

City of Lambertville
Regularly Scheduled Session of Mayor and Council
Thursday, March 8, 2012, 6:30 PM
Justice Center, 25 South Union Street, Lambertville
MINUTES

The meeting was called to order by Mayor DelVecchio at 6:30 p.m. with a statement of compliance with the Open Public Meetings Act, providing the required notice on Monday, March 5, 2012 to the Beacon, the Democrat, the Times, posting the agenda to the Bulletin Board at City Hall, the website at www.lambertvillenj.org, and noticing various people on the list serve, inclusive of department heads, city attorney and city engineer.

ROLL CALL.

Mrs. Ege called the roll as follows:

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

Absent: None.

PLEDGE OF ALLEGIANCE.

Mayor DelVecchio led the public in the Pledge of Allegiance.

MOMENT OF SILENCE.

Mrs. Ege led the public in a moment of silence in honor of those serving their Country in the United States Armed Services.

ORDINANCES.

ORDINANCE NUMBER 07-2012: *A Bond Ordinance in the Amount of \$101,900 in General Improvement Bonds or Notes to Fund the Purchase of A SUV for the Police Department and a Refurbished Garbage Truck for Public Works.*

Mayor DelVecchio read the ordinance into the record by title. He informed the members of the public present that this ordinance had to be re-introduced due to a technical error. He explained that after a review of the ordinance, it was discovered that the additional items needed for the SUV and refurbished garbage truck were not included in the total. The Bond Attorney said the City would need to redo the ordinance.

City of Lambertville
ORDINANCE NO. 07-2012

AN ORDINANCE OF THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, PROVIDING FOR ACQUISITION OF VEHICLES FOR USE IN AND BY THE CITY, APPROPRIATING \$107,000 THEREFORE, AND AUTHORIZING THE ISSUANCE OF \$101,900 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 sum of \$5,000 as the down payments for the improvements and purposes required by the Local Bond Law. The down payment has been made available by virtue of

C: The Beacon, The Democrat, The Times, The Herald, Department Heads, City Attorney, City Engineer, Various Individuals through the List Serve, the Bulletin Board at City Hall and the City's website at www.lambertvillenj.org.

City of Lambertville
Regularly Scheduled Session
March 8, 2012, 6:30 p.m.
Justice Center, 25 South Union Street, Lambertville
Agenda
Page 2

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 several down payments or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$101,900, 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 the acquisition of (1) a refurbished garbage truck for use by the City's Department of Public Works and (2) a sports utility vehicle for use by the Police Department to be purchased off of the State contract, and 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 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.

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

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

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

(a) The 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 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 \$101,900, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$10,000 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.

City of Lambertville
Regularly Scheduled Session
March 8, 2012, 6:30 p.m.
Justice Center, 25 South Union Street, Lambertville
Agenda
Page 3

(e) The City reasonably expects to commence the 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 other grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

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

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

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

Mayor DelVecchio asked for a motion to introduce Ordinance 07-2012. Council President Stegman made a motion to introduce Ordinance 07-2012. 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 will be held on March 19, 2012.

PROCLAMATIONS.

Mayor DelVecchio asked for a motion to adopt the following Proclamation:

Proclamation

WHEREAS, Russell Robert "Bob" Brown was born in Red Bank, New Jersey and moved to Lambertville when he was five years old, and

WHEREAS, Bob is married to Susan, is the father of Robert and Tiffany, and the grandfather of Skylar, Samantha, and Addison, and

WHEREAS, The Brown's reside at 54 Rosemont Avenue located on Music Mountain in the City of Lambertville, and

WHEREAS, Bob joined the Lambertville Ambulance Association in April of 1962, now known as the Lambertville-New Hope Ambulance and Rescue Squad, and

WHEREAS, Mr. Brown served as the first Chief/Captain of the organization during the 1970's, was a member of the world champion heavy rescue teams of the 1960's, served on various Ambulance Purchasing Committees, assisted in the design of the current rescue boat, and is Past Vice President in Charge of Building and Grounds, and

WHEREAS, Bob was the Chief/Captain during the gas explosion of October 5, 1970 on Church Street in Lambertville, and

City of Lambertville
Regularly Scheduled Session
March 8, 2012, 6:30 p.m.
Justice Center, 25 South Union Street, Lambertville
Agenda
Page 4

WHEREAS, Bob served six years as the President of the Lambertville-New Hope Ambulance and Rescue Squad, and continues to train the membership in the operation of the rescue boat, and

WHEREAS, Mr. Brown was very instrumental in the construction of the building and banquet hall which currently houses the Lambertville-New Hope Ambulance and Rescue Squad located at 72 Alexander Avenue.

WHEREAS, The Lambertville-New Hope Ambulance and Rescue Squad will be celebrating Mr. Brown's fifty years of service at their annual banquet which will be celebrated on March 17, 2012.

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, that Russell Robert Brown is hereby acknowledged, appreciated and celebrated this 17th day of March, 2012.

BE IT FURTHER RESOLVED that March 17, 2012 is hereby declared as Bob Brown day in the City of Lambertville, in the County of Hunterdon, in the State of New Jersey.

ADOPTED: March 8, 2012

David M. DelVecchio, Mayor

Council President Stegman made a motion to adopt the Proclamation honoring R. Robert Brown's fifty years of service with the Lambertville-New Hope Ambulance and Rescue Squad. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

ORDINANCE NUMBER 09-2012: 2012 CAP Bank Ordinance in the Amount of \$32,604.18. A CAP Bank Ordinance is adopted when the budget is less than the Cost of Living Adjustment, which is defined as the annual percentage increase in the Implicit Price Deflator for State and Local government purchases of goods and services for the year preceding the current year. If the index rate is less than two and one-half percent, an ordinance may be adopted to increase the final appropriates by a percentage rate greater than the index rate, but not to exceed three and one-half percent over the previous year's final appropriations.

Mayor DelVecchio informed the members of the public present that this ordinance is to establish a CAP Bank for 2012. A CAP Bank is introduced and adopted upon first reading when the increase in appropriations (purchase of goods and services) in the budget from the prior year (2011) is less than the Cost of Living Adjustment. The municipality may bank the unused funds for use in the next two consecutive budgets.

City of Lambertville
Ordinance Number 09-2012
Calendar Year 2012
Ordinance to Establish a CAP Bank

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et.seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said final budget appropriations to 2.5% or the cost of living adjustment of 3.5% over the previous year's final appropriations; and,

WHEREAS, a municipality may, by ordinance, bank the difference between its final budget appropriations and the 3.5% cost of living adjustment when said difference is not appropriated as part of the final budget; and,

City of Lambertville
Regularly Scheduled Session
March 8, 2012, 6:30 p.m.
Justice Center, 25 South Union Street, Lambertville
Agenda
Page 5

WHEREAS, the City Council of the City of Lambertville, County of Hunterdon, hereby determines that this difference in the amount of \$32,604.18 that is not appropriated as part of the final budget shall be retained as an exception to the final appropriations in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to the final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

INTRODUCED: March 8, 2012

ROLL CALL VOTE:

Ayes:

Nays:

Abstain:

Absent:

ADOPTED: April 16, 2012

ROLL CALL VOTE:

Ayes:

Nays:

Abstain:

Absent:

Council President Stegman made a motion to introduce Ordinance Number 09-2012, establishing a CAP Bank for 2012. Councilwoman Warner 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 09-2012, establishing a CAP Bank will be held at the April 9, 2012 special session.

RESOLUTIONS.

RESOLUTION NUMBER 65-2012: A Resolution to Introduce the Budget for the 2012 Calendar Year.

Mayor DelVecchio informed the members of the public present that the 2012 budget will increase taxes by \$6 for a property with the average assessment of \$356,451, and will provide for the following: 2% increase for nonunion employees, fund the weekly recycling program, provide maintenance to City Buildings, purchase of a SUV for the police department and a refurbished garbage truck for the Public Works Department.

He further commented that the City of Lambertville has entered into two inter-local agreements; Frenchtown for construction services, West Amwell, East Amwell and Delaware Township for Animal Control Services; reduction in electricity through an energy grant which updated the HVAC system at the Justice Center and lighting at all City owned property and through SHREC will be participating in an online auction of electricity (LMUA, West Amwell and the City of Lambertville with consideration from the schools to join when their contracts are up).

City of Lambertville
Regularly Scheduled Session
March 8, 2012, 6:30 p.m.
Justice Center, 25 South Union Street, Lambertville
Agenda
Page 6

Mayor DelVecchio said this year the City will pay down \$130,757 more debt than in 2011, pay for \$51,642 from the emergency storms (Hurricane Irene, Tropical Storm Lee and the Nor'easter of October 29).

Mayor DelVecchio informed the members of the public present that the assessed property values are down \$1.3 million dollars from 2011. The number of employees has decreased and we are down one police officer, one public works employee, part time employee in the clerk's office, and a part time employee in the court.

The 2012 proposed budget represents an increase of .14%. The 2012 Tax Rate is .308 and the 2011 tax rate was .306.

The new weekly recycling program has generated 27 tons in recycling, which means less is going to the landfill. In 2011, we budgeted \$160,000 and spent \$169,000.

Mayor DelVecchio opened up the meeting for questions from the public.

Council President Stegman asked about the recycling program numbers. Mayor DelVecchio stated that in January and February of 2011, we had 13 tons of recycling. In January and February of 2012, we had 27 tons of recycling. Councilman Sanders asked how much more are we collecting in revenue for recycling. Mayor DelVecchio said it was too new to know because the rate fluctuates.

Sheet 4 of the budget was discussed and reviewed. Mayor DelVecchio informed the members of the public that the City has \$1.3 million outstanding in grants.

There being no further questions or comments from the public, Mayor DelVecchio asked for a motion to introduce the budget.

City of Lambertville
Resolution Number 65-2012
A Resolution to Introduce the 2012 Calendar Year Budget

WHEREAS, the City of Lambertville held a special session on Thursday, March 8, 2012, for the purpose of introducing the 2012 CAP Bank Ordinance and the 2012 Calendar Year Budget, and

WHEREAS, the City Clerk noticed the papers of the special session on Monday, March 5, 2012, and

WHEREAS, the following is a list of Mayor and Council Members with their respective term expiration dates: David M. DelVecchio – Mayor, Term Ends 12-31-2012, Beth Asaro – Councilwoman, Term Ends 12-31-2014, Wardell Sanders – Councilman, Term Ends 12-31-2013, Steven M. Stegman – Council President, Term Ends 12-31-2013, Elaine Warner – Councilwoman, Term Ends 12-31-2014, and

WHEREAS, Cynthia L. Ege, Certificate Number C-1629 is the Registered Municipal Clerk, Diane Sherry Buono, Certificate Number N-0880 is the Chief Financial Officer of the City of Lambertville, Bonnie J. Eick is the Certified Tax Collector, Certificate Number T-1232, and Robert B. Cagnassola is the Registered Municipal Accountant, Certificate Number 50 and Phillip J. Faherty, III is the Municipal Attorney, and

WHEREAS, the publication of the summary of the 2012 Budget will be placed in the legal section of the March 22, 2012 edition of the Beacon, and

WHEREAS, the public hearing on the final adoption of the budget will be held on Monday, April 9, 2012, and

City of Lambertville
Regularly Scheduled Session
March 8, 2012, 6:30 p.m.
Justice Center, 25 South Union Street, Lambertville
Agenda
Page 7

WHEREAS, copies of this resolution along with three certified copies of the 2012 budget and the required attachments will be forwarded to the Director, Division of Local Government Services on Friday, March 9, 2012, and

WHEREAS, a full copy of the introduced budget will be posted to the City's website at www.lambertvillenj.org, a copy will be sent to the Free and Public Library, and a copy will be made available for public inspection at City Hall during the hours from 9 am to 4:30 pm, Monday through Friday, excluding holidays.

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, that the 2012 Calendar Year is hereby introduced with a motion made by Council President Stegman and seconded by Councilwoman Warner.

Adopted: March 8, 2012

Mayor DelVecchio asked for a motion to introduce the 2012 calendar year budget. Council President Stegman made a motion to introduce the 2012 calendar year budget. 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 to adopt the budget will be held on Monday, April 9, 2012.

CLOSED SESSION.

Mayor DelVecchio informed the members of the public present that the Council needed to go into closed session. He asked for a motion to adopt the resolution to go into closed session to discuss personnel, contracts, acquisition of property, and possible litigation.

"Authorizing a Closed Session at the March 8, 2012 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 March 8, 2012, in the Justice Center 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.

The resolution was adopted on a call of ayes and nays as follows:

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

Nays: None.

Mayor DelVecchio and City Council convened in closed session at 6:52 p.m.

Mayor DelVecchio and City Council re-convened in regular session at 7:15 p.m.

City of Lambertville
Regularly Scheduled Session
March 8, 2012, 6:30 p.m.
Justice Center, 25 South Union Street, Lambertville
Agenda
Page 8

Councilwoman Asaro made a motion to go back into the closed session. Councilwoman Warner seconded the motion. The following resolution was adopted on a voice vote of ayes from all members present. MOTION CARRIED.

“Authorizing a Closed Session at the March 8, 2012 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 March 8, 2012, in the Justice Center 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.

The resolution was adopted on a call of ayes and nays as follows:

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

Nays: None.

Mayor DeVecchio and City Council convened in closed session at 7:15 p.m.

Mayor DeVecchio and City Council re-convened in regular session at 7:32 p.m.

ANNOUNCEMENTS.

DOG AND CAT LICENSES are past due. All registrations received after February 29th will incur an additional \$25 late fee.

LANDLORD REGISTRATION is due April 1, 2012. All registrations received after April 1, 2012 will incur an additional \$50 late fee.

PUBLIC PARTICIPATION/PETITIONS OF CITIZENS AND PUBLIC DISCUSSION.

NONE.

ADJOURNMENT.

Council President Stegman made a motion to adjourn at 7:32 p.m. Councilwoman Warner seconded the motion. An affirmative voice call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Respectfully submitted,

City of Lambertville
Regularly Scheduled Session
March 8, 2012, 6:30 p.m.
Justice Center, 25 South Union Street, Lambertville
Agenda
Page 9

Cynthia L. Ege

Cynthia L. Ege
CMR, RMC, City Clerk

Approved at the regularly scheduled session of March 19, 2012.