



City of Lambertville
Regularly Scheduled Council Meeting
May 3, 2022, 7:00 P.M.
Phillip L. Pittore Justice Center, 25 South Union
Street, Lambertville
AGENDA

- I. STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT
The meeting agenda provides for all action items known at the time of publication and is subject to change.
- II. ROLL CALL
Councilwoman Lambert, Councilman Sanders, Councilman Stegman, Council President Taylor, Mayor Nowick
- III. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE
- IV. RESOLUTIONS
 - a. RESOLUTION NUMBER 81-2022: *A Resolution to Amend the Temporary Budget.*

RESOLUTION NUMBER 81-2022

A Resolution to Amend the Temporary Budget

WHEREAS, N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2022 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided, and

WHEREAS, said temporary appropriations are limited to 26.25% of the total appropriations in the 2021 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvements and public assistance, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lambertville, in the County of Hunterdon, State of New Jersey, that the following appropriations be made and a certified copy of this resolution be transmitted to the Chief Financial Officer for his records:

Current Fund

Capital Improvement Fund: \$71,127.76

ADOPTED: May 3, 2022

- V. ORDINANCES – FIRST READING AND INTRODUCTION
 - a. ORDINANCE NUMBER XX-2022: A CAP Bank Ordinance
Delayed to May 19, 2022 session.
- VI. ORDINANCES – SECOND READING AND PUBLIC HEARING

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- a. ORDINANCE NUMBER 06-2022: A Bond Ordinance Introduced March 17, 2022, Amended April 21, 2022 with the public hearing scheduled for May 3, 2022.

AS AMENDED ON APRIL 21, 2022

ORDINANCE NUMBER 06-2022

BOND ORDINANCE PROVIDING FOR WATERSHED PROTECTION IMPROVEMENTS IN THE AREA OF SWAN CREEK AND ELY STREET (UPPER YORK STREET) IN AND BY THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$1,921,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$476,189 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 hereby appropriated the sum of \$1,921,000, including a grant in the amount of \$1,434,675 received from the United States Department of Agriculture (the "USDA Grant") and also including the sum of \$23,811 as the down payment required by the Local Bond Law. The down payment is now 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 and in anticipation of receipt of the USDA Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$476,189 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 various watershed protection improvements in the area of Swan Creek and Ely Creek (Upper York Street) in the City, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation 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 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 bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation 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

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determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation 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 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 bond anticipation 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 bond anticipation 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 bond 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 benefitted 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 bond ordinance, is 40 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 \$476,189, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$182,000 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 the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of

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obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The 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 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 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.

- VII. 2022 BUDGET DISCUSSION – *Delayed to the May 19, 2022 Session*
- VIII. INTRODUCTION OF THE 2022 BUDGET – *Delayed to the May 19, 2022 Session*
- IX. DISCUSSION ITEMS
 - a. Electric Charging Stations – Liz Magill Peer
 - b. Boards And Commissions
 - i. Shade Tree Commission
 - ii. Zoning Board of Adjustment
 - c. Newspaper Boxes
 - d. Proposed Ordinances
 - i. Meter Fees
 - 1. Current Fee is: \$1.25 per hour
 - 2. Proposed Change is: \$2.00 per hour
 - 3. Parkmobile:
 - a. \$2.00 per hour for the first four hours
 - b. \$4.00 per hour for every hour thereafter
 - ii. Food License Fees

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1. Temporary Food License
 - a. Current Fee is as follows:
 - i. One to three days: \$95.00
 - ii. Four or more days: \$145.00
 - b. Proposed Change to: \$100.00
2. Annual Food License
 - a. No preparation On site
 - i. Current Fee is: \$125.00
 - ii. Proposed Change to: \$150.00
 - b. Food preparation
 - i. Current Fee is: \$250.00
 - ii. Proposed Change to: \$350.00
 - c. Late Fee
 - i. Current Fee is: \$50.00
 - ii. Proposed Change to: \$75.00
3. County Inspection Fees
 - a. Temporary
 - b. Annual \$200 per inspection
 - c. Nonprofits don't pay a fee
- iii. Amendment for the fees for Use of Public Property – waiting for proposal from Parks and Recreation Commission.
 - a. Parks
 - i. Resident Fee
 - ii. Nonresident Fee
 - b. Buildings
 - i. Resident Fee
 - ii. HOA Fee
 - c. Event Fee – Special Event Ordinance

X. PUBLIC PARTICIPATION

- XI. CLOSED SESSION: Closed Session of the Governing Body of the May 3, 2022 Lambertville City Council Meeting to discuss Issues related to Potential Contracts pursuant to N.J.S.A. 10:4-12(b)(7).

XII. ADJOURNMENT