



City of Lambertville
REGULARLY SCHEDULED SESSION
THURSDAY, JULY 23, 2020, 6:00 PM
VIRTUAL MEETING USING ZOOM
MINUTES

Please use this link to obtain information for meeting participation:
<http://lambertvillenj.org/virtualmeetings>

STATEMENT OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

The meeting was called to order at 6:05 p.m. by Mayor Fahl.

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 May 23, 2020 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.

CLOSED SESSION: *A Resolution to go into Closed Session to discuss personnel issues related to Salary & Wage for Employees, the Business Administrator Contract and also Shared Services Contract with the Borough of Flemington and will reopen to the public at 7 p.m.*

RESOLUTION

“Authorizing a Closed Session at the June 25, 2020 Lambertville City Council Meeting to Discuss Personnel Issues Related to the Salary & Wage for Employees, Business Administrator Contract and also Shared Services Contract with the Borough of Flemington”

WHEREAS, the Council of the City of Lambertville is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that a closed session, not open to the public, may be held for certain specified purposes when authorized by N.J.S.A 10:4-12(b).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Lambertville that a closed session shall be held on June 25, 2020, via Zoom, to discuss the following matters: *Personnel: Salary & Wage for Employees, the Business Administrator Contract and also Shared Services Contract with the Borough of Flemington.*

BE IT FURTHER RESOLVED that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Lambertville Mayor and City Council.

ADOPTED: July 23, 2020

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Mayor Fahl and City Council convened in closed session at 6:06 p.m. with a motion made by Councilman Sanders and seconded by Councilwoman Urbish. An affirmative voice/roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Mayor Fahl and City Council re-convened in regular session at 7:10 p.m. with a motion made by Councilman Sanders and seconded by Councilwoman Urbish. An affirmative voice/roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

PARTICIPATION USING ZOOM VIA PHONE AND THE WEBINAR

The Deputy Clerk read the instructions into the record prior to public comment.

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

DISPLAY OF YOUR PHONE NUMBER: To avoid having your phone number displayed on the screen, first dial *67, then the meeting phone number followed by the meeting identification number. Your phone number will not be displayed.

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.

ROLL CALL

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

Also Present: Alex Torpey – Business Administrator, Cindy Ege – City Clerk, Kristina Majeski – Deputy Clerk, William Opel – City Attorney, and Emily Goldman – City Planner.

PLEDGE OF ALLEGIANCE

Mayor Fahl asked the members of the public and Council to stand for the Pledge of Allegiance and to continue standing for the moment of silence.

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MOMENT OF SILENCE

Mayor Fahl asked for a moment of silence in honor of those serving in the United States Armed Forces in Country and Abroad, and for those serving on the front lines of the COVID epidemic.

CITY ATTORNEY STATEMENT REGARDING COUNCIL SESSIONS

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.**

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.

MEETING MINUTES

Mayor Fahl read the Council Policy on Meeting Minutes into the record.

The official meeting minutes will contain the subject matter discussed, actions taken, and a broad overview of the discussions. They will not include the details of the discussion or who provided the comments or questions.

Council President Asaro asked for a motion to approve the following sets of minutes: May 21, 2020 Voting Session, June 9, 2020 Voting Session, June 10, 2020 Voting Session, June 25, 2020 Voting Session, June 25, 2020 Closed Session, July 9, 2020 Voting Session, and June 9, 2020 Closed Session. Mayor Fahl the motion to approve the

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

BILLS LIST

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

AMENDED AGENDA

Mayor Fahl announced that in light of the packed meeting agenda and with the discussion from the Governing Body, all public comment will be held to the end of the meeting and where appropriate for public hearings.

Mayor Fahl asked for a motion to table Ordinance Number 10 and Resolution Number 96 to the August 20, 2020 Meeting Agenda.

ORDINANCE NUMBER 10-2020: An Ordinance to Amend the Salary Range for the Officials and Employees of the City of Lambertville, County of Hunterdon, State of New Jersey

RESOLUTION NUMBER 96-2020: Establishing the 2020 Salary and Wages for Officials and Employees of the City of Lambertville

Councilman Sanders made the motion and Councilwoman Urbish seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

COUNCIL DISCUSSION

REVIEW OF FEES DURING COVID19

Mayor Fahl asked for everyone's pleasure in discussing the Parklet and other fees during COVID19. Discussion ensued.

After much discussion, the Governing Body decided the following, which would be approved through the Mayor's powers executed through the Emergency Declaration for COVID19:

- Application fees of \$50 for Streatery's and outdoor dining;
- Parklet fees to cover staff time to set up and breakdown;
 - \$320 set up fee
 - \$320 breakdown fee

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- No additional fees if the parklet stays at the currently location

Parklet can be rented by any business, and they can use it to display their wares.

- Parking Fees to reserve the space:
 - Metered space: \$0.00 per day
 - Unmetered space: \$0.00 per day
 - New fees will be implemented starting today and continue until the resolution ending the emergency is adopted by the Governing Body.
- End date would be established by resolution.

PARKING PERMITS: Mayor Fahl announced that the City would be granting a 90-day extension for Parking Permits due to the closure of the MVC during COVID19 under the executive order issued by the Mayor.

PROCLAMATIONS

Delayed to the August 20 session.

Harold Dunn – retirement as the Librarian

Emily Carone – retirement from the Lambertville Free Public Library Board

RESOLUTIONS

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.

CONSENT AGENDA:

RESOLUTION NUMBER 87-2020: *A Resolution to Authorize the Online/Electronic Tax Sale for the 2019 Calendar Year.*

RESOLUTION NUMBER 87-2020

A RESOLUTION AUTHORIZING ELECTRONIC TAX SALE

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services; and

WHEREAS, the Director of the Division of Local Government Services has promulgated rules and regulations for electronic tax sales; and

WHEREAS, the rules and regulations authorize a municipality to conduct an electronic tax sale; and

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WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process; and

WHEREAS, the municipality of Lambertville City wishes to participate in an electronic tax sale.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the City of Lambertville, New Jersey, that the Tax Collector is hereby authorized to participate in an electronic tax sale and submit same to the Director of the Division of Local Government Services if necessary.

The foregoing resolution was duly adopted by the City Council of the City of Lambertville at a public meeting held on July 23, 2020.

RESOLUTION NUMBER 88-2020: A Resolution to Authorize Participation in the New Jersey State Health Benefits Program Act of the State of New Jersey for Local Prescription Drug Coverage.

RESOLUTION NUMBER 88-2020

A Resolution to Authorize Participation in the New Jersey State Health Benefits Program Act of the State of New Jersey for Local Prescription Drug Coverage.

BE IT RESOLVED:

1. The City of Lambertville, a participating employer in the Health Benefits Program, hereby elects to participate in the Local Prescription Drug Program provided by the New Jersey State Health Benefits Act of the State of New Jersey (N.J.S.A. 52:14-17.25 et seq.) and to authorize coverage for all the employees and their dependents thereunder in accordance with the statute and regulations adopted by the State Health Benefits Commission.
2. As a participating employer we will remit to the State Treasury all premiums on account of employee and dependent coverage and periodic charges in accordance with the requirements of the statute and the rules and regulations duly promulgated thereunder.
3. We hereby appoint the Deputy Treasurer to act as Certifying Officer in the administration of this program.
4. This resolution shall take effect immediately and coverage shall be effective as of January 1, 2021 or as soon thereafter as it may be effectuated pursuant to the statutes and regulations.

RESOLUTION NUMBER 89-2020: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the MA-2021-Improvements to Grant Avenue & Allen-00693 application for the Improvements to Grant Avenue & Allen Street project.

Resolution No. 89-2020

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the MA-2021-

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Improvements to Grant Avenue & Allen-00693 application for the **Improvements to Grant Avenue & Allen Street** project.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Lambertville formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that Mayor Julia Fahl and the City Clerk are hereby authorized to submit an electronic grant application identified as **MA-2021-Improvements to Grant Avenue & Allen-00693** to the New Jersey Department of Transportation on behalf of City of Lambertville.

BE IT FURTHER RESOLVED that Mayor Julia Fahl and the City Clerk are hereby authorized to sign the grant agreement on behalf of City of Lambertville and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

RESOLUTION NUMBER 90-2020: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the MA-2021-Improvements to North Franklin Street-00692 application for the Improvements to North Franklin Street project.

Resolution No. 90-2020

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the **MA-2021-Improvements to North Franklin Street-00692** application for the **Improvements to North Franklin Street** project.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Lambertville formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that Mayor Julia Fahl and the City Clerk are hereby authorized to submit an electronic grant application identified as **MA-2021-Improvements to North Franklin Stree-00692** to the New Jersey Department of Transportation on behalf of City of Lambertville.

BE IT FURTHER RESOLVED that Mayor Julia Fahl and the City Clerk are hereby authorized to sign the grant agreement on behalf of City of Lambertville and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

RESOLUTION NUMBER 91-2020: A Resolution to Accept the Donation from the Prall Trust to Pay Transaction Fees for ECHK Payments for the Third Quarter Taxes through August 31, 2020.

RESOLUTION NUMBER 91-2020

A Resolution to Accept the Donation from the Prall Trust to Pay Transaction Fees for ECHK Payments for the Third Quarter Taxes Through August 31, 2020

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NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that the donation of transaction fees from the Prall Trust for taxpayers paying third quarter 2020 taxes using the ECHK system for payments made through August 31, 2020 is hereby authorized.

RESOLUTION NUMBER 92-2020: A Resolution to Authorize the Contracts for Professional Services through December 31, 2020 for the Following Positions: Alternate Public Defender, Alternate Planning Board Attorney, Alternate Zoning Board Attorney, Alternate Architect (2 positions), Alternate Planner (2 positions), Grant Writer and Alternate Prosecutor.

RESOLUTION NUMBER 92-2020

A Resolution to Authorize the Contracts for Professional Services through December 31, 2020 for the Following Positions: Alternate Public Defender, Alternate Planning Board Attorney, Alternate Zoning Board Attorney, Alternate Architect (2 positions), Alternate Planner (2 positions), Grant Writer and Alternate Prosecutor.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey that the following contracts for professional services are authorized beginning August 1, 2020 and ending December 31, 2020:

Position	Name	Firm	Rate	Unit	Annual NTE
Alternate PD	Jenna Casper Bloom	Law Offices of Jenna Casper Bloom	\$200	Per appearance	\$600
Alternate Architect	Andrew Adornato	USA Architects	See attached	Per Hour	Separately authorized per contract
Alternate Planner	Phil Topology	Topology	\$160	Per Hour	Separately authorized per contract
Grant writer	Ed Farmer	Millennium	\$130	Per Hour	Separately authorized per contract
Alternate Prosecutor	Brian Glicos	DiFrancesco Batemen	\$125	Per Hour	\$600

BE IT FURTHER RESOLVED that the Business Administrator is authorized to execute the contract with each of the professional services as listed.

ADOPTED: July 23, 2020

RESOLUTION NUMBER 93-2020: A Resolution to Authorize Change Order #1 for the Clinton Street Phase II Project, Reducing the Contract with Top Line from \$198,724.10 to \$160,556.38.

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RESOLUTION NUMBER 93-2020

A Resolution to Authorize Change Order #1 for the Clinton Street Phase II Project, Reducing the Contract with Top Line from \$198,724.10 to \$160,556.38.

WHEREAS, the City of Lambertville entered into a contract with Top Line Construction Corp for the completion of the Clinton Street Improvements Project – Phase 2; and

WHEREAS, the following sections of the contract were amended:

- Extra Quantities: Surface Course, Sidewalk, Vertical Curb, and tree removal, increased the contract by \$11,038.46; and
- Supplemental Items: Driveway Access Plant, Sched Concrete Apron, Reinforced Wire Mesh, and the repair to the ADA Ramps at Perry Street, increasing the contract by \$11,185.63, and
- Reduced Quantities: Driveway Access Plate, Construction Sign, Police Traffic, Fuel Price Adjustment, Asphalt Price Adjustment, Excavation, Test Pit, DGA Base Course, Polymerized Joint Adhesive, HMA Base Course, Reset Existing Casting, Ex. Casting, Colored and Imprinted Contract Crosswalk, Traffic Stripes, Thermoplastic, Traffic Markings, Regulatory Sign, Warning Sign, Hump, Reflective Signpost Wrap, Tree Removal, Borrow Top soiling, Seeding and Fertilizing, Straw Mulching, Concrete Vertical Curb, Small Tree, Caliper, decreasing the contract by \$60,391.81

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville that the change-order for the Clinton Street Phase II Project, reducing the overall project by \$38,167.72 is hereby approved.

BE IT FURTHER RESOLVED that the Business Administrator is authorized to sign the change order.

ADOPTED: July 23, 2020

Council President Asaro asked for a motion to approve the resolutions listed on the consent agenda, numbers 87-2020 – 93-2020. Councilwoman Urbish made the motion and Councilwoman Taylor seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

END OF CONSENT AGENDA.

RESOLUTION NUMBER 94-2020: *Resolution Establishing the Process and Fees for the Use of the Parklet.*

RESOLUTION NUMBER 94-2020

A Resolution Establishing the Policy and Authorizing the Collection of Fees for the Use of the Parklet

WHEREAS, the City of Lambertville constructed a Parklet in 2019 for the use of local businesses, and

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WHEREAS, the Governing Body has established the following guidelines for the use of the Parklet:

- DURATION: The city owned parklet will be available for one month unless there are no other applicants.
- APPLICATION: The application will be online, first come first serve.
- OTHER STIPULATIONS:
 - Parklet cannot be placed on Bridge Street.
 - Applicants are required to maintain the plantings and tables that come with the parklet.
 - Restaurants can serve alcohol if it is compliant with their liquor license. BYOB is also permitted.
 - Restaurants licensed to serve alcoholic beverages by the State of New Jersey Alcoholic Beverage Control Commission are required to:
 - provide the City with a Certificate of insurance that names the City as additional insured and list the coverage to extend to the Parklet for the serving of alcoholic beverages on their certificate of insurance;
 - obtain a "PETITION TO EXTEND LICENSED PREMISES [EP]" from the State of New Jersey ABC.
 - Those offering BYOB (bring your own bottle) must specifically add and show the coverage for BYOB Establishments on their certificate of insurance.
 - Applicants are required to provide the City of Lambertville with a certificate of insurance naming the City as additional insured.
 - All certificates of insurance will be reviewed by the City's Risk Manager for full compliance.

WHEREAS, the following fees will be collected for the use of the Parklet:

Application fee: \$50

Set-up fee: \$320

Breakdown: \$320

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that the policy for use of the Parklet and fees established in this resolution are hereby authorized.

ADOPTED: July 23, 2020

Council President Asaro asked for a motion to approve Resolution Number 94-2020, establishing fees for Use of the Parklet during COVID19, as submitted. Councilwoman Urbish made the motion to approve the Resolution as submitted/amended. Councilman Sanders seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

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RESOLUTION NUMBER 95-2020: *A Resolution of the City of Lambertville, County of Hunterdon, Designating Block 1003, Lot 3 (Police Site) As an Area in Need of Redevelopment, Pursuant to N.J.S.A. 40A:12A-6*

Council President Asaro read the Resolution into the record by title.

CITY OF LAMBERTVILLE

RESOLUTION NUMBER 95-2020

A RESOLUTION OF THE CITY OF LAMBERTVILLE, COUNTY OF HUNTERDON, DESIGNATING BLOCK 1003, LOT 3 (POLICE SITE) AS AN AREA IN NEED OF REDEVELOPMENT, PURSUANT TO N.J.S.A. 40A:12A-6

WHEREAS, the Governing Body of the City of Lambertville (the “Governing Body”) seeks to undertake a redevelopment effort within the City; and

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

WHEREAS, on June 10, 2020, the Governing Body adopted resolution Number 73-2020, which directed the Board to conduct such an investigation regarding **BLOCK 1003, LOT 3** (the “Study Area”), which parcel is currently owned by the City, as described and delineated on the official Tax Map of the City of Lambertville; and

WHEREAS, City Planner Emily Goldman, PP, AICP (the “Planner”) prepared a map of the Study Area and conducted an investigation to determine whether the Study Area qualified as an “area in need of redevelopment” in conformance with statutory criteria and the City’s efforts toward redevelopment, pursuant to the Master Plan; and

WHEREAS, the Planner prepared a preliminary investigation report entitled, “Preliminary Investigation of Area in Need of Redevelopment (Non-Condensation) for Police Station Tract,” dated July 1, 2020, concerning the determination of the Study Area as an area in need of redevelopment (the “Report”); and

WHEREAS, the Local Housing and Redevelopment Law, N.J.S.A. 40A:12A-1, et seq. requires the Board to conduct a public hearing prior to making its determination whether the Study Area should be designated as a non-condemnation area in need of redevelopment, at which hearing the Board shall hear all persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment; and

WHEREAS, on July 15, 2020, the Board reviewed the Report, heard testimony from the Planner, conducted a public hearing during which members of the general public were given an opportunity to present their own evidence and/or to cross-examine the Planner, and to address questions to the Board and its representatives, concerning the potential designation of the Study Area as an area in need of redevelopment; and

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WHEREAS, the Planner concluded in the Report and testified to the Board on July 15, 2020 that the Study Area satisfies the statutory criterion for a redevelopment area designation, pursuant to N.J.S.A. 40A:12A-5; and

WHEREAS, after the conclusion of the public hearing described above, the Board adopted a resolution accepting and adopting the recommendation contained in the Report, and recommended that the Study Area be declared a non-condemnation area in need of redevelopment pursuant to N.J.S.A. 40A:12A-5, for the reasons set forth in the Report, and memorialized the actions taken by the Board by resolution on July 15, 2020; and

WHEREAS, the Governing Body now desires to accept the recommendations of the Board and declare the Study Area as a non-condemnation area in need of redevelopment pursuant to N.J.S.A. 40A:12A-6(b); and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7(f), the Governing Body further directs the Board to prepare a redevelopment plan for the Study Area, and to take any action necessary to effectuate its review of same so that a recommendation may be made to the Governing Body; and

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

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. Based on the Report and the recommendation of the Board, the Study Area satisfies the criterion for designation as an area in need of redevelopment.

Section 3. The Study Area is further hereby designated as a “Non-Condemnation Redevelopment Area,” as referenced in the Local Housing and Redevelopment Law, N.J.S.A. 40A:12A-1, et seq.

Section 4. The Governing Body directs the Board to prepare a redevelopment plan for the Study Area, and to take any action necessary to effectuate its review of same so that a recommendation may be made to the Governing Body.

Section 5. The Governing Body hereby directs the City Clerk to transmit a certified copy of this resolution forthwith to the Commissioner of the Department of Community Affairs for review.

Section 6. This resolution shall take effect in accordance with applicable law.

ADOPTED at a meeting of the Governing Body of the City of Lambertville, Hunterdon County, on July 23, 2020;

Council President Asaro asked for a motion to adopt Resolution Number 95-2020 as submitted/as amended. Council President Asaro made the motion to approve Resolution Number 95-2020. Councilwoman Urbish seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

ORDINANCES – FIRST READING

ORDINANCE NUMBER 11, 2020: A Bond Ordinance Providing for Various Capital Improvements in and by the City of Lambertville, in the County of Hunterdon, New

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Jersey, Appropriating \$149,200 Therefor and Authorizing the Issuance of \$141,050 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 gave an overview of the capital items requested by the staff but cut from not funded in this bond ordinance. The Governing Body reviewed staff requests in October of 2019 for the 2020 calendar year budget. Earlier in 2020, using that information, the Governing Body rated capital projects and prioritized the requests based on need. This addresses some of those items, however, due to funding issues, does not address all of them.

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$149,200 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$141,050 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 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 \$149,200, including the aggregate sum of \$8,150 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$141,050 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. 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>
<u>Department of Public Works:</u>			
a) Improvement to land through the removal of existing fuel tanks including equipment, appurtenances, work, and costs incidental or related thereto	\$6,200	\$5,700	20 years

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<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
<u>Police Department:</u>			
b) Acquisition of police vehicle including equipment, appurtenances, work, and costs incidental or related thereto	\$55,000	\$52,000	5 years
<u>Department of Public Works/Police:</u>			
c) Various vehicle upgrades and replacement of equipment including equipment, appurtenances, work, and costs incidental or related thereto	\$30,000	\$28,500	5 years
<u>Recreation:</u>			
d) Various improvements including construction of a new footbridge, various lighting replacement and relocation, acquisition of pet waste stations, acquisition and installation of picnic benches including equipment, appurtenances, work, and costs incidental or related thereto	\$20,000	\$19,000	15 years
<u>Administration:</u>			
e) Various upgrades of and replacement of technology equipment including equipment, appurtenances, work, and costs incidental or related thereto	\$10,000	\$9,500	5 years
f) Resurfacing of various roads throughout the City including George Street and further including equipment, appurtenances, work, and costs incidental or related thereto	\$25,000	\$23,500	10 years
g) Acquisition of various permanent fixtures, light fixtures and other downtown beautification equipment including equipment, appurtenances, work, and costs incidental or related thereto	<u>\$3,000</u>	<u>\$2,850</u>	15 years
TOTALS:	<u>\$149,200</u>	<u>\$141,050</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose. The improvements include equipment, work and costs related or incidental to the purposes.

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

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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 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 7.98 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 \$141,050, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$29,840 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.

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 purposes 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 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

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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.

Council President Asaro asked for Council questions.

Council members asked for the department heads to be present to discuss their needs during the public hearing and to have the tax impacts of this ordinance so that the members of the Governing Body and public can look at the bigger picture.

Council President Asaro asked for a motion to introduce on first reading Ordinance Number 11-2020. Councilwoman Urbish made the motion to introduce Ordinance Number 11-2020 for first reading. Councilman Sanders seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

The public hearing for Ordinance 11-2020 is scheduled for August 20, 2020.

ORDINANCES – SECOND READING/PUBLIC HEARING

ORDINANCE NUMBER 08-2020: *An Ordinance to Amend the Lambertville City Code, 2014, Chapter X, Recreation Commission, changing the name to Parks and Recreation.*

Council President Asaro read the Ordinance into the record by title.

ORDINANCE NUMBER 08-2020

An Ordinance to Amend the Lambertville City Code, 2014, Chapter Two, Administrative Code, Article VIII, Department of Public Works, Parks and Public Property, Section 208.3 Board of Recreation Commissioners, Changing the Title to Board of Parks and Recreation Commissioners

NOW THEREFORE BE IT RESOLVED that the Board of Recreation Commissioners is hereby changed to read the Parks and Recreation Commission.

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2-8.3 Parks and Recreation Commission.

Within the Department there shall be a Parks and Recreation Commission consisting of seven (7) members and two (2) alternates in accordance with the provisions of N.J.S.A. 40:12-1 et seq. and who shall be appointed by the Mayor with the advice and consent of Council. (Ord. No. 2003-03)

The functions of the Parks and Recreation Commission shall be to:

1. Plan and develop public recreational areas and facilities within the City;
2. Sponsor and administer the operation of playgrounds, facilities for indoor and outdoor sports, athletic and recreational programs and activities for children and adults, social centers, community centers and cultural programs and activities as may be established by the Governing Body.
3. Coordinate with the Mayor and Council and with Planning Board to determine future requirements for parks, open space, natural areas, and other recreational facilities;
4. Control and care for all lands, open space, playgrounds, and recreation places in a safe and wholesome condition for use and adopt suitable rules, regulations, and by-laws for the conduct of all persons while using such property.

(Ord. No 2010-28)

Introduced: June 25, 2020

Public Hearing: July 23, 2020

Council President Asaro opened the public hearing for Ordinance Number 08-2020 to amend the Recreation Commission ordinance to read Parks and Recreation and to include Open Space.

Council President Asaro asked for Council questions or comments.

Mayor Fahl recognized Megan Ruf for her hard work and leadership on the Parks and Recreation Commission.

Council President Asaro asked for public questions or comments.

There being no relevant questions to the public hearing on the Ordinance, Council President Asaro asked for a motion to close the public hearing for Ordinance Number 08-2020.

Councilman Sanders made the motion to close the public hearing for Ordinance Number 08-2020. Councilwoman Taylor seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Council President Asaro asked for a motion to adopt on second reading, granting final approval of Ordinance Number 08-2020. Councilwoman Urbish made the motion to adopt Ordinance Number 08-2020 on second reading. Councilman Sanders seconded

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the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

ORDINANCE NUMBER 09-2020: An Ordinance to Amend Chapter 7, Traffic, Section 7-13 Penalty, to Increase the Fees Collected by \$1.00 So as To Comply with the State of New Jersey's Increase in Fees for the DNA Fund.

Council President Asaro read the Ordinance into the record by title.

Information regarding the DNA Fund can be found at the following ink:
<https://www.njsp.org/division/investigations/dna-lab.shtml>

ORDINANCE NUMBER 09-2020

An Ordinance to Amend Chapter 7, Traffic, Section 7-13 Penalty, to Increase the Fees Collected by \$1.00 So as to Comply with the State of New Jersey's Increase in Fees for the DNA Fund.

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 Section 7-13, Penalty shall be changed to read:

7-13 PENALTY.

- a. A violation of the following subsections shall result in a fine as follows:
 1. 7-4.2, Parking Prohibited During State of Emergency, subsection 7-4.8, No Parking Snow Emergency, may be satisfied by payment to the Municipal Court of a fine of thirty-six (\$36.00) dollars plus any fees required by the State of New Jersey;
 2. 7-4.4, Parking Prohibited Certain Hours, may be satisfied by payment to the Municipal Court of a fine of twenty-six (\$26.00) dollars.
- b. Unless another penalty is expressly provided by New Jersey Statute, every person convicted of a violation of a provision of this chapter or any supplement thereto shall be liable to the penalties contained in Chapter I, Section 1-5, General Penalty.

(HISTORY: Ord. #88-25, §4; Ord. #94-02, §1; Ord. #99-14, §1; 1990 Code §7-13; Ord. No. 26-2018)

INTRODUCED: June 25, 2020

PUBLIC HEARING: July 23, 2020

Council President Asaro opened the public hearing for Ordinance Number 09-2020.

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Council President Asaro asked for Council questions or comments. There being no council questions or comments, Council President Asaro asked for public questions or comments. There being no public questions or comments, Council President Asaro asked for a motion to close the public hearing for Ordinance Number 09-2020.

Councilman Sanders made the motion to close the public hearing for Ordinance Number 09-2020. Councilwoman Urbish seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Council President Asaro asked for a motion to adopt on second reading Ordinance Number 09-2020. Councilman Sanders made the motion to adopt on second reading, granting final approval of Ordinance Number 09-2020. Mayor Fahl seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

APPOINTMENTS

Lambertville Free Public Library Board: Mayor Fahl nominated Rosemary King and Albert Bauer to serve on the Lambertville Free Public Library Board. She noted that these are two additional members, and this will increase their membership to 9.

Councilman Sanders made a motion to confirm the Mayor’s nominations. Councilwoman Urbish seconded the motion. An affirmative voice vote/roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Planning Board Vacancy: : All interested residents should send a letter of interest and resume to mayorfahl@lambertvillenj.org and councilpresidentasaro@lambertvillenj.org.

Mayor Fahl read the vacancy into the record and asked members of the public who are interested in serving on the Planning Board to reach out to her and Council President Asaro via email.

COUNCIL MEMBER UPDATES

CENSUS – Councilman Sanders reported out on the City’s efforts regarding CENSUS2020. He noted that Lambertville is currently at a 71.1% response rate. Hunterdon County (74%) continues to lead all counties in the state (64.9%) - and is in first place in 280 counties (8 states and PR) that are under our regional management. Councilman Sanders reported that he met on July 14th with John Woods from Indivisible and Ricardo from Fisherman’s Mark. The discussions focused on a plan to engage local volunteers with Spanish language skills to staff a booth at Fisherman’s Mark to distribute flyers to encourage CENSUS 2020 participation during pantry times beginning Monday July 27th. Part of the reason for the engagement is to prepare

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people for in-person Census workers that may start to come to Lambertville as early as August 11th. Councilman Sanders thanked both Fisherman’s Mark and Indivisible for their assistance in efforts to get folks in Lambertville and the region counted.

BUSINESS DISTRICT: Councilwoman Urbish reported that Councilwoman Taylor is assisting her in the effort for continuity at the end of her term. She complimented the Business Administrator and the City Planner for the work they completed and said that they shared a wealth of information on the business community with her. There are two zoom meetings scheduled with the business community to obtain feedback.

There are a couple of action items for discussion and they include 1: trash on the North end of town and she is looking for volunteers to assist. Two additional trash cans were moved to this site to address the garbage complaints. 2: She is coordinating with New Hope Celebrates to hand out masks to the members of the public on Sunday from 11:30 am to 1 pm at the corner of South Union and Bridge Streets.

CORRESPONDENCE

ANNOUNCEMENTS

AUGUST 4, 2020 CITY COUNCIL’S WORK SESSION has been canceled.

STREET SWEEPER begins on July 27, 2020.

CONVENIENCE CENTER HOURS: The Public Works Department is open Wednesday (August 19, 2020) from 3 to 5 pm for residents to drop off leaves and brush. They will also be open on Saturday, August 1, 202 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>

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.

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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

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

DISPLAY OF YOUR PHONE NUMBER: To avoid having your phone number displayed on the screen, first dial *67, then the meeting phone number followed by the meeting identification number. Your phone number will not be displayed.

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.

Matthew Hanson expressed concern for the cost associated with moving the Police Department and renovating a temporary site. Mayor Fahl commented that she appreciated his comment.

Elycia Lerman asked if the City needed a new police car; use of a planning guide which contains assessment work of what the police need before approving the bond ordinance; and use of market data to justify the salaries. She asked how she could have a tree that is not on her property trimmed. Mayor Fahl directed her to the Shade Tree Commission.

Polly Anderson asked if the street sweeper could visit Cottage Hill. She commended the City on the cutbacks and expressed concern for the drainage covers on Cottage Hill that are falling in with pilons in front of them.

Tom Sevick commented that the streets look really dirty since the street sweeper has been delayed. He asked for the Convenience Center to be open again on Saturdays. Mayor Fahl commented that we cannot afford to have a member of public works man the Convenience Center. She informed the members of the public that previously people from outside of our community were using the Convenience Center and they also dumped air conditioners and other waste that the City did not collect.

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Janine MacGregor said DEP has some clean community grants; the storm drains on Cottage Hill are falling in; concern for the house that has been boarded up, the condition of the Deni property, and the house with a plastic tarp over it for fifteen years; prioritized fixing of broken items; and the bond ordinance was part of the capital plan and it is important to go ahead with it. Mayor Fahl thanked her for her comment and said the City will look into the plastic tarp issue and will bring the list to the next department heads meeting.

Harry Young expressed concern over the plans for the police site; and asked if the City would look into shared services with the Township of West Amwell for the police department. Mayor Fahl commented that the City will not move the police site until we have a fully fleshed out plan. Councilman Sanders commented that he was part of a committee that investigated that, and it takes two willing partners. Mayor Fahl said the City was the recipient of a grant from the State of New Jersey to explore shared services and the City is looking at multiple ways we can streamline and save money.

Helen Pettit expressed concern over the change order for Clinton Street and she referenced a memo submitted to the City from the Shade Tree Commission regarding the trees; an issue with a telephone pole set on Buttonwood and Clinton Street by Verizon; and concern for the lack of support from the Delaware River Joint Toll Bridge Commission with the donation of Ash Borer Treatments. The City will look into Ms. Pettit's concerns and Mayor Fahl will follow through with a member of our community who sits on the Delaware River Joint Toll Bridge Commission's board.

Matt Hanson asked about the pothole on his street; the status of the posting of the recording from the July 9th session; he does not have an issue with Affordable Housing, but he is concerned with the cost to the citizens. Members of Council responded with information about the Teach-in and consideration was given for an additional teach-in.

Bart Thurber commented that another session about Affordable Housing would be appreciated; he spoke with a leading official at the Township of West Amwell and they said they have no interest in a shared service agreement with Lambertville for Police services.

Shaun Ellis commented that he fully supports the cost of living wage increase and benefits for the staff. Mayor Fahl commented that she appreciates that and said the staff all stepped up during the pandemic.

Lauren Kovacs asked the Council if this project moves forward to avoid an award to the highest cost to help defray the cost of moving the police station.

Lillie Chen asked if we have a cap on the number of Affordable Housing units that can be built on the police site and a traffic light at that site. Mayor Fahl said the Area in Need of Redevelopment would come first and then we could provide a redevelopment agreement which will have specific rules, changes in zoning, and the Community

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Advisory Team, the Planning Board and Council will work together to come up with a specific number.

ADJOURNMENT

The meeting adjourned at 9:25 p.m. with a motion made by Councilwoman Urbish and seconded by Councilwoman Taylor. An affirmative voice 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

98 attendees (89 attendees, 9 panelist).

The July 23, 2020 Session Minutes were approved at the August 20, 2020 session.