



City of Lambertville
REGULARLY SCHEDULED SESSION
THURSDAY, MAY 21, 2020, 7:00 PM
VIRTUAL MEETING USING ZOOM
MINUTES

The following link was provided to the members of the public to obtain information for meeting participation: <http://lambertvillenj.org/virtualmeetings>

STATEMENT OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

Mayor Fahl called the meeting to order at 7:00 p.m. and asked the members of the public to be patient while people signed onto the meeting. At 7:05 p.m. the City Clerk to read the statement of compliance with the Open Public Meetings Act into the record.

The City Clerk read the following statement into the record:

This meeting is being held in compliance with the Open Public Meetings Act with the Annual Notice advertised in Trenton Times, provided to the Hunterdon County Democrat and Trenton Times, the posting of the meeting agenda on the Bulletin Board at City Hall, on the City's website at www.lambertvillenj.org, on the exterior door of the Elevator Entrance at City Hall, and to department heads and the listserv. Please note an additional notice was advertised in the April 17 edition of the Trenton Times and the April 23rd edition of the Hunterdon County Democrat notifying the public of the need for a virtual meeting.

Instructions on how to participate in the meeting were emailed through the City's listserv, provided on a call-in message at City Hall, posted on the City's website at www.lambertvillenj.org and will be read into the record at the beginning of the meeting and again during Public Participation.

INSTRUCTIONS FOR THE PUBLIC ON HOW TO PARTICIPATE USING ZOOM AND CALLING IN

Mayor Fahl asked the Deputy Clerk to read the instructions on how to participate in the meeting into the record.

The Deputy Clerk read the following statement into the record.

The public participation portion of the meeting will be taken under Agenda Item Number 18.

PARTICIPATION BY COMPUTER: If you are currently utilizing a computer to participate, you would click the "Raise Hand" button on the bottom of the screen. This will place you in a queue that I can see for when it is time to take public comments. People are sorted in the order they raised their hands. When I call on you, a message will pop-up asking if you want to unmute yourself. If you choose to move forward and place a public comment or question, choose to unmute, if you have changed your mind then choose to deny.

PARTICIPATION BY PHONE: If you are dialing in on your phone, to "raise your hand" dial *9 to be placed in the queue. When called on, the system will ask you to confirm being un-muted to proceed.

You will be asked to state your full name and address into the record, then please feel free to make your comment or ask a question. You will remain unmuted while the governing body responds. Please make sure there is no background noise such as the T.V. on, music or loud chatter.

When public comments are finished, participants will be placed back on mute for the duration of the meeting.

Members of the Governing Body will raise their hand to make a comment or ask a question.

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ROLL CALL

The City Clerk called the roll as follows:

Present: Councilman Sanders, Councilwoman Taylor, Councilwoman Urbish, Council President Asaro, Mayor Fahl

Also, present Alex Torpey – Business Administrator, Cynthia Ege – City Clerk, Kristina Majeski – Deputy Clerk, William Opel – City Attorney, Emily Goldman – City Planner

PLEDGE OF ALLEGIANCE

Mayor Fahl asked for all to stand for the Pledge of Allegiance and a moment of silence.

The Deputy Clerk posted a picture of the American Flag on the shared screen feature provided through Zoom.

MOMENT OF SILENCE

The Mayor/City Clerk asked for a moment of silence in honor of those serving in the United States Armed Forces.

Mayor Fahl informed the members of the public that due to COVID19, the Memorial Parade will not be held. She asked that everyone participate in a moment of silence at 3 pm on Monday, May 25, Memorial Day and informed the members of the public about the National Moment of Remembrance, an annual event that asks Americans, wherever they are at 3:00 p.m. local time on Memorial Day, to pause for a duration of one minute to remember those who have died in military service to the United States. The time 3 p.m. was chosen because it is the time when most Americans are enjoying time off of work for the national holiday. The Moment was first proclaimed in May 2000 for Memorial Day that year, and was put in law by the United States Congress in December 2000.

CITY ATTORNEY STATEMENT REGARDING COUNCIL SESSIONS

The City Attorney read the following statement into the record:

Based on the public health emergency caused by the COVID-19 virus, the State of New Jersey and the City of Lambertville have taken necessary action to ensure the continued regular operation of government.

Pursuant to the Open Public Meetings Act, formal action by the Governing Body must be taken in public, at a meeting that is adequately noticed to invite public participation and maximum transparency. Such requirements are not set aside during times of emergency, and therefore the City and its Governing Body MUST proceed with conducting these necessary meetings, in accordance with State law, and in a manner that ensures optimum transparency.

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Despite recent amendments to OPMA providing for electronic notice of any meeting, the City will continue to provide the standard statutory notice for its meetings by posting such notice in City Hall and publishing notice with The Trenton Times and Hunterdon County Democrat.

We would like to note the following, as the City has formulated a specific plan as to how to proceed with Governing Body meetings for the foreseeable future:

The OPMA, as amended, authorizes governing bodies to conduct public meetings through use of streaming services and other online meeting platforms. The City will utilize Zoom video conferencing, which also provides a dial-in feature if residents would prefer to participate by phone rather than video, as well as teleconferencing for those who wish to connect by phone only.

The City will continue to rely on the procedures currently in place for public comments directed to City officials during all meetings. There will be no change to the City's public comment policy for virtual meetings.

The City, at all times, will act within the requirements of the OPMA for meetings conducted during this public health emergency so that the City government can continue to provide services to the community, and the public can continue to participate and provide comments, without interruption.

MAYOR'S GUIDANCE FOR MEETINGS

I am starting off tonight's meeting - again - disappointed with certain members of our community.

This is the 3rd time I have had to open a public meeting with a call for civil discussion and decency. I can no longer do this alone. I am asking members of our community to hold our neighbors accountable for their actions.

As a community we should not and will not tolerate

1. Intentionally providing false information to the public
2. Threatening elected officials and their livelihood
3. Use anonymous online bullying tactics
4. And engage in petty name calling rather than debate the facts

We are defining this deviancy down. As our standards and expectations for our political discourse fall, each new low becomes accepted as somehow "normal". What some members of our community are doing is NOT normal.

It is up to all of us to demand better.

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This does not mean I expect that everyone will magically agree with me or anyone else. Dissent and engagement are an important part of our public process. But that dissent should be done in the spirit of wanting the best for Lambertville, not lying to the public to enrage them.

I know that we can do better. But I need all your help to stop this bad behavior and get back to the work at hand.

MAYOR’S UPDATE FROM MAY 12, 2020 FAIRNESS/COMPLIANCE HEARING: *Ongoing*

ACTION ITEMS ON HOLD UNTIL AFTER JUDGE MILLER’S RULING:

Mayor Fahl informed the members of the public that the following items are on hold until after the City has had time to review the Judge’s order that was just received this afternoon.

- a. RESOLUTION NUMBER 66-2020: A Resolution to Endorse the Housing Element of the Fair Share Plan.

RESOLUTION 66-2020

A Resolution to Endorse the Housing Element of the Fair Share Plan

WHEREAS, the Planning Board of the City of Lambertville, Hunterdon County, State of New Jersey, adopted its current Housing Element and Fair Share Plan pursuant to N.J.S.A. 40:55D-28 on November 7, 2018; and

WHEREAS, the Governing Body endorsed the Housing Element and Fair Share Plan on December 2, 2018; and

WHEREAS, the Governing Body subsequently petitioned the Council on Affordable Housing (COAH) for substantive certification but said substantive certification was not received prior to COAH’s rules being overturned in In The Matter of the Adoption of N.J.A.C. 5:96 and 5:97 By The Council On Affordable Housing; and

WHEREAS, as COAH failed to adopt new constitutionally compliant rules, the NJ Supreme Court entered an order of March 10, 2015 which transferred responsibility to review and approve housing elements and fair share plans from COAH to designated Mount Laurel trial judges within the Superior Court; and

WHEREAS, the City filed for Declaratory Judgment with the New Jersey Superior Court on July 8, 2015; and

WHEREAS, the City executed a Settlement Agreement with Fair Share Housing Center (FSHC) on May 22, 2018 that identified the City’s affordable housing obligation and a preliminary indication of how the City would satisfy the affordable housing obligation; and

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WHEREAS, the Settlement Agreement was subject to a Fairness Hearing on September 13, 2018 during which the Court found that the Settlement Agreement was fair to the interests of low- and moderate-income households; and

WHEREAS, the Court’s review and approval of the Settlement Agreement is reflected in an Order on Fairness and Preliminary Compliance Hearing signed by the Honorable Thomas C. Miller, P.J.Civ. and filed on October 11, 2018; and

WHEREAS, the City executed a Settlement Agreement with Fair Share Housing Center (FSHC) on January 29, 2020 that identified the City’s affordable housing obligation and a preliminary indication of how the City would satisfy the affordable housing obligation; and

WHEREAS, the Planning Board held a public hearing and adopted an amended Housing Element and Fair Share Plan on March 4, 2020;

WHEREAS, COAH’s Prior Round rules at N.J.A.C. 5:91-2.2(a) requires that the municipal governing body endorse a plan adopted by the municipal planning board; and

NOW THEREFORE BE IT RESOLVED that the Governing Body of the City of Lambertville, Hunterdon County, State of New Jersey, hereby endorses the Housing Element and Fair Share Plan as adopted by the City of Lambertville Planning Board; and

BE IT FURTHER RESOLVED that the Governing Body of the City of Lambertville, pursuant to the provisions of N.J.S.A. 52:27D-301 et seq. and N.J.A.C. 5:96-3.2(a), submits this Housing Element and Fair Share Plan to the Superior Court pursuant to the City’s Settlement Agreement with Fair Share Housing Center and the City’s Declaratory Judgment action requesting a Judgment of Compliance & Repose through July 8, 2025.

- b. Ordinance Number 04-2020: A Bond Ordinance Providing for Various Actions Including Planning and Investigation Costs in Furtherance of a Scattered Site Study in and By the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, Appropriating \$18,000 Therefor and Authorizing the Issuance of \$18,000 Bonds or Notes of the City to Finance Part of the Cost Thereof.

BOND ORDINANCE PROVIDING FOR VARIOUS ACTIONS INCLUDING PLANNING AND INVESTIGATION COSTS IN FURTHERANCE OF A SCATTERED SITE STUDY IN AND BY THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$18,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$18,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF.

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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 purpose described in Section 3(a) 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(a), there is hereby appropriated the sum of \$18,000. No down payment is required pursuant to N.J.S.A. 40A:12A-37 as this bond ordinance is for actions expected to be undertaken by the City pursuant to existing and future redevelopment plans pursuant to N.J.S.A. 40A:12-1 *et seq.*

Section 2. To finance the cost of the purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$18,000 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 purpose for the financing of which the bonds are to be issued is to finance various actions including planning and investigation costs and professional fees incurred in connection with and in furtherance of the City's pursuit of various redevelopment objectives throughout the City, including the preparation of a study of various scattered sites throughout the City including all related costs and expenditures 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.

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.

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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 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 \$18,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$18,000 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 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.

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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.

INTRODUCTION AND FIRST READING: April 23, 2020

PUBLIC HEARING AND SECOND READING: May 21, 2020

- c. Resolution to Authorize the City Planner to Do the Scattered Site Study – *draft in process.*

COUNCIL MEMBER UPDATES

ROUNDTABLES

Business – Council President Asaro

Summary - Initial round of Business Roundtables

Over the last week the city held 3 business roundtables via Zoom – Councilwoman Taylor, Business Administrator Alex Torpey, City Planner Emily Goldman, and myself were in attendance. In total over 50 people participated in the roundtables. The Delaware River Towns Chamber, the New Hope Council and their local Chamber were also represented.

Businesses were given the opportunity to bring forth their concerns, ideas, and questions regarding re-opening in the COVID limited environment.

The major topics discussed were:

- Social Distancing
 - Given our small sidewalks/footprint – how to minimize risk, expand sidewalk onto street
 - How to limit crowds but not hurt businesses – a delicate balance
 - One suggestion to keep weekend crowds low was to encourage locals to shop during the week – a discussion of possible incentives for locals
- Masks
 - General signage about masks – including how to properly wear one
 - Discussion in general about mask culture – having heard some stories about major push-back on mask-wearing
- Signage
 - Standardized general signage across all local businesses – across to New Hope also
 - Signs reminding people to have empathy towards others since you cannot see them smiling under their masks
 - Signs reminding individuals using the parking meters that ParkMobile is a touchless option to pay for parking

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- Best practices amongst businesses
 - 1 pager for all to refer to
 - Hunterdon County Health Dept also has info
- Restaurants
 - When restaurants can open, they will probably need to do so at 25-50% max capacity
 - Ideas explored were ways to expand outdoor seating opportunities, how liquor would be handled, etc... - exploring zoning and ABC ordinances
- Suppliers/Bulk Purchasing
 - Creation of a local supplier contact list to share amongst the towns as to where businesses have been able to secure COVID-safety related products
 - Bulk ordering of safety supplies (masks, gloves, cleaning supplies, etc) as a business community to reduce the per item cost for each business.
- Restrooms
 - Use of local business restrooms was discussed
 - Possibly have city bring in some porta-potties (like during Shad Fest)
- Follow up survey with businesses
 - A follow-up survey, if it has not already been emailed out before the Council Meeting, will be emailed to the businesses by Friday. The City intends to send an email out to the business community on a weekly basis to maintain an active conversation between the City and the business community. The email will generally include any updates on guidance provided by the State as well as a weekly survey, so we continually get your feedback as the steps towards reopening are fluid.

Current situation:

This past weekend the city tested expanding a large portion of the Bridge Street pedestrian areas into the street by keeping certain parking areas reserved to increase sidewalk space to accommodate larger crowds. Concurrently, the City designated some free curbside pickup spaces to accommodate the establishments open for curbside pickup. The City is going to run the same test over Memorial Day Weekend before making any final decisions as to whether it will continue the weekend moving forward. If it appears to be worthwhile, the City is also looking into ways to make the markers closing the parking areas more aesthetically pleasing.

- No issues reported by police. Not many people in the downtown. Some moderate crowds, but not large crowds on the towpath and we are in discussion with NJ DEP and the state park service about that.
- Some businesses appreciated the extra pedestrian space and free curbside spots, with one business that was concerned about how pedestrian space would impact the ability for people to park and go to their business. I believe there were seven

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five-minute curbside spots on Bridge street/Kline’s court. We are considering increasing that number also.

- We have additional parkmobile signs we have ordered (for free from them) coming to us.

Residential – Councilwoman Urbish

Councilwoman Urbish reported that the Residential Roundtable had similar themes and concern was expressed for those not wearing a mask while walking on the tow path; jurisdiction on the Tow Path, more signage; coordinating efforts with New Hope and testing centers.

Councilman Sanders commented that they are some drive through testing centers popping up. They are hiring people to assist with the contact tracing.

Mayor Fahl reported that a testing center will open tomorrow at the Walmart located in Flemington.

Affordable Housing Update – Emily Goldman, City Planner

The City Planner commented that the Judge approved and accepted the amended Settlement Agreement conditioned upon endorsement of the Housing Element Fair Share Plan within 30 days of the Court Order, adoption of a Redevelopment Plan for the Police site by December 31, 2020 and execution of a Redeveloper's Agreement for the Police site by May 15, 2021. The Judge will maintain jurisdiction to monitor the City's compliance with the conditions of the Conditional Judgment of Repose.

MEETING MINUTES

Council President Asaro asked for a motion to adopt the following sets of minutes: April 7, 2020 Meeting Minutes, April 23, 2020 Meeting Minutes, and May 5, 2020 Meeting Minutes. Councilwoman Urbish made the motion to adopt. Councilwoman Taylor seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

ROLL CALL: Councilman Sanders - Yes, Councilwoman Taylor - Yes, Councilwoman Urbish - Yes, Council President Asaro - Yes, Mayor Fahl - Yes.

BILLS LIST

Council President Asaro asked for a motion to approve the Bills List and the Addendum to the Bills List. Councilwoman Urbish made the motion to approve the Bills List and the Addendum to the Bills Lists as submitted. Mayor Fahl seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

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ROLL CALL: Councilman Sanders - Yes, Councilwoman Taylor - Yes, Councilwoman Urbish - Yes, Council President Asaro - Yes, Mayor Fahl - Yes.

COUNCIL DISCUSSION REGARDING RECORDING COUNCIL MEETINGS

Mayor Fahl informed the members of the public that Councilwoman Urbish requested that the Governing Body discuss recording Council Meetings. Councilwoman Urbish reported that two members of the public came to her expressing their interest in recording Council Meetings. She thought it deserve discussion especially since we are following a new meeting format because of COVID19. It would allow for the City to post the meeting on the website for viewing.

Council President Asaro said she was in favor of it but recognized that it needed a discussion. She felt it would be helpful to obtain input from the public and Council members.

Councilman Sanders commented that he was curious to see how many towns record their meetings and if there is a downside to it. He asked about the cost. He said using Zoom it is relatively easy, however, when we go back to public meetings, what will it entail. He felt it was worth looking into and talking to the League of Municipalities.

Mayor Fahl asked for additional comments or concerns.

Councilwoman Taylor said she did not have any additional comments but was curious if we only recorded sessions during COVID19 or if it meant we would always record meetings. She asked about the cost.

Mayor Fahl commented that she had a serious concern about taping meetings. She expressed her concern for public discord and the long-term effects to the civic fabric of our community.

Councilwoman Urbish commented that it was a valid concern. She understands that once we start recording, we need to do it in perpetuity.

Mayor Fahl commented that she appreciates everyone's input. She has seen an increase in attendees since we started using Zoom. Attendance went from 50 to 115 people at regular meetings.

Mayor Fahl asked the City Clerk and Business Administrator to check with their constituents to see how many people are recording meetings. This will be carried to the next meeting agenda.

PROCLAMATIONS

Sally Lelie, Celebratory Proclamation for Service in Local Government

Council President Asaro read the proclamation into the record.

Proclamation

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WHEREAS, Sally Jo Lelie was born and raised on Clinton Street in the City of Lambertville. She attended the Lambertville Public School and graduated from South Hunterdon Regional High School on June 19, 1978 and is the mother of Sean Lelie; and

WHEREAS, Mrs. Lelie began her employment at the City of Lambertville on June 22, 1992 working for the Construction and Police Department; and

WHEREAS, during her years of services, she was instrumental in making the department more efficient and user friendly; and

WHEREAS, staff members and the public alike quickly became extended family and her sunny demeanor and pleasant ways provided a much-needed calming effect on everyone;

WHEREAS, in her official duties working for the Police Department, Sally served as Police Matron. The fellow Police Officers had great comfort in knowing they could depend on her to arrive promptly, to treat others with respect, and for her strength and abilities in managing the department and she will be sorely missed by all both co-workers and the public.

WHEREAS, on May 1, 2020, Sally Jo Lelie retired from her position after serving our community almost 28 years.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that Sally Jo Lelie is hereby congratulated on her retirement from her position as Office Manager of the City of Lambertville's Police Department.

BE IT FURTHER RESOLVED that Sally Jo is hereby wished many years of happiness and joy.

ADOPTED: May 21, 2020

Julia Fahl, Mayor

Mayor Fahl thanked Sally Lelie for her dedication and years of service.

Council President Asaro asked for a motion to adopt the Proclamation honoring Sally Lelie for her years of service.

Mayor Fahl made the motion to adopt. Councilman Sanders seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present.

MOTION CARRIED.

ROLL CALL: Councilman Sanders - Yes, Councilwoman Taylor - Yes, Councilwoman Urbish - Yes, Council President Asaro - Yes, Mayor Fahl - Yes.

RESOLUTIONS

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Draft reports, contracts and other documentation in draft form will be provided to the members of the public if they are adopted by the Governing Body.

RESOLUTION NUMBER 70-2020: *A Resolution to Authorize the Refund of An Overpayment of Second Quarter Taxes to Wells Fargo Bank for Block 1048, Lot 7.01, 61 South Franklin Street in the Amount of \$1,504.13*

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 refund to Wells Fargo for an overpayment of Second Quarter Taxes for the property known as block 1048, lot 7.01 on the Tax Map of the City of Lambertville, with a mailing address of 61 South Franklin Street in the amount of \$1,504.13 is hereby authorized.

Council President Asaro asked for a motion to adopt Resolution Number 70-2020.

Councilwoman Taylor made the motion to adopt. Councilwoman Urbish seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

ROLL CALL: Councilman Sanders - Yes, Councilwoman Taylor - Yes, Councilwoman Urbish - Yes, Council President Asaro - Yes, Mayor Fahl – Yes.

RESOLUTION 71-2020: *A Resolution to Authorize the Professional Service Contracts for 2020 Planning & Zoning Board Attorney*

Mayor Fahl informed the members of the public that the City has an opening for the position of Zoning and Planning Board Attorney due to the loss of Tim Korzun. The City will do a more rigorous request for professional service for this position and this appointment is for a two-month period.

WHEREAS, 2020 the City advertised for proposals for Professional Services for the 2020 Calendar Year, and

WHEREAS, Stewart Palilonis submitted a proposal for Alternate Attorney for the Planning and Zoning Board of Adjustment; and

WHEREAS, the City has a vacancy in both positions.

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 Stewart Palilonis is hereby appointed as Alternate Attorney for the Planning Board (\$1,500.00) and Zoning Board of Adjustment (\$1,500.00), for a two-month term ending July 31, 2020, for a total amount not to exceed \$3,000.00.

Council President Asaro asked for a motion to adopt Resolution Number 71-2020. Councilman Sanders made the motion to adopt. Mayor Fahl seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

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ROLL CALL: Councilman Sanders - Yes, Councilwoman Taylor - Yes, Councilwoman Urbish - Yes, Council President Asaro - Yes, Mayor Fahl – Yes.

RESOLUTION NUMBER 72-2020: A Resolution Authorizing the Redemption of a Tax Lien for Block 1076, Lot 14 In the Amount of \$6,912.30 Plus a Premium in the Amount of \$7,800.00

WHEREAS, Tax Lien Certificate 19-00014 issued on Block 1076 Lot 14 was sold to Light Properties LLC, 17 W Cliff St, Somerville, NJ 08876 on 08/15/2019.

WHEREAS, payment has been received by the Tax Collector for redemption of the tax lien from 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 Light Properties LLC, 17 W Cliff St, Somerville NJ 08876 for the redemption of tax lien certificate #19-00014 in the amount of: \$6912.30

In addition, the City is holding a premium in the amount of \$7,800.00 and upon redemption this is due back to the lienholder.

- 2 checks for the lienholder –
- Check 1= \$ 6,912.30
- Check 2= for premium= \$7,800.00

Council President Asaro asked for a motion to adopt Resolution Number 72-2020. Councilman Sanders made the motion to adopt. Councilwoman Urbish seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

ROLL CALL: Councilman Sanders - Yes, Councilwoman Taylor - Yes, Councilwoman Urbish - Yes, Council President Asaro - Yes, Mayor Fahl – Yes.

ORDINANCES – FIRST READING - NONE

ORDINANCES – SECOND READING

Ordinance Number 02-2020: An Ordinance to Amend the Lambertville City Code, 2014, Chapter VII, Traffic, Section 4.7 Parking Restricted for Use by Handicapped Persons, Adding Two Handicapped Parking Spaces: West Side of 39 Clinton Street and the West Side of 135 North Union Street.

Council President Asaro read the Ordinance into the record by title. She informed the public that this Ordinance will create two additional handicapped parking spaces for residents.

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Mayor Fahl thanked the residents for their patience. She said this Ordinance has been a long time coming.

An Ordinance to Amend the Lambertville City Code, 2014, Chapter VII, Traffic, Section 4.7 Parking Restricted for Use by Handicapped Persons, Adding Two Handicapped Parking Spaces: West Side of 39 Clinton Street and the West Side of 135 North Union Street

SECTION 4.7 PARKING RESTRICTED FOR USE BY HANDICAPPED PERSONS is hereby amended to include the following:

<i>Name of Street</i>	<i>Sides</i>	<i>Location</i>
Clinton Street	West	39 Clinton Street
North Union Street	West	135 North Union Street

INTRODUCTION AND FIRST READING: April 23, 2020

ADOPTION AND SECOND READING: May 21, 2020

Council President Asaro opened the public hearing for Ordinance Number 02-2020. The Deputy Clerk read the procedure for participating into the record.

Council President Asaro asked for Council comments. There being no Council questions or comments, Council President Asaro asked for public comments. There being no public comment, Council President Asaro asked for a motion to close the public hearing for Ordinance Number 02-2020.

Mayor Fahl made the motion to close the public hearing for Ordinance Number 02-2020. Councilwoman Urbish seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

ROLL CALL: Councilman Sanders - Yes, Councilwoman Taylor - Yes, Councilwoman Urbish - Yes, Council President Asaro - Yes, Mayor Fahl – Yes.

Council President Asaro asked for a motion to adopt on second reading Ordinance Number 02-2020.

Mayor Fahl made the motion to adopt Ordinance Number 02-2020 on second reading granting final approval. Councilwoman Taylor seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

ROLL CALL: Councilman Sanders - Yes, Councilwoman Taylor - Yes, Councilwoman Urbish - Yes, Council President Asaro - Yes, Mayor Fahl – Yes.

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Ordinance Number 03-2020: A Bond Ordinance Providing for Various Actions Including Planning and Design Costs and Professional Fees in Furtherance of Various Redevelopment Efforts in and by the City of Lambertville, in the County of Hunterdon, New Jersey, Appropriating \$85,000 Therefor and Authorizing the Issuance of \$85,000 Bonds or Notes of the City to Finance Part of the Cost Thereof

Council President Asaro read the Ordinance into the record by title. She informed the members of the public present that this ordinance will fund professional services for the various reports needed for the Governing Body to move forward with Redevelopment projects.

The City Attorney reminded everyone that this ordinance requires 2/3rds affirmative votes by the majority of the Council or 4 votes in favor of the ordinance in order to adopt.

BOND ORDINANCE PROVIDING FOR VARIOUS ACTIONS
INCLUDING PLANNING AND DESIGN COSTS AND
PROFESSIONAL FEES IN FURTHERANCE OF VARIOUS
REDEVELOPMENT EFFORTS IN AND BY THE CITY OF
LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW
JERSEY, APPROPRIATING \$85,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$85,000 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 purpose described in Section 3(a) 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(a), there is hereby appropriated the sum of \$85,000. No down payment is required pursuant to N.J.S.A. 40A:12A-37 as this bond ordinance is for actions expected to be undertaken by the City pursuant to existing and future redevelopment plans pursuant to N.J.S.A. 40A:12-1 *et seq.*

Section 2. In order to finance the cost of the purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$85,000 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 purpose for the financing of which the bonds are to be issued is to finance various actions including planning and design costs and professional fees incurred in connection with and in furtherance of the City's pursuit of various redevelopment objectives throughout the City, including the preparation and amendment of the Lambertville High School Redevelopment Plan and further including all related costs and expenditures 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.

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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 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 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 \$85,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$85,000 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.

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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 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.

INTRODUCTION AND FIRST READING: April 23, 2020

ADOPTION AND SECOND READING: May 21, 2020

Council President Asaro opened the public hearing for Ordinance Number 03-2020.

Council President Asaro asked for Council comments.

Councilman Sanders asked how much of this Ordinance was already spent. The City Business Administrator responded that it is between \$25,000 and \$30,000. Mayor Fahl commented that it was \$33,000 and it included design charettes and robust planning and visioning.

Council President Asaro asked for public comments.

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Paul Stevens asked if the Governing Body should be moving on this Ordinance since they have not heard back from the Judge on the Affordable Housing Lawsuit. Mayor Fahl responded that this will fund what the community will look like in the next 30 years. Mr. Stevens asked if this was in the budget. Mayor Fahl said it was being funded through a bond ordinance and it was standard government procedure to have work done and then pay for it after the work was finished through a bond ordinance. The Business Administrator commented that the work was authorized by resolution of the Governing Body. The budget in previous years under the former administration was not set up properly and it will take a couple of years to fix. You cannot split years with bonding, and it can be found on sheet 40b of the budget.

Judy Gleason commented that the City is losing site of the big picture. COVID19 will cause many layoffs in our community and we are talking about blowing past reality. She expressed concern for those who are facing a financial strain.

Mayor Fahl thanked Judy for her input. She said the City prepared the budget prior to COVID19 and it looked a lot different than what it looks like today. The City bonded 1.6million each year under the prior administration. There has been a significant decrease to below \$500,000.

Lillie Chen said she agreed with Paul Stevens and Judy Gleason. She asked that they pause this plan until 2021 and not vote until 2021. She felt that this way of managing was irresponsible.

Mayor Fahl commented that she disagreed with them. This will fund the study for Community Development, but the City will not make a decision on the site location. There has been a request for design Charettes and a community-based plan.

Karen Taylor Ogren asked about the Lambertville High School Redevelopment and various objectives and what properties that included. Mayor Fahl said it was still part of the Redevelopment plan, but the City moved away from condemnation. Ms. Ogren commented that the Ordinance was vague, and she would like additional information.

Elycia Lerman asked that the Council consider only spending the \$33,000 that is obligated and hold on the rest. The Business Administrator commented that \$16,000 was spend on the concept plan, \$7,000 on a need's assessment, \$9,000 on design and prep, and \$13,000 on Redevelopment Attorney fees. The City had to make a down payment of 5%. Ms. Lerman expressed concern for the amount of money spent in the Ordinance before it was adopted.

Vince Uhl appealed to the Governing Body for a full stop. He asked for a full recount of Judge Miller's ruling. Councilwoman Urbish commented that the City just received the

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order a short while ago. Mayor Fahl commented that it was not a direct correlation to this ordinance.

Sue Bell commented that they are predicting a second wave of COVID19 in the fall and it is supposed to be worse. She asked that we look at what is feasible. Mayor Fahl thanked her for her input. She said she was encouraged by the Residential Roundtable held and asked her to engage in the next session.

Lauren Kovacs said she had the same concerns as the others who spoke. She asked for a full stop on Redevelopment until after the crisis.

Matthew Hanson thanked everyone and said he hoped everyone was staying safe. He does not support this.

April Linder urges the Governing Body to pause during COVID19.

Judy Gleason asked about section 3, purpose various. She asked for clarity.

Elycia Lerman asked how much it will cost to meet deliverables for the end of the year. Mayor Fahl responded that it is a full budget for enacting the settlement. It speaks to why we do not have the luxury to hold this ordinance because it focuses on funds previously incurred as well as design issues.

Councilwoman Urbish responded that this was ordered by the Judge to adopt by the end of the year. It is partially funded by the bond ordinance and is why we cannot put a pause on it.

Elycia Lerman commented that it is not enough to accomplish everything. She would like to see a plan and the full projection. Mayor Fahl commented that she was right. There are two other ordinances to fund activities. Ms. Lerman commented that this was not the right time. She would like to see the project plan and engage in an appropriate way.

Charlie Zoranch echoed Ms. Lerman's comments. He asked that the Governing Body pause on the decision until next year.

Councilwoman Taylor asked for the mechanism to accomplish this without reintroducing the ordinance. Mayor Fahl said it would require that the Ordinance process start over. Some of the bills are from 2019 and we are obligated to pay our bills. The Business Administrator commented that this authorizes borrowing money and there would be additional work and that would require a resolution be adopted by the Governing Body.

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Councilwoman Taylor commented that she is not stating one way or the other. We need to spend what is owed. In the future she would like to see the proposals before they are brought to a vote. The Business Administrator commented that there is no reason they cannot do that.

Councilman Sanders commented that he wanted to spend wisely, and it was important moving forward. Councilwoman Urbish said it was a good approach. Councilwoman Taylor said she appreciated that, and it was wise to look at one large project.

Paul Stevens commented that the Affordable Housing plan is intertwined with the Redevelopment Project and it is not a spending plan. Mayor Fahl responded that she appreciated that, but the City just received the Judge's ruling and would need time to review it and we need to pay our professionals. The request is not unreasonable.

Jeannette Emmons commented that she feels we are asking for forgiveness not permission.

Lauren Kovacs asked if the City could cancel the other bond. Mayor Fahl said it is not a duplicate and the money is for the Redevelopment Plan. Ms. Kovacs asked the Governing Body to confirm that the resolution would be required for approval prior to spending the funds.

Gina Fischetti commented that a resolution authorizing the contract directs the expenses. Councilwoman Taylor commented that there are several contracts that are under the bid threshold and do not require Council approval. Ms. Fischetti responded that the Ordinance ran out last September. Councilwoman Urbish commented that the City is moving away from prior budget practices. All were previously paid through a bond ordinance without a spending plan to anticipate all the cost. The Business Administrator commented that 100% of all professional services were paid through bond ordinances. The City is moving towards budgeting the day to day costs and supplementing with Capital for special projects.

Sandra Harris commented that she was curious to know if funds are in a three-year capital plan or some other funding stream. The Business Administrator commented that they could be found on pages 5 and 6 and 40B of the budget. He is relatively confident it is what is needed to get through, but litigation is hard to budget for. Mayor Fahl responded that the City cannot authorize it until the studies are completed. We may need to bond again if that is the case, we can provide a list and the number could go up. It is helpful to provide a project plan.

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John Matthieu commented that it seems like they are operating expenses and we are bonding for them. Mayor Fahl responded that that was the previous administrations practice. It cannot be fixed in one year. We are slowly doing this.

Elycia Lerman asked if in addition to a project plan, if a financial total, including previously years spending could be included.

Councilman Sanders asked for clarification of practice of spending approval process. Mayor Fahl responded that the Business Administrator issues a report to the Governing Body. Councilman Sanders and Councilwoman Urbish agreed to work on a resolution to authorize a spending plan.

Council President Asaro asked for a motion to close the public hearing for Ordinance Number 03-2020.

Mayor Fahl made the motion to close the public hearing for Ordinance Number 03-2020. Councilwoman Taylor seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

ROLL CALL: Councilman Sanders - Yes, Councilwoman Taylor - Yes, Councilwoman Urbish - Yes, Council President Asaro - Yes, Mayor Fahl – Yes.

Council President Asaro asked for a motion to adopt on second reading Ordinance Number 03-2020.

Mayor Fahl made the motion to adopt Ordinance Number 03-2020 on second reading granting final approval. Councilwoman Urbish seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

ROLL CALL: Councilman Sanders - Yes, Councilwoman Taylor - Yes, Councilwoman Urbish - Yes, Council President Asaro - Yes, Mayor Fahl – Yes.

Ordinance Number 05-2020: A Bond Ordinance Providing for Various Technology Improvements Including Software Upgrades in and By the City of Lambertville, in the County of Hunterdon, New Jersey, Appropriating \$64,250 Therefor and Authorizing the Issuance of \$61,037 Bonds or Notes of the City to Finance Part of the Cost Thereof

Council President Asaro read the Ordinance into the record by title. Mayor Fahl informed the members of the Governing Body and public that the software offered by the State of New Jersey to the Construction Office is being discontinued. This purchase is being made off State Contract and a discount is provided and will give the City more options and services that will be provided to the members of the public such as a 311 program.

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BOND ORDINANCE PROVIDING FOR VARIOUS TECHNOLOGY IMPROVEMENTS INCLUDING SOFTWARE UPGRADES IN AND BY THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$64,250 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$61,037 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"). For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$64,250, including the sum of \$3,213 as the down payment. 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, negotiable bonds are hereby authorized to be issued in the principal amount of \$61,037 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 technology improvements including software upgrades, including 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.

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

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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 5 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$61,037, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$12,000 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.

(e) This bond ordinance authorizes obligations of the City solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from the gross debt of the City pursuant to N.J.S.A. 40A:2-44(c).

Section 7. The City hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. The City hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the obligations, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the obligations. The Chief Financial Officer is hereby authorized to act on behalf of the City to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. 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 purpose described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. Any grant moneys received for the purpose described in Section 3 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

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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 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.

INTRODUCTION AND FIRST READING: April 23, 2020

ADOPTION AND SECOND READING: May 21, 2020

Council President Asaro opened the public hearing for Ordinance Number 05-2020.

Council President Asaro asked for Council comments. There being no Council comments, Council President Asaro asked for public comments.

Elycia Lerman asked how much software was, how much implementation cost, and if there was an annual cost associated with this software purchase. How big of a scope and is it all inclusive?

The Business Administrator responded that it was a five-year contract of \$12,000 to \$14,000 per year. The cost structure is more favorable, the City will not implement all modules at once, but instead, piece by piece. The first to implement is the Construction Department.

Lita Sands commented that the City must reduce spending and maybe it comes instead of today.

Mayor Fahl responded that it is a reduced cost and will provide more services. Council President Asaro commented that the Business Administrator saved the City over \$800,000 and \$1.7 million over the next seven years. She said you can see his love and diligence and she trust him. Councilwoman Urbish referenced a memorandum received from the Business Administrator and she informed the members of the public that it is available in the meeting folder.

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The Business Administrator commented that the price per module is not available, but the City will no longer be using Mobile Eyes and a few other applications and that will save additional money.

Lita Sands commented that she is concerned about technology and does not want people to think she is complaining about City Hall ... the employees are great.

Councilwoman Asaro commented that this is an investment in efficiency. When people call in with an issue, a ticket will be generated, and it will go directly to the department. The person calling in can check on the status of the ticket.

Michael Zhadanovsky commented that he is in favor of this and feels it is useful. The benefit outweighs the cost.

Judy Gleason commented that the City may not be in a position to buy it. You cannot spend \$20 when you have \$3 in your pocket.

Sue Bell commented that in 2008 the Stock Market crashed. Many businesses did not come back. She is worried that after COVID19 businesses may not come back.

Councilwoman Urbish commented that it was a great point. She and Councilwoman Taylor have been hosting Business Roundtables and thinking through ways to support businesses.

Mayor Fahl announced a grant from the County to help to reopen after COVID19. They are also looking into shared services.

Councilman Sanders commented that it is a good pointing. Opening does not turn around consumer confidence that they are safe. He appreciates the comments, is not an expert but if we charge ahead of timing, is concerned for the outcome.

Mayor Fahl commented that this was doable. She said the Business Administrator has expertise in technology and with implementing short term and long-term goals.

Lauren Kovacs asked how many years' experience the Business Administrator had and what is his expertise. The Business Administrator responded that he has three years' experience as a Business Administrator, four years as a Mayor, seven years as a Professor, and 15 years' experience in Technology as a consultant. His family is in Technology and he appreciates the Mayor and Governing Body's trust.

Lauren Kovacs commented that technology is a large expenditure. She feels the money that has been spent was not to a great benefit of the community. Mayor Fahl responded that the Business Administrator reduced spending/bonding by 97%, reduced professional services by over \$100,000, expenditures are down, and has talked about

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the budget for eight months in open meetings. Yes, votes do not mean we are not transparent.

Council President Asaro asked for a motion to close the public hearing for Ordinance Number 05-2020.

Councilwoman Taylor made the motion to close the public hearing for Ordinance Number 05-2020. Councilwoman Urbish seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

ROLL CALL: Councilman Sanders - Yes, Councilwoman Taylor - Yes, Councilwoman Urbish - Yes, Council President Asaro - Yes, Mayor Fahl – Yes.

Council President Asaro asked for a motion to adopt on second reading Ordinance Number 05-2020.

Councilwoman Urbish made the motion to adopt Ordinance Number 05-2020 on second reading granting final approval. Councilwoman Taylor seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

ROLL CALL: Councilman Sanders - Yes, Councilwoman Taylor - Yes, Councilwoman Urbish - Yes, Council President Asaro - Yes, Mayor Fahl – Yes.

Ordinance Number 06-2020: A Bond Ordinance Providing for the Creation and Implementation of a Housing Element and Fair Share Plan in and By the City of Lambertville, in the County of Hunterdon, New Jersey, Appropriating \$35,000 Therefor and Authorizing the Issuance of \$33,000 Bonds or Notes of the City to Finance Part of the Cost Thereof

Council President Asaro read the Ordinance into the record by title. Mayor Fahl commented that this ordinance will fund the money spent on the Housing Element and Fair Share Plan which was amended.

ORDINANCE NUMBER 06-2020
BOND ORDINANCE PROVIDING FOR THE CREATION AND IMPLEMENTATION OF A HOUSING ELEMENT AND FAIR SHARE PLAN IN AND BY THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$35,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$33,000 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

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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 \$35,000, including the sum of \$2,000 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, negotiable bonds are hereby authorized to be issued in the principal amount of \$33,000 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 to provide for the creation and implementation of a Housing Element and Fair Share Plan, including all related costs and expenditures 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.

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.

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(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 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 \$33,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$33,000 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 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 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.

INTRODUCTION AND FIRST READING: April 23, 2020

ADOPTION AND SECOND READING: May 21, 2020

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Council President Asaro opened the public hearing for Ordinance Number 05-2020.

Council President Asaro asked for Council comments. There being no Council comments, Council President Asaro asked for public comments.

John Mathieu expressed concern for bonding and asked how long the note is for. The Business Administrator responded that it is a 15-year note. Mayor Fahl commented that there have been significant changes in Finance with a new CMFO, and the Financial Team who put together a plan.

Elycia Lerman asked how much was spent and how much more is needed this year. Mayor Fahl responded that the City previously encumbered ongoing cost for litigation. Ms. Lerman suggested that the City take a project approach.

Council President Asaro asked for a motion to close the public hearing for Ordinance Number 06-2020.

Councilman Sanders made the motion to close the public hearing for Ordinance Number 06-2020. Councilwoman Taylor seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

ROLL CALL: Councilman Sanders - Yes, Councilwoman Taylor - Yes, Councilwoman Urbish - Yes, Council President Asaro - Yes, Mayor Fahl – Yes.

Council President Asaro asked for a motion to adopt on second reading Ordinance Number 06-2020.

Mayor Fahl made the motion to adopt Ordinance Number 06-2020 on second reading granting final approval. Councilman Sanders seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

ROLL CALL: Councilman Sanders - Yes, Councilwoman Taylor - Yes, Councilwoman Urbish - Yes, Council President Asaro - Yes, Mayor Fahl – Yes.

BUSINESS ADMINISTRATOR – Alex Torpey

Bridge Street Road Repair (Letter from Suburban Engineering Consultants, LLC)

The Business Administrator informed the members of the public that the City is meeting with NJDOT next week to review the mandate for the rail lines to be repaired. The State is concerned for liability. The City Engineer reviewed the plans. Mayor Fahl commented that the project can be completed in one day, either June 1 or June 8. The State agreed to allow traffic both ways.

Budget Hearing is scheduled for June 9th. There was a Question and Answer Zoom Meeting held last Tuesday night.

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Summer Reopening Plans coordinated with representatives of New Hope. The City hosts a weekly call with Parks and DEP and discusses the Tow Path.

George Street Reconstruction project is moving forward. The project will cost the city \$400,000 less than originally budgeted.

Landlord Registration will now be handled through the Fire Safety Official. The City merged both applications into one.

COVID19 Updates are sent out two times per week. The City staff is working a staggered schedule and are starting to plan for reopening.

Mayor Fahl thanked the Business Administrator for his work and dedication.

AFFORDABLE HOUSING TEACH-IN – Councilwoman Urbish and Councilwoman Taylor. Councilwoman Urbish and Taylor reported that they held a Teach-in on Affordable Housing. There is a minor delay in the start of the video and the link to the video can be found on the City's website at www.lambertvillenj.org.

CENSUS - Councilman Sanders reminded everyone to complete their Census. You can mail it in, do it online and even call it in.

CORRESPONDENCE

ANNOUNCEMENTS

Council President Asaro read the announcements into the record.

JUSTICE CENTER PARKING: Parking Space Number 16 is available for lease at the Phillip L. Pittore Justice Center. The fee is \$55 per month. If interested, call Kristina Majeski at 609-397-0110, ext. 12.

LANDLORD REGISTRATION: The process to file a landlord registration has change. Please use the following link to the City's website for additional information:
<https://www.lambertvillenj.org/ALRA>

CENSUS: Cut and paste this link in your browser:
<https://2020census.gov/?msclkid=d5669b5e0b1d1fd97e13c5343c771c39>

CONVENIENCE CENTER HOURS: The Public Works Department is open Wednesday (May 20) from 3 to 5 pm for residents to drop off leaves and brush. They will also be open on Saturday, June 6 from 9 am to noon. For additional information, please visit the city's website at: <https://lambertvillenj.org/newsfeed-pages/389-the-city-of-lambertville-convenience-center>

MEMORIAL DAY: City Hall will be closed the from Friday, May 22 through Monday, May 25th for Memorial Day. All other City Offices will close at 12:30 pm on Friday, May 22nd through Monday, May 25, 2020.

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SPARKLE WEEK UPDATE: Sparkle Week will be held the first two weeks of August. Details can be found on the City’s website: <https://lambertvillenj.org/sparkle-week>

ZONE ONE, TUESDAY PICK-UP – AUGUST 4: Begins at Church Street and goes south to Route 29, includes Bridge Street, Ferry Street, Swan Street, Mount Hope Street and Canal Street. It also includes Curley Lane, Grants Alley and Washington Street.

ZONE TWO, WEDNESDAY PICK-UP – AUGUST 5: Includes Cottage Hill, Connaught Hill, and Music Mountain.

ZONE THREE, THURSDAY PICK-UP – AUGUST 13: Begins at Church Street, runs north to Delaware Avenue.

ZONE FOUR, FRIDAY PICK-UP – AUGUST 14: Begins the north side of Delaware Avenue, runs north to Cherry Street, and includes Lamberts Hill and Blair Tract.

PUBLIC PARTICIPATION/PUBLIC CONCERN

If you want to participate or make a public comment, there are two ways to do so.

If you are currently utilizing a computer to participate, you would click the “Raise Hand” button on the bottom of the screen. This will place you in a queue that I can see for when it is time to take public comments. People are sorted in the order they raised their hands. When I call on you, a message will pop-up asking if you want to unmute yourself. If you choose to move forward and place a public comment or question, choose to unmute, if you have changed your mind then choose to deny.

If you are dialing in on your phone, to “raise your hand” dial *9 to be placed in the queue. When called on, the system will ask you to confirm being un-muted to proceed.

Please try to be concise with your questions or comments, to be mindful of others' time.

You will be asked to state your full name and address into the record, then please feel free to make your comment or ask a question. You will remain unmuted while the governing body responds. Please make sure there is no background noise such as the T.V. on, music or loud chatter.

When public comments are finished, participants will be placed back on mute for the duration of the meeting.

Members of the Governing Body will raise their hand to make a comment or ask a question.

Steve Croce commented that he is not reporting for a newspaper tonight but wanted to make a comment about Recording Meetings. In 2011, the City spent \$32,000 to purchase equipment. He feels down the road it will be a good thing.

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Lillie Chen inquired about Council President Asaro’s comment about the Business Administrator saving the City over \$800,000 and she said it would be helpful to know why we added extra head count and how he saved the City. Council President Asaro responded that there is a running list of cost savings. The Business Administrator commented that the cost savings could be found on the City’s website in the 2020 Budget presentation packet and the third presentation. Mayor Fahl addressed the comment about raising head count and stated that the Police Director retired, and that Lt. Brown took over many of his duties.

Sue Bell commented that recording meetings would be helpful.

ADJOURNMENT

The meeting adjourned at 10:34 p.m. with a motion made by Council President Asaro and seconded by Councilwoman Taylor. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Respectfully submitted,

Cynthia L. Ege

Cynthia L. Ege, CMR, RMC, City Clerk

The May 21, 2020 session minutes were approved at the July 23, 2020 session.