



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

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

Mayor DelVecchio called the October 17, 2017 Regularly Scheduled Session to order at 6:33 p.m. and read the following statement of compliance into the record: This meeting is being held in compliance with the Open Public Meetings Act and the annual notice was published in the January 9th edition of the Times, the meeting was also noticed on October 13, 2017 to the Times, the Democrat, department heads, City Attorney, City Engineer and to various people on the list serve. A copy of the meeting agenda was also posted on the Bulletin Board at City Hall and the Website at [www.lambertvillenj.org](http://www.lambertvillenj.org),

**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, acquisition of property, potential law suits and personnel.

**RESOLUTION**

*“Authorizing a Closed Session at the October 17, 2017 Lambertville City Council Meeting to Discuss Contracts, Personnel, Acquisition of Property, Possible Litigation”*

**WHEREAS**, the Council of the City of Lambertville is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.; and

**WHEREAS**, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that a closed session, not open to the public, may be held for certain specified purposes when authorized by N.J.S.A 10:4-12(b).

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Lambertville that a closed session shall be held on October 17, 2017, in the Phillip L. Pittore Justice Center, located at 25 South Union Street, Lambertville, to discuss the following matters: *Contracts, Personnel, Acquisition of Property, and Possible Litigation.*

**BE IT FURTHER RESOLVED** that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Lambertville Mayor and City Council.

ADOPTED: October 17, 2017

Mayor DelVecchio and City Council convened in closed session at 6:34 p.m. with a motion made by Council President Stegman and seconded by Councilwoman Asaro. 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 p.m. with a motion made by Councilwoman Warner and seconded by Councilwoman Asaro. An affirmative voice/roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

## **PLEDGE OF ALLEGIANCE**

Mayor DelVecchio led the public in the Pledge of Allegiance.

## **MOMENT OF SILENCE**

The City Clerk led the members of the public present 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 sets of minutes: September 19, 2017 Regular Session Minutes and the September 19, 2017 Closed Session Minutes. Council President Stegman made a motion to approve the minutes as submitted/as amended. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

## **ADMINISTRATIVE REPORTS**

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

## **RESOLUTIONS**

Consent Agenda: *The following resolutions on a consent agenda are considered routine and shall be enacted by one motion. Should any member of City Council seek separate discussion of any item, that item shall be removed and discussed separately.*

Mayor DelVecchio read the resolutions by title into the record.

Resolution Number 120-2017: *A Resolution to Express Opposition to Legislative Proposals Regarding S-1045 Open Public Meetings Act.*

**City of Lambertville**

### **RESOLUTION NUMBER 120-2017**

*A Resolution In Opposition to Senate Bill Number 1045 Open Public Meetings Act*

**WHEREAS**, the New Jersey Senate Budget and Appropriations Committee took action on Senate Bill Nos. 1045 to amend the Open Public Meetings Act on June 29, 2017; and the Committee

released the bills to the full Senate without recommendation; and

**WHEREAS**, the language in New Jersey Senate Bill Number 1045 pertaining to the Open Public Meetings Act proposes the following:

- extends the requirement of public notice for all committees; however, most committees are advisory and make recommendations to the Governing Body;
- sets policy regarding items not listed on the meeting agenda;
- requires that references to an attachment, appendix or other documentation also be made public which could be an issue if it is a draft or a matter that is in litigation;
- restricts use of private communication equipment for municipal use including during a meeting which could impact communications should a board member be late or have an issue for attendance;
- requires a written policy to maximize public participation and address the amount of time the governing body will devote to public participation on each meeting agenda which could restrict the public's ability to interact with the governing body;
- requires two-day notice to employees who will be discussed during closed session (RICE Law doesn't establish a time frame);
- restricts the closed session with regard to possible litigation;
- requires that meeting minutes be made available to the members of the public within 60 days of the meeting;
- sets standards for recordings of a meeting;
- establishes a time limit for any action taken by a public body that does not conform with the provisions of this act (45 days);
- requires the municipality/public body to pay for "reasonable" attorney's fees in bringing the action as stated in subsection a for action taken at a meeting which does not conform to the provisions of this act, putting an additional financial burden on the local government;
- establishes fines/penalties for any person who knowingly violates any for the foregoing sections of this act (\$100, \$250, \$500);
- adds electronic mail to the list of means for public notice;
- requires a quarterly review of closed session minutes for posting;
- establishes a procedure for the removal of a public body from the public body for significant denial of public's right of access;
- establishes a requirement of the posting of agendas, minutes, meeting information on an internet site, however, if a government agency doesn't have an internet site, they will need to submit their information to the Secretary of State for posting on the Internet site created pursuant to section 13, and \$100,000 shall be reserved for the creation of such site. This creates an additional burden to tax payers. The Best Practice Inventory required by the Division of Local Government Services, question number 7 asks if you maintain your own website, those who do not are penalized by a deduction of points which equates to a potential loss of State Aid;

**WHEREAS**, the City of Lambertville is in favor of some provisions as presented; however there

are sections that would negatively impact the city's ability to legislate by committee, provide sufficient time for the public at meetings and continue to be fiscally responsible.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the City of Lambertville, that the Legislature is strongly urged to reject Senate Bill Number 1045 and draft new legislation to modernize OPRA and OPMA while providing municipalities with the tools and financial resources to effectuate these changes for the benefit of the public.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be filed with the legislative sponsors of Senate Bill Nos. 1045 and Assembly Bill Nos. 2697 and 2699, the Speaker of the General Assembly, the President of the Senate, and the Governor, and all parties are urged to listen to the concerns of local officials and prevent Senate Bill Nos. 1045 and 1046 from becoming law.

ADOPTED: October 17, 2017

Resolution Number 121-2017: A Resolution to Express Opposition to Legislative Proposal S-1046, Open Public Records Act.

**City of Lambertville**

**RESOLUTION NUMBER 121-2017**

*A Resolution In Opposition to Senate Bill Number 1046 Open Public Records Act*

**WHEREAS**, the New Jersey Senate Budget and Appropriations Committee took action on Senate Bill Nos. 1046 to amend the Open Public Records Act on June 29, 2017; and the Committee released the bills to the full Senate without recommendation; and

**WHEREAS**, the language in New Jersey Senate Bill Number 1046 pertaining to the Open Public Records Act proposes the following:

- Expands and clarifies various definitions;
- Makes changes to the duties of record custodians;
  - Permits a volunteer fire company or department to enter into a contract with the governing body of its municipality to designate the municipal clerk as its custodian of record.
- Changes the composition of the GRC;
- Changes the council from being in the DCA to being in, but not of the DCA;
- Defines the mediation process;
- Changes the penalty provisions;
- Modifies access to Courts;
- Changes membership to seven (7) members.

**WHEREAS**, the proposed legislation fails to define and address harassment and the fiscal burden placed on municipalities when companies request records for use in furthering their business or when someone files a request for records but never pays the fee.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the City of Lambertville,

that the Legislature is strongly urged to reject Senate Bill Number 1046 and draft new legislation to modernize OPRA while providing municipalities with the tools and financial resources to effectuate these changes for the benefit of the public.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be filed with the legislative sponsors of Senate Bill Nos. 1046 and Assembly Bill Nos. 2697 and 2699, the Speaker of the General Assembly, the President of the Senate, and the Governor, and all parties are urged to listen to the concerns of local officials and prevent Senate Bill Nos. 1045 and 1046 from becoming law.

ADOPTED: October 17, 2017

Resolution Number 122-2017: *A Resolution to Authorize the City Clerk to Submit the Raffle Application Filed by PTA Lambertville Public School for an Xbox One X Game Console Scheduled for December 15, 2017.*

**City of Lambertville**

**RESOLUTION NUMBER 122-2017**

*A Resolution to Authorize the City Clerk to File the Raffle Application Submitted by PTA Lambertville for a December 15, 2017 Raffle of an XBOX to the State of New Jersey Legalized Games of Chance Control Commission*

WHEREAS, the PTA Lambertville filed their application for a raffle on Monday, September 11, 2017 with the City Clerk; and

WHEREAS, the Police Department received a copy of the raffle application on September 19, 2017; and

WHEREAS, the City Clerk has filed the determinations statement stating that the applicant is qualified.

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 City Clerk is hereby authorized to file the raffle application filed by PTA Lambertville with the State of New Jersey Legalized Games of Chance Control Commission.

ADOPTED: October 17, 2017

Resolution Number 124-2017: *A Resolution to Authorize the Purchase of Snow and Ice Control Materials through the County of Hunterdon Cooperative Pricing System, Bid Number 2017-18, From Morton Salt at a Rate of \$51.31 Per Ton.*

**City of Lambertville**

**RESOLUTION NUMBER 124-2017**

*A Resolution to Authorize the Purchase of Snow and Ice Control Materials through the County of Hunterdon Cooperative Pricing System, Bid Number 2017-18, From Morton Salt at a Rate of \$51.31 Per Ton.*

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 contract with Morton Salt at a rate of \$51.31 per ton for snow and ice control materials through the County of Hunterdon Cooperative Pricing System, Bid Number 2017-18 is hereby authorized.

ADOPTED: October 17, 2017

***Resolution Number 125-2017: A Resolution to Authorize the Refund of Planning Board and Zoning Board Escrow Accounts, Authorizing \$5,513.10 in Return of Escrow.***

**City of Lambertville**

**RESOLUTION NUMBER 125-2017**

*A Resolution to Authorize the Refund of Planning Board and Zoning Board Escrow Accounts, Authorizing \$5,513.10 in Return of Escrow Balances.*

WHEREAS, the Construction Office has confirmed with professionals that all invoices have been submitted for payment and the following accounts have been closed and are inactive; and

WHEREAS, the Finance Office has confirmed that the balances in the accounts are equal to the Construction Office records and monthly statements are in proof.

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 refunds for escrow accounts are hereby authorized:

Address	Block/Lot	Applicant	Amount	Account #
26 North Franklin Street	1073/29	Alan Horton	\$151.56	E-08-56-400-311
37 South Main Street	1045/21	Fisherman's Mark	\$137.22	E-08-56-200-317 & E-08-56-400-314
11 Bridge Street	1043/7 & 7.01	Swan Creek Holding	\$4,108.39	E-08-56-200-306 and E-08-56-200-217
Swan Street	1070/21	Joseph Mullane	\$635.48	E-08-56-200-239 and E08-56-400-001
154 North Union Street	1011/11.01	Spectrum Group/George Helfrich	\$480.45	E-08-56-400-309
<b>TOTAL:</b>			<b>\$5,513.10</b>	

ADOPTED: October 17, 2017

***Resolution Number 126-2017: A Resolution to Correct Resolution Number 106-2017 Adopted on August 15, 2017, A Salary & Wage Resolution for the Fire Official, Increasing his Salary to \$16,511.12.***

**City of Lambertville**

**RESOLUTION NUMBER 126-2017**

*A Resolution to Correct Resolution Number 106-2017 Adopted on August 15, 2017, A Salary & Wage Resolution for the Fire Official, Increasing the Salary to \$16,511.12 for the 2017 Budget Year*

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 salary & wage for the fire official is hereby increased by \$3,500 for 2017, for a total salary of \$16,511.12 for the 2017 budget year.

ADOPTED: October 17, 2017

Resolution Number 127-2017: A Resolution to Cancel the Balance in the Orleans Corporation Escrow Account in the Amount of \$49.72.

City of Lambertville

**RESOLUTION NUMBER 127-2017**

*A Resolution to Cancel the Balance in the Orleans Corporation Escrow Account in the Amount of \$49.72*

WHEREAS, Orleans Corporation entered into an agreement with the City of Lambertville to develop Lamberts Hill; and

WHEREAS, in accordance with N.J.S.A. xxx,

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 escrow account held for Orleans Corporation in the amount of \$49.72 is hereby cancelled.

ADOPTED: October 17, 2017

Resolution Number 128-2017: A Resolution to Approve the Submittal of A Grant Application and to Execute a Grant Contract with the New Jersey Department of Transportation for the George & Coryell Streets Improvement Project.

City of Lambertville

Resolution Number 128-2017

A Resolution to Approve the Submittal of a grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the George & Coryell Streets Improvement Project

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

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2018-George & Coryell Streets-00458 to the New Jersey Department of Transportation on behalf of the City of Lambertville.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Lambertville and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Adopted: October 17, 2017

***Resolution Number 129-2017: A Resolution to Approve the Submittal of a Grant Application and to Execute a Grant Contract with the New Jersey Department of Transportation for the Alexander Avenue Improvement Project.***

City of Lambertville  
Resolution Number 129-2017

A Resolution to Approve the Submittal of a grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Alexander Avenue Improvement Project

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

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2018-Alexander Avenue Improvements-00514 to the New Jersey Department of Transportation on behalf of the City of Lambertville.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Lambertville and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Adopted: October 17, 2017

***Resolution Number 130-2017: A Resolution to Authorize the Contract with Allied Oil for Ultra-Low Sulfur Diesel and Riggins, Inc. for Gasoline-Regular Through the Hunterdon County Educational Services Commission Cooperative Purchasing Program.***

City of Lambertville  
RESOLUTION NUMBER 130-2017

*A Resolution To Authorize the Contract with Allied Oil for Ultra-Low Sulfur Diesel and Riggins, Inc., for Gasoline-Regular Through the Hunterdon County Educational Services Commission Cooperative Purchasing Program*

**WHEREAS**, the City of Lambertville, County of Hunterdon, State of New Jersey participates in the Cooperative Purchasing Program with the Hunterdon County Educational Services Commission; and

**WHEREAS**, bids were received and opened for bid number HCESC-Fuel-17-18, for the cooperative pricing of #2 Fuel Oil, Ultra Low Sulfur Diesel Fuel on September 19, 2017 and awarded by the Hunterdon County Education Services Commission Cooperative Purchasing Program as follows:

Ultra-Low Sulfur Diesel awarded to Allied Oil, 25 Old Camplain Road, Hillsborough  
Summer, +0.1347  
Winter, +0.1588 (November 1, 2017 – April 15, 2018)  
Gasoline – regular, Riggins, Inc., 3938 S. Main Road, Vineland, NJ  
+0.155

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the City of Lambertville that the Mayor, City Attorney and City Clerk are hereby authorized to execute the agreements with Allied Oil for ultra-low sulfur diesel and Riggins, Inc. for gasoline-regular at bidder's margin awarded through the Hunterdon County Educational Services Commission Cooperative Purchasing Program, Bid Number HCESC-Fuel-17-18.



ADOPTED: October 17, 2017

Resolution Number 131-2017: *A Resolution to Authorize the Shared Services Agreement with the Lambertville Board of Fire Commission for the Use of City Pumps for Ultra-Low Sulfur Diesel and Gasoline-Regular, at the Public Works Department.*

**City of Lambertville**

**RESOLUTION NUMBER 131-2017**

*A Resolution To Authorize the Shared Services Agreement with the Lambertville Board of Fire Commission for the Use of City Pumps for Ultra-Low Sulfur Diesel and Gasoline-Regular at the Public Works Department*

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the City of Lambertville that the Mayor, City Attorney and City Clerk are hereby authorized to sign the Memorandum of Agreement with the Lambertville Board of Fire Commission for shared services of fuel oil, diesel and unleaded gas for a period beginning November 1, 2017 and ending October 31, 2018.

ADOPTED: October 17, 2017

Resolution Number 132-2017: *A Resolution to Authorize the Shared Services Agreement with the Lambertville Municipal Utilities Authority for the Use of City Pumps for Ultra-Low Sulfur Diesel and Gasoline-Regular at the Public Works Department.*

**City of Lambertville**

**RESOLUTION NUMBER 132-2017**

*A Resolution To Authorize the Shared Services Agreement with the Lambertville Municipal Utilities Authority for the Use of City Pumps for Ultra-Low Sulfur Diesel and Gasoline-Regular at the Public Works Department*

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the City of Lambertville that the Mayor, City Attorney and City Clerk are hereby authorized to sign the Memorandum of Agreement with the Lambertville Municipal Utilities Authority for shared services of fuel oil, diesel and unleaded gas for a period beginning November 1, 2017 and ending October 31, 2018.

ADOPTED: October 17, 2017

Resolution Number 133-2017: *A Resolution to Authorize the Purchase and Installation of a New Merry-Go-Round off State Contract Number 16-FLEET-00121 in an Amount Not to Exceed \$5,852.50 for the new Merry-Go-Round, \$2,800 to Remove and Dispose of the Old Merry-Go-Round, and \$2,100 to Install the New Merry-Go-Round..*

**City of Lambertville**

**RESOLUTION NUMBER 133-2017**

*A Resolution To Authorize Removal, Purchase and Installation of a New Merry-Go-Round Off State Contract Number 16-FLEET-00121 In An Amount of \$5,852.50 for the new Merry-Go-Round, \$2,800 to Remove and Dispose of the old Merry-Go-Round, and \$2,100 to Install the New Merry-Go-Round*

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the City of Lambertville that the Mayor, City Attorney and City Clerk are hereby authorized to sign the contracts with the following for the Merry-Go-Round replacement at Cavallo Park:

- Whirl Construction, Inc., for the removal and disposal of the existing Merry-Go-Round in an amount not to exceed \$2,800;

- Whirl Construction, Inc. for the installation of the new Merry-Go-Round in an amount not to exceed \$2,100;
- Game Time, c/o MRC for the purchase off State Contract # 16-FLEET-00121 in an amount not to exceed \$5,852.20.

BE IT FURTHER RESOLVED that the funding for this project shall be provided through Ordinance Number 23-2017.

ADOPTED: October 17, 2017

Resolution Number 134-2017: A Resolution to Authorize the Shared Services Agreement with the LMUA for Snow Plowing and Snow Removal Services for the 2017/2018 Season.

**City of Lambertville**

**RESOLUTION NUMBER 134-2017**

*A Resolution To Authorize the Shared Services With the Lambertville Municipal Utilities Authority for Snow Plowing for the 2017/2018 Winter Season*

**WHEREAS**, the Lambertville Municipal Utilities Authority is an independent authority operating in the City of Lambertville, County of Hunterdon, State of New Jersey; and

**WHEREAS**, it has been past practice for the LMUA to provide assistance to the City during emergency situations which includes hurricanes, snow storms and river flooding events.

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the City of Lambertville that the shared services agreement with the Lambertville Municipal Utilities Authority is hereby authorized.

ADOPTED: October 17, 2017

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

**BILLS LIST**

Mayor DelVecchio asked for a motion to approve the Bills List and the addendum to the Bills List. Councilwoman Warner made a motion to approve the Bills List and the addendum to the Bills List. 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 - none**

**ORDINANCES – PUBLIC HEARING AND SECOND READING**

Ordinance Number 25-2017: A Supplemental Bond Ordinance for 01-2017, adding \$17,000 to the Ordinance to fund Engineering Work for the Swan Creek Flood Gates Proposal.

Mayor DelVecchio read Ordinance Number 25-2017 into the record by title. He informed the members of the public present that this ordinance is to fund engineering work by T and M Associates (City Engineer) and CDM (LMUA's Engineer) for the work they are completing on the Swan Creek Flood Gates and the LMUA Force Main.

City of Lambertville

ORDINANCE NUMBER 25-2017

*BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$15,000 FOR THE ENGINEERING SERVICES RELATED TO FLOOD GATES AND FORCE MAINS IN AND FOR THE CITY, IN AND BY THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$14,250 BONDS OR NOTES OF THE CITY FOR FINANCING PART OF THE APPROPRIATION.*

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

**Section 1.** The improvement described in Section 3 of this bond ordinance has heretofore been authorized to be undertaken by the City of Lambertville, New Jersey as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the supplemental amount of \$15,000; such sum being in addition to the \$20,000 appropriated therefore by ordinance 01-2016 of the City finally adopted January 19, 2016 (the "Prior Ordinance") and including the sum of \$750 as the down payment for the improvements and purposes required by the Local Bond Law. The down payment has been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

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

**Section 3.** (a) The improvements hereby authorized and the purposes for which the bonds or notes are to be issued providing for the engineering services related to the City's applications to the New Jersey Environmental Infrastructure Trust related to (i) the Swan Creek Flood Gates and (ii) the Lambertville Municipal Utilities Authority force main project, each as more fully set forth in the project summary on file in the Office of the City Clerk, and including all work and related materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is \$38,000, including the \$23,750 appropriated by the Prior Ordinance and the \$14,250 bonds or notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$40,000, including the \$25,000 appropriated by the Prior Ordinance and the \$15,000 appropriated herein.

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

description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

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

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

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

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of respective amounts or obligations for the several purposes and the respective reasonable life thereof within the limitations of the Local Bond Law, is 15.00 years.

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

(d) An aggregate amount not exceeding \$40,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20, consisting of \$25,000 appropriated for such purposes in the Prior Ordinance and the \$15,000 appropriated herein, are included in the estimated cost indicated herein for the improvements or purposes.

(e) The City reasonably expects to commence the acquisition of the several improvements or purposes described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the City further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 1 hereof.

**Section 7.** Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

**Section 8.** The full faith and credit of the City is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation as to rate or amount.

**Section 9.** The City Council hereby covenants on behalf of the City to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

**Section 10.** This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor DelVecchio opened the public hearing and asked for questions and comments from the public.

There being no public comment, Mayor DelVecchio asked for a motion to close the public hearing. Councilwoman Asaro made a motion to close the public hearing for Ordinance Number 25-2017. Council President Stegman seconded the motion. An affirmative roll call vote was taken in favor of the motion to close the public hearing. MOTION CARRIED.

Mayor DelVecchio asked for a motion to adopt on second reading granting final approval. Council President Stegman made a motion to adopt on second reading Ordinance Number 25-2017. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

**Ordinance Number 26-2017:***An Ordinance to Amend the Lambertville City Code, 2014, Chapter VII Traffic, Section 7-8 Loading Zones, Letter a, to add a Loading Zone on George Street in Front of 199 George Street from 9 AM to 6 PM, Monday through Friday.*

**POSTPONED TO NOVEMBER MEETING.**

City of Lambertville

**ORDINANCE NUMBER 26-2017**

*An Ordinance to Amend the Lambertville City Code, 2014, Chapter VII, Section 7-8 Loading Zones, Amending letter a., to Add A Loading Zone At 199 George Street*

7-8 Loading Zones.

The following described locations are hereby designed as Loading Zones on the days and hours listed below. Parking is limited to fifteen (15) minutes) for loading or unloading a vehicle.

- a. Monday through Friday, including holidays, from 9:00 a.m. to 6 p.m.

**Name of Street   Side                      Location**

George Street	West	From the intersection at Elm Street running 40 feet southerly.
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FIRST READING AND INTRODUCTION:                      September 19, 2017

**SECOND READING AND PUBLIC HEARING:**                      November 21, 2017

Mayor DelVecchio asked for a motion from the Governing Body to continue the public hearing for Ordinance Number 26-2017 to the November 21, 2017 meeting. Councilwoman Asaro made a motion to continue to public hearing to the November 21, 2017 session. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

**Ordinance Number 27-2017: An Ordinance to Amend the Lambertville City Code, 2014, Chapter X: Building and Housing, Section 1, Mechanical Inspection Fees.**

Mayor DelVecchio read the Ordinance into the record by title and informed the members of the public present that this ordinance will increase the fees in Chapter X, for mechanical inspection fees.

**City of Lambertville**  
**ORDINANCE NUMBER 27-2017**

*An Ordinance to Amend the Lambertville City Code, 2014, Chapter X: Building and Housing, Section 1.13 Fees For Construction Permits, Adding Mechanical Inspection Fees*

BE IT ORDAINED by the Mayor and council of the City of Lambertville, County of Hunterdon, State of New Jersey, that the Lambertville City Code, 2014, Chapter X: Building and Housing, Section 1:13. Fees For Construction Permits be amended as follows:

5: Mechanical Inspection Fees for construction use group R-3 and R-5 shall be:

- a. First Device . . . . . \$65.00
- b. Each additional device . . . . . \$30.00

\*Devices shall include air handlers, condensers, cased coils, gas piping, generators, water heaters and similar devices.

The following sections shall be renumbered to reflect the following:

6: Certificates and Other Special Fees:

7: Exempt Fees:

FIRST READING, INTRODUCTION: September 19, 2017

SECOND READING, PUBLIC HEARING: October 17, 2017

Mayor DelVecchio opened the public hearing.

Mayor DelVecchio asked for a motion to close the public hearing. Councilwoman Warner made a motion to close the public hearing for Ordinance Number 27-2017. 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 asked for a motion to adopt on second reading granting final approval. Councilwoman Warner made a motion to adopt Ordinance Number 27-2017 on second reading

granting final approval. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

## **CORRESPONDENCE**

New Jersey General Assembly: letter from the Clerk of the General Assembly notifying the City of the adoption of Resolution Number 216 that encourages NJ homeowners to plant native plants that support bee populations and create habitat for all pollinators.

Gina Carlucci: Request for approval of block party on Douglas Street on Saturday, October 21 from 4 – 8 pm. Councilwoman Warner made a motion to approve the request 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.

## **UNFINISHED/OLD BUSINESS**

Clinton Street Phase II: beginning at Buttonwood Street and ending at Delaware Avenue. Irene Rudolph was present to request information about the project. Mayor DeVecchio informed Ms. Rudolph that the City will hold a public meeting with the residents once the plans are complete.

Ely Field: The bleachers are done, the ADA compliant access is done. Councilman Sanders asked if the compressed stone is the final stage. Mayor DeVecchio explained that this was a quick fix and that the Friends of Ely Park had a plan on a larger scale that will address ADA compliance. Council President Stegman asked about the status of the old bleachers. The Public Works Director said they are currently sitting on the field and he needed direction. The City Clerk will reach out to the Recreation Commission Chair and ask for direction.

COAH Law Suit: the city will have a second conference call tomorrow to discuss our next steps.

Clinton Street Phase I: beginning at Delaware Avenue and ending at York Street. The City is waiting on approvals from the DRCC.

Swan Creek Flood/LMUA Force Main Mitigation Project: the City received a letter from the State of New Jersey Department of Environmental Commission outlining the items they need to move the project forward. The City Engineer and LMUA's engineer are preparing a memorandum to the Mayor that gives the list of items needed, how long it will take and a cost estimate.

PennEast Pipeline: the Committee will meet next on Wednesday, October 18, 2017 at 5 pm at City Hall.

Website: the new website is up and running. The Plan is to do a press release on or about November 2<sup>nd</sup>.

Community Aggregation: Gable Associates will revisit the city's position and advice of our next steps on October 23<sup>rd</sup>.

Videotaping Meetings: Comcast came out to the site to determine what they need to do. They would like to have the equipment installed first. The Vender hired would like to have Comcast run their line first. The City Clerk is handling and hopes to have it resolved.

Fence at Public Works: the new gates at Public Works will complete the fence project. The Public Works Director hopes to have this completed by December 1.

CRS Update: Councilwoman Warner reported that John Miller has been working with the committee. He has circulated the sample of what is needed to the committee. The committee is very dedicated in their desire to reach a level 6 and have decided to go the alternate route. John Miller is very busy and is currently volunteering. He informed the committee and the City Clerk that his schedule is very tight and he will not be able to commit to providing the direction to the Committee that is needed to go the alternate route.

## **NEW BUSINESS**

### BOARD APPOINTMENTS.

Mayor DelVecchio nominated Lisa Easton to fill the vacancy on the Historic Preservation Commission. Councilman Sanders made a motion to confirm the Mayor's nomination. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Mayor DelVecchio commented that the other vacancies will be discussed at the November 2<sup>nd</sup> special session.

## **RESOLUTION NUMBERS 123-2017 AND 135-2017**

Mayor DelVecchio read Resolution Number 123-2017 and 135-2017 by title into the record.

**RESOLUTION NUMBER 123-2017: *A Resolution to Amend Resolution Number 62-2017, Letter j. Granting Permission and Authority to Verizon Wireless to Use Poles Erected by Parties that have the Lawful Right to Maintain Poles Within the Right of Way.***

City of Lambertville

### **RESOLUTION NUMBER 123-2017**

*A Resolution to Amend Resolution Number 62-2017, Letter j. Granting Permission and Authority to Verizon Wireless to Use Poles Erected by Parties that have the Lawful Right to Maintain Poles Within the Right of Way*

WHEREAS, Resolution Number 62-2017 was adopted by the Governing Body on April 25, 2017; and

WHEREAS, letter j. currently reads: "*Verizon Wireless will commit to the installation of a new pole where the City of Lambertville has determined their period of usefulness has expired;*" and

WHEREAS, Verizon has requested that the language be changed to read: "*If Verizon Wireless wishes to attach its equipment to a Verizon New Jersey, Inc. pole, Verizon Wireless can, at the request of the City, request that Verizon New Jersey, Inc. replace said pole as part of the make-ready process.*"

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 language in letter j. of Resolution



Number 62-2017 is hereby amended to read: **“If Verizon Wireless wishes to attach its equipment to a Verizon New Jersey, Inc. pole, Verizon Wireless can, at the request of the City, request that Verizon New Jersey, Inc. replace said pole as part of the make-ready process.”**

ADOPTED: October 17, 2017

**RESOLUTION NUMBER 135-2017: A Resolution to Authorize the Payment in Lieu of Taxes for Hibernia Apartments.**

*City of Lambertville*

**RESOLUTION NUMBER 135-2017**

*A Resolution To Authorize the Payment in Lieu of Taxes for Hibernia Apartments*

**WHEREAS**, Hibernia Apartments, an Urban Renewal LLC (hereinafter referred to as the “Sponsor”) intends to own and operate a housing project known as Hibernia Apartments, which is a 39 unit rental project dedicated to low income senior citizen tenants (hereinafter referred to as the “Project”) within the City of Lambertville (hereinafter also referred to as the “Municipality”) on a site described as Lots 11 and 19, Block 1045 as shown on the Official Tax Map of the City of Lambertville, County of Hunterdon, State of New Jersey, commonly known as 25 South Main Street, Lambertville, New Jersey, 08530, and

**WHEREAS**, the Project was developed in 1978 pursuant to N.J.S.A. 55:16-1, *et seq.*; and

**WHEREAS**, the Sponsor has applied and anticipates approval of a US Department of Housing Section 8 Home Assistance Payment Contract to provide subsidy to the project for 20 years; and

**WHEREAS**, the Sponsor intends to preserve the Project as low income housing for a period of not less than 20 years; and

**WHEREAS**, in furtherance of the Sponsor’s commitment to preserve the Project as low income senior housing, the Sponsor is requesting the Municipality adopt a Resolution authorizing a 20 year Agreement for Payment in Lieu of Taxes pursuant to the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 *et seq.* (the LTTE Law).

**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:

- 1) The Governing Body finds and determines that the Project meets an existing housing need; and
- 2) The Governing Body does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in the conformity with the provisions of the LTTE Law; and
- 3) The Governing Body does hereby adopt the within Resolution with the further intent and purpose that on a date to be determined, the Project will be exempt from real property taxation as provided in the LTTE Law, provided that payments in lieu of taxes for municipal services supplied to the Projects are made to the Municipality in such amounts and manner set forth in an Agreement for Payments in Lieu of Taxes; and
- 4) The Governing Body hereby authorizes and directs the Mayor, the City Attorney and City Clerk to execute, on behalf of the Municipality, an Agreement for Payments in Lieu of Taxes in substantially the form annexed hereto as Exhibit “B”; and

- 5) The Governing Body understands and agrees that the revenue projections set forth in Schedule 1 to the Agreement for Payments in Lieu of Taxes are estimates and that the actual payments in lieu of taxes to be paid by the Sponsor to the Municipality shall be determined pursuant to the terms of the Agreement for Payments in Lieu of Taxes executed between the Sponsor and the Municipality.

**ADOPTED:** October 17, 2017

Mayor DelVecchio asked for a motion to adopt Resolution Number 123-2017 Amending Resolution Number 62-2017, Letter j. Granting Permission and Authority to Verizon Wireless to Use Poles Erected by Parties that have the Lawful Right to Maintain Poles Within the Right of Way and Resolution Number 135-2017, authorizing the pilot program for Hibernia Apartments. Councilman Sanders made a motion to adopt resolution number 135-2017. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

## **PROCLAMATIONS**

A Proclamation Honoring Alexandra Croce's Acceptance to the All-Eastern Junior High Honor Choir.

Mayor DelVecchio asked Steve Croce to join him at the dais. The members of the Governing Body took turns reading the proclamation into the record.

### *Proclamation*

**WHEREAS**, Alexandra Croce is a resident of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey; and

**WHEREAS**, Ms. Croce is the daughter of Stephen and Susan Croce and the sister to Erin and Jake; and

**WHEREAS**, Alexandra has been accepted to the All-Eastern Junior High Honor Choir, a highly selective ensemble that will perform as part of the biennial Eastern Division Conference of the American Choral Directors Association; and

**WHEREAS**, Alex will travel to Pittsburgh, Pennsylvania and join other top vocalists from the Northeast and Mid-Atlantic states to rehearse for four days under the direction of D. Gary Packwood, Director of Choral Activities at Mississippi State University; and

**WHEREAS**, The 2018 All-Eastern Junior High Honor Choir will perform on Saturday, March 10, 2018 at the Heinz Hall for the Performing Arts, home of the Pittsburgh Symphony.

**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 Alexandra Croce is hereby congratulated on a job well done and wished much success with all of her future endeavors.

**ADOPTED:** October 17, 2017

Mayor DelVecchio asked for a motion to adopt the proclamation honoring Alexandra Croce's acceptance in the All-Eastern Junior High Honor Choir. Councilman Sanders made a motion to adopt the proclamation honoring Alexandra Croce. Council President Stegman seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Steve Croce commented that this town is full of incredible people and for her to be honored by all the Governing Body really meant a lot to them. He said he wasn't prepared and didn't know the City was doing all of this he thought she would just be mentioned in the minutes. Alexandra was on her way home from a field hockey game and would be there momentarily.

When she arrived, her father presented her with the framed proclamation. The Governing Body congratulated her for her accomplishments and asked if the team won. She thanked the Governing Body for the proclamation and said the team did win the game. Mayor DelVecchio asked if she was going to go to college for that and her mother replied that it depended on how biology goes.

Alexandra was asked if she would be able to sing the national anthem at the annual reorganization meeting held on January 1<sup>st</sup>. She said she would be happy to.

## **ANNOUNCEMENTS**

ANIMAL ALLIANCE: Saturday, October 21<sup>st</sup> with a rain date of October 22<sup>nd</sup>, from 11:30 am to 1:30 pm, beginning at Union Street and ending at Main Street.

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

HALLOWEEN TRICK OR TREAT: Tuesday, October 31, 2017.

DELAWARE RIVER TOWNS CHAMBER OF COMMERCE: Annual Thanksgiving Day R-un, November 23, 2017.

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

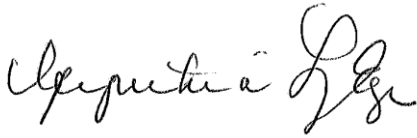
A member of the public was present and asked why public works coned off sections of their driveway to block public access. The Public Works Director explained that he is working on the fence and the brush pile is very high. In order to maintain safe working conditions, he cones off the portion of the driveway. Once the brush pile is chipped and the fence is completed, he will reopen the site.

## **ADJOURNMENT**

The meeting adjourned at 7:56 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,

**City of Lambertville**  
**Regularly Scheduled Session**  
**Tuesday, October 17, 2017, 6:30 p.m.**  
**Phillip L. Pittore Justice Center, 25 South Union Street, Lambertville**  
**MINUTES**  
**Page 20**



Cynthia L. Ege, CMR, RMC, City Clerk



*The October 17, 2017 session minutes were approved at the regularly scheduled session of Mayor and Council held on Tuesday, November 21, 2017.*