted or approved by the Mayor and Council. (Ord. 5/18/25, paragraph 2).

11-4 DESIGNATION OF FIRE LANES.

11-4.1 Installation and Maintenance. The lanes shall be installed by the property owner utilizing regulations signs and paint on the pavement areas, which signs and paint shall be installed and maintained by the property owners under the direction and supervision of the Lambertville Police Department and in accordance with the specifications of the Lambertville Police Department in conjunction with the recommendations of the Fire Chief. (Ord. #99-01)

11-4.2 Parking Prohibited. No person or any agent or employee shall park, leave standing or cause to be parking any vehicle in any lanes mentioned in this section, or cause any other obstruction in the areas so designated as fire lanes. (Ord. #99-01)

11-4.3 Enforcement. The Lambertville Police Department shall have concurrent jurisdiction with the Fire Official in enforcing this section. (Ord. #99-01)

11-4.4 Violations and Penalties. Any person found guilty of a violation of this section shall be liable to the penalties contained in N.J.S.A. 39:4-203 and court costs involved. (Ord. #99-01)

11-4.5 Variances. If any person seeks a variance from this section, the Fire Official shall chair a meeting with the Fire Chief, the Chairman of the Planning Board, the Mayor and the Police Director. At that meeting, representatives of such person may present concerns about the designation. Any decision will be by affirmative vote of this group. (Ord. #99-01)

11-4.6 Vehicular Traffic Prohibited. There shall not be allowed any vehicular traffic of any kind save for emergency vehicles on any property dedicated and designated fire lane throughout the City, whether the lanes are so designated by order of an official public agency or by owner of the private property. (Ord. #99-01)

FIRST READING AND INTRODUCTION: January 17, 2017

SECOND READING AND PUBLIC HEARING: February 21, 2017

Mayor DelVecchio asked for a motion to introduce on first reading Ordinance Number 02-2017. Councilwoman Warner moved the motion and 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 February 21, 2017.

ORDINANCE NUMBER 03-2017: *An Ordinance to Amend the General Code of the City of Lambertville, Chapter VII, Traffic, Section 4.7 Parking Restricted for Use by Handicapped Persons, Adding a Handicapped Parking Space in Front of 10 Clinton Street.*

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 VII, Traffic and add a handicapped parking space in front of 10 Clinton Street. He asked the Police Director

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and Public Works Director to look at the site and make a recommendation at the February 21st session.

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ORDINANCE NUMBER 03-2017

An Ordinance to Amend the General Code of the City of Lambertville, Chapter VII, Traffic, Section 4.7 Parking Restricted for Use by Handicapped Persons, Adding a Handicapped Parking Space in Front of 10 Clinton Street.

SECTION 4.7 PARKING RESTRICTED FOR USE BY HANDICAPPED PERSONS is hereby amended to include the following:

<i>Name of Street</i>	<i>Sides</i>	<i>Location</i>
Clinton Street	South side	10 Clinton Street

INTRODUCTION AND FIRST READING: January 17, 2017

ADOPTION AND SECOND READING: February 21, 2017

Mayor DelVecchio asked for a motion to introduce on first reading Ordinance Number 03-2017. Councilwoman Warner made a motion to introduce on first reading Ordinance Number 03-2017. 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 February 21, 2017.

ORDINANCE NUMBER 04-2017: *An Ordinance to Amend the General Code of the City of Lambertville, Chapter VII, Traffic, Section 4.5, Parking Time Limited on Certain Streets to Include Two Parking Spaces on the Southwest Side of Bridge Street With a Twenty-Minute Maximum Time Limit, Monday through Friday.*

Mayor DelVecchio read the ordinance into the record by title. He informed the members of the public present that this will create two twenty-minute parking spaces on the south side of Bridge Street to permit people visiting the Chamber of Commerce and/or the Bed and Breakfast to quickly drop off or pick-up items. This is much like the 15 minute zone located by City Hall.

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ORDINANCE NUMBER 04-2017

An Ordinance to Amend the General Code of the City of Lambertville, Chapter VII, Traffic, Section 4.5, Parking Time Limited on Certain Streets to Include Two Parking Spaces on the Southwest Side of Bridge Street With a Twenty-Minute Maximum Time Limit, Monday through Friday.

BE IT ORDAINED by the Mayor and Governing Body of the City of Lambertville that Chapter VII, Traffic, Section 4.5, Parking Time Limited on Certain Streets to include the following:

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<i>Name of Street</i>	<i>Sides</i>	<i>Time Limit</i>	<i>Hours</i>	<i>Location</i>
Bridge Street	South	20 minutes	9 am to 5 pm	First two parking spaces on the south side of Bridge Street west of Main Street.

INTRODUCTION AND FIRST READING: January 17, 2017

ADOPTION AND SECOND READING: February 21, 2017

Discussion ensued. The Clerk was asked to call the Chamber of Commerce or the B&B to determine the best hours of operation.

Mayor DelVecchio asked for a motion to introduce on first reading Ordinance Number 04-2017. Council President Stegman made a motion to introduce on first reading Ordinance Number 04-2017. 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 05-2017: An Ordinance to Amend the Land Use Ordinance of the City of Lambertville, Article 600, Standards for Review of Application, To Establish A Completeness and Waiver Committee for All Applications Filed with the Planning and Zoning Board of Adjustment.

Mayor DelVecchio read the ordinance into the record by title. He informed the members of the public present that this ordinance is to amend the Zoning Ordinances, Article 600 of the City of Lambertville to include standards for review of application establishing a completeness and waiver committee for applications filed with Planning and Zoning Board of Adjustment.

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ORDINANCE NUMBER 05-2017

An Ordinance to Amend the Land Use Ordinance of the City of Lambertville, ARTICLE VI STANDARDS FOR REVIEW OF APPLICATIONS

The Zoning Ordinance of the City of Lambertville, Article 600 is hereby amended as follows:

Section 620.x.1: Completeness Committee

1. Standing Committee on Completeness Review. There shall be a standing committee of the Board, designated as Site Plan and Subdivision Committee, which shall be responsible for recommending completeness determinations and site plan waivers on planning and zoning board applications as set forth herein.
2. Committee Composition. The Site Plan and Subdivision committee shall comprise not less than three (3) planning board or zoning board of adjustment members, nor more than an effective majority of the board. The Chair shall annually appoint the members of each committee for a one (1) year term. Vacancies shall be filled at or by the next regular session of the Board. Not more than one alternate member may serve on any standing committee. The committee shall consist of no more than three (3) regular planning board

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members, one of whom may be the Construction Official, together with the Zoning Officer and, as needed, the Board Engineer and Board Planner.

Section 620.x.2: Actions to Obtain Completeness and/or Waivers

The Site Plan and Subdivision Committee shall examine each application in collaboration with the Board's professionals to ascertain that all required check-list items required by municipal ordinance are shown or furnished in the application or accompanying documents, or that otherwise a waiver has been requested. If all check-list items are provided and no waivers requested the application shall be deemed complete and the applicant shall be so notified. If waivers are requested as to any items the Committee shall recommend that the full Board grant or deny said waivers, with or without conditions, as to the application at its next regularly scheduled or special meeting. The Board shall at its next ensuing regularly scheduled or special meeting held not later than 45 days from the date of submission of such application with the Committee's recommendations, decide whether to grant or deny the waiver or waivers requested and to declare the application with waivers complete, and the applicant shall be notified promptly. If an application is neither found to be complete nor found to be incomplete and the applicant is notified of the deficiencies within 45 days from the date of filing, the application shall be deemed to be complete as of the 45th day following the date of the submission.

Section 620.x.3: No Limit on Other Board Powers.

Nothing herein shall otherwise limit the power of the Board having jurisdiction to grant appropriate waivers, including waivers for submissions in other contexts, as provided in the Municipal Land Use Law and the City's Ordinances, such as waivers coupled with requests for bulk variances or other appropriate relief.

INTRODUCTION AND FIRST READING: January 17, 2017

ADOPTION AND SECOND READING: February 21, 2017

Discussion ensued. The Mayor and Council President Stegman felt it would be better served if the ordinance was for site plan waivers only.

Mayor DelVecchio asked for a motion to introduce on first reading Ordinance Number 05-2017. Council President Stegman made a motion to introduce on first reading Ordinance Number 05-2017. 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 February 2, 2017.

ORDINANCES – PUBLIC HEARING AND SECOND READING.

ORDINANCE NUMBER 01-2017: A Bond Ordinance to Fund Computer Software and Equipment for the Fire Prevention Official in An Amount Not to Exceed \$15,000.

Mayor DelVecchio read the ordinance into the record by title. He informed the members of the public present that this ordinance will fund software and equipment required for the Fire Official to process records.

CITY OF LAMBERTVILLE, NEW JERSEY

ORDINANCE NO. 01-2017

**AN ORDINANCE OF THE CITY OF LAMBERTVILLE,
IN THE COUNTY OF HUNTERDON, NEW JERSEY,
PROVIDING FOR ACQUISITION OF FIRE
PREVENTION SOFTWARE IN AND FOR THE CITY,
APPROPRIATING \$15,000 THEREFOR, AND
AUTHORIZING THE ISSUANCE OF \$14,250 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 \$15,000, including the sum of \$750 as the down payment for the improvements and purposes required by the Local Bond Law. The down payment has been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$14,250, pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the bonds or notes are to be issued is improvements and equipment for the City's building and fire inspection functions, including but not limited to the acquisition of computer tablets and related software, such software being identified in the MobileEye's proposal to the City, dated December 20, 2016 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 \$14,250 authorized herein.

(c) The estimated cost of the improvements or purposes authorized herein is \$15,000.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus

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

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

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

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

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of respective amounts or obligations for the several purposes and the respective reasonable life thereof within the limitations of the Local Bond Law, is 5.00 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$14,250, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

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

(e) The City reasonably expects to commence the acquisition of the several improvements or purposes described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the City further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes 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

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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 01-2017. He asked for questions and/or comments from the public.

Mayor DelVecchio asked for a motion to close the public hearing on Ordinance Number 01-2017. Councilman Sanders made a motion to close the public hearing. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Mayor DelVecchio asked for a motion to adopt on second reading, granting final approval of Ordinance Number 01-2017. Council President Stegman made a motion to adopt on second reading Ordinance Number 01-2017. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

CORRESPONDENCE.

DELAWARE RIVER TOWNS CHAMBER OF COMMERCE: Request for approval for fireworks in 2017 on the following dates: Saturday, May 20th Pride Parade (short blast), Summer First Friday Shows: June 2, July 7, August 4 and September 1, Saturday, October 28th Zombi Crawl (short blast), Sunday, November 26th Lambertville/New Hope Tree Lighting (short blast).

Mayor DelVecchio asked for a motion to approve the 2017 Fireworks Schedule requested by the Delaware River Towns Chamber of Commerce.

Council President Stegman made a motion to approve the request made by the Delaware River Towns Chamber of Commerce for the fireworks in 2017 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.

STATE OF NEW JERSEY, DOT: Letter is in response to the City's request for a lower speed limit on Route 29 south of Bridge Street. DOT's traffic engineering staff is investigating the City's request. They also recommended that the City reach out to NJTPA for guidance. A member of the public was present and addressed Mayor and Council. He stated that the speed, the lack of a crosswalk and the four lane highway make this area very dangerous. Mayor DelVecchio informed the members of the public present that the City sent a letter to the State and included the letters received from

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residents. Mayor DelVecchio explained that this is an ongoing request of the City's to the State and our last submission included documentation supporting our request.

DELAWARE RIVER TOWNS: Request for approval of Performing Arts Area at Shad Festival on Friday evening, April 28th in the North Union Street Parking Lot.

Councilwoman Asaro made a motion to approve the request of the Delaware River Towns Chamber of Commerce for music on Friday evening, April 28th from 5 – 9 pm. Councilman Sanders seconded the request. An affirmative roll call vote was taken in favor of the motion by all members present. **MOTION CARRIED.**

WINTER FESTIVAL is celebrating their 20th anniversary on January 21 through the 29th with 9 days of activities! For additional information, visit their website at www.WinterFestival.net.

Mayor DelVecchio asked the Clerk to add a proclamation honoring the 20th anniversary of Winterfest to the February 21st session.

UNFINISHED/OLD BUSINESS.

Mayor DelVecchio gave an update on the following projects:

Third Can/Food Waste Program: the plan is to expand the current third can program to 250 residential participants and 10 restaurants. The City is also working on an ordinance which would require those who are currently using the City's garbage program, the restaurants and commercial establishments, to participate in the third can program.

D&R Canal Parking: the Mayor asked the City Clerk to schedule a follow-up meeting with the foundation, Council President Stegman (Chair of the Committee) and the Mayor. He asked that she give the foundation two weeks to obtain the information requested at their meeting.

2017 Budget: the Mayor will be ready to introduce the 2017 budget by February 15.

York Street Reconstruction: the City approved change order 1 for the project, increasing the contract by \$6, 145.05.

Swan Creek Flood Gates/LMUA Force Main Project: Tom Horn of the LMUA continues to work on providing the documentation requested to the EIT. The following summarizes the email and what information this agency has requested. They want to know why the MUA cannot address flooding issues affecting our facilities on a more localized basis such as raising structures, installing alternate means of access, and modifying the emergency generator and fuel tank. Second, they want to know why the proposed facilities would not succumb to the same flooding issues as existing facilities. Thirdly, they want to be clear as to the MUA's goals for the project. They are unsure if this project is an MUA only initiative or a joint project with the City? Finally, they feel the proposed project would change the character of the park and subject the

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DEP to additional liability. Mr. Horn reported that he has discussed the email with the consultants and they are working on a response.

Redevelopment Plan/COAH: the City is working on the Memorandum of Understanding with Killian for the development of the old high school property. This is being done in conjunction with our COAH application. The goal is to meet the COAH obligation through the development of the old high school.

Summer Camp: the City will begin working on the summer program for 2017.

CRS Update: the City received a verbal notice that we reach a level 7. Sandra Harris asked why we didn't reach the level 6. The Mayor explained that the application process changed and some of the work the city completed didn't gain the anticipated points. Once the official notice is received, the Mayor will meet with the committee to define the next steps.

Video Taping Meetings: the Clerk and the Court are working together so that we can share equipment. A proposal is due at the February meeting.

North Union and Cherry Street Park: Phase 1 of the park has been funded and it includes rain gardens, curbing and sidewalks. The Clerk was asked to see that the City Engineer coordinates the project with the work Suez is planning on North Union Street.

Clinton Street Project: the City will meet with residents next week about the project.

PennEast Pipeline: the Committee is in the process of scheduling a public meeting in March to give an update on the process.

Fence at Public Works: Members of Council asked if the gate would be metal or wood. The Public Works Director responded that it will be made of wood. He will also be placing some dirt around the bottom of the fence to dress it up.

NEW BUSINESS.

Board Appointments:

Office of Emergency Management: Mayor DelVecchio nominated Bryan Conner and Mitchell Ege, Jr. to serve on the Office of Emergency Management. Councilwoman Warner made a motion to confirm the Mayor's nomination. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

ANNOUNCEMENTS.

Mayor DelVecchio read the announcements into the record.

MONDAY, JANUARY 16, 2017: All City Offices will be closed on Monday, January 16th for Martin Luther King's birthday. The Third Can pick-up will be on Tuesday, January 17th.

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DOG AND CAT LICENSE RENEWALS: All dog and cat licenses expired December 31, 2016. Please register your dogs and cats no later than February 28, 2017 to avoid the \$25 late fee.

PARKING PERMITS: All parking permits expired December 31, 2016. The annual fee is \$45 and you need to bring your drivers' license, registration and a copy of your tax bill, lease or utility bill to prove residency.

LANDLORD REGISTRATION: The deadline to file your landlord registration is March 31, 2017. An additional \$50 will be assessed to all applications received after March 31.

MUNICIPAL PARKING AT THE PHILLIP L. PITTORE JUSTICE CENTER: Space number 38 is available for leasing at a monthly rate of \$55. Please call Shelley at 609-397-0110 for additional information.

SOUTH HUNTERDON REGIONAL SCHOOL DISTRICT:

Kindergarten Registration will take place on **Thursday, March 9 and Friday, March 10, 2017**. If you have a child turning 5 years of age on or before October 1, 2017 and you plan to register them for the 2017-2018 school year, please contact the school within the area in which you reside:

Lambertville Public School - [\(609\)397-0183](tel:(609)397-0183)

Stockton Borough School - [\(609\)397-9023](tel:(609)397-9023)

West Amwell Township School - [\(609\)397-0819](tel:(609)397-0819)

Please be sure to contact the school as soon as possible. **Registration will be by APPOINTMENT ONLY.** Registration forms will be found on our district website soon, shrsd.org. If you have a relative or a friend whose child will be eligible to enter kindergarten in September 2017, please have them call the appropriate school office.

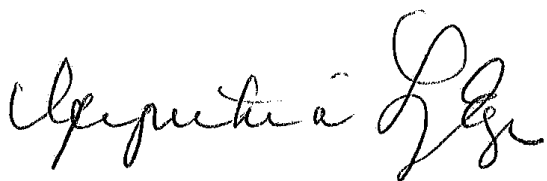
PUBLIC PARTICIPATION/PETITIONS OF CITIZENS AND PUBLIC DISCUSSION.

None.

ADJOURNMENT.

The meeting adjourned at 8:02 p.m. with a motion made by Councilman Sanders and seconded by Councilwoman Warner. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Respectfully submitted,



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Cynthia L. Ege
CMR, RMC, City Clerk



The January 17, 2017 session minutes were approved at the regularly scheduled session held on February 21, 2017.