



**City of Lambertville
Special Session
Thursday, June 1, 2017, 6 p.m.
City Hall
18 York Street, Lambertville
MINUTES**

**STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS
ACT**

Mayor DelVecchio called the meeting to order at 6:04 p.m. and read the following statement of compliance with the Open Public Meetings Act into the record: Noticed was provided on May 24, 2017 to the Times, Democrat, the agenda was posted on the Bulletin Board at City Hall, on the City's website at www.lambertvillenj.org, emailed 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 and Council did not go into closed session.

PROCLAMATION

Relay for Life

Mayor DelVecchio asked for a motion to approve the proclamation honoring the American Cancer Society's celebration of cancer survivors and caregivers.

**Proclamation
Relay For Life of Hunterdon County**

WHEREAS, the Relay For Life program is the signature activity of the American Cancer Society and celebrates cancer survivors and caregivers, remembers loved ones lost to the disease, and empowers individuals and communities to fight back against cancer; and

WHEREAS, money raised during Relay For Life of Hunterdon County supports the American Cancer Society's mission of saving lives by helping people stay well and get well, by finding cures, and by fighting back; and

WHEREAS, Relay For Life events helped fund more than \$150 million in cancer research last year;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, do hereby proclaim June 16th and 17th of 2017 as,

"RELAY FOR LIFE OF HUNTERDON COUNTY DAYS"

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in our community and encourage citizens to help finish the fight against cancer by participating in the Relay For Life event at Hunterdon County Fairgrounds on June 16th and 17th of 2017.

Given this 1st day of June, 2017

David M. DelVecchio, Mayor

Council President Stegman made a motion to adopt the proclamation. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

NEW BUSINESS

Environmental Commission/PennEast Pipeline Resignation and Appointment.

Mayor DelVecchio announced the resignation of Lauren Rosenthal McManus from Environmental Commission and the PennEast Pipeline Committee and nominated Michael Heffler to fill her unexpired term on the Environmental Commission and the PennEast Pipeline Committee. Councilman Sanders made a motion to confirm the nomination made by Mayor DelVecchio. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

RESOLUTIONS

Resolution Number 76-2017: A Resolution to Appoint A Company to Provide Animal Control Services to the City of Lambertville through December 31, 2017 With Two One-Year Extensions.

Mayor DelVecchio asked for a motion to adopt Resolution Number 76-2017 to appoint Animal Control Solutions as the Animal Control Officer for the City of Lambertville through December 31, 2017 with an option to renew for two additional one year terms. H informed the members of the public present that the city solicited for quotes from both St. Hubert's Animal Welfare and from Animal Control Solutions. Animal Control Solutions was the low quote.

City of Lambertville

RESOLUTION NUMBER 76-2017

A Resolution to Appoint a Company to Provide Animal Control Services to the City of Lambertville through December 31, 2017

WHEREAS, Carolyn Murphy, the ACO for the City of Lambertville resigned from her post on May 17, 2017 effective May 31, 2017; and

WHEREAS, the City of Lambertville was the lead agency in a shared services agreement with the Township of West Amwell for Animal Control Services; and

WHEREAS, both municipalities feel it is in the best interest of the public to hire a company who can provide an Animal Control Officer twenty-four hours a day, seven days per week; with the ability to provide a holding facility; and

WHEREAS, the State of New Jersey SPCA will provide Animal Control Investigation Services to the City of Lambertville at no additional cost; and

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WHEREAS, the City of Lambertville solicited for quotes from Animal Control Solutions and St. Hubert's Animal Welfare Center; and

WHEREAS, the Certified Municipal Finance Officer has provide a certificate of funds available; and

WHEREAS, the City Attorney has reviewed the quotes and has determined that they are responsive and responsible:

Animal Control Solutions, LLC: \$810 per month

St. Hubert's Animal Welfare: \$964 per month

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 Mayor, City Attorney and City Clerk are hereby authorized to sign the agreement with Animal Control Solutions, LLC in an amount not to exceed \$810.00; plus the fees as noted the addendum to the contract; when possible will be paid by the owner of the animal.

BE IT FURTHER RESOLVED that this contract will expire on December 31, 2017 with two one year options to renew.

ADOPTED: June 1, 2017

Council President Stegman made a motion to adopt Resolution Number 76-2017. Councilman Sanders seconded the motion.

Mayor DelVecchio asked for comments from the public.

Discussion ensued.

Heather Edwards of Delevan Street and Lambertville Animal Welfare stated that she is shocked to hear about ACO Murphy. Lambertville didn't allow her to do her job by not providing her with an impound facility. She went out of her way to help the people of Lambertville and the City didn't follow the laws.

Annie Stewart of North Union Street stated that Lambertville is a model for many other municipalities and she has seen this governing body do some amazing things and she asked that they look into options for the Animal Control Officer Murphy to be in full compliance with the law. Mayor DelVecchio commented that ACO Murphy resigned from her position with the City. Annie Stewart asked what we do in the meantime.

Councilwoman Warner commented that Animal Control Solutions won't negotiate the seven day stay.

Carol DiSalvi of South Union Street commented that ACO Murphy formed a partnership with Tabby's place for cats and they usually charge \$15,000 to accept an animal.

Mayor DelVecchio informed the members of the public present that ACO Murphy resigned. The City had a shared services agreement with the Township of West Amwell because we benefit from the relationship as part of the State of New Jersey's Best Practice Inventory. There was a difference of opinion with ACO Murphy but this was not a hostile working environment.

Ms. DiSalvi stated that it was her understanding that ACO Murphy was bullied. Mayor DelVecchio responded that she wasn't bullied by Lambertville. Ms. DiSalvi stated that she

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resigned because the City didn't have contracts in place to board animals and for a veterinarian for found animals. She was liable.

Councilwoman Warner responded that she was interested in exploring alternatives.

Maya Adams-Smith addressed Mayor and Council and said she met Carolyn by chance when she was on a duck rescue and Carolyn would be willing to reconsider her resignation. Mayor DelVecchio commented that he has trouble with the concept that the City put handcuffs on her. Ms. Adams-Smith commented that the City didn't respond to her, we didn't have a veterinarian or a place to board the animals. Mayor DelVecchio said the County closed the shelter and it's a County issue.

Lori Stagnitto addressed Mayor and Council and said that five years ago she worked to change the way the City handled animal control. She worked with Brad Campbell and the Environmental Commission to adopt a Trap Neuter Release program. She said she does not like Animal Control Solutions because they lie and will euthanize animals instead of giving them to a local rescue. She said this would be like going back to the Mary Hoagland days when she impounded animals in her yard and didn't give them water in the extreme heat. She said she brought in Nate and he was great. He forms alliances with local groups and veterinarians. Mayor DelVecchio asked why she couldn't do the same thing now. She said they don't work that way. She read her letter submitted to Mayor DelVecchio and the City Clerk via email into the record.

I wanted to share my thoughts on the two main ones.....

Animal Control Solutions - Myself and all other rescue groups as well as many residents in the towns they serve know how HORRIBLE they are as a company - they are driven by profit and not by the interest of the residents or the compassion for animals. I could tell you many many horror stories about them. They present a lower cost contract but it is for bare bones services including only responding M-F 8am - 5pm. There is a charge for nights and weekends and many other services they provide. They rarely come out for cats nor dogs at large. I have never heard of them ticketing for not licensing or other offenses. They have very high employee turnover due to the way the employees are treated and are always short staffed. They do not respond to wildlife calls unless it is orphaned babies (good photo op). I know two residents in Delaware Township who had rabid raccoons on their property and ACS would not respond. One raccoon charged after the woman and killed her cat - they still would not respond. Residents have gone to Delaware Township repeatedly to complain about them but the decision to hire ACS is made by their Board of Health run by Dr Tindall and ACS uses him for their impound facility so it is a big money maker for him. Dr Tindall is high kill - he says it is easier to kill the animals than work with rescue groups. ACS is also anti TNR and they have come into cat colonies that have been maintained by rescue groups in the middle of Winter and taken away all the cat houses and then trapped and killed the cats. Now all rescue groups microchip the feral cats when fixed in the hopes that ACS will scan them and give them back to us instead of killing them. ACS will deny all of this but we all know better in rescue.

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St Huberts is a wonderful organization and rescue groups like LAW and Tabby's Place work with them.

PRO's include having their own impound facilities at their shelters, after the 7 day hold they will keep the animals/give them vet care and adopt them out!

They are very PRO TNR and provide their residents with low cost (or free) spay/neuter of outside cats

They are very progressive and work very hard to find solutions to keep all animals alive - FIV+ cats are adopted by them vs euthanizing, Dogs with behavioral problems go through training, and they work with National organizations to collaborate!

CON's - they are more expensive because they offer so many services and solutions and they are about 40 minutes away (as is ACS) so response time is a lot slower. The price is worth it for what they offer and for peace of mind that our local pets will not be killed!

Mayor DelVecchio asked "are you saying you won't work with Animal Control Solutions? Ms. Stagnitto responded that she would not work with them.

Annie Stewart of North Union Street asked if we had to be twins with the Township of West Amwell. Mayor DelVecchio explained Best Practices Inventory and said the City loses points that equate to dollars off state aid if we don't reach a certain score/value. The hiring of a company cannot be a shared services venture.

Councilwoman Warner commented that St. Hubert's would preserve the values and asked if the City could form a committee to review this and make a recommendation to the City. Mayor DelVecchio said that would be fine however, what do we do in the meantime?

Lori Stagnitto suggested that the City use Belinda who is the Township of Hopewell's ACO. She too volunteered to cover Lambertville as she is a certified ACO and ACI.

Peter H. addressed Mayor and Council. He said he is new to Lambertville and had an opportunity to speak with ACO Murphy. She explained that she is exposed in liability and she can't take dogs and cats to her home. He asked if the Mayor knew of this. Mayor DelVecchio said her email did not get into her reasons for resigning; it was a simple resignation letter. Peter commented that she was exposed for liability. Mayor DelVecchio felt she was not exposed since she was a City of Lambertville employee. Lori Stagnitto said she was exposed because she took an animal on her personal property without an agreement.

Mayor DelVecchio commented that this is a County of Hunterdon issue since we don't have a shelter. He asked why they weren't storming the County. Members of the public expressed their concern for NJSPCA and their inability to license the facility in the County.

Councilman Sanders Councilman Sanders commented that he doesn't like to make a decision with the information that is in front of him. He said the survey of the County Clerks says was favorable for the Animal Control Solutions however the personal experience of the group present says otherwise. He stated that he liked the comments from Annie Stewart about coming up with creative solutions and he would like to see a committee formed to work on solutions and for the

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governing body to select a company to use on a month to month basis. He too felt that ACO Murphy would not be liable for any actions she had taken while acting within the scope of her duties.

MOTION TO RESCIND PRIOR MOTION: Mayor DelVecchio stated that there was a motion on the floor which would need to be withdrawn. Council President Stegman made a motion to withdraw his motion. Councilman Sanders seconded the motion.

MOTION TO REQUEST THE COUNTY OF HUNTERDON OPEN A SHELTER: Mayor DelVecchio asked for a motion to request that the County of Hunterdon open a shelter to serve the municipalities and residents of the County of Hunterdon. 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.**

MOTION TO AUTHORIZE THE MAYOR, CITY ATTORNEY AND CITY CLERK TO SIGN THE CONTRACT WITH ST. HUBERT'S ANIMAL WELFARE: Mayor DelVecchio asked for a motion to approve the hiring of St. Hubert's Animal Welfare.

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RESOLUTION NUMBER 76-2017

A Resolution to Appoint a Company to Provide Animal Control Services and Animal Cruelty Investigator Services to the City of Lambertville through December 31, 2017

WHEREAS, Carolyn Murphy, the ACO for the City of Lambertville resigned from her post on May 17, 2017 effective May 31, 2017; and

WHEREAS, the City of Lambertville was the lead agency in a shared services agreement with the Township of West Amwell for Animal Control Services; and

WHEREAS, both municipalities feel it is in the best interest of the public to hire a company who can provide an Animal Control Officer twenty-four hours a day, seven days per week; with the ability to provide a holding facility; and

WHEREAS, the City of Lambertville solicited for quotes from Animal Control Solutions and St. Hubert's Animal Welfare Center; and

WHEREAS, the Certified Municipal Finance Officer has provide a certificate of funds available; and

WHEREAS, the City Attorney has reviewed the quotes and has determined that they are responsive and responsible:

Animal Control Solutions, LLC: \$810 per month

St. Hubert's Animal Welfare: \$964 per month

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 Mayor, City Attorney and City Clerk are hereby authorized to sign the agreement with St. Hubert's Animal Welfare in an amount not to exceed \$964 per month; plus the fees as noted the addendum to the contract; when possible will be paid by the owner of the animal, for Animal Control Officer and Animal Cruelty Investigator services.

BE IT FURTHER RESOLVED that this is a three month contract beginning June 5, 2017 with four monthly options to renew, expiring on December 31, 2017

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ADOPTED: June 1, 2017

Councilwoman Warner made a motion to authorize the Mayor, City Attorney, and City Clerk to sign an agreement with St. Hubert's Animal Welfare for a 3 month term at the rate of \$964 per month with the option to extend the contract for four additional one month terms. Councilman Sanders seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Mayor DelVecchio asked for volunteers from the public. Carol DiSalvi, Maya Adams-Smith and Heather Edwards volunteered. Mayor DelVecchio asked for volunteers from the governing body. Councilwoman Warner and Councilwoman Asaro volunteered to represent the governing body.

Councilwoman Asaro commented that this was a great compromise.

CORRESPONDENCE

Arthur and Tara Banker: Letter regarding a May 4th incident with a dog that was not leashed.

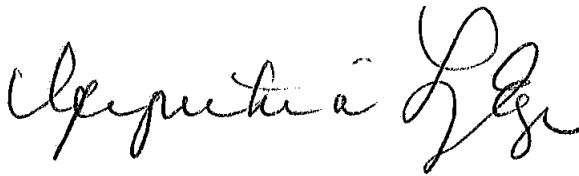
PUBLIC PARTICIPATION/PETITIONS OF CITIZENS AND PUBLIC DISCUSSION

None.

ADJOURNMENT

The meeting adjourned at 6:45 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,



Cynthia L. Ege, CMR, RMC, City Clerk



The June 1, 2017 Special Session Minutes were approved at the regularly scheduled session of the Governing Body held on June 20, 2017.