



**CITY OF LAMBERTVILLE
SPECIAL SESSION
MAYOR AND COUNCIL
MAY 2, 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 DelVecchio called the meeting to order at 6:31 p.m. and read a statement of compliance with the Open Public Meetings Act into the record, noting that the newspaper was noticed on Friday, April 27, 2018, individuals on the list serve, department heads, the City Attorney and City Engineer noticed on Friday, April 27, 2018 via email.

ROLL CALL.

The City Clerk 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.

The City Clerk led the public in a moment of silence in honor of those serving in the United States Armed Forces.

ORDINANCES – INTRODUCTION AND FIRST READING.

ORDINANCE NUMBER 10-2018: An Ordinance to Amend the Lambertville City Code, Chapter 3, Municipal Officers; Procedures, Article IV: Boards and Commissions, Section 3-16.1 Members; Appointment, to Add Two Additional Members to the Commission.

Mayor DelVecchio read the ordinance into the record by title. He informed the members of the public present that this ordinance is being amended at the request of the Shade Tree Commission, and it expands the commission from a five (5) member board to a seven (7) member board.

ORDINANCE NUMBER 10-2018

An Ordinance to Amend the Lambertville City Code, Chapter 3, Municipal Officers; Procedures, Article IV: Boards and Commissions, Section 3-16.1 Members; Appointment, to Add Two Additional Members to the Commission.

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 Lambertville City Code, Chapter 3,

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Municipal Officers; Procedures, Article IV: Boards and Commissions, Section 3-16.1 is here by amended as follows:

This ordinance creates two additional positions on the Shade Tree Commission, changing the board from a five member to a seven member board. For the first year of the appointment, the first position shall be for five years, expiring on 12/31/2023 and the second position shall be for a four year appointment, expiring on 12/31/2022.

3-16.1 Members; Appointment.

The Mayor is hereby authorized to appoint seven (7) persons to act and be known as the Shade Tree Commission for the City of Lambertville. In the event of a vacancy, the appointment shall be for the unexpired term. All appointments, except to fill vacancies, shall take effect on January 1 and shall before five (5) YEARS. (1990 Code § 3-16.2).

INTRODUCTION AND FIRST READING: May 2, 2018

SECOND READING AND PUBLIC HEARING: May 15, 2018

Mayor DelVecchio asked for questions or comments from the public. There being no questions or comments, Mayor DelVecchio asked for a motion to introduce on first reading Ordinance Number 10-2018. Councilman Sanders made a motion to introduce on first reading Ordinance Number 10-2018, expanding the membership of the Shade Tree Commission to a seven member board. Council President Stegman seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

The public hearing is scheduled for May 15.

ORDINANCE NUMBER 09-2018: BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$70,000 FOR THE PROFESSIONAL AND CONSULTING FEES RELATED TO THE CITY'S COAH STATUS AND FAIR SHARE HOUSING OBLIGATIONS IN AND BY THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$66,500 BONDS OR NOTES OF THE CITY FOR FINANCING PART OF THE APPROPRIATION.

Mayor DelVecchio read the ordinance into the record by title. He informed the members of the public that this ordinance will supplement funds to provide for the professional services associated with the COAH Status with Fair Share.

ORDINANCE NUMBER 09-2018

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$70,000 FOR THE PROFESSIONAL AND CONSULTING FEES RELATED TO THE

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CITY'S COAH STATUS AND FAIR SHARE HOUSING OBLIGATIONS IN AND BY THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$66,500 BONDS OR NOTES OF THE CITY FOR FINANCING PART OF THE APPROPRIATION.

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 of this bond ordinance has heretofore been authorized to be undertaken by the City of Lambertville, New Jersey as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the supplemental amount of \$70,000 including the sum of \$2,000 as the down payment for the improvements and purposes required by the Local Bond Law. Such appropriation being in addition to the \$40,000 appropriated thereby by Bond Ordinance 28-2016, finally adopted November 21, 2016; the \$40,000 appropriated thereby by Bond Ordinance 23-2016, finally adopted July 19, 2016; the \$35,000 appropriated therefore by Bond Ordinance 02-2016, finally adopted January 28, 2016; the \$30,000 appropriated therefore by Ordinance 14-2015 of the City finally adopted July 21, 2015 and the \$40,000 appropriated therefore by Ordinance 10-2017, finally adopted March 21, 2017 (together, the "Prior Ordinances").

Section 2. In order to finance the additional cost of the improvement or purpose not covered by application of the additional down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$66,500 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 providing for the fees for legal, planning and consulting services related to the City's planning and legal strategies necessary to confirm the City's compliance with its constitutional obligation to provide appropriate levels of affordable housing under the State of New Jersey's Mount Laurel court decisions, including but not limited to filing certain legal papers, participating in certain legal proceedings, updating the City's Master Plan through a statutory process and undertaking redevelopment activities to implement such planning and legal strategies to create affordable housing units, and including expenses incurred in the planning, design and bidding such services, 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 improvement or purpose is \$247,000, including the \$180,500 bonds or notes authorized by the Prior Ordinances and the \$66,500 bonds or notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$255,000, including the \$185,000 appropriated by the Prior Ordinances and the \$70,000 appropriated herein.

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 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 \$66,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$255,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20, consisting of \$185,000 appropriated for such purposes in the Prior Ordinances and the \$70,000 appropriated herein, are 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.

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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 on first reading Ordinance Number 09-2018. Councilman Sanders made a motion to introduce on first reading Ordinance Number 09-2018. Councilwoman Asaro 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 May 15, 2018.

CLOSED SESSION.

RESOLUTION

“Authorizing a Closed Session at the May 2, 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 May 2, 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:

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Mayor DelVecchio and City Council convened in closed session at 6:43 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.

Mayor DelVecchio and City Council re-convened in regular session at 6:53 p.m. with a motion made by Councilman Sanders and seconded by Council President Stegman. An affirmative voice/roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

RESOLUTIONS.

Resolution Number 78-2018: A Resolution of the City of Lambertville, County of Hunterdon, Directing the City Planning Board to Conduct A Preliminary Investigation to Determine Whether Block 1073, Lots 1,3,5,6,7,8,9,10,11,32,33 and 33.01, Block 1090, Lots 4 and 5, Block 1091, Lots 1 and 1.01 or Any Part Thereof is an Area In Need of Redevelopment As Defined in N.J.S.A. 40A:12-6, With the Power of Eminent Domain.

Mayor DelVecchio read the resolution by title into the record. He informed the members of the public present that this resolution will direct the Planning Board to conduct a preliminary investigation to determine whether Block 1073, Lots 1, 3, 5, 6, 7, 8, 9, 10, 11, 32, 33 and 33.01, Block 1090, Lots 4 and 5, and Block 1091, Lots 1 and 1.01 and any part thereof is an area in need of redevelopment. Mayor DelVecchio explained the differences between this resolution and the once adopted in 2015 and it includes: block 1073, lot 5 was added to this resolution, however block 1073, lot 4 owned by Geoffrey & Heather Towle was not. Mr. Towle was present and Mayor DelVecchio asked him if he had any questions. Mr. Towle commented that he did not and was just here for informational purposes. Mayor DelVecchio informed Mr. Towle that he was available any time he wanted to talk. Mr. Towle asked how many affordable houses/units were in the plan. The Mayor responded that the City doesn't know yet.

**CITY OF LAMBERTVILLE
RESOLUTION NUMBER 78-2018**

A RESOLUTION OF THE CITY OF LAMBERTVILLE, COUNTY OF HUNTERDON, DIRECTING THE CITY PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER BLOCK 1073, LOTS 1, 3, 5, 6, 7, 8, 9, 10, 11, 32, 33 AND 33.01, BLOCK 1090, LOTS 4 AND 5, AND BLOCK 1091, LOTS 1 AND 1.01 OR ANY PART THEREOF IS AN AREA IN NEED OF REDEVELOPMENT AS DEFINED IN N.J.S.A. 40A:12-6, WITH THE POWER OF EMINENT DOMAIN

WHEREAS, the governing body of the City of Lambertville seeks to undertake a redevelopment effort within the City; and

WHEREAS, N.J.S.A. 40A:12A-6 authorizes the governing body of any municipality, by Resolution, to have its Planning Board conduct a preliminary investigation to determine whether any area of the municipality is a redevelopment area pursuant to the criteria contained in N.J.S.A. 40A:12A-5; and

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WHEREAS, the City Council of the City of Lambertville considers it to be in the best interest of the City to have the City's Planning Board conduct such an investigation regarding **BLOCK 1073, LOTS 1, 3, 5, 6, 7, 8, 9, 10, 11, 32, 33 AND 33.01, BLOCK 1090, LOTS 4 AND 5, AND BLOCK 1091, LOTS 1 AND 1.01** which parcels are currently in private ownership, as described and delineated on the official Tax Map of the City of Lambertville; and

WHEREAS, such preliminary investigation will be designed to evaluate such area to determine whether designation of these properties as an "area in need of redevelopment" is in conformance with statutory criteria and the City's efforts toward redevelopment, pursuant to the Master Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lambertville, County of Hunterdon, that:

1. The Planning Board of the City of Lambertville is hereby directed to conduct a preliminary investigation to determine whether the aforementioned parcels are an area in need of redevelopment according to the criterion set forth in N.J.S.A. 40A:12A-5;

2. The Planning Board of the City of Lambertville is hereby directed to study the aforementioned parcels, to develop a map showing the boundaries of the proposed redevelopment area, to provide public notice and conduct public hearings pursuant to N.J.S.A. 40A:12A-6 and to draft a report/Resolution containing its findings;

3. Pursuant to N.J.S.A. 40A:12A-6 the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area including the power of eminent domain ("Condemnation Redevelopment Area") as to all property within the redevelopment area;

4. The results of such preliminary investigation shall be submitted to the City Council for review and approval in accordance with the provisions of the New Jersey Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

ADOPTED at a meeting of the City Council of the City of Lambertville, Hunterdon County, on May 2, 2018;

CITY OF LAMBERTVILLE

DAVID M. DELVECCHIO
MAYOR

ATTEST:

CYNTHIA L. EGE, CMR, RMC

Mayor DelVecchio asked for public comment. There being no additional public comments, Mayor DelVecchio asked for a motion to adopt the resolution authorizing the planning board to conduct a preliminary investigation to determine whether block 1073, lots 1, 3, 5, 6, 7, 8, 9, 10, 11, 33 and 33.01, block 1090, lots 4 and 5, and block 1091, lots 1 and 1.01 or any part thereof is an area in need of redevelopment as defined in N.J.S.A. 40a:12-6, with the power of eminent domain. Council President Stegman made a motion to adopt the resolution and Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

CORRESPONDENCE.

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ANNOUNCEMENTS.

PUBLIC PARTICIPATION/PETITION OF CITIZENS AND PUBLIC DISCUSSION.

None.

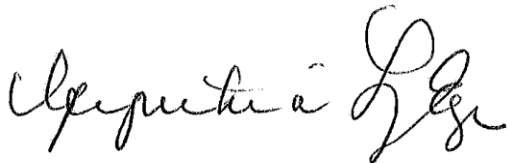
APPROVAL OF THE BILLS LIST.

Mayor DeVecchio asked for a motion to approve the Bills List. Council President Stegman made a motion to approve the Bills List. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

ADJOURNMENT.

The meeting adjourned at 6:55 p.m. with a motion made by Council President Stegman 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
CMR, RMC, City Clerk



The May 2, 2018 Special Session Minutes were approved at the regularly scheduled session of the Governing Body held on Tuesday, May 15, 2018.