



CITY OF LAMBERTVILLE
VOTING SESSION MEETING
APRIL 22, 2021, 7:00 P.M.
VIRTUAL MEETING
USING THE ZOOM MEETING PLATFORM
AGENDA

I. STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

This meeting is being held in compliance with the Open Public Meetings Act with the annual notice advertised in the January 11, 2021 Trenton Times, notice was provided to the Hunterdon County Democrat and the Trenton Times, members on the list serve, to department heads, the City Attorney and City Engineer, and the meeting agenda was posted on the Bulletin Board at City Hall, the glass doors of the elevator entrance, and to the City's website at www.lambertvillenj.org.

The meeting agenda provides for action items at the extent known at the time of publication.

This meeting will be recorded using the Zoom meeting platform.

II. ROLL CALL

Present: Councilwoman Lambert, Councilman Sanders, Councilman Stegman, Council President Taylor, Mayor Fahl.

III. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

Pledge of Allegiance and a moment of silence in honor of those serving in the United States Armed Forces and for those serving on the front lines of COVID.

IV. MEETING MINUTES

March 18, 2021 Voting Session Minutes

March 18, 2021 Closed Session Minutes

March 25, 2021 Work Session Minutes

April 6, 2021 Work Session Minutes

April 6, 2021 Closed Session Minutes

V. PROCLAMATIONS

a. Arbor Day – April 30, 2021

Whereas, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and Whereas, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

Whereas, Arbor Day is now observed throughout the nation and the world, and Whereas, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

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Whereas, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal.

Now, Therefore, I, Julia Fahl, Mayor of the City of Lambertville, do hereby proclaim April 30, 2021, as Arbor Day in the City of Lambertville, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

Further, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Dated this 22nd day of April, 2021

VI. RESOLUTIONS

Consent Agenda: *The following resolutions on a consent agenda are considered routine and shall be enacted by one motion. Should any member of City Council seek separate discussion of any item, that item shall be removed and discussed separately.*

RESOLUTION NUMBER 45-2021: *A Resolution to Authorize the Transfer of ABC License for 1017-33-003-003 from DeAnna's of Lambertville LLC to Taverna 54 LLC, advertised in the February 4 and February 11 edition of the Trenton Times.*

RESOLUTION NUMBER 45-2021

A Resolution to Authorize the City Clerk to Sign the Person-to-Person Transfer of Liquor License Number 1017-33-003-003 from DeAnna's to Taverna 54 LLC.

WHEREAS, an application has been filed by Taverna 54 LLC for a Person-to-Person Transfer of Plenary Retail Consumption License Number 1017-33-003-003, heretofore issued to DeAnna's of Lambertville LLC. for premises located at 54 North Franklin Street, Lambertville, New Jersey;

WHEREAS the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term;

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33;

WHEREAS the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business;

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council do hereby approve the transfer of the aforesaid Plenary Retail Consumption License to Taverna 54 LLC. and do hereby direct the City Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred April

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23, 2021 to Taverna 54 LLC for premises located at 54 North Franklin Street, Lambertville.”

ADOPTED:

RESOLUTION NUMBER 63-2021: A Resolution to Authorize the Professional Service Contracts Through the NonFair and Open Process for the Alternate Prosecutor and Alternate Public Defender.

RESOLUTION NUMBER 63-2020

A RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR ALTERNATE PUBLIC DEFENDER AND ALTERNATE PROSECUTOR

WHEREAS, the City of Lambertville has a need to acquire professional services for an Alternate Public Defender and Alternate Prosecutor as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and,

WHEREAS, the contract will expire 12/31/2021; and

WHEREAS, the Vendors noted below have certified that they have not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of these contracts in the one-year period preceding December 8, 2020 to any of candidate committee, joint candidates committee or political party committee representing any of the currently serving members of the Governing Body of the City of Lambertville.

WHEREAS, the Certified Municipal Finance Officer has certified that funds will be available in the 2021 budget, once authorized;

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Lambertville authorizes the City Clerk to enter into a contract with the following professionals with not to exceed amounts as indicated when the funds become available:

ALTERNATE PUBLIC DEFENDER: Jenna Casper Bloom, Esquire, of Casper Bloom Law, in an amount not to exceed \$500.00;

ALTERNATE PROSECUTOR: Brian Glicos, Esquire of DeFrancesco, Bateman, Kunzman, Davis, in an amount not to exceed \$500.00;

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution. and,

BE IT FURTHER RESOLVED that the City of Lambertville will provide the public notice in the next edition of the Trenton Times.

RESOLUTION NUMBER 64-2021: A Resolution to Award the Contract for the Cleaning of Office Spaces through the to CNS Cleaning Company.

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RESOLUTION NUMBER 64-2020

A RESOLUTION AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT FOR CLEANING SERVICES TO CNS ACQUISITION CORP IN AN AMOUNT NOT TO EXCEED \$22,568.00

WHEREAS, the City of Lambertville has a need to acquire professional services for the cleaning of buildings owned by the City of Lambertville through the fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and,

WHEREAS, the contract will expire 12/31/2021 with the option to renew for two additional one-year terms; and

WHEREAS, the request for proposals appeared in the March 4, 2021 edition of the Times, and Venders submitted proposals on March 25, 2021 which were received and publicly read via Zoom, a virtual meeting platform; and

CNS ACQUISITION CORP., \$434.00 per week, \$22,568.00 for 52 weeks;

GOLDEN INC., \$521 per week, \$27,092.00 for 52 weeks;

ACB SERVICES INC., \$570.00 per week, \$29,640.00 for 52 weeks;

WHEREAS, the City Attorney has reviewed the bid documents and has certified they are responsive and responsible; and

WHEREAS, the Certified Municipal Finance Officer has certified that funds will be available in the 2021 budget.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Lambertville authorizes the City Clerk to enter into a contract with the CNS Acquisition Corp., for a not to exceed amount of \$22,568.00, with the contract expiring 12/31/2021 with the option to renew for two additional one-year terms.

BE IT FURTHER RESOLVED that the City of Lambertville will provide the public notice in the next edition of the Trenton Times.

RESOLUTION NUMBER 65-2021: A Resolution to Award the Contract for Professional Services through the Fair and Open Process for the City Architect.

RESOLUTION NUMBER 65-2020

A RESOLUTION AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES TO SERVE AS THE CITY ARCHITECT IN AN AMOUNT NOT TO EXCEED \$1,000.00 WITH ADDITIONAL WORK AWARDED SPECIFIC TO A PROJECT

WHEREAS, the City of Lambertville has a need to acquire professional services through the fair and open contract for the position of City Architect pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and,

WHEREAS, this contract will expire 12/31/2021, and

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WHEREAS, the request for proposals appeared in the February 11, 2021 edition of the Times, and Venders submitted a proposals on March 4, 2021 which were received and publicly read via Zoom, a virtual meeting platform; and

LAN Associates Engineering, Planning, Architecture, Surveying, Inc., \$170.00 per hour;

Settembrino Architects, \$150.00 per hour;

Tezzi Associates, LLC, \$160 Per hour;

USA Architects, Planners & Interior Designers, Ltc., \$250 per hour;

Wallace & Watson Associates, PC, dba, W2A Design Group, \$125 per hour.

WHEREAS, the City Attorney has reviewed the bid documents and has certified they are responsive and responsible; and

WHEREAS, the Certified Municipal Finance Officer has certified that funds will be available in the 2021 budget.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Lambertville authorizes the City Clerk to enter into a contract with Wallace & Watson Associates, PC, dba W2A Design Group with the not to exceed amounts of \$1,000.00 as indicated when the funds become available.

BE IT FURTHER RESOLVED that the City of Lambertville will provide the public notice in the next edition of the Trenton Times.

RESOLUTION NUMBER 66-2021: A Resolution to Authorize the Mayor, City Attorney and City Clerk to Sign the Memorandum of Understanding with the Lambertville Area Chamber of Commerce for Shad Festival.

RESOLUTION NUMBER 66-2021

A Resolution to Authorize the City Attorney, Mayor and City Clerk to Sign the Memorandum of Agreement with the Greater Lambertville Chamber of Commerce for the Annual Shad Festival

WHEREAS, The Greater Lambertville Chamber of Commerce would like to hold their annual Shad Festival on October 9 and 10, 2021; and

WHEREAS, The City of Lambertville would like to accommodate their request and has formalized the agreement in a Memorandum of Understanding that covers the cost of police and public works services and the road closures.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lambertville that City Attorney, Mayor and City Clerk are hereby authorized to sign the Memorandum

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of Agreement with the Greater Lambertville Chamber of Commerce for the annual Shad Festival scheduled for October 9 and 10, 2021.

RESOLUTION NUMBER: 67-2021: *A Resolution Authorizing the Redemption of a Tax Lien for Block 1002, Lot 75 In the Amount of \$2,564.14 Plus a Premium of \$2,000.00.*

RESOLUTION 67-2021

A Resolution Authorizing the Redemption of a Tax Lien for Block 1002, Lot 75 In the Amount of \$2,564.14 Plus a Premium of \$2,000.00

WHEREAS, Tax Lien Certificate 20-00003 issued on Block 1002 Lot 75 was sold to DSHC Enterprises LLC, PO BOX 524, Plainsboro, NJ 08536 on 10/19/2020 and

WHEREAS, payment has been received by the Tax Collector for redemption of the tax lien from property owner

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 check is hereby authorized to DSHC Enterprises LLC, PO BOX 524, Plainsboro, NJ 08536 for the redemption of tax lien certificate #20-00003 in the amount of: \$2,564.14

In addition, there is a premium due back to the lienholder in the amount of \$2,000.00.

2 checks

1- \$2,564.14
2- \$2,000.00 (premium)

RESOLUTION NUMBER 68-2021: *A Resolution to Authorize the Refund of a Tax Overpayment for First Quarter 2021 Taxes for Block 1073, Lot 4 in the Amount of \$2,501.41.*

RESOLUTION NUMBER 68-2021

A Resolution to Authorize the Refund of a Tax Overpayment for First Quarter Taxes 2021 for Block 1070, Lot 9 in the Amount of \$2,501.41

WHEREAS, the City Tax Collector has advised of an overpayment of taxes for first quarter 2021 paid by block 1002, lot 9 in the amount of \$2,501.41; and,

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Lambertville authorizes the refund of the overpayment of second quarter taxes for block 1002, lot 9 in the amount of \$2,564.14.

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RESOLUTION NUMBER 69-2021: A Resolution Authorizing the Redemption of a Tax Lien for Block 1070, Lot 9 In the Amount of \$111.12 Plus a Premium in the Amount of \$100.00.

RESOLUTION NUMBER 69-2021

A Resolution Authorizing the Redemption of a Tax Lien for Block 1070, Lot 9 In the Amount of \$111.12 Plus a Premium in the Amount of \$100.00

WHEREAS, Tax Lien Certificate 20-00013 issued on Block 1070 Lot 9 was sold to BHY Successful Investments LLC, 1274 49th St. Apt, 225, Brooklyn, NY 11219 on 10/19/2020 and

WHEREAS, payment has been received by the Tax Collector for redemption of the tax lien a title company.

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 check is hereby authorized to Successful Investments LLC, 1274 49th St. Apt, 225, Brooklyn, NY 11219 for the redemption of tax lien certificate #20-00013 in the amount of: \$111.12

In addition, the City is holding a premium in the amount of \$100.00 and upon redemption this is due back to the lienholder.

2 checks for the lienholder –

Check 1= \$111.12

Check 2= for premium= \$100.00

RESOLUTION NUMBER 70-2021: A Resolution to Authorize the Refund of a Bulk Trash Permit to James Clyne for a Plastic Shed in the Amount of \$75.00.

RESOLUTION NUMBER 70-2021

A Resolution to Authorize the Refund of Bulk Trash Permit to James Clyne in the Amount of 75.00

WHEREAS, the James Clyne paid \$75.00 for a plastic shed to be disposed of; and,

WHEREAS, the Public Works Director confirmed that this was not picked up in the regularly schedule garbage pick-up.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Lambertville authorizes the refund of the bulk trash permit to James Clyne in the amount of \$75.00.

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RESOLUTION NUMBER 71-2021: *A Resolution Calling on Governor Phil Murphy, U.S. Senators Bob Menendez and Cory Booker, and Congressman Tom Malinowski to Encourage the Biden Administration to Reverse its Support of the Penn East Pipeline's Use of Eminent Domain to take New Jersey Property, to Oppose the PennEast Pipeline Project and to Support H.R. 2115.*

City of Lambertville

RESOLUTION 71-2021

A Resolution Calling on Governor Phil Murphy, U.S. Senators Bob Menendez and Cory Booker, and Congressman Tom Malinowski to Encourage the Biden Administration to Reverse its Support of the Penn East Pipeline's Use of Eminent Domain to take New Jersey Property, to Oppose the PennEast Pipeline Project and to Support H.R. 2115

WHEREAS, on September 10, 2019, in 2019, the United States Court of Appeals for the Third Circuit rendered a decision in *PennEast Pipeline Co. v. New Jersey*, finding that private companies who hold a Certificate of Public Convenience and Necessity from the Federal Energy Regulatory Commission ("FERC") may not exercise the federal power of eminent domain Congress delegated to them under the Natural Gas Act ("NGA") to bring an action to condemn private property in which a state asserts an interest;

WHEREAS, the PennEast Pipeline Company, having been granted a Certificate of Public Convenience and Necessity and eminent domain authority by the FERC, allowing it to seize land from property owners appealed the Third Circuit's decision to the U.S. Supreme Court, to continue its efforts to build part of its ill-conceived and unneeded natural gas pipeline through, among other properties, 44 New Jersey state-owned or controlled parcels of land;

WHEREAS, the State of New Jersey, in its brief submitted by New Jersey Attorney General Gurbir Grewal, argued that the appeal should be denied, because the unanimous Third Circuit Decision reflected a proper application of sovereign immunity law and that the Constitution does not allow private parties, like the PennEast Pipeline Company, to sue States under the NGA;

WHEREAS, the Biden Administration's Solicitor General, following the position of the Trump Administration, urged the Supreme Court to overturn the Third Circuit decision that blocked the PennEast Pipeline Company from using the federal power of eminent domain to take land owned by the State of New Jersey;

WHEREAS, the planned pipeline route would proceed along the western border of the City of Lambertville, threatening our water supply, triggering more flash flooding, potentially voiding two generations of effort to clean up the Delaware River and revive its wildlife;

WHEREAS, the campaign platform of President Joe Biden and Vice President Kamala Harris included a document entitled, "[9 KEY ELEMENTS OF JOE BIDEN'S PLAN FOR A CLEAN ENERGY REVOLUTION](#)," which called on their administration to act on climate change immediately and ambitiously because "there's no time to waste;"

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WHEREAS, the Biden/Harris Administration is keen to bolster its green credentials both domestically and internationally, and the PennEast Pipeline project serves as a counter-point to a forward-looking, balanced energy plan. The recent Supreme Court brief filed by the Acting Solicitor General does not advance the urgent agenda to de-carbonize our energy supplies;

WHEREAS, on March 31, 2021, Congressmembers Bonnie Watson Coleman (NJ-12) and Tom Malinowski (NJ-7) [announced](#) the introduction of the Safe and Accountable Federal Energy Review for Pipelines Act of 2021 ([H.R. 2115](#)). FERC has for years relied on outdated private agreements to determine whether to approve future natural gas pipelines, failing to comprehensively evaluate or consider duplicate, competing or contiguous pipelines and their impact on local environments. This abbreviated process has resulted in the approval of over 470 natural gas pipelines between 1999 and 2019 with only two rejected applications;

WHEREAS, the City of Lambertville, through two mayors and a total of eight council members has long and unanimously expressed its opposition to the PennEast Pipeline project.

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 Lambertville supports the decision of the U.S. Third Circuit Court of Appeals to protect sovereign immunity and calls on New Jersey's Governor Phil Murphy and U.S. Senators Bob Menendez and Cory Booker and Congressman Tom Malinowski to urge the Biden Administration and its Solicitor General to Oppose PennEast's U.S. Supreme Court appeal;

BE IT FURTHER RESOLVED, that the Governing Body expresses its appreciation to our U.S. Representative Tom Malinowski and to Congresswoman Bonnie Watson Coleman for opposing Penn East's appeal;

BE IT FURTHER RESOLVED, that the Governing Body expresses its support for H.R. 2115; and

BE IT FURTHER RESOLVED this resolution shall be distributed to:

- a. Governor Philip Murphy;
- b. Senators Menendez and Booker;
- c. Congressman Tom Malinowski; and
- d. Congresswoman Bonnie Watson Coleman.

RESOLUTION NUMBER 72-2021: A Resolution to Authorize the Rescinding of a Contract with Superior Tank and Energy for the Removal of Gas and Diesel Tanks at Public Works in the Amount of \$5,300.00 and Award the Contract to Quick Environmental in the Amount of \$6,200.00.

RESOLUTION NUMBER 71-2021

A Resolution to Authorize the Rescinding of a Contract with Superior Tank and Energy for the Removal of Gas and Diesel Storage Tanks at Public Works in the Amount of \$5,300.00 and Award the Contract to Quick Environmental in the Amount of \$6,200.00

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WHEREAS, the City of Lambertville awarded a contract to Superior Tank and Energy in November of 2021 for the removal of the gas and diesel storage tanks at Public Works in an amount not to exceed \$5,300.00; and,

WHEREAS, Superior Tank and Energy does not hold a valid State of New Jersey Business Registration due to issues with their tax return; and

WHEREAS, the City was not advised of this issue when we obtained the necessary quotes; and

WHEREAS, Superior Tank and Energy continues to be unable to obtain its registration and cure this defect.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Lambertville authorizes the City Clerk to rescind the contract award to Superior Tank and Energy for the removal of the gas and diesel storage tanks at Public Works.

BE IT FURTHER RESOLVED THAT the contract with Quick Environmental in the amount of \$6,200.00 for the removal of the gas and diesel tanks at Public Works is hereby authorized.

ADOPTED: April 22, 2021

VII. BILLS LIST

VIII. ORDINANCES – FIRST READING – NONE

Please note: Two Ordinances for first reading will be on the May 4 Work Session Agenda for Introduction.

*Flood Plan Management
Building and Housing*

IX. ORDINANCES – SECOND READING

- a. ORDINANCE NUMBER 05-2021: *A Bond Ordinance to Reappropriate Balances in Bond Accounts for the purpose of funding Engineering for 2021 Road Projects.*

Please note: *this is not authorizing new debt.*

Engineering for:

Grant Avenue (Route 179 to Belvidere Avenue), .14 miles

Allen Street (Belvidere Avenue to Coryell Road) .06 miles

NJDOT Municipal Aid Program Grant in the amount of \$113,150.00

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BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO GRANT AVENUE AND ALLEN STREET IN AND BY THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$200,000 THEREFOR, INCLUDING \$113,150 EXPECTED TO BE RECEIVED AS A NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT, AND AUTHORIZING THE ISSUANCE OF \$200,000 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 hereby appropriated the sum of \$200,000, including \$113,150 expected to be received as a New Jersey Department of Transportation grant (the "NJDOT Grant"). No down payment is required pursuant to N.J.S.A. 40A:2-11(c) as the improvement or purpose referred to in Section 3(a) is being partially funded by the NJDOT Grant.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$200,000 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 improvements to Grant Avenue and Allen Street, including, but not limited to, milling, paving and reconstruction, and 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 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.

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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 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 \$200,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$60,000 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 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

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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.

- b. ORDINANCE NUMBER 06-2021: *An Ordinance to Amend the Lambertville City Code, 2014, Chapter III, Human Rights Council, Amending the Requirements for Membership.*

Note: removing the requirement to be a resident of Lambertville and adding a position for a student of SHRS.

ORDINANCE NUMBER 06-2021

An Ordinance to Amend the Lambertville City Code, 2014, Chapter 3, Section 17.4, Human Rights Council, Appointments, Compensation, Terms, Vacancies

§ 3-17.4 Council Established; Appointment; Compensation; Terms; Vacancies.

[Amended 5-16-2019 by Ord. No. 11-2019]

The City of Lambertville Human Rights Council (LHRC) will consist of a total of 11 members, from both the public and private sector, and is hereby established in the City of Lambertville. The members of the City of Lambertville Human Rights Council (LHRC) shall be appointed by the Mayor, with the advice and consent of the Lambertville City Council.

a.

Public Sector Members:

1.: The Mayor of the City of Lambertville, or his or her representative, to run concurrent with the Mayor's three-year term;

2.: The President of the Lambertville City Council, or his/her representative, for a one-year term;

3.: The Police Director or Officer-in-Charge of the City of Lambertville or his/her representative, for a one-year term;

4.: The Director of Public Assistance of the City of Lambertville, for a three-year term concurrent with the Mayor's three-year term;

5.: The President of Board of Education from the Lambertville-Stockton-West Amwell unified school district, or his/her representative, for three-year term concurrent with their term;

6.: The Chairperson of the Lambertville Free and Public Library, or his or her representative, for a one-year term.

b.: Private Sector Members:

There shall be five members from the private sector appointed to serve on the Human Rights Council. They shall be appointed by the Mayor with the advice and consent of the Governing Body and do not need to be residents of the municipality. One member may be a student at the South Hunterdon Regional School District.

INTRODUCTION AND FIRST READING: March 18, 2021

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PUBLIC HEARING AND SECOND READING: April 22, 2021

- c. ORDINANCE NUMBER 08-2021: *An Ordinance to Amend the Lambertville City Code, 2014, Chapter XIX, Stormwater Management. Reviewed and recommended by the Environmental Commission, the City Engineer, City Planner.*

The public hearing for Ordinance Number 08-2021 is being carried to the May 20 voting session.

- d. ORDINANCE NUMBER 09-2021: *An Ordinance to Amend the Lambertville Land Use Ordinances, Section 510, Landscaping. As recommended by the Planning Board. At the March 3, 2021 Session.*

The public hearing for Ordinance Number 09-2021 is being carried to the May 20 voting sesión.

- e. **ORDINANCE NUMBER 11-2021**: *A Bond Ordinance Providing for the Acquisition of Property Known as 260 North Main Street and Related Site Improvements in and by the City of Lambertville, in the County of Hunterdon, New Jersey, Appropriating \$3,770,000 Therefor and Authorizing the Issuance of \$3,770,000.00 Bonds or Notes of the City to Finance Part of the Cost Thereof.*

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PROPERTY KNOWN AS 260 NORTH MAIN STREET AND RELATED SITE IMPROVEMENTS IN AND BY THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$3,770,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,770,000 BONDS OR NOTES OF THE CITY TO FINANCE 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 several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the City of Lambertville, in the County of Hunterdon, New Jersey (the "City") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$3,770,000. No down payment is required pursuant to N.J.S.A. 40A:2-11(c) as this bond ordinance authorizes obligations solely for a purpose described in N.J.S.A. 40A:2-7(d) as more fully set forth in Section 6(e).

Section 2. In order to finance the cost of the several improvements or purposes, negotiable bonds are hereby authorized to be issued in the principal amount of \$3,770,000 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.

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Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) Acquisition of property known as 260 North Main Street and described on the City tax map as Block 1002, Lot 41 (the "Property")	\$2,760,600	\$2,760,600	40 years
b) Site improvements on the Property, including roadway improvements on the Property, improvements to an existing barn to ensure public safety and accessibility, fencing and landscape improvements	<u>\$1,009,400</u>	<u>\$1,009,400</u>	15 years
Totals:	<u>\$3,770,000</u>	<u>\$3,770,000</u>	

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 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

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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 improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that 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 benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 33.30 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 \$3,770,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$35,000 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 purposes or improvements.

(e) This bond ordinance authorizes obligations of the City solely for a purpose described in N.J.S.A. 40A:2-7(d). This purpose is in the public interest and is for the health, welfare, convenience or betterment of the inhabitants of the City. The amounts to be expended for this purpose pursuant to this bond ordinance are not unreasonable or exorbitant, and the issuance of the obligations authorized by this bond ordinance will not materially impair the credit of the City or substantially reduce its ability to pay punctually the principal of and the interest on its debts and to supply other essential public improvements and services. The Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the State of New Jersey has heretofore made a determination to this effect and has caused its consent to be endorsed upon a certified copy of this bond ordinance as passed upon first reading.

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 or improvements described in Section 3 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 purposes or improvements 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 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.

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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.

f.

X. ANNOUNCEMENTS

COMMUNITY AGGREGATION: The City of Lambertville sponsored a session on Community Aggregation for Electricity on Thursday, April 8 with members from Concord Engineering and JCP&L. You can find the taped version on the City's website using the following link: <https://www.youtube.com/channel/UCiUfhXIO2cXm-gD25RQbd6g>

STREET SWEEPER is suspended through March 31, 2021. It will resume the regular schedule on April 19, 2021.

ELECTION NEWS:

I. Election Dates:

- a. Primary election is scheduled for Tuesday, June 8, 2021
- b. General election is scheduled for Tuesday, November 2, 2021

II. Polling Information:

- a. Hours: The polls will open at 6 am and close at 8 pm
- b. Places:
 - i. Districts 1 and 2 will vote at the Phillip L. Pittore Justice Center located at 25 South Union Street in the city;
 - ii. Districts 3 and 4 will vote at the American Legion located at 320 North Union Street in the city.

XI. PUBLIC COMMENT

XII. ADJOURNMENT