



**CITY OF LAMBERTVILLE  
REGULARLY SCHEDULED SESSION  
MAYOR AND COUNCIL  
FEBRUARY 20, 2018, 6:30 P.M.  
PHILLIP L. PITTORE JUSTICE CENTER  
25 SOUTH UNION STREET  
MINUTES**

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

Mayor DeVecchio called the meeting to order at 6:34 p.m. and read the following statement of compliance with the Open Public Meetings Act into the record: This meeting is being held in compliance with the Open Public Meetings Act with the Clerk providing notice to the Times, the Democrat, and to various people on the list serve. The annual meeting notice was published on January 8, 2018 in the Times, and the meeting schedule was sent to the Times, the Democrat and the Bucks County Herald.

**ROLL CALL.**

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

*Absent:* None.

**CLOSED SESSION.**

**RESOLUTION**

*“Authorizing a Closed Session at the February 20, 2018 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 February 20, 2018, 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: February 20, 2018

Mayor DeVecchio 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.

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Mayor DelVecchio and City Council re-convened in regular session at 6:54 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.

**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.

**APPROVAL OF MINUTES.**

Mayor DelVecchio asked for a motion to approve the following minutes: January 23, 2018 Regularly Schedule Session Minutes, January 23, 2018 Closed Session Minutes, and the February 7, 2018 Joint Session with Lambertville Board of Fire Commissioners Minutes. Council President Stegman made a motion to approve the minutes as submitted. Councilwoman Asaro 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 Administrative Reports as listed on the agenda: Tax Collector – Cynthia McBride, Municipal Court Administrator – Patricia Wozniak, Construction Official – Kenneth Rogers, Zoning Officer – Frank D’Amore, Fire Inspector – Frank D’Amore, Police Director – Bruce Cocuzza, Public Works Director – Lester E. Myers, Jr., City Clerk – Cynthia Ege, and Chief Financial Officer and Treasurer – Christie Ehret. Council President Stegman made a motion to approve the Administrative Reports. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

**APPROVAL OF THE BILLS LIST.**

Mayor DelVecchio asked for a motion to approve the Bills List and the amendment to the Bills List, including the invoice received from the Director of Communications. Councilman Sanders made a motion to approve the Bills List as submitted. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

**RESOLUTIONS.**

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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 removed resolution number 44-2018 and read the following resolutions by title into the record:

Resolution Number 45-2018: *A Resolution to Re-Establish a Green Team Pursuant to Sustainable Jersey.*

**RESOLUTION NUMBER 45-2018**

*A Resolution to Establish a Green Team Pursuant to Sustainable Jersey*

WHEREAS, the governing body of the City of Lambertville strives to save tax dollars, assure clean air and water, improve working and living environments, and build a community that is sustainable economically, environmentally, and socially; and

WHEREAS, the governing body of the City of Lambertville wishes to build a model of government which benefits its residents with green community initiatives which are environmentally and economically sound, easy to replicate, and affordable to implement; and

WHEREAS, in an attempt to focus on green issues, the Mayor and City Council of the City of Lambertville wishes to re-establish a Green Team;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that the Green Team will be comprised of the following membership which will be nominated by the Mayor and confirmed by Council:

Mayor DelVecchio  
Councilwoman Asaro  
Full membership of the Environmental Commission;  
One member of the Shade Tree Commission;  
One member from the PennEast Pipeline Committee;  
City Clerk  
Public Works Director  
Keziah Groth Tuft

BE IT FURTHER RESOLVED that the purpose of the Green Team is to:

- facilitate the successful completion of the requirements for re-certification of Sustainable Jersey;
- educate and encourage all city employees, residents, and businesses to participate in green initiatives;
- collaborate with public and private green committees to ensure the replication of best practices and to ensure a coordinated effort within the City of Lambertville;

BE IT FURTHER RESOLVED that the Green Team will consist of no more than 13 members who will serve a three year term.

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Resolution Number 46-2018: *A Resolution to Authorize the Mayor, City Attorney and City Clerk to Sign the Maintenance Agreement with Atlantic Switch and Generator for the Three Generators in an Amount Not to Exceed \$1,000.00.*

**RESOLUTION NUMBER 46-2018**

*A Resolution to Authorize the Mayor, City Attorney and City Clerk to Execute the Agreement with Atlantic Switch for the Maintenance of Generators in an Amount Not to Exceed \$1,000.00*

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that the Mayor, City Attorney and City Clerk are hereby authorized to execute the agreement with Atlantic Switch for the maintenance of the following generators: City Hall, Phillip L. Pittore Justice Center, the Police Department in an amount not to exceed \$1,000.00.

Resolution Number 47-2018: *A Resolution to Certify Compliance with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions under Title VII of the Civil Rights Act of 1964."*

**RESOLUTION NUMBER 47-2018**

*A Resolution of the Governing Body, Certifying Compliance with the United States Equal Employment Opportunity Commission's*

*"Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions under Title VII of the Civil Rights Act of 1964"*

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the (*name of governing body*) of the (*name of local unit*), hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

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Resolution Number 48-2018: *A Resolution to Authorize the Tax Collector to Proceed with the Private Assignment of a Tax Sale Lien for Block 1048, Lot 45.04 to Scott Consoli in Accordance with N.J.S.A. 54:5-113 and to Authorize the Mayor, City Attorney and City Clerk to Execute the Assignment.*

**RESOLUTION NUMBER 48-2018**

*A Resolution to Authorize the Tax Collector to Proceed with the Private Assignment of a Tax Sale Lien for Block 1048, Lot 45.04 to Scott Consoli in Accordance with N.J.S.A. 54:5-113 and to Authorize the Mayor, City Attorney and City Clerk to Execute the Assignment*

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that

1. The Tax Collector is hereby authorized to proceed with the private assignment of a tax sale lien for block 1048, lot 45.04 to Scott Consoli in accordance with N.J.S.A. 54:5-113; and
2. The Mayor, City Attorney and City Clerk are hereby authorized to execute the assignment.

BE IT FURTHER RESOLVED that a copy of this resolution will be published in the February 26, 2018 edition of the Times.

Resolution Number 49-2018: *A Resolution to Authorize the City Clerk to Submit the Raffle Application Received by Toll Gate Grammar School PTA for a March 23, 2018 Auction Fundraiser at the Inn at the Lambertville Station.*

**RESOLUTION NUMBER 49-2018**

*A Resolution to Authorize the City Clerk to Submit the Raffle Application Received by Toll Gate Grammar School PTA for a March 23, 2018 Auction Fundraiser at the Inn at the Lambertville Station*

WHEREAS, Toll Gate Grammar School PTA filed a raffle application in the clerk's office on Tuesday, February 13, 2018; and

WHEREAS, the application is incomplete and requires the submittal of proof of fingerprinting and a valid State of New Jersey Legalized Games of Chance Control Commission Identification Number; and

WHEREAS, a copy of the application was submitted to the Police Department on February 13, 2018; and

WHEREAS, the City Clerk needs to complete the determination statement once the following information is submitted: proof of fingerprinting; receipt of the raffle identification number from the State of NJ LGCCC.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that the City Clerk is hereby authorized to submit the raffle application filed by Toll Gate Grammar School PTA for a March 23, 2018 Auction/Fundraiser to be held at the Inn at the Lambertville Station conditioned upon the receipt of the following information:

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1. Completion of the fingerprinting process;
2. Receipt of the Raffle Identification from the State of New Jersey Legalized Games of Chance Control Commission;

Resolution Number 50-2018: *A Resolution to Authorize the Mayor, City Attorney and City Clerk to Sign the Discharge of Mortgage for 77 Delevan Street in the Amount of \$8,168.00.*

**RESOLUTION NUMBER 50-2018**

*A Resolution to Authorize the Mayor, City Attorney and City Clerk to Sign the Discharge of Mortgage for 77 Delevan Street, Block 1080, Lot 1.02 in the Amount of \$8,168.00*

WHEREAS, the mortgage held by the City of Lambertville for Vernon Barlow, 77 Delevan Street, Block 1080, Lot 1.02 in the amount of \$8,168.00 was paid in full on February 15, 2018 by Title Source, Inc. – Detroit One.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that the Mayor, City Attorney and City Clerk are hereby authorized to sign the discharge of mortgage for Vernon Barlow, 77 Delevan Street, block 1080, and lot 1.02.

Resolution Number 51-2018: *A Resolution to the Federal Energy Regulatory Commission to Request a Rehearing of the Proposed PennEast Pipeline.*

**RESOLUTION 51-2018**

*A Resolution to the Federal Energy Regulatory Commission to Request A Rehearing of the Proposed PennEast Pipeline*

WHEREAS, the Governing Body of the City of Lambertville formally requests the Federal Energy Regulatory Commission to hold a rehearing its decision to issue a Certificate of Public Convenience and Necessity for the highly controversial PennEast Pipeline project; and

WHEREAS, the certificate was issues with a 4-1 vote, with FERC Commissioner Gluck, a recent appointee to the Commission, dissenting from the decision questioning the asserted need for the project for the following reasons:

- Affiliates of PennEast Pipeline hold more than 75 percent of the pipeline's subscribed capacity;
- Contracts among affiliates may be less probative of that need because they are not necessarily the result of an arm's length negotiation;
- The certification lacks evidence in making the public interest determination;
- Issuing a conditional certificate comes with significant consequences for landowners whose properties lie in the path of the proposed pipeline;

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- Issuing the certificate means allowing the company to gain access to properties for purposes of collecting the remaining data it needs to support the permit applications.

WHEREAS, before a FERC Certification can be challenged in federal court, a rehearing request must be submitted and either approved or denied by the agency. FERC has 30 days to respond. Unfortunately, according to a Dossier of FERC Abuses crafted by the Delaware Riverkeeper Network, FERC traditionally responds to rehearing request with a tolling order which neither grants nor denies the request, and as a result places challengers like the Delaware Riverkeeper Network in legal limbo for months, sometimes over a year; and

WHEREAS, the Delaware Riverkeeper Network has submitted to FERC a Motion for Stay to halt construction and any other land disturbance pending the rehearing request, stating “Unless a stay is issued by the Commission, construction of the Project will go forward without the benefit of the meaningful environmental analysis that the National Environmental Policy Act requires;” and

WHEREAS, if built, the PennEast pipeline would cut through creeks, wetlands, forest and communities in Luzerne County, Carbon County, Northampton County, and Bucks County, Pennsylvania and through communities in Mercer and Hunterdon Counties in New Jersey. The 116-mile fracked gas pipeline would include three laterals extending off the mainline, a compression station and appurtenant above ground facilities. Pennsylvania has issued Clean Water Act 401 Certification for the project, but not the underlying state permits necessary to support the Certification. The Delaware Riverkeeper Network is actively engaged in a legal challenge against Pennsylvania’s certificate. New Jersey has not taken steps to issue its approval for the project. Approvals are also required from the Delaware River Basin Commission and the US Army Corp of Engineers.

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 we formally request the Federal Energy Regulatory Commission to hold a rehearing for the approval of the PennEast pipeline project because the necessary approvals from NJDEP, DRBC or USACE have not been received.

Resolution Number 52-2018: A Resolution to Request the State of New Jersey, Department of Environmental Protection to Strengthen Freshwater Wetland Rules

**RESOLUTION 52-2018**

*A Resolution to Request the State of New Jersey, Department of Environmental Protection to Strengthen Freshwater Wetland Rules*

WHEREAS, the City of Lambertville is located on the Delaware River in the County of Hunterdon and in the great State of New Jersey, and

WHEREAS, the Delaware River is a resource for recreation but more importantly drinking water for the residents of our area, and

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WHEREAS, the former administration's changes to the Freshwater Wetlands Rules in December 2017 have made it easier to build pipelines through our wetlands, and

WHEREAS, in recognition of the importance of preserving quality of life, we formally request that the State of New Jersey through the Department of Environmental Protection (DEP) strengthen the Freshwater Wetlands Rules to protect against the following:

- Destruction of our pristine waterways;
- permits without oversight,
- permits for 10 years instead of 5 years,
- raising the standards for water quality impacts, to prohibit temporary disturbances that have lasting effects on wetlands, and limits the buffers and transition areas that used to be required for construction of pipelines.

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, we formally request and urge you to revert the Freshwater Wetlands Rules back to the former high standards they used to follow in order to maintain and preserve waterways in our state.

Mayor DelVecchio asked for a motion to adopt the resolutions listed on the consent agenda. Councilwoman Warner made a motion to adopt the resolutions listed on the consent agenda. 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 – FIRST READING.**

*Ordinance Number 02-2018: A Bond Ordinance of the City of Lambertville, in the County of Hunterdon, New Jersey, Providing for the Purchase of An SUV for the Police Department in the Amount of \$50,000 and for the Purchase of Technology Equipment and Software for the Police Department and City Hall in the Amount of \$26,000 With A total Cumulated Bond in the Amount of \$80,000.*

Mayor DelVecchio read the ordinance into the record by title. He told the members of the public present that this ordinance will fund the purchase of a new SUV for the police department, two new servers and computer equipment.

**ORDINANCE 02-2018**

**AN ORDINANCE OF THE CITY OF LAMBERTVILLE,  
IN THE COUNTY OF HUNTERDON, NEW JERSEY,  
PROVIDING FOR THE ACQUISITION OF  
EQUIPMENT OF AND FOR THE CITY,  
APPROPRIATING \$80,000 THEREFOR, AND  
AUTHORIZING THE ISSUANCE OF \$76,000 IN  
GENERAL IMPROVEMENT BONDS OR NOTES OF  
THE CITY TO FINANCE THE SAME.**



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**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 or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the City as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$80,000, including the sum of \$4,000 as the down payment 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 cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$76,000, 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 purpose for which the bonds or notes are to be issued is the acquisition of various equipment, including but not limited to (i) a police sports utility vehicle, including the installation of related equipment to prepare the vehicle for its intended use and (ii) computer equipment including servicers, printers and computer terminals or similar equipment and including logistical support to install and initial troubleshooting of the same, and further including all work and related materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose authorized herein is equal to the amount of the appropriation herein made therefor.

**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.

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**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 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 period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, is 5 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 \$76,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$15,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.

(e) The City reasonably expects to commence the acquisition of the improvement or purpose 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, exclusive of the State Grant already appropriated herein, 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.

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**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 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor DelVecchio asked for a motion to introduce on first reading Ordinance Number 02-2018. Council President Stegman made a motion to introduce on first reading Ordinance Number 02-2018. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Mayor DelVecchio informed the members of the public present that the public hearing is scheduled for March 20, 2018.

*Ordinance Number 03-2018: An Ordinance of the City of Lambertville, in the County of Hunterdon, New Jersey, Providing for Improvements to City Parks in and for the City, Appropriating \$153,000.00 Therefore, And Authorizing the Issuance of \$123,000.00 In General Improvement Bonds or Notes of the City To Finance the Same.*

Mayor DelVecchio read the ordinance into the record by title. He informed the members of the public present that this ordinance will fund improvements to the football field at Ely Park. This will allow the students at South Hunterdon to have a game field during the installation of the track at South Hunterdon.

**ORDINANCE NO. 03-2018**

**AN ORDINANCE OF THE CITY OF LAMBERTVILLE,  
IN THE COUNTY OF HUNTERDON, NEW JERSEY,  
PROVIDING FOR IMPROVEMENTS TO CITY PARKS  
IN AND FOR THE CITY, APPROPRIATING \$153,000  
THEREFOR, AND AUTHORIZING THE ISSUANCE OF  
\$123,000 IN GENERAL IMPROVEMENT BONDS OR  
NOTES OF THE CITY TO FINANCE THE SAME.**

**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 improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the City of Lambertville, in the County of Hunterdon, New Jersey (the "City") as general improvements. For the improvements or purposes described in Section 3 hereof, there is hereby appropriated the \$153,000, including the sum of \$30,000 as the down payment for the improvement and purpose required by the Local Bond Law.

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The down payment has been made available by virtue of an appropriation from the City's Open Space Trust Fund.

**Section 2.** In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$123,000, 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 is the improvements to City parks, including but not limited to improvements to Eli Field to permit the field to host high school level athletic events as more fully described in the T&M Associates proposal of January 30, 2018 which proposal is 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 improvements or purposes is as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes authorized herein is equal to the amount of the appropriation herein made therefor and an additional \$27,550 available for such purposes under Ordinance 23-2017.

**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:

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(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 \$123,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$30,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is 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.** The City anticipates that it will be able to access \$65,286.45 in banked funds from Hunterdon County Open Space Program to offset a portion of the costs of this project. These funds and any additional 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.

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**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 asked for a motion to introduce on first reading Ordinance Number 03-2018. Council President Stegman made a motion to introduce on first reading Ordinance Number 03-2018. Councilwoman Warner seconded the motion.

Mayor DelVecchio asked for questions or comments.

Helen Pettit asked why the city was taking on a liability when people are getting sued with their involvement with football. Mayor DelVecchio said the same taxpayers that fund the school are funding the upgrades and have the same liability. Ms. Pettit asked if we could get indemnified from the school. Council President Stegman responded that this is common practice for the City when someone else uses our property. Ms. Pettit stated that it should speak of relieving us of our indemnification because it is a huge price tag. Mayor DelVecchio commented that it was a good idea and he would make sure we had the indemnification.

Karen Taylor Ogren asked if the City was talking about having games with the high school. And if yes, if anyone gave thought to the parking? Mayor DelVecchio stated that it was discussed and it won't be as bad as it is when the Ramblers play because the visitors for the away team don't often come for the high school. When their children get into high school they are more likely to not go to an away game. Ms. Ogren replied that it was her opinion that there is a parking problem and people park illegally. Mayor DelVecchio responded that it will be for a total of four games. Ms. Ogren commented that \$180,000 for four games was a lot to pay. Ms. Pettit asked why this only benefitted the boys. Mayor DelVecchio responded that it didn't it will include band members, cheerleaders, and the field will also be available for other teams, like field hockey to use.

Mayor DelVecchio asked the Clerk for a roll call vote. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Mayor DelVecchio informed the members of the public present that the public hearing is scheduled for March 5, 2018.

**ORDINANCES – SECOND READING.**

*Ordinance Number 01-2018: An Ordinance of the City of Lambertville, in the County of Hunterdon, New Jersey, Providing for Refurbishing and Repair of Heavy Equipment and Vehicles in and for the City, Appropriating \$40,000 Therefor, and Authorizing the Issuance of \$38,000 in General Improvement Bonds or Notes of the City to Finance the Same.*

Mayor DelVecchio read the ordinance into the record by title and informed the members of the public present that this ordinance will fund major upgrades to the public works equipment.

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**ORDINANCE NO. 01-2018**

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**AN ORDINANCE OF THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, PROVIDING FOR REFURBISHING AND REPAIR OF HEAVY EQUIPMENT AND VEHICLES IN AND FOR THE CITY, APPROPRIATING \$40,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$38,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE CITY TO FINANCE THE SAME.**

**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 improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the City of Lambertville, in the County of Hunterdon, New Jersey (the "City") as general improvements. For the improvements or purposes described in Section 3 hereof, there is hereby appropriated the \$40,000, including the sum of \$2,000 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 cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$38,000, 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 is the refurbishment and repair of heavy equipment and vehicles to extend useful life for additional 5+ years, 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 improvements or purposes is \$38,000 authorized herein.

(c) The estimated cost of the improvements or purposes authorized herein is \$40,000.

**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

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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 5.00 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 \$38,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$2,500 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is 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



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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 for Ordinance Number 01-2018 and asked for questions or comments from the public.

Helen Pettit asked if this ordinance was to pay one vender. Mayor DelVecchio responded that it is not for just one vender but multiple vendors dependent on the piece of equipment and what needs to be fixed, and it allows the City to fund major upgrades. Ms. Pettit asked what the bid threshold was. The Mayor responded that the bid threshold is \$17,500.

Mayor DelVecchio asked for a motion to close the public hearing for Ordinance Number 01-2018. Councilwoman Asaro made a motion to close the public hearing for Ordinance Number 01-2018. Councilwoman Warner 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 Ordinance Number 01-2018. Council President Stegman made a motion to adopt on first reading Ordinance Number 01-2018. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

**CORRESPONDENCE.**

DEREK ROSEMAN: Resignation from the Planning Board.

OFFICE OF THE HUNTERDON COUNTY ENGINEER: Municipal Participation in Surface Treatment Program for 2018.

JCP&L: Verified Petition of JCP&L for the Review and Approval of Costs Incurred for Environmental Remediation of Manufactured Gas Plant Sites Pursuant to the Remediation Adjustment Clause of Its Filed Tariff (2016 RAC Filing), BPU Docket No. ER17111191.

HUNTERDON HEALTHCARE: Requesting approval of the Shad Run Race scheduled for Saturday, April 21, 2018, with the request for the closing of Perry Street. The race is set to begin at 8:45 am and will end with an awards ceremony at 10 am.

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Mayor DelVecchio asked for a motion to approve the road closure on Perry Street for the Shad Run, requiring notice to the property owners on Perry Street. Councilman Sanders made a motion to approve the request subject to the notice of property owners. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Mayor DelVecchio asked the Police Director to meet with the employees of Hunterdon Healthcare to review their request.

**UNFINISHED/OLD BUSINESS.**

SUSTAINABLE JERSEY –The City is working on a silver certification.

D&R CANAL PARKING – meeting in March with new DEP team

SWAN CREEK FLOOD GATES– we are in the process of responding to the issues raised in the DEP letter. We will set up a meeting with the new team to talk about follow up.

CLINTON STREET RECONSTRUCTION – the City is waiting on the schedule for Phase II from the City Engineer.

LED STREET LIGHTS – JCP&L will be upgrading the street lights within the next two weeks on Route 179 and North Main Street at no cost to the city. JCP&L installs them.

JCP&L – we received notice that they will be trimming trees. Councilwoman Asaro asked if they could coordinate with the Shade Tree Commission. Mayor DelVecchio commented that the Shade Tree Commission is walking around with the company hired by JCP&L to trim the trees.

PENNEAST PIPELINE – the Committee is meeting tomorrow and they plan to set a date for a new public meeting in Lambertville. Two immediate things – one is rehearing, and two is asking the DEP Commission to roll back wetlands rules to make it tougher for pipeline project.

COAH the City is to meet with Judge Miller on the 28<sup>th</sup>. Goal is to meet obligation on one site.

BUDGET – need to set up a meeting. – MARCH 2, FEB 27 OR 28. The date selected is February 27 at 6:30 p.m. to introduce the budget. The public hearing will be on March 29<sup>th</sup> as long as this affords the city the required 30 days between introduction of the budget and adoption.

NEW ELY FIELD ORDINANCE – the public hearing is scheduled for March 5.

COMMUNIT AGGREGATION: March 15 – community aggregation where we buy power for the entire community.

SHREC: March 20 – auction for third party purchasing for the city through the SHREC. We will buy gas and electric, for LMUA and West Amwell Township, and it will include the electric at the Library and street lights.

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CLINTON STREET PHASE I: The City will either award or reject the bids received at the March 20<sup>th</sup> meeting for Clinton street reconstruction phase 1, York to Delaware

JUSTICE CENTER: The City will either award or reject the bids received at the March 20<sup>th</sup> meeting the planned improvements to the front of the building at the Phillip L. Pittore Justice Center.

CRS COMMITTEE: The Mayor asked Councilwoman Warner for an update. Councilwoman Warner stated that the PIP is a very big documents. She will be better prepared to give an update at the March 20<sup>th</sup> meeting. The Mayor gave the following overview to the members of the public present: This is a rating funded by FEMA, completed by ISO. The City started at a 10, went to an 8 and that meant that anyone purchasing flood insurance saved 10%. Last year we went from an 8 to a 7 and saved residents purchasing flood insurance 15% on their premium. Because that number grows because congress cut back subsidy for it. Elaine, and a bunch of residents are trying to get to a level 6 which would mean a 20% savings. It gets harder as you go down the list. The issue/challenge is getting there without impacting residents, restricting property owners on building repairs. Councilwoman warner will give an update at the March 20<sup>th</sup> meeting.

FENCE AT PUBLIC WORKS: April 15<sup>th</sup> we will have a finished fence at public works.

SUMMER CAMP: Mayor DelVecchio asked the Clerk for an update. The City Clerk stated that the brochures are completed and the city is looking for camp counselors.

MOMUMNET AT MARY SHERIDAN PARK: Mayor DelVecchio informed the members of the public present that the monument at Mary Sheridan Park is scheduled to be cleaned the second week of May.

**NEW BUSINESS.**

**BOARD APPOINTMENTS.**

Environmental Commission – Kelly Kappler: Mayor DelVecchio nominated Kelly Kappler to fill an unexpired term on the Environmental Commission. Councilwoman Asaro made a motion to confirm Mayor DelVecchio’s nomination. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

**ANNOUNCEMENTS.**

DOG & CAT LICENSES are due by February 28, 2018 to avoid the \$25 late fee.

LANDLORD REGISTRATIONS are due by April 1, 2018 to avoid the \$50 late fee.

PARKING PERMITS for metered parking expired on December 31, 2017. The fee is \$45 and you must bring your driver’s license and registration for the application.

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JUSTICE CENTER PARKING: Currently space numbers 16, 18 and 22 are available for lease at the Justice Center. The fee is \$55 per month. Call Shelley at 609-397-0110 for additional information.

FEBRUARY OFFICE CLOSURES: All City Offices will be closed on the February 19, 2018 for Washington's Birthday. The Third Can Recycling will be picked up on Tuesday, February 20.

**PUBLICPARTICIPATION/PETITION OF CITIZENS AND PUBLIC DISCUSSION.**

Helen Pettit thanked the Mayor for sending Public Works out to Clinton and Buttonwood Streets to investigate the sink hole.

Lori Howell was present to discuss the closing of the Lambertville Public School. She asked for input on how best to organize the campaign.

Mayor DelVecchio responded that they should ask people in what ways they can personally support the effort and keep doing what you are doing. Mayor DelVecchio commented that in his opinion, they won't close the school. Apparently there is plan "Y" that we haven't seen yet. You need to have two municipalities' approve the referendum, as well as the majority of all three municipalities vote in an election to approve the referendum. Councilwoman Warner stated that it has to be a on the ballot and voted on in a public election. Mayor DelVecchio asked "if you are going to build a 61,000 square foot building why would you put it in a place with no public water and sewer?" It's hard to second guess the decisions people made 50 years ago but I don't think that was a good location then. But – to me the only thing that passes is doing something for LPS and the West Amwell School. I don't know how else you can get a referendum through.

Lori Howell responded that she is trying to keep momentum going. She asked if there were any permissions required to put up signs and if anyone had suggestions for wording on signs that would work? Council President Stegman asked "social media isn't working?" Ms. Howell responded that she used it but social media turned negative and there are a lot of people not on social media. They are currently using private email.

Mayor DelVecchio commented that the most important thing is the election of the board members. Discussion ensued.

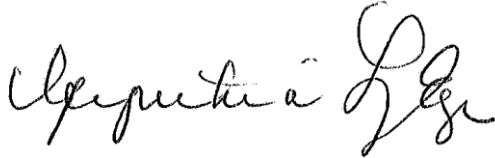
Council President will pursue an easy "quick way" to find links of other organizations on our website.

**ADJOURNMENT.**

The meeting adjourned at 7:46 p.m. with a motion made by Councilwoman Asaro and seconded by Council President Stegman. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

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Respectfully submitted,



Cynthia L. Ege, CMR, RMC, City Clerk



*The February 20, 2018 regularly scheduled session minutes were approved at the March 20, 2018 regularly scheduled session.*