

**City of Lambertville**  
**SPECIAL SESSION OF MAYOR AND COUNCIL**  
**THURSDAY, 7 P.M., MARCH 3, 2011**  
**CITY HALL, 18 YORK STREET, LAMBERTVILLE**  
**MINUTES**

Mayor DelVecchio called the meeting to order at 7 P.M. with a statement of compliance with the Open Public Meeting Act, noticing the Beacon, the Democrat, the Times, the Herald, posted on the bulletin board at City Hall, to the City's website at [www.lambertvillenj.org](http://www.lambertvillenj.org), and sent out to assorted individuals through the email system of the website.

**ROLL CALL.**

*Present:* Councilwoman Asaro, Councilman Sanders (by phone), Councilwoman Warner, Mayor DelVecchio.

*Absent:* Council President Stegman.

**PLEDGE OF ALLEGIANCE.**

The Mayor 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.

**ORDINANCES.**

**INTRODUCTION AND FIRST READING**

**ORDINANCE NUMBER 04-2011: *A Bond Ordinance Providing for Phase II Improvements for the Reconstruction of North Union Street.***

Mayor DelVecchio introduced Ordinance Number 04-2011, a bond ordinance providing for phase II improvements for the reconstruction of North Union Street and read the ordinance by title into the record. He stated that this ordinance was previously introduced at the regularly scheduled session of Mayor and Council on February 22<sup>nd</sup>; however, the amount was lowered to \$400,000 which required it to be re-introduced.

City of Lambertville  
Ordinance 04-2011  
BOND ORDINANCE PROVIDING FOR PHASE II  
IMPROVEMENTS FOR THE RECONSTRUCTION OF NORTH  
UNION STREET IN AND BY THE CITY OF LAMBERTVILLE, IN  
THE COUNTY OF HUNTERDON, NEW JERSEY,  
APPROPRIATING \$400,000 THEREFOR AND AUTHORIZING THE  
ISSUANCE OF \$400,000 BONDS OR NOTES OF THE CITY TO  
FINANCE PART OF THE COST THEREOF.

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(a) of this bond ordinance is hereby authorized to be undertaken by the City of Lambertville, in the County of Hunterdon, New Jersey (the "City") as a general improvement. For the improvement or purpose described in Section 3(a), there is

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hereby appropriated the sum of \$400,000, including a grant in the amount of \$175,000 expected to be received from the New Jersey Department of Transportation (the "State Grant"). No down payment is required pursuant to N.J.S.A. 40A:2-11 (c) as the improvements is being partially funded by the State Grant.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$400,000 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 improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is Phase II of the reconstruction of North Union Street between Arnett Avenue and Buttonwood Street, including all work set forth in the City engineer's funding estimate on file with the office of the Clerk, which is hereby approved and including all work and materials necessary therefore 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 is equal to the amount of the appropriation herein made therefore.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Acting 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 Acting Chief Financial Officer. The Acting Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the Acting 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 the Local Bond Law. The Acting Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time 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 Acting 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 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 City hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the City is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the City may lawfully undertake as a general improvement, 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, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 10 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 \$400,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

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(d) An aggregate amount not exceeding \$100,000 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 purpose or improvement.

Section 7. The City hereby declares the intent of the City to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The Acting Chief Financial Officer of the City is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City and to execute such disclosure document on behalf of the City. The Acting Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the City and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the City are 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 of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Re:                   CITY OF LAMBERTVILLE  
                          \$400,000/\$400,000 BOND ORDINANCE  
                          North Union Street Reconstruction – Phase II

- 11   Certified copy of the Supplemental Debt Statement prepared as of the date of introduction of the ordinance. This should show filing in the Clerk's office as well as in Trenton.
  
- 12   Down Payment Certificate.
  
- 13   Certified copy of the minutes of the meeting of the City Council held on 03/03/2011 showing introduction of the ordinance.
  
- 14   Affidavit of Publication in local newspaper following introduction of the ordinance.
  
- 15   Certified copy of the minutes of the meeting of the City Council held on 03/21/2011 showing public hearing and final adoption of the ordinance.
  
- 16   Affidavit of Publication in local newspaper following final adoption of the ordinance.
  
- 17   Clerk's Certificate executed no sooner than 21 days following final publication of the ordinance.

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**MINUTES**  
**BELOW FOR McMANIMON & SCOTLAND, L.L.C. USE ONLY**

Posted: \_\_/\_\_/\_\_ Useful Life: 40 years

Reviewed By: \_\_\_\_

§20 Costs: \$100,000

Mayor's Approval: 03/21/2011

Amends/Amended By: Ord. # \_\_\_\_\_ F/A: \_\_/\_\_/\_\_

Amendment: \_\_\_\_\_

Supplements/Supplemented By: Ord. # \_\_\_\_\_ F/A: \_\_/\_\_/\_\_

Original Appropriation/Authorization: \$ \_\_\_\_\_/\$ \_\_\_\_\_

Authorization for CFO to Sell Notes:  Yes  No

Resolution Authorizing CFO to Sell Notes: F/A \_\_/\_\_/\_\_

Grant Moneys Expected: N/A

NOTES/BONDS ISSUED HEREUNDER						
AMOUNT	DATE	MATURITY	RATE	PAYDOWN	NEW/ RENEWAL	REMAINING AUTHORIZA TION

Mayor DelVecchio asked the members of the public if they had any question regarding this ordinance. There were no questions from the public. The Mayor asked for a motion to introduce Ordinance 04-2011 to fund the roadway improvements for phase 2 of North Union Street.

Councilwoman Warner made a motion to approve on first reading Ordinance 04-2011. Councilwoman Asaro seconded the motion. An affirmative roll call vote in favor of the motion was taken by all members present. **MOTION CARRIED.**

The public hearing on Ordinance 04-2011 will be held at the regularly scheduled session of Mayor and Council scheduled for Monday, March 21, 2011.

**ORDINANCE NUMBER 05-2011: *A Bond Ordinance Providing for Preliminary Engineering of South Franklin Street drainage.***

Mayor DelVecchio informed the members of the public present that the City has been working with Julio Guridy of the Delaware River Joint Toll Bridge Commission and Bob McGowan of French & Parrello Associates, P.A. to utilized funds from grants that were not expended. The DRJTBC approved the request which will fund the preliminary engineering for the drainage issues for South Franklin Street.

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Sandy Hanna was present and addressed Mayor and Council. She stated she felt it was not right to have the residents of South Franklin Street pay to have the drainage addressed on South Franklin Street. The Mayor explained that the City was the recipient of grant funds for the other construction projects. He stated the City would continue to apply for grant funding. The preliminary engineering will help to define the scope of the project and give the City an idea of what the job will entail.

**City of Lambertville**  
**Ordinance 05-2011**  
**BOND ORDINANCE PROVIDING FOR ENGINEERING SERVICE**  
**RELATED TO THE RECONSTRUCTION OF SOUTH FRANKLIN STREET**  
**WITHIN THE CITY OF LAMBERTVILLE, IN THE COUNTY OF**  
**HUNTERDON, NEW JERSEY, APPROPRIATING \$15,000**  
**THEREFOR AND AUTHORIZING THE ISSUANCE OF**  
**\$15,000 BONDS OR NOTES OF THE CITY TO FINANCE**  
**PART OF THE COST THEREOF.**

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 i) The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the City of Lambertville, in the County of Hunterdon, New Jersey (the "City") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$15,000, including a grant in the amount of \$12,300 expected to be received from the Delaware River Joint Toll Bridge Commission (the "State Grant"). No down payment is required pursuant to N.J.S.A. 40A:2-11 (c) as the improvements is being partially funded by the State Grant.

Section ii) In order to finance the cost of the improvement or purpose, 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 iii) (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is engineering services related to the reconstruction of South Franklin Street within the City, including all work set forth in the City engineer's funding estimate on file with the office of the Clerk, which is hereby approved and including all work and materials necessary therefore 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 is equal to the amount of the appropriation herein made therefore.

Section iv) All bond anticipation notes issued hereunder shall mature at such times as may be determined by the director of finance; 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 director of finance. The director of finance shall determine all matters in connection with notes issued pursuant to this ordinance, and the director of finance'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 the Local Bond Law. The director of finance is hereby authorized to sell part or all of the notes from time to time 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 director of finance 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

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**MINUTES**

pursuant to this 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 v) The City hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the City is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section vi) The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the City may lawfully undertake as a general improvement, 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, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 10 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 \$15,000, 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 purpose or improvement.

Section 7. The City hereby declares the intent of the City to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any moneys received for the purpose described in Section 3 hereof, including any other money received as grants related to the project shall first be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The director of finance of the City is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City and to execute such disclosure document on behalf of the City. The director of finance is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the City and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the City are 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 of rate or amount.

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Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Re: CITY OF LAMBERTVILLE  
 \$15,000/\$14,250 BOND ORDINANCE  
 Engineering for South Franklin Street

- 21 Certified copy of the Supplemental Debt Statement prepared as of the date of introduction of the ordinance. This should show filing in the Clerk's office as well as in Trenton.
- 22 Certificate of Down Payment.
- 23 Certified copy of the minutes of the meeting of the City Council held on 03/03/2011 showing introduction of the ordinance.
- 24 Affidavit of Publication in local newspaper following introduction of the ordinance.
- 25 Certified copy of the minutes of the meeting of the City Council held on 03/21/2011 showing public hearing and final adoption of the ordinance.
- 26 Affidavit of Publication in local newspaper following final adoption of the ordinance.
- 27 Clerk's Certificate executed no sooner than 21 days following final publication of the ordinance.

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**BELOW FOR McMANIMON & SCOTLAND, L.L.C. USE ONLY**

Posted: \_\_/\_\_/\_\_ Useful Life: 10 years

Reviewed By: \_\_\_\_

§20 Costs: \$15,000

Mayor's Approval: 03/21/2011

Amends/Amended By: Ord. # \_\_\_\_\_ F/A: \_\_/\_\_/\_\_

Amendment: \_\_\_\_\_

Supplements/Supplemented By: Ord. # \_\_\_\_\_ F/A: \_\_/\_\_/\_\_

Original Appropriation/Authorization: \$ \_\_\_\_\_/\$ \_\_\_\_\_

Authorization for CFO to Sell Notes:  Yes  No

Resolution Authorizing CFO to Sell Notes: F/A \_\_/\_\_/\_\_

Grant Moneys Expected:

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NOTES/BONDS ISSUED HEREUNDER						
AMOUNT	DATE	MATURITY	RATE	PAYDOWN	NEW/ RENEWAL	REMAININ G AUTHOR- IZATION

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Mayor DelVecchio asked for other comments or questions from the public. Since there were no additional comments, the Mayor asked for a motion.

Councilwoman Asaro made a motion to approve on first reading Ordinance 05-2011 to fund preliminary engineering for the drainage project of South Franklin Street. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. **MOTION CARRIED.**

The public hearing on Ordinance 05-2011 will be held at the regularly scheduled session of Mayor and Council scheduled for Monday, March 21, 2011.

**2011 BUDGET DISCUSSION.**

Mayor DelVecchio informed the members present that in order to be eligible to do the referendum, we need to publish the Notice of Availability of Mail-In Ballots by March 7. This requires the passing of a resolution.

**RESOLUTIONS.**

**RESOLUTION NUMBER 52-2011:** A Resolution Authorizing the Notice of Availability of Mail-in Ballots (N.J.S.A. 19:63-6).

**City of Lambertville**  
**Resolution 52-2011**

*A Resolution Authorizing the Notice of Availability of Mail-In Ballots, N.J.S.A. 19:63-6*

WHEREAS, Mayor and Council of the City of Lambertville hereby authorize the Notice of Availability of Mail-In Ballots for the levy cap referendum in the Type II School Board Election to be held on Wednesday, April 27, 2011 from 7 AM to 9 PM, and

WHEREAS, the display advertisement will be placed in the Monday, March 7, 2011 issue of the Times of Trenton, one of the three official newspapers of the City of Lambertville.

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville in the County of Hunterdon in the State of New Jersey, the Notice of Availability of Mail-In Ballots is here by authorized.

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ADOPTED: March 3, 2011

Sandy Hanna questioned why this would not be published in the Beacon. The Mayor explained that the Times is an official newspaper of the City and that ballots would be mailed.

Councilman Sanders made a motion to adopt Resolution 52-2011 authorizing the Notice of Availability of Mail-in Ballots as per N.J.S.A. 19:63-6. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

**PUBLIC COMMENT.**

Mayor DeVecchio commented to Mrs. Hanna that the City would continue to seek grant funding for the South Franklin Street drainage issue.

**ADJOURNMENT.**

The meeting adjourned at 7:20 p.m. with a motion made by Councilwoman Warner and seconded by Councilwoman Asaro. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Respectfully submitted,

*Cynthia L. Ege*

Cynthia L. Ege

CMR, Acting City Clerk

*The minutes were approved at the regularly scheduled session of Mayor and Council of Monday, March 21, 2011.*