



**City of Lambertville**  
**Regularly Scheduled Session**  
**Tuesday, April 25, 2017, 6:30 p.m.**  
**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 6:33 p.m. and read the following statement of compliance with the Open Public Meetings Act into the record: The April 25, 2017 Session notice was provided on April 17, 2017 to the Times, Democrat, on the Bulletin Board at City Hall, on the City's website at [www.lambertvillenj.org](http://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.**

Mayor DelVecchio asked for a motion to approve the resolution to go into closed session to discuss contracts, personnel, acquisition of property and possible litigation.

**RESOLUTION**

*“Authorizing a Closed Session at the April 25, 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 April 25, 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 Councilman Sanders and seconded by Council President Stegman. 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 7:01 p.m. with a motion made by Councilman Sanders 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.**

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Mayor DelVecchio led the public in the Pledge of Allegiance.

**MOMENT OF SILENCE.**

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 session minutes: March 21, 2017 Regular Session Minutes, March 21, 2017 Closed Session Minutes, and the March 28, 2017 Special Session Minutes. Councilman Sanders made a motion to approve the minutes as submitted/amended. Council President Stegman seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

**ADMINISTRATIVE REPORTS.**

Mayor DelVecchio asked for a motion to approve the following Administrative Reports: Tax Collector – Cynthia McBride, Municipal Court Administrator – Patricia Wozniak, Construction Official – Kenneth Rogers, Zoning Officer – Dick McManus, Fire Inspector – Frank D’Amore, Police Director – Bruce Cocuzza, Public Works Director – Lester Myers, City Clerk – Cynthia Ege and Chief Financial Officer and Treasurer – Christie Ehret. Council President Stegman made a motion to approve the Administrative Reports as listed on the meeting agenda. Councilman Sanders seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

**PROCLAMATIONS.**

LAMBERTVILLE TRADING COMPANY – celebrating 35 years.

Mayor DelVecchio invited Dean and Lisa Stephens to join him at the dais. Mayor and Council members took turns reading the proclamation into the record.

***Proclamation***  
***Lambertville Trading Company***

**WHEREAS**, established in 1982, Lambertville Trading Company, aka LTC, is a family owned coffee bar and specialty foods store that has become the hub of friendly gatherings in our community; and

**WHEREAS**, the owners of the LTC, Lisa and Dean Stephens, are known as the pioneers in their industry and they have become fixtures in the community always supporting any local non-profit organization; and

**WHEREAS**, Mr. and Mrs. Stephens are residents of the City of Lambertville and raised two children, Jacob and Gabriel; and

**WHEREAS**, over the years the Lambertville Trading Company has been consistently named as one the “must sees” in Delaware River Valley, offering five different daily brews of coffee or specialty drinks, along with a selection of bagels, muffins, pastries and cookies, gourmet food products, chocolates and confections and Custom gift baskets; and

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**WHEREAS**, in 2000 the Philadelphia Magazine named the Lambertville Trading Company the “Best of”; and in 2006 Lisa and Dean received the coveted “Golden Cup Award” from the Specialty Coffee Association of America.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the City of Lambertville, County of Hunterdon, State of New Jersey hereby congratulate Lisa and Dean Stephens upon the occasion of celebrating thirty-five years of operating the successful Lambertville Trading Company.

ADOPTED: April 25, 2017

David M. DelVecchio, Mayor

Mayor DelVecchio informed the members of the public that the Lambertville Trading Company has been serving the community for thirty-five years. They are the recipient of the “Best of” award given by the Philadelphia Magazine and the “Golden Cup Award” from the Specialty Coffee Association of American. The Stephens’ family has been very gracious to the City and we are happy to honor them and congratulate them for thirty-five years of service and thanked them for their assistance with events.

Dean and Lisa Stephens thanked the Governing Body for the proclamation and said “We will keep doing it.”

Mayor DelVecchio asked for a motion to adopt the proclamation. Council President Stegman made the motion and Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present.  
**MOTION CARRIED.**

**SOUTH HUNTERDON REGIONAL SCHOOL DISTRICT** –special recognition.

Mayor DelVecchio asked if the students from South Hunterdon Regional School District were present and he asked them to join him at the dais. Members of Council took turns reading the proclamation into the record.

**Proclamation**

**WHEREAS**, students at the South Hunterdon Regional School District enjoy a wide array of extra-curricular activities; *and*

**WHEREAS**, due to their exemplary performances, the following students participating in extra-curricular activities have achieved the following honors:

2016-17 Award Winners – Girls Basketball

1st Team All-Skyland Conference: Giovanna Rubino

Honorable Mention Skyland Conference: Catherine Trelstad

2016-17 Award Winners – Boys Basketball

1st Team Skyland Conference: Eric Myers

Honorable Mention Skyland Conference: Joe Armstrong

**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 the following

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students are hereby honored for their accomplishments in their extra-curricular activities for the 2016-17 All-Skyland Conference.

**BE IT FURTHER RESOLVED** that Saturday, May 13, 2017 is hereby proclaimed South Hunterdon Regional School District Day in Lambertville in honor of their achievements.

**ADOPTED:** April 25, 2017

Mayor DelVecchio congratulated the students on their achievements and asked the students to join him at the dais while council members read the proclamation into the record.

Councilman Sanders commented that he watched almost all of the boy's games and a lot of the girl's games and he knows how hard they work. He said he was very proud of them and so is our community.

Mayor DelVecchio asked the students if they wanted to comment. Giovanna Rubino thanked the governing body for the proclamation and said it was very nice. Mayor DelVecchio addressed the students and said "you did something that no one else did. We are very proud of what you achieved on the court.

Mayor DelVecchio asked for a motion to adopt the proclamation. Councilman Sanders made the motion and Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. **MOTION CARRIED.**

**FINKLE'S** – celebrating 100 Years of Serving the Community.

Mayor DelVecchio asked those present from Finkle's to join him at the dais. Members of Council took turns reading the proclamation into the record.

#### **Proclamation**

**WHEREAS**, Joseph Finkle immigrated to the United States from Russia in 1898 and opened the World's Most Unusual "Hardware" Store located at 7 Coryell Street in the City of Lambertville in 1917; and

**WHEREAS**, Abe Finkle, son of Joseph Finkle and father to Rachel Finkle, worked at the store until his death at age 82 in 1994, and

**WHEREAS**, Rachel Finkle, the third generation to work at the store, is a graduate from Columbia University majoring in East Asian studies, worked summers at the family business until 1991. Now the president, Ms. Finkle commented that "We go the extra mile, researching and ordering all kinds of crazy items people request;" and

**WHEREAS**, Jonah Helmer, son of Rachel Finkle and Sven Helmer, is the fourth generation to work at Joseph Finkle & Son, and

**WHEREAS**, Finkle's continues to sell the following products: electrical, lighting, plumbing, heating, decorative and industrial hardware, and steel. Described as "legendary," "charming," and "eccentric" with it's convenient in-town location for both New Jersey and Pennsylvania residents, they serve customers within a 50 mile radius; and

**WHEREAS**, walking into Finkle's is like turning back time; known for their old fashioned customer service, knowledgeable sales staff, they also have a website with

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everything needed to fix up your old home from 1776 on up, or to create a new and exciting look with inventory stacked from floor to ceiling to service their customers better.

**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 Joseph Finkle & Son is hereby congratulated on their 100 year anniversary!

**BE IT FURTHER RESOLVED THAT** Saturday, May 6<sup>th</sup> is hereby proclaimed as Joseph Finkle & Son day in the City of Lambertville.

**ADOPTED:** April 25, 2017

Mayor DelVecchio commented “as someone who just bought a home I am there on a regular basis.

Rachel Finkle thanked the Mayor and Council members and the citizens for supporting them for the past 100 years.

Councilman Sanders commented that this was an inspiration for the Lambertville Trading Company.

Council President Stegman commented that he came from a family in the service industry and he knows and appreciates the culture that Rachel has continued, the philosophy has put the customer in front of profits for 100 years. Thank you for continuing this and for the loyal customers.

Mayor DelVecchio stated that her family has for years been supportive of our community. Some stuff was public and some was not so public. He acknowledged their contributions to the Lambertville-New Hope Ambulance and Rescue Squad throughout the years. Ms. Finkle said he didn’t want attention and anonymous was his name. She said we all try to weave together and to support each other.

Lisa Stephens commented that people constantly come into the Lambertville Trading Company and comment about our town, saying things like “this is the coolest town.” It’s like a big family and we all help each other. It’s a wonderful feeling to be able to do that and feel like small town America. It’s still so strong and vibrant and it feels so good.

Mayor DelVecchio asked for a motion to adopt the proclamation honoring Finkles 100<sup>th</sup> anniversary. Council President made the motion and Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. **MOTION CARRIED.**

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**LAMBERTVILLE EDUCATION FOUNDATION** – celebrating 25 Years of Service.

Mayor DelVecchio asked the members from the Lambertville Education Foundation to join him at the dais. Council members took turns reading the proclamation into the record.

***Proclamation***  
***Lambertville Area Education Foundation***

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**WHEREAS**, the Lambertville Area Education Foundation, LAEF, is celebrating twenty-five years of serving the community; and

**WHEREAS**, the LAEF is an independent non-profit organization established to support innovative programs that enhance the educational experiences of the students, pursue excellence in all aspects of education, and build community involvement in the South Hunterdon Regional School District; and

**WHEREAS**, the Lambertville Area Education Foundation is administered by a volunteer Board of Directors, four members of which serve as the organization's officers: Samantha Iraca - President, Melissa Ruby – Vice President; Shelly Paventi – Treasurer and Gina Davio – Secretary; and

**WHEREAS**, the LAEF is a testament to what a community can accomplish when it comes together. Initially established to support the Lambertville Public School, the LAEF now serves the entire South Hunterdon Regional School District, which includes three elementary schools and South Hunterdon Regional High School, supporting over 850 students; and

**WHEREAS**, the LAEF holds two annual fundraising events: an Auction Benefit in the spring and Golf Day in the fall. The Auction showcases local fine arts, restaurants and activities. Golf Day, held at a local country club, attracts golfers of every level. These two signature events, in conjunction with a letter campaign and private donations, fund the LAEF's objectives, and

**WHEREAS**, the LAEF awards grants for the Arts, Technology, STEM, Science and Health; supports the 6th graders' annual trip to Washington, D.C. and post-secondary grants to deserving Seniors, as well as summer enrichment grants to High School students.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the City of Lambertville, County of Hunterdon, State of New Jersey hereby congratulate the Lambertville Area Education Foundation as they celebrate twenty-five years of serving the community.

**ADOPTED:** April 25, 2017

Those representing the Lambertville Area Education Foundation included: Jill Myers, Erin Keyes, Piper Trelstad, and Phil Mackey.

Mayor DelVecchio commented that it was really important to have Phil Mackey here tonight. "I remember when Phil started this venture. Gail Richardson was involved and I remember that when you first brought it to the school they didn't know what an education foundation was – it took a while to catch on. Once they understood the additional things the foundation could do it became everyone's favorite project. The whole community benefits from what they do.

Councilman Sanders stated that the auction has become the social event of the season. Members of the Lambertville Education Foundation thanked the governing body for the proclamation.

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Mayor DelVecchio asked for a motion to adopt the proclamation honoring the Lambertville Area Education Foundation. Councilwoman Asaro made the motion and Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

**RESOLUTIONS.**

Consent Agenda: *resolutions listed 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 read the resolutions into the record and noted that we had one new addition for the approval of the tonnage grant application for 2016.

**RESOLUTION NUMBER 58-2017: A Resolution to Authorize the Mayor, City Attorney and City Clerk to Sign the Subordination Agreement for the CDBG Grant In The Amount of \$41,708 for Block 1049, Lot 12, Joyce Fry.**

**City of Lambertville**

**RESOLUTION NUMBER 58-2017**

*A Resolution Authorizing the Mayor, City Attorney, City Clerk to Sign the Subordination Agreement for the CDBG Grant In the Amount of \$41,708 for Block 1049, Lot 12, Joyce Fry*

**WHEREAS**, the City Attorney has reviewed the request made by Joyce Fry for a subordination agreement for the Community Development Block Grants from 2005 in the amount of \$28,725 and \$12,983 for 88 South Main Street, Block 1049, Lot 12 given to Joyce Fry; and

**WHEREAS**, this subordination agreement would change the City's position on the lien from first and second position to second and third position for the liens; and

**WHEREAS**, the City Attorney feels there is sufficient equity in the property to grant this subordination of this loan and it is in keeping with past practice.

**NOW THEREFORE BE IT RESOLVED** by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey that the Mayor, City Attorney and City Clerk are hereby authorized to sign the subordination agreement for the CDBG Grants given to Joyce Fry in 2005 totaling \$41,708.

ADOPTED: April 25, 2017

**RESOLUTION NUMBER 59-2017: A Resolution Consenting to the Proposed Water Quality Management Plan Amendment Entitled: Academy Hill.**

**City of Lambertville**

**RESOLUTION NUMBER 59-2017**

*A Resolution Consenting to the Proposed Water Quality Management Plan Amendment Entitled: Academy Hill*

**WHEREAS**, the Lambertville Municipal Utilities Authority desires to provide for the orderly development of wastewater facilities within the Authority's sewer service area; and

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WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas as well as related subjects, conform with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure through the WQMP rules at N.J.A.C. 7:15-3.5 as the method of incorporating unplanned facilities into a WQM plan; and

WHEREAS, a proposed WQM plan amendment publicly noticed in the New Jersey Register on April 17, 2017 for the Hunterdon County Wastewater Management Plan Site Specific Amendment for Academy Hill prepared by Dynamic Engineering Consults;

NOW THEREFORE BE IT RESOLVED on this 18<sup>th</sup> day of April 2017, by the Governing Body of the City of Lambertville that;

1. The Mayor and Council of the City of Lambertville hereby consents to the amendment entitled Hunterdon County Waste Water Management Plan, Site Specific Amendment for Academy Hill and publicly noticed on April 17, 2017, prepared by Dynamic Engineering Consults for the purpose of its incorporation into the application WQM plan(s) subject to the following:
  - a. Finalization of zoning that determines the maximum unit count.
2. This consent shall be submitted to NJDEP in accordance with N.J.A.C. 7:15-3.4.

I do hereby certify that the foregoing is a true copy of a resolution passed by the Governing Body of the City of Lambertville at a meeting held on April 25, 2017.

***RESOLUTION NUMBER 60-2017: A Resolution to Authorize the City Clerk to Submit the Raffle Applications for A 50/50 and Pull Tab Raffles Filed by the BPOE Elks to the State of New Jersey Attorney General, Legalized Games of Chance Control Commission***

City of Lambertville

Resolution Number 60-2017

*A Resolution to Authorize the City Clerk to Submit the Raffle Applications for A 50/50 and Pull Tab Raffles Filed by the BPOE Elks to the State of New Jersey Attorney General, Legalized Games of Chance Control Commission*

WHEREAS, the BPOE Elks filed two applications with the City Clerk on Monday, April 10, 2017, and

WHEREAS, the Police Department received copies of the applications; and

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

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that the City Clerk is hereby authorized to submit the raffle applications filed by BPOE Elks to the State of New Jersey Attorney General, Legalized Games of Chance Control Commission for 50/50 Raffles beginning May 19, 2017 and ending June 15, 2018 and Pull Tab Raffles beginning May 15, 2017 and ending May 14, 2018..

ADOPTED: April 25, 2017



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RESOLUTION NUMBER 61-2017: *A Resolution Authorizing the Redemption of a Tax Lien for Block 1088, Lot 22 In the Amount of \$11,138.96 Plus a Premium of \$300.*

**City of Lambertville**

**RESOLUTION 61-2017**

*A Resolution Authorizing the Redemption of a Tax Lien for Block 1088, Lot 22 In the Amount of*

*\$11,138.96*

**WHEREAS**, Tax Lien Certificate 14-00018 issued on Block 1088 Lot 22 was sold to US BANK CUST for PC4 First, 5 South 16<sup>th</sup> St, Suite 2050 Philadelphia, PA 19102 on 11/25/14 and

**WHEREAS**, payment has been received by the Tax Collector for redemption of the tax lien from a mortgage company

**NOW THEREFORE BE IT RESOLVED** by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey that the check is hereby authorized to US BANK CUST for PC4 First, 5 South 16<sup>th</sup> St, Suite 2050 Philadelphia, PA 19102 for the redemption of tax lien certificate #14-00018 in the amount of: \$11,138.96

In addition the City is holding a premium in the amount of \$300.00 and upon redemption this is due back to the lienholder.

2 checks for the lienholder –

Check 1= \$11,138.96

Check 2= for premium= \$300.00

ADOPTED: April 25, 2017

RESOLUTION NUMBER 62-2017: *A Resolution of the City Council of the City of Lambertville Granting Permission to Verizon Wireless for the Lawful Right to Maintain Poles Within the Public Right of Way, Subject to Final Approval of Placement of the Equipment by the City of Lambertville.*

**City of Lambertville**

**Resolution Number 62-2017**

*A Resolution of the City Council of the City of Lambertville to Grant Permission and Authority to Verizon Wireless to Use Poles Erected by Parties that Have the Lawful Right to Maintain Poles Within the Public Right of Way*

**WHEREAS**, Cellco Partnership d/b/a/ Verizon Wireless, (“Verizon Wireless”), is a provider of commercial mobile service subject to regulation by the Federal Communications Commission; and

**WHEREAS**, Verizon Wireless has entered into agreements with parties that have the lawful right to maintain poles in the public right-of-way pursuant to which Verizon

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Wireless may use such poles erected within the public right-of-way in the City of Lambertville; and

WHEREAS, New Jersey law permits such use provided that there is the consent of the relevant municipality;

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:

1. Permission and authority are hereby granted to Verizon Wireless and its successors and assigns, to use poles erected by parties that have the lawful right to maintain poles within the public right-of-way in the City of Lambertville subject to the following:
  - a. Verizon Wireless and its successors and assigns, shall adhere to all applicable Federal, State and Local laws regarding safety requirements related to the use of the public right-of-way.
  - b. Verizon Wireless, and its successors and assigns, shall comply with all applicable Federal, State, and Local laws requiring permits prior to beginning construction, and shall obtain any applicable permits that may be required by the City of Lambertville.
  - c. Such permission be and is hereby given upon the condition and provision that Verizon Wireless, and its successors and assigns, shall indemnify, defend and hold harmless the City of Lambertville, its officers, agents, and servants, from any claim of liability or loss or bodily injury or property damage resulting from or arising out of the acts or omissions of Verizon Wireless or its agents in connection with the use and occupancy poles located within the public right-of-way, except to the extent resulting from the acts or omissions of the City of Lambertville.
  - d. Verizon Wireless shall, at its own cost and expense, maintain commercial general liability insurance with limits not less than \$1,000,000 for injury or death of one or more persons in any one occurrence and \$500,000 for damage or destruction to property in any one occurrence as well as Workers Compensation/Employers Liability. Verizon Wireless shall include the City of Lambertville as additional insured.
  - e. Verizon Wireless shall be responsible for the repair of any damage to paving, existing utility lines, or any surface or subsurface installations, arising from its construction, installation or maintenance of its facilities.
  - f. Notwithstanding any provision contained herein, neither the City of Lambertville nor Verizon Wireless shall be liable to the other for consequential, incidental, exemplary, or punitive damages on account of any activity pursuant to this instrument.
  - g. This instrument shall be adopted by the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, and attested to by the City Clerk of the City of Lambertville who shall affix the City Seal thereto.
  - h. The permission and authority hereby granted shall continue for the same period of time as the grant to parties whose poles Verizon Wireless is using.
  - i. The City of Lambertville shall have final approval of the location of all network nodes, also called oDAS nodes and/or furniture (if determined required) placed in the public right-of way prior to the start of work.

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- j. Verizon Wireless will commit to the installation of a new pole where the City of Lambertville has determined their period of usefulness has expired.

STATEMENT

This resolution authorizes Verizon Wireless to use poles erected within the public right-of-way of the City of Lambertville, in the County of Hunterdon by parties that have the lawful right to maintain such poles.

ADOPTED: April 25, 2017

***RESOLUTION NUMBER 63-2017: A Resolution Authorizing the Submission of Historic Preservation Grant Application to the New Jersey Historic Trust for the Restoration of the Front Porch at City Hall.***

**City of Lambertville**

**RESOLUTION NUMBER 63-2017**

**Resolution Authorizing Submission of Historic Preservation Grant Application to the New Jersey Historic Trust**

**WHEREAS**, the New Jersey Historic Preservation Trust has announced that it is accepting grant applications for Historic Preservation Grants that are due May 3, 2017; and

**WHEREAS**, this year's grant round is for **capital preservation grants**. The maximum grant request for Level I is \$150,000 and requires a match of \$3 for every \$2 in award money. Capital preservation grants may be used for construction expenses related to the preservation, restoration, repair, and rehabilitation of historic properties, as well as certain non-construction activities related directly to the development, implementation, operation, and monitoring of historic preservation projects. All proposed projects should be supported by previous investigations, such as preservation plans or assessments; and

**WHEREAS**, eligible applicants must be nonprofit organizations or units of county or municipal government, and eligible properties must be listed in the New Jersey or National Register of Historic Places or are certified as eligible for listing by the Deputy State Historic Preservation Officer; and

**WHEREAS**, the City of Lambertville is an eligible applicant as the Lambertville Historic District (ID#1601) was added to the New Jersey Register of Historic Places on May 18, 1983 and the National Register of Historic Places on June 30, 1983; and

**WHEREAS**, the City of Lambertville will conduct restorations to the Lambertville City Hall to restore its historic porch; and

**WHEREAS**, the City of Lambertville wishes to request \$88,518.67 from the New Jersey Historic Trust and pledges \$59,012.45 as a local match.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Lambertville that the City Council approves the grant application for the above stated project.

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**BE IT FURTHER RESOLVED** that the City Council is hereby authorized to submit said grant application to the New Jersey Historic Trust on behalf of the City of Lambertville.

**BE IT FURTHER RESOLVED** that the City Clerk is hereby authorized to sign the application assurances and grant agreement on behalf of the City of Lambertville, and that her signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

***RESOLUTION NUMBER 64-2017: A Resolution Requesting the Insertion of a Chapter 159 Grant in the 2017 Budget for 2014 Recycling Tonnage Grant in the Amount of \$5,307.60.***

*City Of Lambertville*

18 York Street

Lambertville, NJ 08530

Phone (609) 397-0110

Fax (609) 397-2203

**RESOLUTION NO. 64-2017**

**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 **\$5,307.60 - 2014 Recycling Tonnage 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 2017 CY Budget in the amount of **\$5,307.60** which item is now available as revenue from the receipt of the **Recycling Tonnage Grant**.

**BE IT FURTHER RESOLVED** that a like sum of **\$5,307.60** is hereby appropriated under the caption of:

OPERATIONS "EXCLUDED FROM CAP"

**Recycling Tonnage Grant \$5,307.60**

**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: April 25, 2017

***RESOLUTION NUMBER 65-2017: A Resolution Authorizing the Redemption of a Tax Lien for Block 1051, Lot 10 In the Amount of \$944.22 Plus a Premium in the Amount of \$1,600***

**City of Lambertville**  
**RESOLUTION NUMBER 65-2017**

*A Resolution Authorizing the Redemption of a Tax Lien for Block 1051, Lot 10 In the Amount of*

*\$994.22, Plus a Premium in the Amount of \$1,600*

**WHEREAS**, Tax Lien Certificate 16-00010 issued on Block 1051 Lot 10 was sold to FWDSL & Associates, LP, 17 W Cliff St, Somerville, NJ 08876 on 10/20/16 and

**WHEREAS**, payment has been received by the Tax Collector for redemption of the tax lien from a mortgage company

**NOW THEREFORE BE IT RESOLVED** by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey that the check is hereby authorized to FWDSL & Associates, LP, 17 W Cliff St, Somerville NJ 08876 for the redemption of tax lien certificate #16-00010 in the amount of: 994.22

In addition the City is holding a premium in the amount of \$1,600.00 and upon redemption this is due back to the lienholder.

2 checks for the lienholder –

Check 1= \$994.22

Check 2= for premium= \$1,600.00

Adopted: April 25, 2017

**RESOLUTION NUMBER 66-2017: A Resolution Authorizing the Refund of a Garbage Permit to Fisherman's Mark in the Amount of \$45.00.**

**City of Lambertville**  
**RESOLUTION NUMBER 66-2017**

*A Resolution Authorizing the Refund of a Garbage Permit to Fisherman's Mark in the Amount of \$45*

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council that the refund of a Garbage Permit in the Amount of \$45 is hereby authorized.

**ADOPTED:** April 25, 2017

**RESOLUTION NUMBER 67-2017: A Salary & Wage Resolution for the First Quarter of 2017 for Frenchtown Construction.**

**City of Lambertville**  
**RESOLUTION NUMBER 67-2017**

*A Salary & Wage Resolution for the First Quarter 2017 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 first quarter 2017 shared services agreement with the Borough of Frenchtown is hereby authorized:

Victor Timpanero,	\$ 833.36
Tim Dieterman,	\$ 450.00
Keith Steele,	\$ 140.00
Kenneth Rogers,	\$8,000.49

**ADOPTED:** April 25, 2017

***RESOLUTION NUMBER 68-2017: A Resolution to Authorize the City Clerk to Submit the Raffle Application Filed by PTA Lambertville for a May 18 Raffle of an Original Eleanor Voorhees Painting to the State of New Jersey Legalized Games of Chance Control Commission.***

**City of Lambertville**  
**RESOLUTION NUMBER 68-2017**

*A Resolution to Authorize the City Clerk to Submit the Raffle Application to the State of NJ Legalized Games of Chance Control Commission Filed by Lambertville PTA for the May 18, 2017 Raffle of an Eleanor Voorhees Original Painting*

**WHEREAS**, the City Clerk received the application filed by Lambertville PTA for a raffle scheduled for May 18; and

**WHEREAS**, a copy of the application was filed with the Police Department on Friday, April 21, 2017; and

**WHEREAS**, the City Clerk completed the determinations statement and has deemed the application complete.

**NOW THEREFORE BE IT RESOLVED**, by the governing body of the City of Lambertville, County of Hunterdon, State of New Jersey, that the City Clerk is authorized to file the raffle application filed by PTA Lambertville with the State of New Jersey Legalized Games of Chance Control Commission.

**ADOPTED:** April 25, 2017

***RESOLUTION NUMBER 69-2017: A Resolution to Authorize the Tonnage Grant Application for 2016.***

**City of Lambertville**  
**RESOLUTION NUMBER 69-2017**

*A Resolution to Authorize the Tonnage Grant Application for 2016*

**WHEREAS**, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

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**WHEREAS**, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

**WHEREAS**, The New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS**, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS**, A resolution authorizing this municipality to apply for the 2016 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the City of Lambertville to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

**WHEREAS**, Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

**NOW THEREFORE, BE IT RESOLVED** that the Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Lester E. Myers, Jr., to ensure that the application is properly filed; and

**BE IT FURTHER RESOLVED** that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

**ADOPTED:** April 25, 2017

Mayor DelVecchio asked for a motion to approve the resolutions listed on the consent agenda. Councilman Sanders made the motion and 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. Councilman Sanders made 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.

**ORDINANCES – INTRODUCTION AND FIRST READING.**

ORDINANCE NUMBER 15-2017: *An Ordinance to Amend the Lambertville City Code, 2014, Chapter 4: Police Regulations, Adding Section 15: Registration and Maintenance of Abandoned and Vacant Buildings.*

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Mayor DelVecchio read Ordinance Number 15-2017 into the record by title. Mayor DelVecchio informed the members of the public present that this ordinance will require all vacant properties as defined in Section 1, Letter II to register with the City of Lambertville. This ordinance will require property maintenance and charge fees to encourage the bank to sell the property.

City of Lambertville  
**ORDINANCE NUMBER 15-2017**

*An Ordinance to Amend the Lambertville City Code, 2014, Chapter 4: Police Regulations, Adding Section 15: Registration and Maintenance of Abandoned and Vacant Buildings*

**WHEREAS**, mortgage foreclosures often result in the abandonment and neglect of residential and commercial properties; and

**WHEREAS**, periodically property owners have abandoned their property and have failed to maintain or secure them to an adequate standard; which affects the health, safety, and welfare of residents and visitors of the City, including diminution of neighboring property values, increased risk of fire, potential increases in criminal activity, and potential increases in health risks; and

**WHEREAS**, P.L. 2014, c. 35, authorizes municipalities to adopt ordinances for the purpose of regulating the care, maintenance, security and upkeep of the exterior of vacant and abandoned properties for which a creditor has filed an action to foreclose; and

**WHEREAS**, it is in the public interest for the City of Lambertville to establish a mechanism to identify and track vacant and abandoned properties in the City which are in foreclosure, to establish standards for the maintenance of those properties and to enforce those standards of maintenance; and

**WHEREAS**, it is also in the public interest to impose a fee in conjunction with the registration of vacant and abandoned properties/structures in light of the disproportionate costs imposed of the City by the presence of these structures; and

**WHEREAS**, the City has reviewed recent amendments to Titles 2A 40 and 46 of the New Jersey Statutes regarding vacant and abandoned property and the responsibility of foreclosing creditors; and

**WHEREAS**, as a result of such legislation, certain amendments to the Lambertville City Code, 2014 are required.

**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 Chapter 4 entitled Police Regulations, adding Section 15, Registration and Maintenance of Vacant Buildings is hereby added as follows:

**SECTION 1: REGISTRATION AND MAINTENANCE OF VACANT BUILDINGS**

- I. **PURPOSE:** This ordinance authorizes the City of Lambertville to govern the maintenance of vacant or abandoned property in the City of Lambertville, establishing registration requirements and levying a registration fee on owners of vacant properties.
- II. **DEFINITIONS:**



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Creditor means a State chartered bank, savings and loan association or credit union, any person or entity required to be licensed under the provisions of the "New Jersey Residential Mortgage Act," P.L.2009, c. 53 (C.17:11C-51 et. seq.), any foreclosing entity subject to the provisions of C.46:10B (P.L.2008, c. 127, Sec. 17 as amended from time to time) and any entity acting on behalf of the creditor named in the debt obligation including, not limited to, services.

Owner: Includes the title holder, any agent of the title holder having authority to act with respect to a vacant property, any foreclosing entity subject to the provision of N.J.A.C. 46:10B-51 (P.L.2008, c. 127, section 17) or any other entity determined by the City of Lambertville.

Vacant and Abandoned Property: Any building used or to be used for residential or commercial purposes which is not legally occupied or at which substantially all lawful construction operations or occupancy has ceased, provided, however, that any property that contains all building system in working order, is fully compliant with our property maintenance codes, and is being actively marketed by its owner for sale or rental, shall not be deemed vacant.

Property determined to be 'abandoned property' in accordance with the meaning of such term in the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19-78, et seq.; and/or N.J.S.A. 2A:50-73 residential real estate, where notice of violation has been issued pursuant to N.J.S.A. 40:48-2.12s(1)(b); and/or where a mortgaged property is not occupied by a mortgagor or tenant and at least two of the following conditions exist:

- A. Overgrown or neglected vegetation;
- B. The accumulation of newspapers, circulars, flyers or mail on the property;
- C. Disconnected gas, electric, or water utility services to the property;
- D. The accumulation of hazardous, noxious, or unhealthy substances or materials on the property;
- E. The accumulation of junk, litter, trash or debris on the property;
- F. The absence of window treatments such as blinds, curtains or shutters;
- G. The absence of furnishings and personal items;
- H. Statements of neighbors, association management, delivery person, or government employees indicating that the residence is vacant and abandoned;
- I. Window or entrances to the property that are boarded up or closed off or multiple window panes that are damaged, broken and unrepaired;
- J. Doors to the property that are smashed through, broken off, unhinged or continuously unlocked;
- K. Risk to health, safety or welfare of the public, or any adjoining or adjacent property owners, exists due to acts of vandalism, loitering, criminal conduct, or physical destruction or deterioration of the property;
- L. An uncorrected violation of a municipal building, housing or similar code during the preceding year, or an order by municipal authorities declaring

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the property to be unfit for occupancy and to remain vacant and unoccupied;

- M. The mortgagee or other authorized party has secured or winterized the property due to the property being deemed vacant and unprotected or in danger of freezing;
- N. A written statement issued by any mortgagor expressing the clear intent of all mortgagors to abandon the property;
- O. Any other reasonable indicia of abandonment.

Residential properties shall not be considered "Vacant and Abandoned" if, on the property:

- A. There is an unoccupied building which is undergoing construction, renovation or rehabilitation that is proceeding diligently to completion, and the building is in compliance with all applicable ordinances, codes, regulations and statutes;
- B. There is a building occupied on a seasonal basis, but otherwise secure; or
- C. There is a building that is secure, but is the subject of a probate action, action to quiet title or other ownership dispute.

**III. REQUIREMENTS FOR OWNERS OF PROPERTY**

The owner of any building that has become vacant property, and any person maintaining, operating or collecting rent for any such building that has become vacant shall within 30 days:

- A. Enclose and secure the building against unauthorized entry as provided in the applicable provisions of the code of the City of Lambertville.
- B. Post a sign affixed to the building indicating the name, address and telephone number of the owner, the owner's authorized agent for the purpose of service of the process, and the person responsible for day-to-day supervision and management of the building, if such a person is different from the owner holding title or authorized agent. The sign shall be of a size and place in such a location so as to be legible from the nearest public street or sidewalk, whichever is near, but shall be no smaller than 18"x24".
- C. Secure the building from unauthorized entry and maintain a sign until the building is again legally occupied or demolished or until repair or rehabilitation of the building is complete.
- D. Post the property with "No Trespassing" signs or a nature sufficient to give notice to any person entering upon the property that is against the laws to enter the property without permission of the owner.
- E. Ensure that the vacant property is inspected on a monthly basis by the owner's authorized agent and prepare inspection reports, which shall be forwarded to the Construction Officer or the Mayor's designee no later than the last day of each month.
- F. Ensure that the vacant property is maintained in accordance with all property maintenance ordinances of the City of Lambertville.

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- G. The owner of any vacant building shall acquire and otherwise maintain liability insurance by procuring a vacancy policy in an amount of not less than three hundred thousand dollars (\$300,000) for buildings designed primarily for use as residential units and not less than one million dollars (\$1,000,000) for any other building including, but not limited to buildings designed for manufacturing, industrial, storage or commercial uses, covering any damage to any person or any property caused by any physical condition of or in the building. The owner shall attach evidence of the insurance to the owner's registration statement. Any registration statement submitted that does not include such evidence shall not be deemed to be a valid registration which shall subject the owner to penalties under this ordinance.

**IV. ADMINISTRATION**

The Mayor and City Council may issue rules and regulations for the administration of the provision of this ordinance.

**V. VIOLATIONS AND PENALTIES**

- A. Any Owner who is not in full compliance with this ordinance or who otherwise violates any provision of this ordinance or of the rules and regulations issued hereunder shall be subject to a fine of not less than \$500.00 and not more than \$1,000 for each offense. Each day during which any violation of this chapter continues shall constitute a separate and distinct offense. Fines assessed under this chapter shall be recoverable from the owner and shall be a lien on the property.
- B. For purpose of this chapter, failure to file a registration statement on time, failure to provide correct information on the registration statement, failure to submit inspection reports, failure to comply with the provisions of this Chapter, or such other matters as may be established by the rules and regulations of the Construction Department, Zoning Officer, or the Police Department, or any other agent as authorized by the Mayor or his designee, shall be deemed to be violations of this ordinance.

**VI. EFFECT ON OTHER LAWS, INTERPRETATION OF PROVISIONS**

Nothing in this chapter is intended nor shall be read to conflict or prevent the City of Lambertville from taking action against buildings found to be unfit for human habitation or unsafe structures as provided in applicable provisions of the Lambertville City Code, 2014.

**VII. EFFECTIVE DATE**

This ordinance shall take effect upon publication.

**VIII. SEVERABILITY**

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

**IX. REPEALER**

Any ordinance or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only. All other parts of the Lambertville City Code, 2014 not inconsistent herewith are ratified and confirmed.

X. EXCESS FUNDS

Any funds collected as vacant property registration fees in excess of the funds necessary to operate and enforce the provisions of this Chapter shall be used at the discretion of the Mayor and City Council.

**SECTION 2: CREDITOR RESPONSIBILITY**

Pursuant to the provisions of the New Jersey Creditor Responsibility Law (P.L.2014, c.5), a creditor filing a summons and complaint to foreclose a lien on a residential property that is vacant and/or abandoned, whether filing of the summons and complaint is made before or after the determination that the property is vacant and abandoned, shall be responsible for the care, maintenance, security, and upkeep of the exterior of the residential property.

**SECTION 3: NOTICE TO CREDITOR; TIME TO CORRECT VIOLATIONS**

If the Zoning Officer or other authorized municipal official, determines that a creditor obligated to care, maintain, secure and keep up a vacant and abandoned property has failed to do so in violation of the provisions of the Code, the public officer or other authorized municipal official shall issue a notice of violation to the creditor that has filed a summons and complaint to foreclose on the property in question. The notice shall require the person or entity to correct the violation with thirty (30) days of receipt of the notice, or within ten (10) days of receipt of the notice if the violation presents an imminent threat to public health and safety. The issuance of this notice shall constitute evidence that a property is "vacant and abandoned" for purpose of N.J.S.A. 2A:50-73.

**SECTION 4: DESIGNATED REPRESENTATIVE OF OUT-OF-STATE CREDITOR; VIOLATION**

An out-of-State creditor shall include the full name and contact information of the in-State representative or agent in the notice required to be provide to the municipal clerk pursuant to paragraph one of N.J.S.A. 46:10B-51. An out-of-State creditor found by a court of competent jurisdiction to have violated this provision shall be subject to a fine of \$2,500 for each day of the violation commencing on the day after the ten (10) day period set forth in paragraph one of N.J.S.A. 46:10b-51 with respect to notifying the municipal clerk that an action to foreclose on the property has been filed.

**SECTION 5: VIOLATIONS AND PENALTIES**

For violation of any provision of this chapter, the penalty, upon conviction, shall be a minimum fine of \$100 and a maximum fine not exceeding \$2,000, or imprisonment for a period not exceeding 90 days, or a period of community service not exceeding 90 days, or any combination thereof. Each day on which such violation exists shall constitute a separate violation. The court before which any person is convicted of violating this chapter shall have the power to impose a penalty, pursuant to N.J.S.A. 26:3-70 et seq. and the Penalty Enforcement Law (N.J.S.A. 2A:58-1 et seq.(1)), of not more than \$500 nor less than \$5. A creditor required to care for, maintain, secure, and keep up a property under this Chapter cited in notices issued pursuant to this Chapter shall be subject to a fine of \$2,000 for each day of the violation. The penalties set forth in this section are separate and apart from the remedy provided for in the New Jersey Statutes Annotation, N.J.S.A. 40:48-2.13 and 40:48-2.14. The remedy in this section shall be in addition to all remedies available to the City in laws or in equity.

**SECTION 6: SEVERABILITY**

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If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

#### **SECTION 7: REGISTRATION**

Effective July 1, 2017, the owner of any vacant property as defined herein shall, within 30 calendar days after the building becomes vacant property or within 30 calendar days after assuming ownership of the vacant property, whichever is later, or within 10 calendar days of receipt of notice by the municipality, file a registration statement for such vacant property with the Municipal Clerk on forms provided by the Municipality for such purposes. Failure to receive notice by the municipality shall not constitute grounds for failing to register the property.

- A. Each property having a separate block and lot number as designated in official records of the municipality shall be registered separately.
- B. The registration statement shall include the name, street address, telephone number and email address (if applicable) of a person 21 years or older, designated by the owner or owners as authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceedings on behalf of such owner or owners in connection with the enforcement of any applicable code, and the name, street address, telephone number, and email of the firm and the actual name(s) of the first individual principal(s) responsible for maintaining the property. The individual or representative of the firm responsible for maintaining the property shall be available by telephone or in person on a 24 hour per day, seven-day per week basis. The two entities may be the same or different persons. Both entities shown on the statement must maintain offices in the State of New Jersey or reside within the State of New Jersey.
- C. The registration shall remain valid for one year from the date of registration except for the initial registration which shall expire December 31 of the year registered. The owner shall be required to renew the registration annually as long as the building remains vacant and/or abandoned property and shall pay a registration or renewal fee in the amount prescribed in section 8 of this ordinance, for each vacant property registered.
- D. The annual renewal shall be completed by January 1 of each year. The initial registration fee shall be pro-rated for registration statements received less than 10 months prior to that date.
- E. The owner shall notify the Municipal Clerk's Office within 30 calendar days of any change in the registration information by filing an amended registration statement on a form provided by the City of Lambertville for such purpose.
- F. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding our court proceeding instituted by the City of Lambertville against the owner or owners of the building.

#### **SECTION 8: FEE SCHEDULE**

The initial registration fee for each building shall be five-hundred (\$500.00) dollars. The fee for the first renewal is one thousand five hundred (\$1,500.00) dollars, and the fee for

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the second renewal is three thousand (\$3,000.00) dollars. The fee for any subsequent renewal beyond the second renewal is five thousand (\$5,000.00) dollars. The fee for filing amendments is fifty (\$50.00) per amendment.

FIRST READING AND INTRODUCTION: April 25, 2017

SECOND READING AND PUBLIC HEARING: May 16, 2017

Mayor DelVecchio asked if there were any questions or comments from the public. He then asked for a motion to introduce Ordinance Number 15-2017. Councilman Sanders made a motion to introduce on first reading, Ordinance Number 15-2017.

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 will be held on May 16, 2017.

**ORDINANCES – PUBLIC HEARING AND SECOND READING.**

ORDINANCE NUMBER 05-2017: An Ordinance to Amend the Land Use Ordinance of the City of Lambertville, ARTICLE VI Standards for Review of Applications.

Mayor DelVecchio read the ordinance into the record by title. He informed the members of the public present that this ordinance is to create a Site Plan Review Committee comprised of members from both the Planning and Zoning Board.

**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: Site Plan Waiver Committee**

**Councilman Sanders:** This section was confusing to me as it discusses two distinct boards, but references the “chair” and the “board” without identifying which one. I presumed for edits that we are talking about the Planning Board, but if I am wrong, please change.

1. There shall be a joint standing committee of the Planning Board and the Zoning Board, designated as Site Plan Waiver Committee, which shall be responsible for recommending site plan waivers on Planning and Zoning Board applications as set forth herein.

2. Committee Composition.

**Councilman Sanders:** This section was confusing to me as it discusses two distinct boards, but references the “chair” and the “board” without identifying which one. I presumed for edits that we are talking about the Planning Board, but if I am wrong, please change.

**Councilman Sanders:** This section was confusing to me as it discusses two distinct boards, but references the “chair” and the “board” without identifying which one. I presumed for edits that we are talking about the Planning Board, but if I am wrong, please change.

The Site Plan Waiver Committee shall comprise not less than three (3) Planning Board or Zoning Board of Adjustment members, nor more than an effective majority of either board. Further, the Committee shall consist of no more than three (3) regular Planning

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Board members, one of whom may be the Construction Official, together with the Zoning Officer and, as needed, the Board Engineer and Board Planner. The Planning Board Chair shall annually appoint the members of the joint committee for a one (1) year term. Vacancies shall be filled at or by the next regular session of the Planning Board. Not more than one alternate member may serve on any standing committee.

#### **Section 620.x.2: Actions to Obtain Waivers**

The Site Plan Waiver Committee shall examine each application in collaboration with the Planning 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 the Committee fails to provide notice of incompleteness with information about the deficiencies within 45 days of the filing, the application shall be deemed complete.

#### **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

Mayor DelVecchio reopened the public hearing for Ordinance Number 05-2017. He commented that the language in the ordinance has created a lot of confusion. The Mayor explained that in his opinion it would be best to start over. He then asked for questions or comments from the public. There being no questions or comments, he asked for a motion to adopt on second reading, Ordinance Number 05-2017. Councilman Sanders made the motion to adopt on second reading and Councilwoman Warner seconded the motion. An opposing roll call vote was taken defeating the Ordinance by all members present. MOTION DEFEATED.

ORDINANCE NUMBER 14-2017: An Ordinance to Amend the Lambertville City Code, 2014, Chapter BH-111, Retail Food Establishment Code, Section BH:3-8, Licenses, Food, to include a late fee of \$50, granting a 90 day grace period.

Mayor DelVecchio read Ordinance Number 14-2017 into the record by title. He informed the members of the public present that this ordinance will expedite the City's ability to mitigate issues with property owners.

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ORDINANCE NUMBER 14-2017

*An Ordinance to Amend the Lambertville City Code, 2014, Chapter BH-111, Retail Food Establishment Code, Section BH:3-8, Licenses, Food, to include a late fee of \$50, granting a 90 day grace period.*

NOW THEREFORE BE IT RESOLVED that section BH: 3-8, is hereby amended to include the following:

**BH:3-8 LICENSE FEES.**

The annual license fees to be aid for issuance of a permanent or temporary retail food establishment shall be as follows:

a. **PERMANENT ESTABLISHMENTS:**

- 1) **CATEGORY 1:** Newsstands, pharmacies, liquor stores, video stores, and other establishments handling commercially prepared, prepacked, non-potentially hazardous foods as an incidental part of their business:  
\$125.00
- 2) **CATEGORY 3:** All other retail food establishments:  
\$250.00
- 3) **LATE FEE:** all applications filed after September 1 of each licensing period: \$50
- 4) **Non-profit community service organizations including public schools, fire departments, and ambulance and rescue squads:** an exemption from the license fee will be granted to all non-profit community service organizations with the filing of a copy of their current 501(c)3 or State of New Jersey Charitable Organization papers.

b. **TEMPORARY ESTABLISHMENTS:**

- 1) **Temporary food establishments which operate for one (1) to three (3) days:** \$95
- 2) **Temporary food establishments which operate for four (4) or more days (not to exceed 14 days)** \$145

**FIRST READING AND INTRODUCTION:** March 21, 2017

**SECOND READING AND PUBLIC HEARING:** April 25, 2017

Mayor DelVecchio opened the public hearing for Ordinance Number 14-2017 and asked for questions or comments from the public. There being no questions or comments, Mayor DelVecchio asked for a motion to close the public hearing for Ordinance Number 14-2017. Council President Stegman made a motion to close the public hearing for Ordinance Number 14-2017. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion to close the public hearing by all members present. **MOTION CARRIED.**



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Mayor DelVecchio asked for a motion to adopt Ordinance Number 14-2017 on second reading granting final approval. Council President Stegman made the motion and Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

### **CORRESPONDENCE.**

COUNTY OF HUNTERDON, PUBLIC HEALTH SERVICES: Notice of Pesticide Control Measures for 2017. Information can be found on the County's website at <http://www.co.hunterdon.nj.us> or by calling HCMVCP office at 908-788-1351.

DELAWARE RIVER TOWNS CHAMBER OF COMMERCE: Request to amend the Fireworks Schedule and change the date from Saturday, May 20, 2017 to Friday, May 19, 2017 in celebration of New Hope Celebrates.

Councilman Sanders made the motion to approve the request from the Delaware River Towns Chamber of Commerce. 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:

Summer Camp: the Recreation Commission has begun planning for the summer camp. Flyers were sent home with the students attending the South Hunterdon Regional School District.

COAH Law Suit: The Mayor, City Planner, Attorney for COAH, Attorney for the Planning Board, and the City Clerk met with the Court Appointed Master to discuss the plan. She suggested some minor revisions which have been completed. She, the Court Appointed Master will meet with the property owner and with the members of the Court to help facilitate our law suit.

D&R Canal Parking: the Black River and Western has advised that they are not ready to meet yet.

Swan Creek Flood Gates: Mayor DelVecchio and Tom Horn, the Executive Director of the LMUA, met with DEP on March 23<sup>rd</sup>. The LMUA is working on obtaining the information requested and then they will meet with the Army Corp of Engineers and the Parks to discuss their concerns.

Tom Eagan of Ferry Street asked what the role of the Army Corp of Engineers was. The Mayor said they have a say in everything up and down the river. The Park Division is involved because of the wild and scenic river. When the City and LMUA met with the representatives of DEP, the concerns of the Army Corp and Parks were expressed as more severe than they actually are.

Doug Gravier asked what the concerns were. The Mayor said we would circulate their request to the residents.

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Tom Eagan commented that the Army Corp of Engineers held a public hearing about the proposed work at the north end of town. At that meeting, he looked at the grid and it seemed like this project was small potatoes in comparison. He discussed the flood gates with the representatives of the Army Corp of Engineers and they didn't seem to be supportive. They expressed concern over the expense of the project. The Mayor commented that a US Senator in the room softens their position and when his office called the response was that they don't hate it.

PennEast Pipeline: the City will hold a special session on May 2 with the City's Citizens Against the PennEast Pipeline Committee. Stefanie Brand, rate payer for the State of New Jersey BPU and a resident of Lambertville will be present to speak to the public. Councilman Sanders complimented Ms. Brand's recent response to the application filed to FERC by the PennEast Pipeline and stated that her comments were on point and easy for the public to understand.

North Union Street Park Phase I: the contract was awarded to Gower's and we anticipate that phase I construction will begin after Shad Festival. Phase I includes rain gardens, sidewalks and curbs. The Mayor, City Engineer and City Clerk met with residents of North Union Street to discuss the plans for parking during construction.

Third Can/Food Waste Program: Revisions to the program will be introduced at the May 16<sup>th</sup> Council meeting. This includes requiring restaurants who currently participate in the City's garbage collection to participate in our Third Can Program. It also expands the program to include the restaurants who do not participate in the City's garbage collection for a fee.

Website: The redesign of the city's website is in the final stages. The Committee is working with the web designer to make final changes before it can go live and we anticipate this will be around June 15<sup>th</sup>.

Videotaping Meetings: the City will introduce a supplemental funding ordinance at the May session to fund the videotaping of Council meetings.

CRS Updates: The City will mail out the flyer to the entire City with the tax bills in July/August. After that mailing, we will schedule a meeting with the committee to discuss how the city can reach level 6. The Mayor explained that the lower the rating yields property owners a 15% savings on their flood insurance.

Clinton Street: the City will receive bids on July 18<sup>th</sup> for the reconstruction of Clinton Street beginning at Delaware Avenue and ending at York Street.

### **NEW BUSINESS.**

**Joseph Finkle & Son** – request for a Block Party to celebrate their 100<sup>th</sup> years in serving the community.

Mayor DelVecchio informed the members of the public present that the Police Director and City Clerk met with Sven from Finkles. This is an overview of their request:

Road Closures: beginning at Finkles and ending at Lambert Lane.

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Time: 5:00 – 8:30 PM

Food Trucks: will obtain a food license and fire safety permit.

Alcohol: the Beer Garden will be managed by the Lambertville Station.

Restaurants: Sven briefly spoke to the owners of the restaurants and once the date is confirmed he will make sure all are informed.

Sven Helmer of Finkle's commented that he understands the liquor side of the issues and Dan Whitaker of the Lambertville Station will be overseeing the Beer Garden. He passed out the layout showing the location of the beer garden, bathrooms, food trucks, etc. He said he has discussed the event with the owners of the Boat House and Hamilton's Grill.

The plan is to have kids' games on the street and away from the alcohol. The food will be free from the fire department. Nina's waffles and pizza from a food truck will need to be paid for. Water and soda will be free but the alcohol will not.

Mayor DelVecchio asked for a motion to approve the request from Finkle's for the block party on June 29<sup>th</sup>. Councilman Sanders made 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.

### **ANNOUNCEMENTS.**

**SPARKLE WEEK:** Trash or Treasure? The 2017 Sparkle Week information is as follows:

Tuesday Trash Pick Up will be on June 6, 2017

Wednesday Trash Pick Up will be on Wednesday, June 7, 2017

Thursday Trash Pick Up will be on Thursday, June 15, 2017

Friday Trash Pick Up will be on Friday, June 16, 2017

Please do not:

- place your items to the curb before your scheduled week;
- place additional items to the curb after your garbage has been picked up.
- Include concrete, block, brick, soil, stone, construction debris or asphalt.

We will accept the following:

- Dressers, cabinets, chairs, metal, washers, dryers, clothing, small pieces of wood, rugs, and only two tires per household.

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Mayor DelVecchio commented that he received an email from a resident expressing concern about the Garden Tour. The Public Works Director stated that the streets will be clean by Sunday.

**PARKING NEWS:** Space Number 16 is available for lease at the Phillip L. Pittore Justice Center. The fee is \$55 per month. For additional information, call Shelley at 609-397-0110.

**SPECIAL SESSION OF MAYOR AND COUNCIL:** There will be a special session of the Governing Body and the Lambertville Committee Against the PennEast Pipeline on Tuesday, May 2, 2017 at 7 pm at the Phillip L. Pittore Justice Center located at 25 South Union Street in the City.

**SUMMER CAMP 2017:** Information about the 2017 Summer Camp has been posted to the City's website at [www.lambertvillenj.org](http://www.lambertvillenj.org). This is a six week camp beginning Monday, June 19<sup>th</sup>. The Fee is \$60 per child. Register today!

**MEMORIAL DAY PARADE:** The Annual Memorial Day Parade will be held on Monday, May 29<sup>th</sup>. Step off is at 9 am at the corner of North Union and Cherry Streets. The Mayor and Council will host a ceremony held at Mary Sheridan Park. All are invited to the American Legion immediately following the events for refreshments.

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

Dan Seiter of North Union Street and the President of the South Hunterdon Regional School District Board of Education addressed the Governing Body. He said he was just coming from a budget meeting and he wanted to report that despite having the flexibility to go up to \$900,000, we have chosen to take a \$300,000 increase to insure the tax payers were not overburdened. We are in the process of increasing student populations. This year the senior class will have up to 70 students. We will be able to do that with a disciplined budget. We took an action that will impact the budget in 2018/2019 by closing the Stockton Elementary School with the last year of operation in 2017/2018. They are currently exploring opportunities for the building to use for education.

Council President Stegman commented that they still had to maintain the building and he asked what the cost was to keep it open. Mr. Seiter said it was \$800,000 per year. The difficult decision was to move forward recognizing it would no longer be in operation.

Councilman Sanders commented that the Stockton students would need to be bused. Mr. Seiter said they have the equipment and the staff. Next year is the final year and they will have a total of 10 kids in 6<sup>th</sup> grade.

Councilwoman Asaro asked if Stockton parents were present. Mr. Seiter said they were and it was rough on them however, they recognize the need to close the school. He said

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if we did it two years ago they would not have been successful. He said the board explored every avenue to keep it open. It was a tough decision.

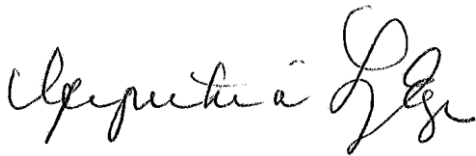
Councilman Sanders asked if the vote was unanimous. Mr. Seiter said it was not. He didn't want to speak on behalf of the two that didn't vote for it but he felt they were looking to close it this year rather than next year. This will at least give the school an opportunity to celebrate.

Councilwoman Warner said it was best since the majority of the students were sixth graders and it will give them an opportunity to celebrate.

**ADJOURNMENT.**

The meeting adjourned at 7:54 p.m. with a motion made by Council President Stegman and seconded by Councilwoman Warner. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Respectfully submitted,



Cynthia L. Ege  
CMR, RMC, City Clerk



*The April 25<sup>th</sup> session minutes were approved at the regularly scheduled session of the Governing Body held on May 16, 2017.*