



City of Lambertville
Special Session
Wednesday, August 30, 2017, 7:00 p.m.
Phillip L. Pittore Justice Center
25 South Union Street, Lambertville
MINUTES

STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

Mayor DelVecchio called the meeting to order at 7:01 p.m. and read the following statement of compliance into the record: The City Clerk provided the meeting notice on August 18, 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

Present: Councilwoman Asaro (phone), Councilman Sanders, Councilwoman Warner, Council President Stegman, Mayor DelVecchio.

Absent: None.

PLEDGE OF ALLEGIANCE

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.

BILLS LIST – none.

RESOLUTIONS

Resolution Number 108-2017: A Resolution to Award the Bids Received for the Installation of Barrier Free Accessible Route at Ely Field to Mizu Contracting in an Amount not to Exceed \$25,200.00.

Mayor DelVecchio informed the members of the public present that this resolution is to award the bid for the completion of work at Ely Field for ADA Compliance, providing access to the field(s) by the concession stand. He announced that the bleachers are currently being installed.

Councilman Sanders asked how long the project would take and will it interfere with the football games. Mayor DelVecchio commented that Mr. Troutman has been involved in the process and the contractor was made aware of the requirements to clean-up before games. The duration of the project will take 20 working days. The contractor will begin on September 11 and weather permitting, will end on or about October 6.

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RESOLUTION NUMBER 108-2017

A Resolution to Award the Bids Received for the Installation of Barrier Free Accessible Route at Ely Field to Mizu Contracting in an Amount not to Exceed \$25,200.00.

WHEREAS, the City of Lambertville advertised for the acceptance of bids to address ADA compliance issues at Ely Field; and

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WHEREAS, the bids were opened on August 24, 2017 and read aloud at City Hall located at 18 York Street in the City and the following responses were received:

Mizu Contracting, Newtown, PA, \$25,200.00

TC Landscape Construction Group, Toms River, NJ, \$45,000

WHEREAS, the City Attorney has reviewed the bid documents and has determined they are responsive and responsible; and

WHEREAS, the Certified Municipal Finance Officers has reviewed the bids and has certified the funds are available.

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 that the bid is hereby awarded to Mizu Contracting from Newtown, PA in an amount not to exceed \$25,200.00.

BE IT FURTHER RESOLVED that the Mayor, City Attorney and City Clerk are authorized to sign the contract with Mizu Contracting in an amount not to exceed \$25,200.00.

ADOPTED: August 30, 2017

Mayor DelVecchio asked for a motion to adopt Resolution Number 108-2017. Council President Stegman made a motion to adopt Resolution Number 108-2017, authorizing the contract with Mizu Contracting in an amount not to exceed \$25,200.00. Councilman Sanders seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

ORDINANCES – PUBLIC HEARING AND SECOND READING

Ordinance Number 22-2017: An Ordinance to Amend Chapter XII, Sanitation; Recycling, Amending Appendix C and D, To Require Commercial, Industrial and Institutional Establishment to Participate in the Third Can Recycling Program

Mayor DelVecchio read the ordinance into the record by title. He advised the members of the public present that this ordinance was continued from the August 15 regularly scheduled session to give the City time to meet with the six restaurants impacted by this change. He noted that no one showed up to the meeting. The City Clerk was asked to email the ordinance to the six restaurants, which she did on Monday, August 28th. He asked if anyone representing a restaurant was present. Since no one commented, he informed the members of the public present that this ordinance is to amend the Lambertville City Code, 2014, Chapter XII, to include the requirement of all commercial, industrial and institutional establishments who are currently participating in the city's garbage and recycling program to recycle food waste/third can program. This program started as a pilot program with residents in 2014. In 2016, the City added restaurants and the first two participants were DeAnna's and Caffe Galleria. The Mayor asked Beth Caruso from Cafe Galleria, one of the first restaurants to participate, if the program was difficult. She responded that it doesn't take very long and isn't a huge imposition. She did note that the color of the bags

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changed and that added some confusion to the process. This ordinance also includes a provision for those who do not participate to be included for a fee, which will be set by resolution. The City added 10 more restaurants and additional residents to the Third Can Program.

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ORDINANCE NUMBER 22-2017

An Ordinance to Amend Chapter XII, Sanitation; Recycling, Amending Appendix C and D, To Require Commercial, Industrial and Institutional Establishment to Participate in the Third Can Recycling Program.

BE IT ORDAINED by the Mayor and Council of the City of Lambertville that Chapter XII, Section 12- RECYCLING BY COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL ESTABLISHMENTS, Subsection b, Appendix C is amended as follows:

1) 12-1 DEFINITIONS.

- a. *Third Can Food Waste Recycling Program* Residents participate at will; Commercial, Industrial and Institutional Establishments participating in the City of Lambertville's garbage collection are required to participate in the Third Can Food Waste Recycling Program and pay an annual fee. The following fees will be set by resolution of the Governing Body annually:
 - i. Participation Fee;
 - ii. Fines and Penalties for not participating;
 - iii. Any other fee the Governing Body deems necessary for the success of the program.
- b. *Commercial, Industrial and Institutional Establishments* not participating in the City of Lambertville's garbage collection may participate and pay the fees as by resolution of the Governing Body annually.

2) APPENDIX C

- Materials that must be recycled by Commercial, Industrial and Institutional Establishments are hereby amended to include Food Waste including those who participate in community events with trash collection through the City.
- Residents may participate in the Third Can Food Waste Recycling Program.
- Commercial establishments shall participate in the Third Can Food Waste Recycling Program.
- The fees to participate will be set by a resolution of the Governing Body.

3) APPENDIX D

- a. Removing "Food Waste" from the list of materials that are not required to be recycled.

4) SEVERABILITY

The provisions of this Ordinance are severable, and the invalidity of any section, subdivision, paragraph, or other part of this Ordinance shall not affect the validity or effectiveness of the remainder of the Ordinance.

- 5) All provision of Chapter XII of the City of Lambertville not modified herein shall remain unchanged and in full force and effect.

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- 6) This Ordinance may be renumbered for codification purposes.
- 7) This Ordinance shall take effect immediately upon final passage, publication according to law.

INTRODUCTION AND FIRST READING: July 18, 2017

ADOPTION AND SECOND READING: August 30, 2017

Mayor DelVecchio opened the public hearing for Ordinance Number 22-2017 and asked for public comments and questions.

The Mayor recognized Jane Rosenblatt of the Environmental Commission and asked if she had any comments. Ms. Rosenblatt commented that she was glad to see this happen and that the Environmental Commission planned on doing a lot of education and outreach to the restaurants.

Debbie Monigan of North Union Street asked why the City didn't take lawn debris in the food waste program. The Director of Public Works commented that he has a separate program for lawn waste that saves the City money. He also said that if residents contact public works, they will schedule a pick-up of the lawn debris or they can take it out to public works.

Mayor DelVecchio asked for a motion to close the public hearing. Councilman Sanders made a motion to close the public hearing for Ordinance Number 22-2017. Council President Stegman seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Mayor DelVecchio asked for a motion to adopt on second reading, granting final approval for Ordinance Number 22-2017. 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.

CORRESPONDENCE

AUDREY BYRNES: Request for a block party on Ferry Street between Union and Main Street for Sunday, September 17 with a rain date of September 24th from 2 to 8 pm.

Mayor DelVecchio asked for a motion to approve the request from Ms. Byrnes for a block party. Council President Stegman made a motion to approve the request. Councilman Sanders seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

OPEN TO THE PUBLIC - Q&A SESSION - Dine & Dish with DAWN event

Mayor DelVecchio went over the following with the Governing Body and the members of the public:

1. Chronology

I. June 19 - Met with Rachel George and Steve Gentile who are with two firms representing P&G.

II. June 20 - spoke with Council members individually about the prospect of an event.

III. June 20 Council Meeting - discussed event and what would happen if we were selected.

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IV. June 21 - we were selected for event over Hudson, NY and Mystic, Conn.

V. July 3 - kick off meeting was held with Council President Stegman, Director Cocuzza, Director Myers, Chief Barlow, a representative from LNHRS, JoAnne DelVecchio, Chamber President Glenn Davis and Chamber Executive Director David Morgan.

VI. July 7 - Rachel George and JoAnne DelVecchio went to door to door with North Union Street businesses.

VII. July 14 - RG & JMDV went door to door again.

VIII. July 14 - DMDV signed Letter of Agreement and Location & Property Release agreement after review by City Attorney Phil Faherty.

IX. July 17 - signed Hold Harmless Agreement drafted by City Risk Manager Zach Edelman.

X. July 17 - met with Union Street residents at City Hall.

XI. July 18 Council Meeting - discussed event again and voted on street closing plan.

XII. August 1 - Sent emails to residents with parking permits on North Union Street outlining their parking options.

XIII. August 1 - sent letter to affected North Union Street residents with two parking passes for 80 Lambert Lane.

XIV. August 1 - sent letter regarding event to affected North Union Street landlords who registered with Landlord Registration process.

XV. August 13 - free 3 course dinner for over 2,200 friends, neighbors and area residents.

XVI. August 14 at 8 am - streets were cleared and opened.

2. Security

The Police Director, Bruce Cocuzza, stated that the primary agency for security was the City's police department. There were a number of security people retained by the company that were armed with police consent and a number that were not armed. The company hired was SOS Security which is managed by a retired State Police Captain.

Joe Donnelly of Delaware Avenue asked why we needed to have armed security guards at this event. The Police Director responded that in today's society with the danger and prevalence of violent individuals or groups, it was in the city's best interest to prepare for everything. Mr. Donnelly wanted to know the percentage of guards that were armed. The Police Director responded approximately 20% were armed.

3. Reimbursable Expenses

I. Meters - \$1,600

II. Police OT - \$4,045

III. DPW OT - \$886

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IV. Fire Dept. - \$15,845

V. LNHRS - \$3,275

Total - \$25,761

4. Agreements & Opinion

Mayor DelVecchio read the following agreements into the record: Hold Harmless agreement prepared and reviewed by the City's Risk Manager; Letter of Agreement and the Location of Property Release which were reviewed by the City Attorney.

5. Long Term Benefits

Proctor & Gamble will recognize the City in commercials and on social media. On August 14, Tia Mowry was on NBC New York as well as other venues speaking about the event; we received national press and local press about the event.

6. Direct Spending

Hotels, meals, Incidentals, hotel tax all add up to approximately \$102,000.

Donation to Fisherman's Mark of a lap top; product for the food bank; free three-course meal for all attendees; 150 picnic tables; and the City received numerous thank you notes, emails cards and phone calls from members of the public.

Council President Stegman commented that he works with someone at the New Jersey Motion Picture & Television Commission who said it is very difficult to get someone to come into your community since there are no tax breaks offered. The value and benefits he estimated for the City were on the mark. They are doing a feature story about the production.

Mayor DelVecchio commented that Shad Festival is only in the Central Business District. Moving forward he will not support anything in the residential zone in the future. He heard the concerns expressed by the residents of our community.

Mayor DelVecchio also commented that later in the meeting he wanted to appoint a committee to look into the road closures at Halloween.

The meeting was opened to the public for comments.

CYNDY JAHN of North Union Street commented that the Mayor mentioned there were three cities considered and asked about the vetting process. The Mayor replied that he didn't know how they selected the City. He had dinner with the gentleman from Proctor & Gamble who grew up in Lambertville and he wasn't certain how Pinpoint selected Lambertville. He went through the process of how he was contacted. He received an email from Steve Gentile asking if the City was interested. The Mayor called Mr. Gentile. They met on June 19th; it was discussed with the Governing Body individually and then at the June 20th session.

Cyndy Jahn commented that she is happy that the City is getting reimbursed; however she reviewed the agreement and it doesn't reflect that. The Mayor commented that we don't have an agreement with the Chamber for Shad Festival but we get reimbursed. Ms. Jahn said that this

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was a commercial enterprise and there is nothing to obligate them to do any of it. The Mayor noted that some of the payments have already been made.

JUDY GLEASON commented that when there is a disruption to the businesses, the City should take that into consideration when planning an event and make sure the businesses are compensated for lost business revenue. She asked if the direct spending was explicitly traceable. The Mayor responded that he used the federal guidelines for Hunterdon County for the meals (gsa). The event sponsors selected a Sunday night because a lot of businesses are closed. JoAnne DelVecchio and Rachael George went to local restaurants first to see if they were interested in participating. They indicated they would be overwhelmed by serving that number.

Judy Gleason commented that we could do better. The Mayor agreed.

BETH CARUSO/OWNER/CAFFE GALLERIA asked when was it determined the timing of the closing of the streets? Mayor DelVecchio responded that it was discussed and approved at the Council meeting held in July. Ms. Caruso continued, you took my calls and I appreciate that, but I didn't know anything about the street closures. I never received the information so how do I let my customers know about the event? I made my decision to close on Sunday based on the road closure set for 10 pm on Saturday. Fast forward five days and the signs all say 8 pm. I am not against the event, but needed consistency. Why did it keep changing so close to the event and why does it always need to be the CBD?

Mayor DelVecchio responded that he likes to think an event like this makes people more aware of our beautiful community and draws more visitor's to our community. Beth Caruso responded that it isn't about that she knows it brings people in, this year the New Hope Auto Show was one day, August 13. The staff was worried about parking, and throughout the night, the people setting up kept coming into the restaurant to use the bathroom. Her concern was about accurate and timely notice of street closures.

The Police Director commented that he made the change regarding the time of street closure so that all the cars were off the street by 10 pm and they made a decision to not tow cars. Ms. Caruso commented that it was great but her customer's didn't know that. Mayor DelVecchio commented that they opened the North Union Street lot for customers. JoAnne DelVecchio asked if the Manager of Caffe Galleria gave her the information she dropped off. Ms. Caruso stated that she did receive it but it didn't have information about the road closures, parking, etc. and her Manager said the City would be contacting her about parking but she never received a call. Mrs. DelVecchio said the Manager commented that they were used to Shad Festival. Ms. Caruso commented that she found out about the event when she visited Finkles and they thought the event was about her former partner, Dawn Raia. This event was bigger than Shad Festival. Communications were lacking and kept changing. Mrs. DelVecchio informed the members of the public present that she and Rachael George visited every business and the only place they were unable to reach was Manon's Restaurant. Ms. Caruso stated that people didn't know the timing of things and she stressed how important it was because if she knew, she would know what she was dealing with.

COUNCIL PRESIDENT STEGMAN commented that he had a business on Church Street during Shad Festival and he understands what she went through.

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JOE DONNELLY asked if there was a parking plan. Mayor DelVecchio went over the three components of parking. The consultants rented the Finkle's parking lot. The residents on North Union Street who had parking permits were sent an email instructing them to park at any meter outside the event area. The residents on North Union Street beginning at Delaware Avenue and ending at York Street were mailed two parking permits for 80 Lambert Lane. And, landlords were also mailed letters instructing them to send their tenants in for parking permits. Mr. Donnelly commented that parking spilled over into the residential area – town was jammed. It appeared that it was fend for yourself. He stated that he felt silly bringing this up now especially when Houston is under water.

BOB RICHTER commented that he is all for positive P.R. but he is wondering why the City didn't try to encourage them to use Niece Lumber for the picnic tables instead of Home Depot. Council President Stegman responded that the picnic tables were purchased long before they selected the City of Lambertville for their site. He acknowledged the input and expressed interest in a formal permitting process. Councilman Sanders noted that P&G, at the City's urging, did make a donation to Fisherman's Mark; noting this as another sign of efforts to ensure a sense of social mission and local benefit. JoAnne DelVecchio commented that the City received free picnic tables. She said they had a model plan that was already in place.

MAYOR DELVECCHIO asked the Council President to seek a model ordinance for the City to use. Councilman Sanders commented that the City won't likely be offered an event quite like this again, but we can plan better for all future events that involve street closures and other disruptions to residents.

MAYOR DELVECCHIO stated that there has been press about the event already. Mrs. DelVecchio stated that the City had a byline. Claire Adais stated that none of the local businesses were featured. She was up all night; the town was a ghost town. She was told there would be footage of local businesses but that hasn't happened. Mrs. DelVecchio stated that she was sorry if there was a misunderstanding but she never meant that the film crew was going to film all local businesses.

COUNCIL PRESIDENT STEGMAN stated that he is the past president of the Chamber of Commerce with 17 years of experience running the Shad Festival. He had a small business on Church Street and during Shad Festival he had zero business. But people come back. This was an event that brought people in from a small geographic area, it wasn't an arts and crafts fair and it is hard on some people but in the long run, it is worth the opportunity to do it. The Governing Body knew it was going to be an inconvenience and recognized the sacrifice of some residents.

CLAIRE ADAIS disagreed about the value of the event bringing people to town. Mayor DelVecchio stated it was ok to not agree; no one is right and no one is wrong. Councilwoman Warner asked where her business was and what they sold. Ms. Adair said her husband made custom furniture.

STEPHANIE BONGIORNO commented that with any large event there is usually a debriefing. She said she enjoyed the event and felt the communications was lacking. She said she trusts the Governing Body is taking this to heart and feels you can always do better. She felt a lot of hard

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work went into the event and stated that the Vice President of Proctor and Gamble was out picking up garbage on the street the morning after and she didn't have to do that.

DEBBIE MONIGAN commented that she seconded Ms. Bongiorno's comments. She had no notice until she received the letter about parking. Communication was poor to the residents. Everyone was told to go to City Hall if they wanted a picnic table but the tables were gone by 9 am. She felt that the North Union Street residents should have been offered the tables firsts.

A resident asked what is the take away. It was a happy event. Communications was embarrassing. I received an email that didn't make sense. The obligation is to make sure tax payers are informed.

MAYOR DELVECCHIO commented that this wasn't a normal event. With the Shad Festival we have months to plan.

ROB BELL asked what the City would do differently? JoAnne DelVecchio commented "say no." The issue was the time frame.

HALLOWEEN

Mayor DelVecchio informed the members of the public that the other complaint he hears often is about Halloween and the road closures. He asked for volunteers to serve on a committee about Trick or Treating for Halloween.

COUNCILWOMAN WARNER commented that we needed to find a way to divert the focus away from the uptown area; possibly use Ely Field for something like a trunk or treat.

DEBBIE MONIGAN of North Union Street said it wasn't an issue until the City closed the street and it drew a lot of out-of-towners. Councilman Sanders responded that the reason the City closed the streets was for safety of the children. It gets very congested and becomes dangerous. He noted that there are a lot of artists in town that have a Halloween display and that draws people in to our community, and that happened before the road closure.

DIANE PRATT commented that Perry Street is also affected. The parade, the Shad Run all come down Perry Street. The first year of the Shad Run they started at 4:30 am.

The Mayor appointed the following people to serve on the committee: Councilman Sanders, Councilwoman Warner, Diane Pratt, Debbie Monigan, Ellen Gibson and Cyndy Jahn.

Mayor DelVecchio thanked everyone for their comments.

ANNOUNCEMENTS

ANNUAL RABIES CLINIC: Saturday, September 16, 2017 from 1 – 3 PM.

LAMBERTVILLE ANIMAL HOSPITAL: Annual Dog Walk scheduled for October 7 from 10 am to 12 pm with a rain date of October 8th.

LAMBERTVILLE HISTORICAL SOCIETY ANNUAL HOUSE TOUR: Sunday, October 15, 2017 from 11 AM to 5 PM.

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ANIMAL ALLIANCE: 13th annual Pet Masquerade on Saturday, October 21st with a rain date of October 22nd, from 11:30 am to 1:30 pm.

HALLOWEEN PARADE: Sunday, October 29, 2017 at 3 pm.

DELAWARE RIVER TOWNS CHAMBER OF COMMERCE: Annual Thanksgiving Day Run, November 23, 2017.

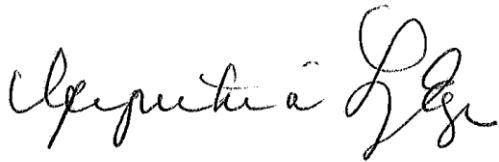
PUBLIC PARTICIPATION/PETITIONS OF CITIZENS AND PUBLIC DISCUSSION

None.

ADJOURNMENT

The meeting adjourned at 8:27 p.m. with a motion made by Council President Stegman and seconded by Councilman Sanders. An affirmative voice/roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Respectfully submitted,



Cynthia L. Ege, CMR, RMC, City Clerk



The August 30, 2017 special session minutes were approved at the regularly scheduled session held on September 19, 2017.