



**CITY OF LAMBERTVILLE
WORK SESSION
7:00 P.M. THURSDAY, MARCH 7, 2024
PHILLIP L. PITTORE JUSTICE CENTER
25 SOUTH UNION STREET
MEETING AGENDA**

- I. STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT
- II. ROLL CALL
- III. PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE
- IV. PUBLIC PARTICIPATION
- V. PROCLAMATION

- a. Trisomy 9 Day and Trisomy Awareness Month

Proclamation

Trisomy 9 Day and Trisomy Awareness Month

WHEREAS, the life of every child is precious, regardless of the number of chromosomes he or she may possess; and

WHEREAS, Trisomy is a condition characterized by the presence of an additional chromosome to the normal diploid number, which causes developmental abnormalities in a person; and

WHEREAS, the most common autosomal abnormalities among newborns are Down Syndrome (Trisomy 21), Edwards syndrome (Trisomy 18), and Patau syndrome (Trisomy 13); and

WHEREAS, Trisomy 9 Mosaicism syndrome is a rare chromosomal disorder in which the entire 9th chromosome appears three times in some cells, while others have the normal chromosomal pair; common features of Trisomy 9 are physical and mental growth deficiencies, congenital heart defects and/or craniofacial abnormalities; and

WHEREAS, local support groups are available that offer education, encouragement, and counseling for those managing Trisomy pregnancies or raising Trisomy affected children.

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 March 9, 2024, is hereby proclaimed Trisomy 9 Day in the City of Lambertville.

BE IT FURTHER RESOLVED that the month of March is hereby proclaimed Trisomy Awareness Month in the City of Lambertville.

ADOPTED: March 7, 2024

- VI. BILLS LIST
- VII. RESOLUTIONS

- a. Resolution Number 49-2024: *A Resolution to Award the Contract for the North Franklin, Swan, Studdiford and Coryell Road Projects, 2022-MA-0586 and 2023-MA-00572 to Earle Asphalt Company in an Amount Not to Exceed \$347,713.13*

WHEREAS, the City of Lambertville advertised in the Trenton Times for the acceptance of bids for the North Franklin, Swan, Studdiford Streets, and Coryell Road (2022-MA-00586 and 2023-MA-00572); and

WHEREAS, on February 14, 2024, the following bids were opened and read aloud into the record:

Bidder's Name	N. Franklin Street Bid Proposal A	Swan, Studdiford & Coryell Road Bid Proposal B	Grand Total
Earle Asphalt Company	\$155,113.13	\$192,600.00	\$347,713.13
Top Line Construction Corp.	\$159,682.53	\$213,953.20	\$373,635.73
Reivax Contracting Corp.	\$297,257.50	\$297,175.00	\$594,432.50
DeSantis Construction, Inc.	\$324,882.44	\$345,344.14	\$670,226.58
Meco Constructors, Inc.	\$457,631.00	\$375,124.00	\$832,755.00

WHEREAS, the City Engineer and City Attorney reviewed all of the bids and have determined that Earle Asphalt Company was the most responsive and responsible bidder.

WHEREAS, the CMFO has certified that funds are available.

WHEREAS, the project is partially funded through grants received from the State of New Jersey, Department of Transportation as follows:

Franklin Street, FY 2022, Bid Proposal A - \$179,300.00

Swan, Studdiford & Coryell Road, FY2023, Bid Proposal B - \$185,940.00

TOTAL of \$365,240.00

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 Earle Asphalt Company is hereby awarded the contract for Bid Proposal A, and Bid Proposal B, North Franklin, Swan, Studdiford Streets, and Coryell Road (2022-MA-00586 and 2023-MA-00572).

BE IT FURTHER RESOLVED that the Mayor, City Attorney, and City Clerk are hereby authorized to execute a contract with Earle Asphalt Company for the completion of the Road Projects in an amount not to exceed \$347,713.13.

- b. Resolution Number 50-2024: *A Resolution of the City of Lambertville, in the County of Hunterdon, New Jersey, Authorizing the Sale of \$8,352,000 Principal Amount of General Obligation Bonds, Series 2024; and Authorizing Other Matters Relating Thereto.*

RESOLUTION NO. 50-2024

RESOLUTION OF THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, AUTHORIZING THE SALE OF \$8,352,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 2024; AND AUTHORIZING OTHER MATTERS RELATING THERETO.

WHEREAS, the City of Lambertville, in the County of Hunterdon, New Jersey (the "City") has adopted the Bond Ordinances listed on the attached Appendix A authorizing the issuance of obligations of the City for the purpose of financing the general capital improvements set forth in the respective Bond Ordinances; and

WHEREAS, the City has determined to finance permanently a portion of the costs of the general capital improvement projects undertaken pursuant to the respective Bond

Ordinances by the issuance of \$8,352,000 principal amount of general improvement bonds;
and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lambertville, in the County of Hunterdon, New Jersey (not less than a majority of all members thereof affirmatively concurring), as follows:

Section 1. Combination of Certain Issues of General Improvement Bonds. The principal amount of general capital improvement bonds under the respective Bond Ordinances described in Appendix A hereto are hereby combined into a single and combined issue of \$8,352,000 aggregate principal amount of general improvement bonds (the “General Improvement Bonds”). The average period of usefulness for the general capital improvements financed by the General Improvement Bonds taking into consideration the respective amounts of obligations presently authorized to be issued pursuant to the Bond Ordinances and the period or average period of usefulness determined in the Bond Ordinances, is 21.443 years.

Section 2. Public Sale of Bonds. The General Improvement Bonds shall be issued and sold as a combined issue of bonds, designated “General Obligation Bonds, Series 2024” (the “Bonds”) at public sale in accordance with the provisions hereof and of the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented (the “Local Bond Law”).

Section 3. Term of the Bonds. The Bonds shall be dated the date of delivery, shall be in book-entry only form, shall bear interest from the dated date, payable semiannually on March 1st and September 1st of each year, commencing March 1, 2025, at the rate or rates to be specified by the successful bidder. The Bonds shall mature, subject to prior redemption, on March 1st in the annual principal amounts and years as set forth below:

	<u>Principal Amount</u>
<u>Year</u>	
2025	\$337,000
2026	475,000
2027	485,000
2028	500,000
2029	510,000
2030	525,000
2031	550,000
2032	550,000
2033	565,000
2034	610,000

	2035	625,000	
	2036	635,000	
The	2037	650,000	Bonds shall contain such other terms and conditions as are specified in the Notice of Sale approved in Section 5 hereof "Notice of Sale").
	2038	665,000	
(the	2039	670,000	

Section 4. Redemption. The Bonds maturing prior to March 1, 2032 are not subject to redemption prior to maturity. The Bonds maturing on or after March 1, 2032 are subject to redemption prior to maturity at the option of the City, as a whole at any time or in part from time to time on or after March 1, 2031, in such order of maturity as the City may direct at a redemption price equal to one hundred percent (100%) of the principal amount to be redeemed plus accrued interest thereon to the date fixed for redemption.

Any Bond subject to redemption as aforesaid may be called in part, provided that the portion not called for redemption shall be in the principal amount of \$5,000 or any integral multiple thereof. If less than all of the Bonds of a particular series or maturity are to be redeemed, Bonds of that series or maturity shall be selected by the Chief Financial Officer (or, if appointed, pursuant to Section 12 hereof, the Paying Agent) by lot.

When any Bonds are to be redeemed, the Chief Financial Officer (or, if appointed pursuant to Section 12 hereof, the Paying Agent) shall give notice of the redemption of the Bonds by mailing first class mail in a sealed envelope with postage pre-paid to the registered owners of any Bonds or portions thereof which are to be redeemed, at their respective addresses as they last appear on the registration books of the City at least thirty (30) but not more than sixty (60) days before the date fixed for redemption. Such mailing shall not be a condition precedent to such redemption, and failure to so mail or receive any such notice to any of such registered owners shall not affect the validity of the proceedings for the redemption of the Bonds. Notice of redemption having been given as aforesaid, the Bonds, or portions thereof so to be redeemed, shall, on the date fixed for redemption, become due and payable at the redemption price specified therein plus accrued interest to the redemption date and, upon presentation and surrender thereof at the place specified in such notice, such Bonds, or portions thereof, shall be paid at the redemption price, plus accrued interest to the redemption date. On and after the redemption date (unless the City shall default in the payment of the redemption price and accrued interest), such Bonds shall no longer be considered as outstanding hereunder. If moneys sufficient to pay the redemption price and accrued interest have not been made available by the City on the redemption date, the Bonds called for redemption shall continue to bear interest until paid at the same rate as they would have borne had they not been called for redemption.

During any period in which DTC (or any successor thereto) shall act as securities depository for the Bonds, the notices referred to above shall be given only to such depository and not to the beneficial owners of the Bonds, any failure of such depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any notice of redemption shall not affect the validity of the redemption proceedings.

Section 5. Approval of Notice of Sale. The Notice of Sale containing the terms and provisions of the Bonds and setting forth the conditions of the sale thereof, all of which are hereby approved, shall be substantially in the form attached to this Resolution as Appendix

B and made a part hereof. The City Clerk is hereby authorized and directed to advertise the Notice of Sale in accordance with the terms of the Local Bond Law.

Section 6. Approval of Summary Notice of Sale. The Summary Notice of Sale setting forth a summary of conditions of the sale of the Bonds, all of which are hereby approved, shall be substantially in the form attached to this Resolution as Appendix C and made a part hereof. The City Clerk is hereby authorized and directed to advertise the Summary Notice of Sale in accordance with the terms of the Local Bond Law.

Section 7. Publication of Notice of Sale. The Notice of Sale substantially in the form attached to this Resolution shall be published at least once in a newspaper published and circulating in the City and the Summary Notice of Sale substantially in the form attached to this Resolution shall be published at least once in The Bond Buyer, a newspaper published in the City of New York and State of New York. The advertisement of said Notice of Sale and Summary Notice of Sale in each such newspaper shall be published not less than seven (7) days prior to sale date for the Bonds.

Section 8. Designation of Chief Financial Officer to Award Bonds. Proposals for the purchase of the Bonds shall be received by the Chief Financial Officer on Tuesday, March 28, 2024 as provided in the Notice of Sale and the Summary Notice of Sale, as such date may be revised with the advice of the City's Auditors or bond counsel. The City Council hereby designates the Chief Financial Officer to sell and award the Bonds in accordance with this Resolution and the Notice of Sale. The Chief Financial Officer is hereby directed to report, in writing, to the City Council at its first meeting after the sale of the Bonds as to the principal amount, interest rate and maturities of the Bonds sold, the price obtained and the name of the purchaser.

Section 9. Authorization for Official Statement. The proper City officials and advisors are hereby authorized to prepare and distribute to the prospective purchasers of the Bonds a Preliminary Official Statement and a final Official Statement containing information relating to the City, its financial condition and the terms of the Bonds and other material facts customarily included in official statements for general obligation bonds in the State of New Jersey.

The Chief Financial Officer is hereby authorized on behalf of the City to approve and "deem final" the Preliminary Official Statement prepared in connection with the offering and sale of the Bonds for the purposes of Rule 15c2-12, as amended and supplemented (the "Rule"), promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended, with the exception of certain information permitted to be omitted thereby, in consultation with Bond Counsel.

Section 10. Approval of Form of Bonds. The form of the Bonds, substantially as set forth in Appendix D attached hereto and made a part hereof, is hereby approved. The Bonds shall be executed in the name of the City by the manual or facsimile signature of the Mayor and the Chief Financial Officer and the seal of the City, or a facsimile impression thereof, shall be affixed to the Bonds and attested by the manual signature of the City Clerk.

Section 11. Appointment of Securities Depository. The Depository Trust Company, New York, New York ("DTC"), shall act as securities depository for the Bonds. The ownership of one fully registered bond for each maturity of the Bonds each in the aggregate principal amount of such maturity, will be registered in the name of Cede & Co., as nominee for DTC. Pursuant to the book-entry only system, any person for whom a DTC Participant

acquires an interest in the Bonds (the “Beneficial Owner”) will not receive certificated Bonds and will not be the registered owner thereof. Ownership interests in the Bonds may be purchased by or through DTC Participants. Each DTC Participant will receive a credit balance in the records of DTC in the amount of such DTC Participant's interest in the Bonds, which will be confirmed in accordance with DTC's standard procedures. Receipt by the Beneficial Owners (through any DTC Participant) of timely payment of principal, premium, if any, and interest on the Bonds, is subject to DTC making such payment to DTC Participants and such DTC Participants making payment to Beneficial Owners. Neither the City nor the Paying Agent will have any direct responsibility or obligation to such DTC Participants or the persons for whom they act as nominees for any failure of DTC to act or make any payment with respect to the Bonds.

DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the City and discharging its responsibilities with respect thereto under applicable law. Under such circumstances, the City shall designate a successor securities depository or deliver certificates to the beneficial owners of the Bonds.

Section 12. Paying Agent. The Chief Financial Officer is hereby authorized to select and to enter into an agreement with a Paying Agent to ensure that the City can meet its obligations undertaken herein to the holders of the Bonds. The Chief Financial Officer may, however, elect not to select a Paying Agent for the Bonds, and may elect to select a Paying Agent at any time prior or subsequent to the issuance of the Bonds. However, the Chief Financial Officer shall select a Paying Agent upon any determination to cause the Bonds to be registered in the names of the Beneficial Owners thereof, as provided in Section 11 hereof.

Section 13. Tax Covenant. The City hereby covenants with the holders from time to time of the Bonds that it will make no investment or other use of the proceeds of the Bonds or take any further action (or refrain from taking such action) which would cause the Bonds to be “arbitrage bonds” within the meaning of the Internal Revenue Code of 1986, as amended, or under any similar statutory provision or any rule or regulation promulgated thereunder (the “Code”), or would cause interest on the Bonds to be includable in gross income for federal income tax purposes, and that it will comply with the requirements of the Code and said regulations throughout the term of the Bonds.

Section 14. Pledge of City. The full faith and credit of the City is hereby pledged for the payment of the principal, redemption premium, if any, and interest on the Bonds. The Bonds shall be direct 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 principal of and interest on the Bonds without limitation as to rate or amount.

Section 15. Continuing Disclosure. To comply with Rule 15c2-12 under the Securities Exchange Act of 1934, the City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate executed by the City and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

Section 16. Ratification of Prior Actions. Any actions taken by the proper officers and agents of the City to effectuate the purposes of this resolution and hereby confirmed and ratified

Section 17. Further Action. The proper officers of the City are hereby authorized and directed to take all such action as may be necessary to effect the issuance and delivery of the Bonds.

Section 18. Effective Date. This Resolution shall take effect immediately.

Adopted: March 7, 2024

- c. Resolution Number 51-2024: A Resolution to Accept and Authorize the Grant from the State of New Jersey for Stormwater Management, Tier A MSF Activities in the Amount of \$75,000.00

WHEREAS, the City of Lambertville applied for the State of New Jersey, Department of Environmental Protection's Stormwater Assistance Grant offered to communities that were upgraded in the MS4 Stormwater Programs from a Tier B to a Tier A Permit in the amount of \$25,000.00; and

WHEREAS, upon the completion of the Stormwater Pollution Prevention Plan, applicants also qualified for an additional \$50,000.00; and

WHEREAS, the total grant awarded to the City of Lambertville was in the amount of \$75,000.00, and

WHEREAS, the purpose of the grant is to offset the costs associated with compliance with the Tier A permit.

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 Stormwater Assistance Grant from the State of New Jersey, is hereby accepted.

ADOPTED: March 7, 2024

- d. Resolution Number 52-2024: A Resolution to Authorize the Mayor to Sign the License Agreement with Houston-MDL and LSRI Holdings for an Encroachment of a Right-of-Way for the Installation of a Pole for Power.

**RESOLUTION AUTHORIZING EXECUTION OF LICENSE
AGREEMENT FOR INSTALLATION OF UTILITY
FACILITIES OVER THE STATION COURT RIGHT-OF-WAY**

WHEREAS, the City of Lambertville, County of Hunterdon (the "City") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, Houston-MDL and LSRI Holdings, LLC (the "Licensee") are the owners of the property designated as Block 1043, Lots 2, 7, 7.01 and 7.02 on the tax maps of the City, more commonly known as 9-11 Bridge Street and 2 Station Court, and located on such property are certain utility facilities which require the installation of overhead lines that are proposed to encroach over the City right-of-way along Station Court (the aerial encroachment over said right-of-way hereinafter referred to as the "Licensed Areas"); and

WHEREAS, Licensee has an interest in managing and maintaining the Licensed Areas, and the facilities therein for the duration of its current use; and

WHEREAS, Licensee has requested permission from the City to maintain and manage the facilities within the Licensed Areas, all pursuant to the terms and conditions of a License Agreement between the City and Licensee (the “**License Agreement**”); and

WHEREAS, the City wishes to grant a license under the terms and conditions set forth in the License Agreement with respect to and for the foregoing purposes.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The City is hereby authorized to execute the License Agreement with the Licensee in the form on file with the Office of the City Clerk.
3. The Mayor is hereby authorized and directed to execute the License Agreement, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor in his discretion in consultation with counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the License Agreement.
4. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.
5. A copy of this Resolution shall be available for public inspection at the offices of the City Clerk.
6. This Resolution shall take effect as provided by law.

VIII. ANNOUNCEMENTS

a. CONVENIENCE CENTER HOURS

i. MARCH

1. Saturday, March 16 from 9 am to 12 noon.
2. Wednesday, March 20, from 3 – 5 pm

ii. APRIL

1. Saturday, April 6 and April 20 from 9 am to 12 noon
2. Wednesday, April 17, from 3 – 5 pm

IX. DISCUSSION

a. Various Projects

- i. Stormwater Utility Feasibility Study Update
- ii. Road Projects

b. Sparkle Week, New procedure

c. Municipal Fees

- i. Return Check Fee from \$20.00 to \$25.00
- ii. Tax Map Revision Fee from \$150.00 per lot to \$175.00 per lot.
- iii. Facility Use Fees are currently \$25.00 per use, \$250.00 deposit which is returned if there is no damage. The same fees apply for all Parks and Recreation Fees.
 1. Justice Center is used by:
 - a. HOA's use the Justice Center for meetings.
 - b. Local Nonprofits
 2. Parks are used for birthday parties, special events, filming, and we have even had some businesses from PA renting them for their picnic.
 3. Question: Do we implement a resident and a nonresident fee?
 4. Note: the fee is waived for nonprofits.
- iv. Bulk Garbage Permit Fees (to clarify)
 1. Items like a Couch can mean a three-piece sectional which is heavier and larger in volume.

d. Ordinances Proposed/In Process

- i. Valet Parking

X. PUBLIC PARTICIPATION

XI. ADJOURNMENT