



**CITY OF LAMBERTVILLE  
SPECIAL SESSION  
MAYOR AND COUNCIL  
MAY 22, 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 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 Hunterdon County Democrat and the Trenton Times; individuals on the list serve; posting of the meeting agenda on the city's website, the bulletin board at City Hall; and department heads.

**ROLL CALL.**

Present: Councilwoman Asaro (by phone), Councilman Sanders, Councilwoman Warner  
Council President Stegman and 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 honoring those serving in the United States Armed Forces in the United States and abroad.

**COAH SETTLEMENT.**

Mayor DelVecchio informed the members of the public present that this meeting is to adopt a resolution authorizing the Mayor, Attorney and City Clerk to execute the agreement with the Fair Share Housing Center and the City on affordable housing units. The Mayor commented that this is our moral and legal obligation and after tonight, the City will control our own destiny. Mayor DelVecchio introduced the following people: Brian Shotts, COAH Attorney; Emily Goldman, City Planner; and Timothy Korzun, Planning Board Attorney.

The Mayor commented that the city will obtain the old high school property through eminent domain and plans to build 139 units with 50 affordable units (28 affordable units, 22 bonus units). The development will contain two separate buildings with market rate town homes, market rate rentals and affordable housing rentals. The Mayor would like to also make some of the town houses affordable housing units for purchase, which would increase the number of affordable housing units. He asked the City Planner to work on finding funding avenues, possibly HMFA, available for buyers of the affordable housing units.

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Mayor DelVecchio commented that this action accomplishes two things: 1: Commits the City to the obligation of building affordable housing; and 2: Commits the City to the creation of an overlay ordinance and a mandatory set aside

The City Planner, Emily Goldman, explained that the vacant land analysis will commit the city to require all builders of five units or more to dedicate a percentage to affordable housing.

Mayor DelVecchio reviewed the aggressive schedule with the members of the public present:

- May 22 - Governing Body approves Fair Share settlement.
- May 25 - first notice published in newspaper.
- May 31 - second notice published in newspaper.
- June 11 - Planning Board conducts public hearing to determine whether area qualifies as AINR and adopts resolution with recommendation to Governing Body.
- June 19 - Governing Body adopts resolution approving AINR and adopts resolution directing Professionals to begin work on Redevelopment Plan.
- Jun/July - Judge Miller holds fairness hearing.
- October 16 - Governing Body introduces ordinance to adopt Redevelopment Plan; Affordable Housing Ordinance and Overlay Zoning Ordinance.
- November 7 - Planning Board concurs on the following: Redevelopment Plan; Affordable Housing Ordinance and Overlay Zoning Ordinance. Planning Board also approves Housing Element of Master Plan.
- November 20 - Governing Body approves the following ordinances: Redevelopment Plan; Affordable Housing and Overlay Zoning. Authority is given to hire appraiser.
- December/January - Judge Miller holds final compliance hearing.
- January 15 - Governing Body introduces funding ordinance for condemnation.
- February 19 - Governing Body approves funding ordinance.
- BD - Governing Body approves Declaration of Taking.

The City Planner commented that the city had 120 days to adopt the ordinances from the date of the Court approval.

Mayor DelVecchio commented that the City has 8 Habitat for Humanity Homes, and about 70 homeowner rehabs that currently count towards our obligation. Emily Goldman commented that the city was a receiving municipality with credits from Little Haven, 4 Habitat for Humanity Houses, 37 units at Heritage Village, the Lilly Street Apartment, and new projects.

The COAH Attorney, Brian Shotts, commented that the fourth round obligation won't be until 2025/2035 and future obligations should be minor.

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The Planning Board Attorney, Tim Korzun, stated that this action has been one of the Mayor's focuses since he took office and it puts the city in control with defining the development of the old high school property.

The City Planner, Emily Goldman, commented that this is the first round with new development and she commended the Mayor for a great job.

Mayor DelVecchio commended the professionals for their time and commitment to seeing this project through. He explained that they all sat in on the negotiations with the Court Appointed Mediator. At one point, the Mayor informed Judge Miller that he felt the City would be better off with eminent domain. The Judge commented that it would make it easier.

**CITY OF LAMBERTVILLE**

**RESOLUTION NO. 86-2018**

**A RESOLUTION OF THE CITY OF LAMBERTVILLE AUTHORIZING THE MAYOR OF LAMBERTVILLE TO EXECUTE THE SETTLEMENT AGREEMENT BY AND BETWEEN THE CITY OF LAMBERTVILLE AND FAIR SHARE HOUSING CENTER**

**WHEREAS**, the City Council of the City of Lambertville filed a declaratory judgement action on July 8, 2015, pursuant to the Supreme Court of New Jersey's decision in In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) ("Mount Laurel IV"), seeking a judgement of compliance and repose with the City's compliance with providing a reasonable opportunity for the creation of the City's fair share of the low- and moderate-income affordable housing need; and

**WHEREAS**, the City of Lambertville and the Fair Share Housing Center ("FSHC") have reached an agreement regarding the City's Mount Laurel compliance;

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Lambertville, as follows:

1. The City Council of the City of Lambertville hereby authorizes the Mayor of Lambertville to execute the Settlement Agreement by and between the City of Lambertville and FSHC.
2. This Resolution shall take effect immediately.

CITY OF LAMBERTVILLE

\_\_\_\_\_  
Mayor David DelVecchio

ATTEST:

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Mayor DelVecchio asked for a motion to adopt the resolution authorizing the Mayor to execute the agreement with Fair Share Housing Center. Councilwoman Warner made a motion to adopt the resolution. Council President Stegman seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present and on the phone. MOTION CARRIED.

**ORDINANCE.**

*Ordinance Number 11-2018: An Ordinance of the City of Lambertville in the County of Hunterdon, New Jersey, Providing for the Acquisition and Installation of Fencing for Ely Park within the City, Appropriating \$410,000 Therefore, and Authorizing the Issuance of \$389,500 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 the continuation of the fence started by Jim Hamilton and the Friends of Ely Park at Ely Park. He stated that he felt the fence should be an obligation of the city to finish while the fountain, murals and benches should be the obligation of the Friends of Ely Park. He asked the City Architect, Michael Burns, to review the project with the members of the public present.

Michael Burns, City Architect, commented that this will fund the replacement of the chain link fence that is currently at Ely Park. There are sections of the new fencing that were funded through Friends of Ely Park and they contain brick pillars with 20 feet of black aluminum fencing beginning at the snack shack and running north to Jefferson Street. This does not include the murals and the seating which can be added at a later date. The brick pillars will contain lights at the base, like what is presently there and they plan to add electrical outlets to power the gates for the ramblers.

Mayor DelVecchio asked for questions or comments.

Councilman Sanders asked about the entrance by Jefferson Street if it would be gated. Mr. Burns commented that it would not have a gate, rather an opening providing access by the Jefferson Street entrance. Mayor DelVecchio commented that this is where the fountain was originally placed on the plans. The fountain will be moved by the gazebo; a place in the park that has more activity.

The City Planner, Emily Goldman, asked if you would be able to see through the fencing. Mr. Burns indicated that you would be able to see through it, like what was started by the Delaware Avenue side.

**ORDINANCE 11-2018**

**AN ORDINANCE OF THE CITY OF LAMBERTVILLE,  
IN THE COUNTY OF HUNTERDON, NEW JERSEY,  
PROVIDING FOR THE ACQUISITION AND  
INSTALLATION OF FENCING FOR ELY PARK  
WITHIN THE CITY, APPROPRIATING \$410,000  
THEREFOR, AND AUTHORIZING THE ISSUANCE OF  
\$389,500 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 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 \$410,000, including the sum of \$20,500 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 \$389,500, 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 purpose for which the bonds or notes are to be issued is the acquisition and installation of fencing for Ely Park, North Main Street, Lambertville, New Jersey, as set forth in an estimate by Michael Burns, RA, dated May 18, 2018 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 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

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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 period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, is 15 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 \$389,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$75,000 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

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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 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 Number 11-2018 to fund the fence at Ely Park. Councilman Sanders made a motion to introduce on first reading Ordinance Number 11-2018. Council President Stegman 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 June 19, 2018.

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

Michael Burns, the City Architect, informed the members of the public present that the Archeological Study at City Hall is scheduled to start on Thursday, May 24<sup>th</sup>. The contractor staid they will use steel probes and hand excavation and should be finished on Thursday. Mayor DelVecchio asked if the generator would need to be moved. Mr. Burns commented that the porch will not interfere with the current location of the generator.

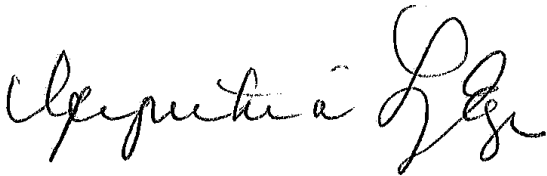
Barbara Coe asked what the next steps are for the fence. The Mayor explained that the ordinance to fund the project will be adopted in June and then finalized 20 days after the notice of adoption. Once that is complete, the City Architect will bid the project. Ms. Coe asked if the city would solicit for grant funding. The Mayor asked the City Clerk to send the information he received from the State of New Jersey about grants for Safe Routes to Schools to the consultant in consideration of filing an application for grant funding.

**ADJOURNMENT.**

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The meeting adjourned at 7:04 p.m. with a motion made by Council President Stegman and seconded by Councilman Sanders. 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 22, 2018 Special Session Minutes were approved at the regularly scheduled session held on June 19, 2018.*