

City of Lambertville
SPECIAL SESSION OF MAYOR AND COUNCIL
MONDAY, 7:00 P.M., JULY 12, 2010
JUSTICE CENTER, 25 SOUTH UNION STREET, LAMBERTVILLE
MINUTES

The meeting was called to order by Mayor David DelVecchio at 7:06 p.m. with a statement of compliance with the Open Public Meeting Act.

ROLL CALL.

Mayor DelVecchio called Councilwoman Asaro for the meeting. He asked those in the back of the room if they could hear Councilwoman Asaro on the phone. They indicated they could hear her.

Mrs. Ege called the roll as follows:

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

Absent: Councilwoman Warner.

PLEDGE OF ALLEGIANCE

Mayor DelVecchio led the public in the Pledge of Allegiance.

MOMENT OF SILENCE

Mrs. Ege led the public in a Moment of Silence in recognition of the Lambertville citizens and all others serving with the United States Armed Services.

MOMENT OF SILENCE

Mayor DelVecchio led the public in a Moment of Silence remembering Jim Marriott who served as a Volunteer on the Lambertville New Hope Rescue Squad for 60 years and Tekla Hallanan who is the retired Planning and Zoning Board Secretary.

RESOLUTION 2010- 95

A RESOLUTION FOR AN EMERGENCY APPROPRIATION

Mayor DelVecchio informed the members of the public present that Resolution 2010-95 is to fund a refurbished garbage truck, the lease of the truck and any expenses incurred in repairing garbage and recycling equipment. He felt this was important since now the property owners are paying a service fee.

William Carpenter of Lamberts Hill questioned how the garbage was previously funded. Mayor DelVecchio responded that it was paid through taxes however with the loss of \$305,000 in State Aid over the past three years; the City had to consider other ways to fund the services. He also stated that because of the CAP law, the City could not raise the funds required to fund the garbage program through taxes. Mr. Carpenter asked if this fee applies to all homeowners. The Mayor said it did. Mr. Carpenter asked if we get paid for Recycling. The Mayor stated that we received approximately \$14,000 in 2009 for recycling and it doesn't cover the fees incurred but helps because we previously paid to get rid of the recycling.

Mayor DelVecchio said this Emergency Appropriation would be funded through an ordinance which will be introduced at the July 19th meeting of Mayor and Council.

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Resolution 2010-95
FORM OF EMERGENCY RESOLUTION – NJS 40A:4-48
(Under 3% limitation)

WHEREAS, an emergency has arisen with respect to *Garbage and Recycling Services and*, no Adequate provision was made in the 2010 budget for the aforesaid purpose, and NJS 40A:4-46 provides for the creation on an emergency appropriation for the purpose mentioned above, and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$60,000 and three (3) percent of the total Operating appropriations in the budget for 2010 is \$ **4,194,644.93** and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2010,

NOW, THEREFORE, BE IT RESOLVED, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJS 40A:4-48:

1. An emergency appropriation is here by made for *Acquisition of Garbage Truck* in the amount of \$60,000
 - Grand Turk, \$50,000 for the purchase of a refurbished Garbage Truck
 - Grant Turk, \$5,000 for the lease of equipment to pick up trash and recycling refuse
 - \$5,000 to repair equipment as needed for trash and recycling pickup
2. That said emergency appropriation shall be provided for in full in the 2010 budget, and is requested to be excluded from CAPS, pursuant to NJS 40A:4-53.3c(1)
3. That an Emergency Note not in excess of the above amount be authorized pursuant to NJS 40A:4-51
4. That such note shall be executed by *Diane Buono, Acting Chief Financial Officer*.
5. That such note shall be date July 12, 2010, may be renewed from time to time, and such note and any renewals shall be payable on or before December 31, 2010.
6. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services

FOOTNOTE: OMIT 3, 4 AND 5 IF EMERGENCY NOTES ARE NOT AUTHORIZED
Prepared by

Mayor DelVecchio asked for a motion on Resolution 2010-95, a Resolution for an Emergency Appropriation. Council President Stegman made a motion to approve Resolution 2010-95. Councilman Sanders seconded the motion. A unanimous roll call vote was taken in favor of the motion by all members present. **MOTION CARRIED.**

ROLL CALL VOTE:

Ayes: Councilwoman Asaro, Councilman Sanders, Council President Stegman and Mayor DelVecchio
Nays: None.
Abstain: None.
Absent: Councilwoman Warner.

RESOLUTION 2010-98

A RESOLUTION TO AUTHORIZE THE ISSUANCE OF A CHECK TO THE LMUA FROM THE TAX SALE.

Mayor DelVecchio informed the members of the public present that the City handles the Tax Sale for all unpaid sewer fees.

Whereas, the amounts shown below were collected at the Tax Sale held on June 30, 2010, and

Whereas, these amounts represent unpaid 2009 sewer charges and interest, and

Whereas, the total amount of the Tax Sale receipts were deposited to the account of the City of Lambertville.

NOW THEREFORE BE IT RESOLVED THAT, Mayor and Council of the City of Lambertville in the County of Hunterdon in the State of New Jersey met during a special session of Mayor and Council and hereby authorize the Chief Financial Officer to prepare a check in the amount of \$2,954.79 payable to the Lambertville Municipal Utilities Authority for the following properties:

BLOCK/LOT	PROPERTY LOCATION	TOTAL
1016/2	149 George Street	\$113.95
1033/1.10	39 Lambert Lane	\$339.89
1024/11	15 Jefferson Street	\$339.89
1071/18	50 Brunswick Avenue	\$317.82
1070/3	5 Brunswick Avenue	\$343.28
1045/13	55 Ferry Street	\$459.16
1042/6	64 Ferry Street	\$237.82
1071/14	41 Quarry Street	\$115.54
1053/1.08	8 Raritan Pointe	\$459.16
1088/18	41 Hancock Street	\$228.28
Total		\$2,954.79

ADOPTED: July 12, 2010

I, Cynthia L. Ege, Acting City Clerk in the City of Lambertville in the County of Hunterdon in the State of New Jersey affirm that this is a true copy of the resolution adopted at the special session of Mayor and Council held on July 12, 2010 in the Justice Center located at 25 South Union Street in the City of Lambertville in the County of Hunterdon in the State of New Jersey.

Cynthia L. Ege, Acting City Clerk

Council President Stegman made a motion to approve Resolution 2010-98 authorizing the issuance of a check to the LMUA for the Tax Sale. Councilman Sanders seconded the motion. A unanimous roll call vote was taken in favor of the motion by all members present. **MOTION CARRIED.**

Roll Call:

Ayes: Councilwoman Asaro, Councilman Sanders, Council President Stegman, Mayor DelVecchio.

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Nays: None.
Abstain: None.
Absent: Councilwoman Warner.

RESOLUTION 2010-97 INTERIM BILLS LIST

City of Lambertville
Resolution 2010-97

A Resolution Authorizing the Payment of Bills on the Interim Bills List

Whereas, the Finance Department of the City of Lambertville has determined vouchers submitted need to be paid prior to the July 19 regularly scheduled session of Mayor and Council, and

Whereas, the Mayor and Council of the City of Lambertville held a special session on Monday, July 12, 2010 at the Justice Center, located at 25 South Union Street in the City of Lambertville and reviewed the request of the Finance Department.

NOW THEREFORE BE IT RESOLVED THAT, Mayor and Council of the City of Lambertville in the County of Hunterdon in the State of New Jersey met during a special session of Mayor and Council and hereby approved the bills on the Interim Bills List dated July 12, 2010.

ADOPTED: July 12, 2010

I, Cynthia L. Ege, Acting City Clerk in the City of Lambertville in the County of Hunterdon in the State of New Jersey affirm that this is a true copy of the resolution adopted at the special session of Mayor and Council held on July 12, 2010 in the Justice Center located at 25 South Union Street in the City of Lambertville in the County of Hunterdon in the State of New Jersey.

Cynthia L. Ege, Acting City Clerk

Council President Stegman made a motion to approve Resolution 2010-97 to pay the bills on the interim bills list. Councilwoman Asaro seconded the motion. A unanimous roll call vote was taken in favor of the motion by all members present. **MOTION CARRIED.**

Roll Call:

Ayes: Councilwoman Asaro, Councilman Sanders, Council President Stegman, Mayor DelVecchio.

Nays: None.

Abstain: None.

Absent: Councilwoman Warner.

PUBLIC HEARING ON THE 2010 BUDGET

Mayor DelVecchio opened the public hearing on the 2010 Budget. He informed the members of the public present of the following considerations when working on the budget for 2010:

The 2010 Budget is lower by 2.76% than the 2009 budget.

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Staffing has decreased from 55 to 53 people through attrition. The following departments are/will be decreased by:

- Clerk's office is down ½ person
- Court will be down ½ person
- Public Works is down 1 person (2009)
- Police are down from 13 to 10 since David took office 18 years ago

Loss in State Aid: The City of Lambertville has lost a total of \$305,000 over the last 3 years.

There are no raises for staff members in this budget except the PBA (3.5% according to the contract). A meeting is scheduled with the PBA for Tuesday the 13th to discuss opening the contract. We are hopeful they will come back to the City with some ideas, like Bordentown Township did.

Shared Services: The City is pursuing shared services with West Amwell Township and surrounding municipalities. To date, we have investigated the following:

- Tax Assessor District
- Police Department
- Construction – Interlocal agreement in process with Frenchtown
- South Hunterdon Renewable Energy Co-Op with West Amwell

Implemented a fee for curb side service for recycling and garbage.

Open Space Tax levy will be decreased from .02 to .01.

Questions from the public include:

Mayor DelVecchio informed the members of the public present that in January 2011 a new CAP of 2% will be imposed which will further complicate the budget process.

Mayor DelVecchio asked for further comments regarding the budget. There being no further comments regarding the budget, the Mayor asked for a motion to close the public hearing on the 2010 budget, noting the vote on the approval and final adoption of the budget will be postponed until we receive notice from the Division of Community Affairs, Local Government Services that they have approved the budget.

Motion to Close the Public Hearing:

Council President Stegman made a motion to close the public hearing on the budget. Councilman Sanders seconded the motion. A unanimous roll call vote was taken in favor of the motion by all members present. **MOTION CARRIED.**

Roll Call:

Ayes: Councilwoman Asaro, Councilman Sanders, Council President Stegman, Mayor DelVecchio

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Nays: None.

Abstain: None.

Absent: Councilwoman Warner.

Correspondence

Lambertville Historical Society Banner Request (Nora Linderman)

Friends of Ely Park Request for a Block Party – POST PONED TO JULY 19.

**RESOLUTION TO GO INTO CLOSED SESSION TO DISCUSS
CONTRACTS, LAW SUITS, POSSIBLE LITIGATION, ACQUISITION
OF PROPERTY, AND PERSONNEL.**

Not required.

PUBLIC COMMENT.

Mayor DeVecchio asked for comments from the public.

Heather Atkinson from 74 South Main Street in Lambertville expressed concern for the recent attack of a woman on the Tow Path. She also referenced an attack at Siam Restaurant. She further commented that the immigrant population is increasing. She resides near Mount Hope Street and stated that there are five cars registered in Pennsylvania from the immigrants that reside in one of the homes around her property. The property is crowded and she asked what is being done with the landlord registration. She also commented about the people sitting at Fine Food and Flowers waiting for employment. She counted thirty people and it looks like the City isn't putting its best foot forward. Tax payers are paying for their education, social services, health care and it devalues property values. She's tired of the cat calls and is concerned for her own safety. Mayor DeVecchio informed Ms. Atkinson that she should contact Cindy Ege and report all concerns for overcrowding. The City Clerk will see that the Zoning Officer receives the complaint. He informed the members of the public present that there is an ordinance in place to handle this. He also informed her to contact the police if she feels threatened. Ms. Atkinson stated that the police don't get out of their cars and walk around.

Mr. Carpenter of Lamberts Hill commented that this isn't good for the City. He visited Lambertville prior to moving here.

Mr. Robbins of South Franklin Street commented that there are a number of places on Cottage Hill (Douglas Street) where at least a dozen people are residing; one was involved in a bank robbery.

Mayor DeVecchio informed the members of the public present that the City would prosecute and encouraged them to call and complain.

Heather Atkinson commented that people don't want to be perceived as prejudice.

Mayor DeVecchio responded that if the Federal Government can't do it, you can't look at us and expect us to do it. He again encouraged the members of the public present to call and complain.

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Regarding the incident on the Tow Path, Mayor DelVecchio commented that West Amwell Police, the Lambertville Police, the Hunterdon County Prosecutors Office and the State Police were all involved in trying to find the individual.

Mr. Carpenter asked if there was going to be a fee for the Library; he read something in the paper. Mayor DelVecchio responded to his question by saying that there would not be an additional charge; however it would be a separate line item on the tax bill if the legislation is passed.

David Ringer asked if this was the Historic Preservation Meeting. Mrs. Ege responded that the meeting was cancelled due to a lack of quorum. He stated he was not informed of the meeting cancellation.

Mr. Ringer commented on the action of Mayor and Council on the budget for South Hunterdon Regional High School. In his opinion, Mayor and Council approved their budget without cuts. Councilman Sanders recapped the City's actions taken in response to the failed budget, taken in conjunction with West Amwell Township and Stockton Borough: a budget cut this year of \$228,000; a budget cut last year of \$301,000; the continued participation in the South Work Group comprised of elected officials, school board members and members of the public from all three sending districts; the development of a five-year plan for South Hunterdon to improve the school and address funding issues; completion of a Special Education Audit by an outside auditor to include all sending districts and provide for a complete review of K-12 students; and the implementation of a fee for extra curricular activities.

Mayor DelVecchio informed Mr. Ringer that Mayor and Council share his frustration about the high per pupil costs at South. The City works on their own budget and then has to learn the school's budget and has only 19 days to act on recommendations. The Council's action to cut South Hunterdon's budget was twice the average in Hunterdon County imposed by other school districts that had defeated budgets.

Mr. Ringer expressed frustration over the new hire for the administration position.

Councilman Sanders responded and said the cost drivers are its small size, the low teacher/student ratio, the high classification rate of special education students, which is twice the state average. He also commented that South Hunterdon recently declassified five students.

Mr. Ringer stated he felt that Mayor and Council have done a good job. He is just frustrated. Mayor DelVecchio commented that he shares his frustration and said in the public sector, like at Jingoli, they have five secretaries for a large staff. At South Hunterdon, the administrators each have a secretary. The public sector has no concept of the value for the job. The most important thing accomplished was the Special Education Study because that's where the dollars are. At LPS, they budgeted 1.5 million on curriculum and \$850,000 on special education cost. Mr. Ringer was encouraged by the Mayor to attend the next session of the Work Group.

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Mr. Carpenter asked if the Schools could charge a tuition fee. He drives down Route 29 and observes the children attending the school and none of the parents are homeowners. Councilman Sanders stated that New Jersey law does not likely permit it.

Ms. Atkinson commented on the immigration laws. Mayor DelVecchio commented that if the Federal Government can't control it, we can't control it.

Sherry Krakos of Swan Street thanked Mayor and Council for the traffic light at Swan Street and Route 165. She commented that there are two street lights and you don't need both street lights. Mayor DelVecchio asked Mrs. Ege to speak with the Public Works Director about it.

There being no further business, Mayor DelVecchio asked for a motion to adjourn.

ADJOURNMENT.

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

Respectfully submitted,

Cynthia L. Ege

Cynthia L. Ege
Acting City Clerk