



**City of Lambertville
Meeting Agenda
August 15, 2024, 6:30 p.m.
Phillip L. Pittore Justice Center
25 South Union Street**

I. STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

This meeting is being held in compliance with the Open Public Meetings Act with the meeting schedule advertised in the January 10, 2024, edition of the Trenton Times, the meeting agenda was posted on the Bulletin Board at City Hall and the City's website, and the meeting notice was sent to the members on the Listserv and Department Heads and the City Engineer on Monday August 12, 2024.

The meeting agenda offers planned action items known at the time of publication and is subject to change.

II. ROLL CALL

Councilwoman Kominsky, Councilman Lide, Councilman Stegman, Council President Lambert, and Mayor Nowick

III. CLOSED SESSION: to discuss attorney/client matters related to potential contracts pursuant to N.J.S.A. 10:4-12(b)(7).

PLEASE NOTE: *The Governing Body will go into closed session at 6:30 pm and will reconvene in open session at 7:00 pm.*

IV. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

V. APPROVAL OF MINUTES

- a. June 20, 2024, Meeting Minutes
- b. July 18, 2024, Meeting Minutes
- c. July 18, 2024, Closed Session Minutes

VI. APPROVAL OF ADMINISTRATIVE REPORTS

- a. Clerk's Office, Construction Office, Fire Official, Municipal Court, Public Works Department, Police Department, Tax Collector.

VII. PROCLAMATION

- a. MURIEL MESERVE

WHEREAS, Muriel Meserve, a lifelong resident of Lambertville, is retiring from her volunteer activities at the United Centenary Methodist Church, and;

WHEREAS, She is the daughter of Fred and Nell Lewis, and the Lewis Family Fishery is part of her heritage. Fishing for shad starts when the temperature of the water and the river is above 50 degrees. Using a 100-year-old tradition the team uses a rowboat and nets that are more than one hundred yards long, to pull in the shad from river to shore.

This fishing tradition is part of Lambertville’s history and is the reason we celebrate the Shad in the Delaware River with a festival every spring.

WHEREAS, Mrs. Meserve is a retired elementary school teacher who served 38 years as a teacher at the Lambertville Public School; and

WHEREAS, Muriel resides on Coryell Street and is the mother of Steve Meserve and Pam Baker; grandmother to Andrew and Sarah Baker; and great-grandmother to Benjamin Baker; and

WHEREAS, for over thirty years Muriel served on the Halloween Parade Committee which was responsible for the planning the annual parade, with prizes and refreshments after the parade; and

WHEREAS, Muriel is also a member at the United Centenary Methodist Church located on North Union Street in the City of Lambertville where she organized a weekly community lunch every Wednesday for the past 12 years. She taught Vacation Bible School, chaired the 150th church celebration, and served on many committees throughout her tenure.

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 Muriel is hereby acknowledged for her many contributions to our community.

BE IT FURTHER RESOLVED that Saturday, August 28, 2024, is hereby proclaimed Muriel Meserve Day in the City of Lambertville.

VIII. PUBLIC PARTICIPATION

IX. RESOLUTIONS

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

- a. RESOLUTION NUMBER 117-2024: *A Resolution to Authorize the Refunds for the Month of July*

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 refunds are hereby authorized:

CHECK ISSUED TO:	REFUND FOR:	AMOUNT OF REFUND:
Laura Moe	Frenchtown Construction Permit	\$15.00
Keith Harris	Overpayment of LL Reg	\$125.00
Anne Marie Sole	Bulk Trash	\$20.00
CVS Health	Escrow Refund	\$160.61
Leah Cahill	Frenchtown Permit	\$697.00
Sarah Burke	Bulk Trash Permit	\$60.00

- b. RESOLUTION NUMBER 118-2024: *A Resolution to Approve the Paint Color Section for the Lambertville Free Public Library, Located at 6 Lilly Street, as Recommended by the Committee (CC-122 Boxcar Red, OC-15 Baby Fawn, CSP-735 Sea Glass, and CSP-750 Porch Swing).*

WHEREAS, at the May 16, 2024, session of the Governing Body, the Mayor formed a Committee to review and recommend the paint color selection for the Lambertville Free Public Library; and

WHEREAS, the Committee was comprised of two representatives of the Governing Body, and representatives from the Library and Historic Preservation Commission, and

WHEREAS, the Committee is recommending the following paint selection from the Benjamin Moore Selection: CC-122 Boxcar Red, OC-15 Baby Fawn, CSP-735 Sea Glass, and CSP-750 Porch Swing.

NOW THEREFORE BE IT RESOLVED by the Governing of the City of Lambertville, and the County of Hunterdon, in the State of New Jersey, that the color selection is approved as submitted by the Committee.

c. RESOLUTION NUMBER 119-2024: A Resolution to Appoint Denis Newcomer, as the LSRP for the Cavallo Park Project, LSRP#582602

WHEREAS, the City of Lambertville recently took ownership of Cavallo Park, Block 1043, Lot.01, and

WHEREAS, the State of New Jersey's Department of Environmental Protection has requested the City's LSRP to close out the Green Acres grant from 2014.

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 Denis Newcomer, LSRP#582602 is hereby appointed to serve as the LSRP for the City of Lambertville, for the property known as Cavallo Park, Block 1043, Lot .01, in an amount not to exceed \$9,500.00 charged to Ordinance Number 11-2020, Recreation Various Improvements.

d. RESOLUTION NUMBER 120-2024: A Resolution to Authorize the Purchase of a 2024 Dodge Durango Police AWD through the Cranford Police Cooperative Pricing System -47 CPCPS, in An Amount Not to Exceed \$40,910.00.

WHEREAS, the City of Lambertville is a member of the Cranford Police Cooperative Pricing System -47 CPCPS; and

WHEREAS, the City of Lambertville has introduced for first reading Ordinance Number 16-2024 to fund the purchase of a police vehicle; and

WHEREAS, the public hearing is scheduled for August 15, 2024.

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 purchase of a 2024 Dodge Durango Police AWD through the Cranford Police Cooperative Pricing System -47 CPCPS, in an amount not to exceed \$40,910.00 funded through Ordinance Number 16-2024.

e. RESOLUTION NUMBER 121-2024: A Resolution to Transfer the Balance in the Uniform Fire Safety Act Penalty Moneys (N.J.S.A. 52:27D-192 et seq. and N.J.A.C. 5:70-2.12) to the Lambertville Board of Fire Commissioners, District 1 in the Amount of \$6,000.00

WHEREAS, the City of Lambertville adopted an Ordinance to designate the Lambertville Board of Fire Commissioners, District 1 as the Local Enforcing Agency for the enforcement of the New Jersey Uniform Fire Code on May 2, 2024, which took effect on July 1, 2024; and

WHEREAS, the accumulation of funds for the various violations and fees needs to be transferred to the Lambertville Board of Fire Commissioners, District 1.

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 transfer of the funds from the Uniform Fire Safety Act Penalty Moneys, (*N.J.S.A. 52:27D-192 et seq. and N.J.A.C. 5:70-2.12*) in the amount of \$6,000.00 to the Lambertville Board of Fire Commissioners, District 1 is hereby authorized.

f. RESOLUTION NUMBER 122-2024: A Resolution to Approve the 2023 Audit Completed by Suplee Clooney.

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the calendar year 2023 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, N.J.S.A. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit containing the auditor's findings, comments, and recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit containing the auditor's findings, comments, and recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of N.J.S.A. 52:27BB-52, to wit:

N.J.S.A. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

g. RESOLUTION NUMBER 123-2024: A Resolution to Adopt the ROSI (Recreation and Open Space Inventory).

WHEREAS, the City of Lambertville recently acquired Cavallo Park, block 1043, lot.01 which was previously leased from the State of New Jersey, and

WHEREAS, the Recreation and Open Space Inventory needs to be updated to include Cavallo Park as Lands Held in Fee Simple for Recreation and Conservation Purposes.

WHEREAS, the Chairperson for the Planning Board, the Mayor and the City Attorney have reviewed the four-page form, and the tax maps prepared by the City Clerk.

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 Recreation and Open Space Inventory dated August 15, 2024, is hereby adopted.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to submit the Recreation and Open Space Inventory to the State of New Jersey Department of Environmental Protection.

h. RESOLUTION NUMBER 124-2024: A Resolution to Request the Insertion of a Special Item of Revenue in the 2024 Budget for the Safe Passage Grant in the Amount of \$700.00

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Finance may approve the insertion of any special item if revenue in the budget of any County or Municipality when such item has been made available by Law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount.

WHEREAS, the Chief Financial Officer has certified that the City has received a grant in the amount of \$700.00; Memorial Day Safe Passage Grant

NOW THEREFORE, BE IT RESOLVED that the City of Lambertville hereby requests the Director of Division of Local Finance to approve the insertion of an item of revenue in the 2024 CY Budget in the amount of \$700.00 which item is now available as revenue from the receipt of the Safe Passage Grant

BE IT FURTHER RESOLVED that a like sum of \$700.00 is hereby appropriated under the caption of:

OPERATIONS “EXCLUDED FROM CAP”

Safe Passage Grant	\$700.00
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BE IT FURTHER RESOLVED that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval, with a copy of the letter awarding the Grant.

ADOPTED:

- i. RESOLUTION NUMBER 125-2024: *A Resolution to Authorize the Submittal to the NJDOT Bicycle and Pedestrian Planning Assistance Program (BPPA), To Address Safety and Comfort Issues Associated with Biking and Walking in Lambertville.*

WHEREAS, the City of Lambertville is considered a walking community, and it is supported in our local elementary school, and various community social groups; and

WHEREAS, the Governing Body of the City of Lambertville has been pro-active in encouraging bicycle and pedestrian improvements as far back as 2002 with the completion of a study for Bicycle and Pedestrian Traffic, planning for local bike routes, planning and installing bicycle repair stations and racks in the business districts; and

WHEREAS, Lambertville is a Historical City with limitations on the width of some of the cartways, however, we are committed to creating street corridors, where possible, to accommodate all road users of all ages and abilities for all trips, including pedestrians, bicyclist, transit vehicles, children, older adults and the mobility-challenged; and

WHEREAS, the New Jersey Department of Transportation has created the Local Bicycle/Pedestrian Planning Assistance Program and under this program, the Department provides services of consultants with expertise in local bicycle and pedestrian planning at no cost to municipalities or counties for planning activities that will lead to physical and programmatic improvements to benefit the non-motorized modes; and

WHEREAS, utilizing the NJDOT's Local Bicycle Pedestrian Planning Assistance Program for the Complete Streets Implementation Plan will help guide improvements for bicycle and pedestrian traffic and it is a goal in Sustainable Jersey; and offered through New Jersey Department of Transportation's Local Bicycle/Pedestrian Planning Assistance Program; and

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 application for a Planning Assistance Grant from the State of New Jersey's Department of Transportation's Local Bicycle Planning Assistance Program is hereby authorized.

- j. RESOLUTION NUMBER 126-2024: *A Resolution to Amend Resolution Numbers 19-2024 and 26-2024, to Increase the Contract Not to Exceed Amounts for Professional Services*

WHEREAS, on January 1, 2024, the Governing Body adopted Resolution Numbers 19-2024 and 26-2024 authorizing contracts for professional services; and

WHEREAS, the following not to exceed amounts in the contracts need to be increased:

RESOLUTION NUMBER 19-2024:

BOND ATTORNEY
Thomas Hastie, Malamut

Amending Resolution Number 91-2024
Not to Exceed Amount from \$16,222.25 to \$25,000.00

CITY ARCHITECT,
Michael Burns, Architect

Amending Resolution Number 19-2024, 45-2024, and 115-2024
Not to Exceed Amount from \$10,000.00 to \$20,000.00

RESOLUTION NUMBER 26-2024:

ATTORNEY, PB, ZBOA,
Scott Salmon, Jardim, Meisner & Susser PC
General/Litigation Not to Exceed from \$500.00 to \$1,500.00
Escrow Not to Exceed from \$15,000.00 to \$20,000.00

PLANNER, PB, ZBOA, COAH, CITY,
Michael Sullivan, Clarke Caton Hintz, PC
Escrow Not to Exceed from \$32,000.00 to \$60,000.00

CITY ATTORNEY
William Opel, MSB, adding Litigation at a not to exceed \$30,000,
Resolution Number 26-2024 included: City Attorney: \$60,000.00,
Redevelopment: \$10,600.00, Escrow, as needed: \$20,000.00, and
Incidentals: \$500.00. Total Not to Exceed of \$121,100.00

NOT 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 above
listed amendments to the not to exceed amounts with professional are hereby approved.

- k. RESOLUTION NUMBER 127-2024: A Resolution in Support of the County of
Hunterdon's Proposal to Place a Question on the November Ballot to Ask the
Voters for Approval to Increase Veterans Property Tax Deduction from \$250.00 to
\$2,500.00.

WHEREAS, the Hunterdon County Board of County Commissioners has
contacted the state legislation to put a question on the New Jersey ballot to increase the
Veterans property tax deduction from its current \$250.00 to \$2,500.00, which would be
phased in over four years; and

WHEREAS, the amount can only be changed by a Constitutional amendment
approved by the voters of this state. The legislation to put the question on the ballot is
SCR 81 and ACR 58.

WHEREAS, the property tax deduction has not been increased in over twenty
years, while the property taxes continue to increase.

WHEREAS, OUR MILITARY Veterans can never be thanked enough for their
service and sacrifice given in the defense of our Nation and the protection of our liberties.

NOW THEREFORE BE IT RESOLVED that the Governing Body of the City of
Lambertville in the County of Hunterdon, in the State of New Jersey, is supportive of
SCR 81 and ACR 58, placing the question on the November 5, 2024 Ballot for the voters
of the State of New Jersey to decide whether the Veterans property tax deduction should
increase from \$250 to \$2,500 annually, to be phased in over a four year period of time.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to send a
copy of this resolution to Assemblyman Verrelli, Assemblywoman Jackson-Reynolds,
and Senator Turner.

l. RESOLUTION NUMBER 128-2024: A Resolution Requesting the Insertion of a Special Item of Revenue in the Budget of A County or Municipality Pursuant to N.J.S.A. 40A:4-87 (Chapter 159 P.L. 1948) for Distracted Driving

RESOLUTION – 128-2024

RESOLUTION REQUESTING THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S.A. 40A:4-87 (Chapter 159 P.L. 1948)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Finance may approve the insertion of any special item if revenue in the budget of any County or Municipality when such item has been made available by Law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount.

WHEREAS, the Chief Financial Officer has certified that the City has received a grant in the amount of \$2,450.00; Somerset County Distracted Driving April 2024 Grant.

NOW THEREFORE, BE IT RESOLVED that the City of Lambertville hereby requests the Director of Division of Local Finance to approve the insertion of an item of revenue in the 2023 CY Budget in the amount of \$2,450.00 which item is now available as revenue from the receipt of the; Somerset County Distracted Driving April 2024 Grant.

BE IT FURTHER RESOLVED that a like sum of \$2,450.00 is hereby appropriated under the caption of:

OPERATIONS “EXCLUDED FROM CAP”

Distracted Driving Grant \$2,450.00

BE IT FURTHER RESOLVED that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval, with a copy of the letter awarding the Grant.

m. RESOLUTION NUMBER 129-2024: A Resolution Requesting the Insertion of a Special Item of Revenue in the Budget of A County or Municipality Pursuant to N.J.S.A. 40A:4-87 (Chapter 159 P.L. 1948) for ANJEC OPEN SPACE STEWARDSHIP PROJECT.

RESOLUTION NUMBER 129-2024

RESOLUTION REQUESTING THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S.A. 40A:4-87 (Chapter 159 P.L. 1948)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of local Finance may approve the insertion of any special item if revenue in the budget of any County or Municipality when such item have been made available by Law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount.

WHEREAS, the Chief Financial Officer has certified that the City has received a grant in the amount of \$2,250.00 for the 2024 ANJEC Open Space Stewardship Project

NOW THEREFORE, BE IT RESOLVED that the City of Lambertville hereby requests the Director of Division of Local Finance to approve the insertion of an item of revenue in the 2019 CY Budget in the amount of \$2,250.00 which item is now available as revenue from the receipt of 2024 ANJEC Open Space Stewardship Project

BE IT FURTHER RESOLVED that a like sum of \$2,250.00 is hereby appropriated under the caption of:

OPERATIONS “EXCLUDED FROM CAP”

2024 ANJEC Open Space Stewardship Project - \$2,250.00

BE IT FURTHER RESOLVED that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval, with a copy of the letter awarding the Grant.

- n. RESOLUTION NUMBER 130-2024: Resolution to Amend Resolution Number 24-2024, 35-2023, and Resolution Number 87-2023, A Resolution of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, Conditionally Designating K. Hovnanian Homes, LLC As the Redeveloper of Property Identified as The Lambertville High School Redevelopment Area, Block 1073, Lots 1, 3, 5, 6, 7, 8, 9, 10, 11, 32, 33 and 33.01, Block 1091, Lots 1 and 1.01, Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40a:1 2 a-l, Et Seq.

WHEREAS, the City of Lambertville, a public body corporate and politic of the State of New Jersey (the “**City**”), is authorized pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”) to determine whether certain parcels of land within the City constitute an area in need of redevelopment; and

WHEREAS, in accordance with the Redevelopment Law, on June 19, 2018, the Governing Body of the City (the “**Governing Body**”) designated the area known as the Lambertville High School Redevelopment Area and identified as Block 1073, Lots 1, 3, 5, 6, 7, 8, 9, 10, 11, 32, 33, and 33.01, Block 1090, Lots 4 and 5, and Block 1091, Lots 1 and 1.01 on City of Lambertville Tax Maps including rights of way (the “**LHS Redevelopment Area**”), as an area in need of redevelopment; and

WHEREAS, on November 26, 2018, the Governing Body adopted Ordinance No. 22-2018, which approved a redevelopment plan to provide specific provisions for the redevelopment of the LHS Redevelopment Area (the “**Original LHS Redevelopment Plan**”); and

WHEREAS, on April 23, 2020, the Governing Body adopted Ordinance 01-2020, which approved certain additional revisions to the Original LHS Redevelopment Plan (the “**Amended LHS Redevelopment Plan**,” and together with the Original LHS Redevelopment Plan, the “**Redevelopment Plan**”); and

WHEREAS, K. Hovnanian Homes, LLC (the “**Conditional Redeveloper**”) submitted a proposal to the City, dated March 2022, along with a project concept plan, dated July 18,

2022 (the “**Proposal**”) for the potential redevelopment of the LHS Redevelopment Area (hereinafter referred to as the “**Property**”); and

WHEREAS, in accordance with the Redevelopment Plan, and as set forth in the Proposal, the Conditional Redeveloper proposes to develop, finance and construct on the Property two hundred (200) town homes, forty (40) of which will be reserved for affordable housing, along with associated amenities and improvements related thereto (collectively, the “**Project**”); and

WHEREAS, on August 18, 2022, pursuant to Resolution Number 159-2022, the City designated Conditional Redeveloper as conditional redeveloper of the Property for a period commencing upon the adoption of the resolution and ending ninety (90) days from that date or the date of the first meeting of the Governing Body following the ninetieth day of the date of adoption, whichever was later, to allow the City and Conditional Redeveloper the opportunity to pursue pre-development activities to implement the Project, including negotiation of a redevelopment agreement and other related actions (the “**Pre-Development Activities**”), and authorized the execution of a Funding Agreement to provide for the funding of an escrow account and procedures for the payment therefrom of moneys to pay the City’s costs and expenses incurred in undertaking the Pre-Development Activities, which escrow account Conditional Redeveloper has established with the City; and

WHEREAS, on February 2, 2023, the Governing Body adopted Resolution Number 35-2023, which extended the conditional designation of the Conditional Redeveloper one hundred-twenty (120) days, or the date of the next Governing Body meeting following that date; and

WHEREAS, on June 1, 2023, the Governing Body adopted Resolution Number 87-2023, which further extended the conditional designation of the Conditional Redeveloper one hundred-twenty (120) days, or the date of the next Governing Body meeting following that date; and

WHEREAS, on September 21, 2023, the Governing Body adopted Resolution Number 142-2023, which further extended the conditional designation of the Conditional Redeveloper one hundred-twenty (120) days, or the date of the next Governing Body meeting following that date; and

WHEREAS, on January 1, 2024, the Governing Body adopted Resolution Number 23-2024, which further extended the conditional designation of the Conditional Redeveloper one hundred-twenty (120) days, or the date of the next Governing Body meeting following that date; and

WHEREAS, on April 18, 2024, the Governing Body adopted Resolution Number 68-2024, which further extended the conditional designation of the Conditional Redeveloper one hundred-twenty (120) days, or the date of the next Governing Body meeting following that date; and

WHEREAS, in furtherance of the Project, Redeveloper has formed K. Hovnanian at Academy Hill Urban Renewal, LLC (hereinafter, the “**Conditional Redeveloper**”) to continue the Pre-Development Activities and ultimately undertake the Project; and

WHEREAS, because the Project contemplates a significant affordable housing component, Conditional Redeveloper will collaborate with The Michaels Organization (“**Michaels**,” and together with the Conditional Redeveloper, the “**Conditional Redevelopers**”), an experienced affordable housing developer, to develop and construct the aforementioned affordable housing component of the Project; and

WHEREAS, in furtherance of the continuation of Pre-Development Activities, the Governing Body deems it necessary to continue the designation of Conditional Redeveloper, and to also now designate Michaels, as conditional redevelopers of the Property, for a period of one hundred (120) days from the effective date of this resolution or the date of the next Governing Body meeting following the one hundred twentieth day from the effective date of this resolution, whichever is later.

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. The Mayor is hereby authorized, if necessary, to execute any amendment to the Funding Agreement with the Conditional Redevelopers to memorialize the terms contained herein, in a form acceptable to the City in consultation with counsel.

Section 3. The instant designation of the Conditional Redevelopers, with regard to the proposed redevelopment of the Property is effective for a period of time being the later of: i) one hundred twenty (120) days from the effective date of this resolution or ii) the date of the next Governing Body meeting following the one hundred twentieth day from the effective date of this resolution.

Section 4. If, by the expiration of the conditional designation period, the City, the Conditional Redeveloper, and Michaels have not executed a mutually acceptable redevelopment agreement or redevelopment agreements, as needed, the designations of each of the Conditional Redevelopers of the Property shall automatically expire without any need for any further action of the Governing Body, provided, however, that the City and the Conditional Redevelopers may negotiate an extension of such designation upon terms mutually acceptable to both parties.

Section 5. The Mayor is hereby authorized to take all actions and to execute any and all documents necessary to effectuate this Resolution, in consultation with counsel.

Section 6. This Resolution shall take effect immediately.

ADOPTED at a meeting of the Governing Body of the City of Lambertville, Hunterdon County, on August 15, 2024.

o.

X. BILLS LIST

XI. ORDINANCES – FIRST READING

- a. ORDINANCE NUMBER 06-2024: *An Ordinance to Amend the Stormwater Control Ordinance.*

Posted separately due to the length.

- b. ORDINANCE NUMBER 17-2024: *An Ordinance to Amend the Lambertville City Code, 2014, Chapter 7, Traffic, Adding Section 7-17, VALET PARKING*

On hold for revisions.

- c. ORDINANCE NUMBER 18-2024: *A Bond Ordinance to Fund the Purchase of Storm Sewer Video Equipment, Which May be Partially Funded Through a Grant from the County of Hunterdon.*

AN ORDINANCE OF THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, PROVIDING FOR IMPROVEMENTS TO AND EQUIPMENT FOR THE CITY'S STORM WATER MANAGEMENT SYSTEM WITHIN THE CITY, APPROPRIATING \$131,250 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$124,685 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE CITY TO FINANCE THE SAME.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the City as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$131,250, including the sum of \$6,565 as the down payment required by the Local Bond Law. The down payment has been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$124,685, pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The purpose for which the bonds or notes are to be issued is improvements to and equipment for the maintenance of the City's storm water management system, including but not limited to the acquisition of video equipment to monitor the condition of the installed infrastructure, and including all work and related materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose authorized herein is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at

public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the City may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$124,685, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$10,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.

(e) The City reasonably expects to commence the acquisition of the improvement or purpose described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the City further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 1 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof, exclusive of the State Grant already appropriated herein, shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the City is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. The City Council hereby covenants on behalf of the City to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

XII. ORDINANCES – SECOND READING

- a. ORDINANCE NUMBER 13-2024: *An Ordinance of the City of Lambertville, County of Hunterdon, State of New Jersey, Amending and Supplementing the Lambertville City Code, 2014, Chapter 11, Fire Prevention, Article 1 Uniform Fire Safety Standards to Establish A Designated Local Enforcing Agency Responsible for the Enforcement of the New Jersey Uniform Fire Code, Amending Ordinance Number 07-2024, to Correct Clerical Errors in 11-1.6. Annual Registration of Non-Life Hazard Uses, Commercial Property and 11-3.C False Alarm of Fire Protection Systems Penalty, Letter C*

ORDINANCE NUMBER 13-2024

An Ordinance Of The City Of Lambertville, County Of Hunterdon, State Of New Jersey, Amending And Supplementing the Lambertville City Code, 2014, Chapter 11, Fire Prevention, Article 1 Uniform Fire Safety Standards To Establish A Designated Local Enforcing Agency Responsible For The Enforcement Of The New Jersey Uniform Fire Code, Amending Ordinance Number 07-2024, to Correct a Clerical Error In 11-1.6, Annual Registration of Non-Life Hazard Uses, Commercial Property and 11-3.5. False Alarm of Fire Protection Systems Penalty, Letter C

11-1.6 Annual Registration of non-life hazard uses.

D. Owners of non-life hazard uses shall pay to the local enforcing agency registration fees determined by the gross floor area of the use as follows:

A. determined by the gross floor area of the use as follows:

Gross Floor Area (square feet)	Fee
Commercial Property – Under 500	\$75.00
Commercial Property – 500 or more but less than 1,000	\$100.00
Commercial Property – 1,000 or more but less than 3,000	\$125.00
Commercial Property – 3,000 or more but less than 6,000	\$150.00
Commercial Property – 6,000 or more but less than 9,000	\$175.00
Commercial Property – 9,000 or more but less than 12,000	\$200.00
Commercial Property – 12,000 or more but less than 18,000	\$300.00
Commercial Property – 18,000 or more but not exceeding 24,000	\$400.00
Commercial Property – for up to each additional 1,000 square feet above 24,000 square feet	\$50.00
Agricultural and/or Farm Property less than 5,000	\$75.00

Agricultural and/or Farm Property – 5,000 or more but less than 10,000	\$125.00
Agricultural and/or Farm Property – 10,000 or more but not exceeding 15,000	\$175.00
Agricultural and/or Farm Property – up to each additional 1,000 square feet over 15,000	\$15.00
Retail or Commercial common area	\$200.00
Multiple-family residential dwellings:	
Each Private Unit:	\$45.00
Common Area:	\$125.00
Agricultural Employee Housing	\$300.00
Farm Market (as defined at N.J.S.A. 4:1C-3)	\$25.00
Parking Garages/Decks Above or Below Grade [One & Two Stories]	\$125.00
Parking Garages/Decks Above or Below Grade [Three Stories]	\$250.00
Each additional story below the seventh story	\$50.00
Solar Fields	\$150.00
Solar Mounted on the roof of an attached or detached building	\$175.00
Solar Mounted with vehicle parking underneath	\$200.00

11-3.5 False Alarm of Fire Protection Systems Penalty

- C. Thereafter, a penalty shall be imposed for any subsequent false fire alarms within the same calendar year. The charge shall be determined by the total number of false alarms within the same calendar year in accordance with the following schedule:

False Alarm Number	Commercial Fine	Residential Fine
First	Warning Only	Warning Only
Second	\$50.00	Warning Only
Third	\$100.00	\$50.00
Fourth	\$200.00	\$100.00
Fifth	\$400.00	\$300.00
Sixth	\$800.00	\$400.00
Seventh	\$1,600.00	\$500.00
Eight & Additional	\$2,000.00	\$600.00

INTRODUCTION AND FIRST READING: July 18, 2024

PUBLIC HEARING AND SECOND READING: August 15, 2024

- b. ORDINANCE NUMBER 14-2024: An Ordinance to Amend Lambertville City Code, 2014, Chapter XVI, Cannabis, Section 16-12, Maximum Number of Permits, and Chapter Z-407, C-2 Service Commercial, Section Z-407.3, Conditional Use.

ORDINANCE 14-2024

An Ordinance to amend the Lambertville City Code, 2014, Chapter XVI, Cannabis, Section 16-12, Maximum Number of Permits, and Chapter Z-407, C-2 Service Commercial, Section Z-407.3, Conditional Use

BE IT ORDAINED by the Mayor and City Council of the City of Lambertville, County of Hunterdon, State of New Jersey, that the revised general ordinances of the City of Lambertville, 1990, Chapter XVI, Cannabis, Section 16-12, Maximum Number of Permits, and Chapter Z-407, C-2 Service Commercial, Section Z-407.3, Conditional Use, be amended as follows (additions appear underlined, deletions appear in ~~strike through~~):

§ 16-12 MAXIMUM NUMBER OF PERMITS.

a. *Number.* The maximum number of permits in the City for Class 5 Cannabis Retailer licensed under CREAMMA, shall be four.

b. *Preference.* The City has a requirement for two of the four Class 5 Cannabis Retailer licenses to be issued to microbusinesses.

c. A Permittee or entity may not hold more than one cannabis retailer permit within the City.

d. Location of Permits. Class 5 Cannabis Retailer(s) shall comply with the City's Zoning Ordinance and shall be allowed in the following districts:

1. Two Class 5 Cannabis Retailer permits shall be allowed to operate in the CBD Central Business District.

2. ~~One Class 5 Cannabis Retailer permit shall be allowed to operate in the C-2 Service Commercial District.~~

3. ~~One~~ Two Class 5 Cannabis Retailer permits shall be allowed to operate in the C-3 General Commercial District, with one permitted to be located in the North C-3 District, and one permitted to be located in the South C-3 District.

...

§ Z-407.3 CONDITIONAL USE.

The following conditional uses may be permitted when authorized by the Planning Board:

A. Service Stations.

Service stations in accordance with the following criteria:

1. No service station shall have an entrance or exit for vehicles within 200 feet along the same side of a street as any school, public playground, church, hospital, public building or

institution, except where such property is in another block or on another street which the lot in question does not abut.

2. No service stations shall be permitted where any oil draining pit or visible appliance for any purpose (other than filling pumps and air pumps) is located within 20 feet of any street line or within 50 feet of any residential district unless such appliance or pit is within a building. Gasoline pumps and air pumps within the required front yard space shall be no closer than 15 feet to the street line.

3. No junked motor vehicle or part thereof, scrap metal, or motor vehicles incapable of normal operation upon the highways shall be permitted on the premises of any service station. It shall be deemed prima facie evidence of violation of this Ordinance if more than three motor vehicles incapable of operation are located at any time upon any premises not within a closed and roofed building and if any scrap metal or other junk is stored upon and premises not within a closed and roofed building excepting, however, that a number not exceeding six motor vehicles may be located upon any service station premises outside of a closed or roofed building for a period of time not to exceed 48 hours and providing that said motor vehicles are awaiting repair by the owners thereof.

4. Any service station shall be located within the C-2 Service Commercial District.

~~B. Cannabis Retailer.~~

~~Cannabis Retailers in accordance with the following criteria:~~

~~1. The regulations of this Section are subject to the enabling authority of the State of New Jersey, by and through the Cannabis Regulatory Commission, and are subject to compliance with all statutes and/or regulations promulgated and adopted by the State of New Jersey or its instrumentalities. If any provision of this section is inconsistent with the statutes and/or regulations of the State of New Jersey, the State statutes and/or regulations shall prevail.~~

~~2. A cannabis retailer shall be located at least 500 feet from a school or comply with a greater distance buffer from a school as may be required by State or Federal Law.~~

~~3. A cannabis retailer shall not be located within 600 feet to any other Class 5 Cannabis Retailer.~~

~~4. A cannabis retailer may operate between the hours of 9:00 a.m. and 7:00 p.m. Monday through Saturday and between the hours of 10:00 a.m. and 5:00 p.m. on Sunday.~~

~~5. No more than six ounces of cannabis or cannabis product may be sold to a specific customer at a given time.~~

~~6. Use or consumption of cannabis or cannabis products in any manner shall not be permitted within the Cannabis Retailer's facility, whether in the building or on its grounds or parking lots. Cannabis Consumption Areas are not permitted.~~

~~7. All Cannabis Retailers shall be enclosed in heated/air conditioned permanent buildings, not trailers, outdoors, movable kiosks, etc.~~

~~8. Any Cannabis Retailer shall only have one primary public access point, which shall be directly adjacent to the right-of-way or parking area of the building. Access should not be through common entrances with other uses.~~

~~9. Drive through facilities are not permitted.~~

~~10. All cannabis retailers shall be secured in accordance with State of New Jersey statutes and regulations; shall have a round the clock video surveillance system, 365 days a year; and shall have trained security personnel onsite within the facility at all times during operating hours.~~

~~11. Police must have full access to the video surveillance system.~~

~~12. Video surveillance shall be retained a minimum of seven days or pursuant to State and Federal law, whichever is greater.~~

~~13. Cannabis Retailers' interiors shall provide a secure location for storage of products with minimum products in any customer service area.~~

~~14. People shall not be permitted to congregate outside of a Cannabis Retailer, loiter or wait in line to access the Cannabis Retailer. The facility shall have a plan in place if interior capacity is exceeded, i.e., numbers are given and customers wait in their vehicles until called.~~

~~15. Signs shall be limited to location identification/name of business. Signs shall not promote consumption of any cannabis product. Signage design shall not include artistic or photographic renderings of cannabis plants or paraphernalia. Neon signs shall be prohibited.~~

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the City of Lambertville, as follows:

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

2. The City Clerk is hereby directed to refer the within Ordinance to the Planning Board, as required by *N.J.S.A. 40:55D-64* and *N.J.S.A. 40:55D-26* of the Municipal Land Use Law, for review prior to the Governing Body hearing on the adoption of this Ordinance

3. Chapter XVI, Cannabis, Section 16-12, Maximum Number of Permits, and Chapter Z-407, C-2 Service Commercial, Section Z-407.3, Conditional Use, are hereby amended as set forth herein.

3. If any section, paragraph, subdivision, clause, sentence, phrase or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

4. The City Clerk is hereby directed to publish this Ordinance as required by applicable law and make the same available for public inspection.

5. This Ordinance shall take effect after twenty (20) days of its final passage by the Governing Body, upon approval by the Mayor and publication as required by law.

INTRODUCTION AND FIRST READING: July 18, 2024
PUBLIC HEARING AND SECOND READING: August 15, 2024

- c. ORDINANCE NUMBER 16-2024: *An Ordinance Of The City Of Lambertville, In The County Of Hunterdon, New Jersey, Providing For Various Capital Improvements Of And For The City, Appropriating \$857,000 Therefor,*

And Authorizing The Issuance Of \$814,150 In General Improvement Bonds Or Notes Of The City To Finance The Same.

ORDINANCE 16-2024

AN ORDINANCE OF THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF AND FOR THE CITY, APPROPRIATING \$857,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$814,150 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE CITY TO FINANCE THE SAME.

BE IT ORDAINED BY THE CITY COMMITTEE OF THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the City as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$857,000, including the sum of \$42,850 as the down payment for several purposes as required by the Local Bond Law. The down payment has been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$814,150, 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 improvements hereby authorized and the purposes for which the bonds or notes are to be issued are as follows:

I. **Purpose.** Acquisition of a Police SUV, including customization and related equipment to allow the vehicle to be used for its intended use, and including all work and materials necessary.

<u>Appropriated and Estimated Cost:</u>	\$72,000
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$68,400
<u>Period or Average Period of Usefulness:</u>	5 years
<u>Amount of Down Payment:</u>	\$3,600

II. **Purpose.** Improvements to public amenities in Central Business District, including but not limited to street signage and streetscapes (planters, benches, trash receptacles, etc.) and replacement of trees and plantings (including removal/grinding of existing trees if required), and further including all work and related materials necessary therefor and incidental thereto.

<u>Appropriated and Estimated Cost:</u>	\$75,000
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$71,250

Period or Average Period of Usefulness: 10 years

Amount of Down Payment: \$3,750

III. Purpose. Stormwater management measures, including but not limited to acquisition of physical measures and equipment, and including all work and related materials necessary therefore and incidental thereto.

Appropriated and Estimated Cost: \$100,000

Estimated Maximum Amount of Bonds or Notes: \$95,000

Period or Average Period of Usefulness: 15 years

Amount of Down Payment: \$5,000

IV. Purpose. Improvements to City Owned Property including but not limited to repair/replace elevator in Library and remediation of lead pain and repainting of City Library Building, and further including all work and related materials necessary therefor and incidental thereto.

Appropriated and Estimated Cost: \$300,000

Estimated Maximum Amount of Bonds or Notes: \$285,000

Period or Average Period of Usefulness: 10 years

Amount of Down Payment: \$15,000

V. Purpose. Acquisition of vehicles and equipment for Public Works Department, including but not limited to acquisition of a street sweeper, including customization and related equipment to allow the vehicle to be used for its intended use, and acquisition of a boom mower arm and including all work and related materials necessary thereof or incidental thereto.

Appropriated and Estimated Cost: \$300,000

Estimated Maximum Amount of Bonds or Notes: \$285,000

Period or Average Period of Usefulness: 14.66 years

Amount of Down Payment: \$15,000

VI. Purpose. Replacement of sewer pump at City Police station, including all work and related materials necessary thereof or incidental thereto.

Appropriated and Estimated Cost: \$6,500

Estimated Maximum Amount of Bonds or Notes: \$6,175

Period or Average Period of Usefulness: 10 years

Down Payment: \$325

VII. Purpose. Acquisition of battery power radar sign and including all work and related materials necessary thereof or incidental thereto.

Appropriated and Estimated Cost: \$3,500

Estimated Maximum Amount of Bonds or Notes: \$3,325

Period or Average Period of Usefulness: 10 years

Down Payment: \$175

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose authorized herein is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the City may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, is 11.79 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 \$814,150, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$200,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.

(e) The City reasonably expects to commence the acquisition of the improvement or purpose described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the City further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 1 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof, exclusive of the State Grant already appropriated herein, shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the City is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. The City Committee hereby covenants on behalf of the City to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

INTRODUCTION AND FIRST READING: July 18, 2024

PUBLIC HEARING AND SECOND READING: August 15, 2024

XIII. BOARD APPOINTMENTS

a. PLANNING BOARD

- i. Michele Romeo to Class 4 (filling Marleina Ubel's unexpired term)
- ii. Michele Glassburg to Alternate 1
- iii. Jim Harris to Alternate 2

XIV. MAYOR'S UPDATES/ONGOING PROJECTS/DISCUSSION

a. TRICK OR TREATING, Tuesday, October 31, 2024, from 6 – 8 PM

- i. Road Closures from 5 – 9 PM
- ii. North Union Street from Coryell to Buttonwood

b. AFFORDABLE HOUSING ADVISORY COMMITTEE

- c. PLANNING BOARD’S REVIEW LETTER of the LHS Redevelopment Plan & Ordinance 11-2024

XV. ANNOUNCEMENTS

- a. AFFORDABLE HOUSING INFORMATIONAL SESSION scheduled for Monday, September 9, 2024, at 7 pm at the Phillip L. Pittore Justice Center located at 25 South Union Street in the City.
- b. CONVENIENCE CENTER HOURS:
 - i. Saturday, September 7, 2024, and 21, 2024, from 9 am to 12 noon.
 - ii. Wednesday, September 18, 2024, from 3 – 5 pm

XVI. PUBLIC PARTICIPATION

XVII. ADJOURNMENT