



City of Lambertville
Regularly Scheduled Council Meeting
May 19, 2022, 7:00 P.M.
Phillip L. Pittore Justice Center
25 South Union Street, Lambertville
AGENDA

STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

Mayor Nowick called the meeting to order at 7:00 p.m. and he asked the City Clerk to read the statement of compliance with the Open Public Meetings Act into the record.

The City Clerk read the following statement into the record: This meeting is being held in compliance with the Open Public Meetings Act with the meeting notice provided to the Hunterdon County Democrat, the Trenton Times, various individuals on the list serve, department heads and the City Engineer and City Attorney. This meeting will be recorded and streamed live using the Zoom Meeting Platform. The meeting agenda offers the planned action items of the Governing Body to the extent known at the time of publication.

ROLL CALL

The City Clerk called the roll as follows:

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

Also present: William Opel – City Attorney, Cynthia Ege – City Clerk, Michael Drulis – Budget Consultant, Michael Humphrey – Deputy Clerk.

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

Mayor Nowick led the public in the Pledge of Allegiance and he asked the members of Council and the public to continue standing for a moment of silence.

APPROVAL OF THE MEETING MINUTES

Mayor Nowick asked for a motion to approve the following sets of minutes: April 21, 2022 Regularly Scheduled Meeting Minutes, May 3, 2022, 2022 Work Session Meeting Minutes and May 3, 2022 Closed Session Minutes. Councilman Stegman made the motion and Councilwoman Lambert seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

PROCLAMATIONS

Lambertville Trading Company: Mayor Nowick read the proclamation into the record. He asked Dean and Lisa Stephens to join him at the dais.

Proclamation
Lambertville Trading Company

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WHEREAS, established in 1982, Lambertville Trading Company, aka LTC, is celebrating 40 years of service to the community; and

WHEREAS, LTC is a family owned coffee bar and specialty foods store that has become the hub of friendly gatherings in our community; and

WHEREAS, the owners of the LTC, Lisa and Dean Stephens, are known as the pioneers in their industry and they have become fixtures in the community always supporting any local non-profit organization; and

WHEREAS, over the years the Lambertville Trading Company has been consistently named as one the “must sees” in Delaware River Valley, offering a full menu of espresso drinks, five daily brews of drip coffee, French press by the cup, a wonderful spiced hot chocolate and tea, and iced coffee. They offer a rotating selection of fresh bagels, muffins, pastries (including scones) and cookies, gourmet food products, chocolates and confections and Custom gift baskets; and

WHEREAS, they also stock a wide variety of fine bone China mugs, coffee and tea ware!

WHEREAS, in 2000 the Philadelphia Magazine named the Lambertville Trading Company the “Best of”; and in 2006 Lisa and Dean received the coveted “Golden Cup Award” from the Specialty Coffee Association of America.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Lambertville, County of Hunterdon, State of New Jersey hereby congratulate Lisa and Dean Stephens upon the occasion of celebrating forty years of operating the successful Lambertville Trading Company.

ADOPTED: May 19, 2022

Andrew J. Nowick, Mayor

Mayor Nowick commented that he was very excited to do this because it’s a wonderful anniversary for us to celebrate. Mrs. Stephens informed the members of the public that Dean was not available to attend. She said we are just going to keep on doing this – it’s been fun and we love our community.

Mayor Nowick asked for a motion to approve the proclamation honoring Dean and Lisa Stephens for their celebration of 40 years.

Councilman Sanders made the motion and Councilman Stegman seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present.
MOTION CARRIED.

ORDINANCE FIRST READING

ORDINANCE NUMBER 16-2022: *An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank*

Mayor Nowick read the ordinance into the record by title. He informed the members of the public that a CAP Bank Ordinance allows you to bank the funds not used in the

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preparation of the 2022 budget up to the 2% CAP for use in the next three years budgets.

CALENDAR YEAR 2022

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**

(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the City Council of the City of Lambertville in the County of Hunterdon finds it advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the City Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$39,465.62 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the City Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Lambertville, in the County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the City of Lambertville shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$138,129.65, and that the CY 2022 municipal budget for the City of Lambertville be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

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BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mayor Nowick asked for a motion to introduce the CAP Bank Ordinance. Council President Taylor made the motion and Councilwoman Lambert seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present.
MOTION CARRIED.

INTRODUCTION OF THE 2022 BUDGET

Mayor Nowick read the following statement into the record:

Mayor Nowick read a statement informing the public that we delayed the introduction of the budget because of the conflicting figures between the Auditors and the City.

Budget overview was given by Mayor Nowick. He informed the members of the public that the governing body will use the June 2nd work session for department heads to go over the budget for the public. The June 16 session will be for the public hearing and adoption of the budget.

This budget maintains current funding levels, expands the Public Works Department, funds rebuilding from IDA, capital needs, and investments in contractual obligations.

Councilman Stegman asked when the user-friendly budget would be completed for the public. Mayor Nowick commented that we will make it a priority.

Mayor Nowick asked for a motion to introduce the 2022 Budget: Council President Taylor made the motion and Councilwoman Lambert seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present.
MOTION CARRIED.

The public hearing is scheduled for: June 16, 2022.

RESOLUTIONS – OTHER

Mayor Nowick informed the members of the public present that most of the resolutions required discussion and because of that, there is no consent agenda.

RESOLUTION NUMBER 84-2022: A Resolution to Authorize the Refund of an Overpayment of Second Quarter Taxes to CoreLogic for Block 1050, Lot 1, in the Amount of \$1,278.67.

Mayor Nowick read the resolution into the record by title. He asked for a motion to adopt Resolution Number 84-2022, authorizing a refund of an overpayment of second quarter taxes to CoreLogic for block 1050, lot 1.

WHEREAS, CoreLogic made an overpayment of the second quarter taxes for block 1050, lot 1, in the amount of \$1,278.67, and

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WHEREAS, the Tax Collector recommends a refund to CoreLogic, with the mailing address as follows; CoreLogic Centralized Refunds, PO Box 9202, Coppell, TX 75019-9760.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of NJ, that the refund of second quarter taxes for Block 1050, lot 1 in the amount of \$1,278.67 to CoreLogic is hereby authorized.

ADOPTED: May 19, 2022

Councilman Sanders made the motion and Councilman Stegman seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present.
MOTION CARRIED.

RESOLUTION NUMBER 85-2022: A Resolution to Authorize Change Order 1 for 1 Arnett Avenue in an Amount Not to Exceed \$19,539.00 for Construction and \$10,000.00 for Engineering

Mayor Nowick read the resolution into the record by title and he asked for a motion to approve Resolution Number 85-2022.

RESOLUTION NUMBER 85-2022

A Resolution to Authorize Change Order 1 for the 1 Arnett Avenue Culvert Repair with J. Fletcher Creamer & Son, Inc. in An Amount Not to Exceed \$19,539.00 and with Suburban Consulting Engineers for Engineering Services in an Amount Not to Exceed \$10,000.00

WHEREAS, J. Fletcher Creamer & Son, Inc., were awarded a contract on February 19, 2022 to complete the repairs at 1 Arnett Avenue caused by Hurricane Ida; and

WHEREAS, the property owner of 1 Arnett Avenue requested a delay in the project to April 1, 2022; and

WHEREAS, the City discovered additional damages due to Hurricane Ida and from work completed by the owner in cleaning out from Hurricane Ida; and

WHEREAS, the City Engineer has reviewed the project and has recommended the change order, which exceeds the allowable 20% during the public contracts law of the State of New Jersey; and

WHEREAS, the contractor, J. Fletcher Creamer & Son, Inc., has submitted a quote in the amount of \$19,539.00, for Change Order 1, bringing the total contract amount to \$105,924.00; and

WHEREAS, the City Engineer has provided a quote in the amount of \$10,000 for engineering on-site analysis and design, and

WHEREAS, the CMFO has certified funds are available in Ordinance Number 31-2021.

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NOW THEREFORE BE IT RESOLVED by the governing body of the City of Lambertville, in the County of Hunterdon, State of New Jersey, that the following contracts are hereby amended to include:

J. Fletcher Creamer & Son, Inc., in the amount of \$19,539.00; and

Suburban Consulting Engineers, Inc., in the amount of \$10,000.00

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to advertise the award of contracts in the official newspaper of the City of Lambertville; and

BE IT FURTHER RESOLVED that the Mayor, City Attorney and City Clerk are hereby authorized to execute the contracts.

ADOPTED: May 19, 2022

Councilman Stegman made the motion and Councilman Sanders seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present.
MOTION CARRIED.

RESOLUTION NUMBER 86-2022: *A Resolution to Authorize the Memorandum of Understanding With the Township of West Amwell, for the Completion of the USDA Waterways Grant and Quarry Street Road Project*

Mayor Nowick read the resolution into the record by title. He informed the members of the public that this resolution authorizes the Mayor, City Attorney and City Clerk to execute the Memorandum of Understanding with the Township of West Amwell, with West Amwell serving as the lead agency, for the Swan Creek portion of the USDA grant and for Quarry Street.

RESOLUTION NUMBER 86-2022

A Resolution to Authorize the Memorandum of Understanding with the Township of West Amwell for the Waterways Project and Quarry Street Road Repair

WHEREAS, Quarry Street and Swan Street run through the Township of West Amwell and the City of Lambertville; and

WHEREAS, Swan Creek and Quarry Street run concurrently through the Township of West Amwell and the City of Lambertville and this stretch of roadway and waterway was damaged during Hurricane Ida; and

WHEREAS, the City Engineer advised that it is best for the City of Lambertville and the Township of West Amwell to prepare one bid that separates the project at the municipal border with the Township of West Amwell serving as the lead agency.

NOW THEREFORE BE IT RESOLVED by the governing body of the City of Lambertville, in the County of Hunterdon, State of New Jersey, that the Mayor, City Attorney and City Clerk are hereby authorized to sign a Memorandum of Understanding for the completion of the Waterways Project for Swan Creek and

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the Quarry Street Road Repair with the Township of West Amwell serving as the lead agency for both projects.

ADOPTED: May 19, 2022

Mayor Nowick asked for a motion to adopt Resolution Number 86-2022, authorizing the memorandum of understanding with the Township of West Amwell. Councilwoman Lambert made the motion and Council President Taylor seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present.

MOTION CARRIED.

RESOLUTION NUMBER 87-2022: *A Resolution to Authorize the Installation of a Driveway at 114 North Union Street on the North Union Street Side, the South Side of the Building.*

Mayor Nowick read the resolution into the record by title. He asked the property owners and the architect for the project to come forward.

Mayor Nowick asked if there were any council comments. Councilman Sanders recused himself from the vote as he resides within 200 feet of the property.

Gary O'Connor was present to give an overview of the proposal to install a driveway at 114 N. Union Street. The property owners were also present.

Mr. O'Connor gave the following testimony: the driveway will run alongside the wrap-around porch with access to the front door. The applicant/property owner has the required space (12 foot wide drive with 20 feet more to the property line) to install a driveway. The driveway will be a stone base with porous Victorian pavers. The other side of the property is only 13 feet wide with a gas meter and condensing units. Mr. O'Connor showed photos of where the proposed driveway will be installed. He said there is enough space for six cars total from the corner (North Union and Jefferson) to the next curb cut. The applicant is only taking one parking space off the street and making space for three off street parking spaces. The length of the driveway is 64 feet. The applicant already received approval from the D&R canal. Notices were mailed via certified mail to property owners within 200 feet and submitted last week for the City Attorney's review. The notice of the application was also placed in the newspaper. Mr. O'Connor stated that the sidewalk will remain and the driveway will begin where the grass line is, with the apron from the slate sidewalk to the curb. There is no standard regarding the requirement for site distance but they will paint the yellow line three feet on each side. No trees will be removed to accommodate the driveway. The applicant will park as far back as possible to assist with the site view.

Mayor Nowick asked for public Comment from in-person attendees. No one commented. Mayor Nowick asked for comments from Zoom attendees. No one comments.

RESOLUTION NUMBER 87-2022

A Resolution to Authorize the Installation of a Driveway at 114 North Union Street on the North Union Street Side, the South Side of the Building

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WHEREAS, Mahlon Kyle Rudy & Darius de Haas purchased 114 North Union Street and filed an application with the City Clerk's Office on May 4, 2022 to install a driveway on the southerly side of the building located at 114 North Union Street; and

WHEREAS, Gary O'Connor, the architect for the building, advertised the application in the legal section of the Trenton Times on May 7, 2022 and provided notice to people who reside within 200 feet of 114 North Union Street, and

WHEREAS, the city clerk reported that she has not received any questions, comments or complaints from members of the public regarding this application.

NOW THEREFORE BE IT RESOLVED by the governing body of the City of Lambertville, in the County of Hunterdon, State of New Jersey, that the application filed by Mahlon Kyle Rudy & Darius de Haas to install a driveway at 114 North Union Street is hereby authorized with the following conditions/rejected.

ADOPTED: May 19, 2022

Mayor Nowick asked for a motion to adopt Resolution Number 87-2022 authorizing the installation of a driveway at 114 North Union Street. Councilman Stegman made the motion and Council President Taylor seconded the motion. A voice vote was taken in favor of the motion with four members casting an affirmative vote and Councilman Sanders recusing himself. MOTION CARRIED.

RESOLUTION NUMBER 88-2022: A Resolution to Authorize the Extension of the Temporary Use of the Ramblers Football & Cheerleading Announcing Booth located on Ely Field

Mayor Nowick read the resolution into the record by title. He informed the members of the public that this resolution is to grant an extension of the temporary use of the announcers booth on Ely Field until the contractor can finalize the project.

RESOLUTION NUMBER 88-2022

A Resolution to Approve or Reject the Temporary Announcing Booth Installed by the Ramblers Football & Cheerleading Announcers Booth

WHEREAS, the Ramblers Football and Cheerleading Association installed an Announcing Booth on the football field of Ely Park; and

WHEREAS, the announcers booth's construction was not finished by the contractor however did receive temporary approval, and

WHEREAS, the Zoning Officer and the Construction Official have no issue with the continuance of a temporary use of the structure until the contractor can complete the construction.

NOW THEREFORE BE IT RESOLVED by the governing body of the City of Lambertville, in the County of Hunterdon, State of New Jersey, that the

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temporary use of the announcer's booth is hereby authorized through December 1, 2022.

ADOPTED: May 19, 2022

Councilman Stegman asked for consideration of the color of the Announcer's Booth. Mayor Nowick asked him to make a suggestion.

Mayor Nowick asked for a motion to adopt Resolution Number 88-2022. Councilman Sanders made the motion and Councilwoman Lambert seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present.
MOTION CARRIED.

RESOLUTION NUMBER 89-2022: A Resolution To Approve The Hiring Of Christie Ehret To Serve As The Certified Municipal Finance Officer Beginning June 3, 2022, With An Annual Salary Of \$24,530.00

Mayor Nowick read the resolution into the record by title. He asked for a motion to adopt the resolution hiring Christie Ehret to serve as the CMFO and Treasurer.

RESOLUTION NUMBER 89-2022

A Resolution Authorizing the Hire of Christie Ehret as the Certified Municipal Finance Officer and Treasurer beginning June 1, 2022 at an Annual Rate Not to Exceed \$24,530.00

WHEREAS, N.J.S.A. 40A:9-140.10 requires every municipality of the State of New Jersey to appoint a Chief Financial Officer; and

WHEREAS, the City of Lambertville has established the Department of Finance and has created the position of Chief Financial Officer, and

WHEREAS, the City of Lambertville desires to appoint Christie Ehret, a State of New Jersey Certified Municipal Finance Officer, to fill the position of Chief Financial Officer/Treasurer; at an annual rate of \$24,530.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lambertville, in the County of Hunterdon, New Jersey hereby appoints Christie Ehret as the Chief Financial Officer/Treasurer to exercise the duties of a Certified Municipal Finance Officer pursuant to N.J.S.A. 40A:9-140, at an annual rate not to exceed \$24,530.00.

BE IT FURTHER RESOLVED by the governing body that Christie Ehret will serve as the Qualified Purchasing Agent once she receives her certification and will be compensated at a rate of \$2,500.00 per year.

BE IT FURTHER RESOLVED that the salary & wage rates established in this resolution will be prorated for the first year of service.

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Councilman Sanders made the motion and Councilman Stegman seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

RESOLUTION NUMBER 90-2022: A Resolution To Appoint Christie Ehret as the Supervisor and Susan Bacorn as the Certifying Officer for PERS and PFRS

Mayor Nowick read the resolution into the record by title. He asked for a motion to approve the resolution appointing Christie Ehret to serve as the Supervisor for PERS and PFRS.

RESOLUTION NUMBER 90-2022

“Appointing Christie Ehret as Supervisor and Susan Bacorn as Certifying Officer for PERS/PFRS”

WHEREAS, there is a requirement from the State of New Jersey Division of Pension and Benefits to designate a Certifying Officer for PERS/PFRS beginning June 1, 2022 and ending December 31, 2022.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the City of Lambertville that Susan Bacorn is hereby appointed as the Certifying Officer and Christie Ehret is hereby appointed as the Supervisor for PERS/PFRS with a term expiration of December 31, 2022.

ADOPTED: May 19, 2022

Councilman Sanders made the motion and Council President Taylor seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

RESOLUTION NUMBER 91-2022: A Resolution To Amend Resolution Number 20-2022 And Resolution Number 50-2022, Professional Service Contracts Changing the Not to Exceed Amounts for the City Planner and the COAH Advisor

Mayor Nowick read the resolution into the record. He asked for a motion to approve the resolution, changing the not to exceed limits for the City Planner and for the COAH (Council on Affordable Housing) Advisor.

RESOLUTION NUMBER 91-2022

Resolution To Amend Resolution Number 20-2022 And Resolution Number 50-2022, Professional Service Contracts

WHEREAS, there exists a need for a Planner to advise on special projects and a COAH (Council on Affordable Housing) Agent; and

WHEREAS, the contracts are being awarded pursuant to the Fair and Open Process, a process that provides for public solicitation of proposals OR qualifications and the New Jersey Local Unit Pay-to-Play Law as defined in N.J.S.A. 19:44A-20.4 et seq., bids were advertised on November 5, 2020 and

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received on December 3, 2021, providing sufficient time to give notice, and publicly opened on December 3, 2021 for; and

WHEREAS, sufficient funds are available in the 2022 Temporary Budget, adopted ordinances or grants, and will be made available in the 2022 Municipal Budget for the City of Lambertville for such services;

NOW, THEREFORE, BE IT RESOLVED that the Council Members of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey hereby confirms the nomination made by Mayor Nowick for a contract beginning January 1, 2022 and ending December 31, 2022 unless otherwise noted, for the following positions:

Emily R. Goldman, P.P., AICP, Clarke Caton Hintz, PC as City Planner, including all COAH Matters and Planner for Planning and Zoning Board, Redevelopment with a total contract rate not to exceed \$26,480.00, excluding escrow, with a contract expiration date of 12/31/2022.

COAH: \$3,530

Admin line increases by: \$7,960.00

TRIAD to serve as COAH Advisor and to oversee Small Cities Grant with a total contract rate not to exceed \$7,500.00, with a contract expiration date of 12/31/2022.

BE IT FURTHER RESOLVED that the not to exceed amount established is for general services only. Additional not to exceed amounts will be established on a per-project basis.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized and directed to finalize and sign an agreement for the 2022 calendar year.

BE IT FURTHER RESOLVED that notice of these actions shall be printed in the legal section of the next issue of The Times, N.J.A.C. 5:34-9.5 (d).

ADOPTED: May 19, 2022

Council President Taylor made the motion and Councilwoman Lambert seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

RESOLUTION NUMBER 92-2022: *A Resolution to Authorize the Refund of Zoning Board Escrow Fees to Douglas Poetzsch for 268 North Union Street in the Amount of \$545.00.*

Mayor Nowick read the resolution into the record by title. He asked for a motion to adopt Resolution Number 92-2022.

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

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refund of escrow to Douglas Poetzsch in the amount of \$545.00 for an application to the Zoning Board of Adjustment for 268 North Union Street is hereby authorized.

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

RESOLUTION NUMBER 93-2022: A Resolution of the City of Lambertville, County of Hunterdon, Designating Block 1002, Lot 41 (Closson Property) As an Area in Need of Redevelopment, Pursuant to N.J.S.A. 40A:12A-6.

Mayor Nowick read the resolution into the record by title. He informed the members of the public that this will allow the council to determine how to use the properties outside the exclusionary zone without amending the city's zoning ordinances and gives us more latitude. The current use of the Farm Market by Fisherman's Mark is out of alignment with the permitted uses.

Mayor Nowick asked for a motion to adopt Resolution Number 93-2022, designating block 1002, lot 41, the Closson Property as an area in need of redevelopment.

RESOLUTION NUMBER 93-2022

A RESOLUTION OF THE CITY OF LAMBERTVILLE, COUNTY OF HUNTERDON, DESIGNATING BLOCK 1002, LOT 41 (CLOSSON PROPERTY) 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 April 5, 2022, the Governing Body adopted resolution Number 65-2022, which directed the Board to conduct such an investigation regarding **BLOCK 1002, LOT 41** (the "Study Area"), 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-Condemnation) for Closson Tract," dated April 14, 2022, 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

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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 May 4, 2022, 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

WHEREAS, the Planner concluded in the Report and testified to the Board on May 4, 2022 that the Study Area satisfies the statutory criterion (c), as the property within the Study Area is owned by the City and criterion (d), due to persistent negative effects resulting from site conditions that exhibit faulty design, obsolescence and dilapidation 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 May 4, 2022; 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), which designation does not authorize the City to exercise the power of eminent domain to acquire property within the Study Area; 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-Condensation 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 May 19, 2022.

Councilman Sanders made the motion and Councilwoman Lambert seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. **MOTION CARRIED.**

BILLS LIST

Mayor Nowick asked for a motion to approve the bills list. Councilman Stegman made the motion and Council President Taylor seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

ORDINANCES FIRST READING/INTRODUCTION

ORDINANCE NUMBER 14-2022: *An Ordinance to Amend the Lambertville City Code 2014, Chapter 7, Section 7-4.4 Parking Prohibited Certain Hours*

Mayor Nowick read the ordinance into the record by title. He informed the members of the public present that this ordinance is to add Main Street to the street sweeper list. It was an oversight on our part when revising the ordinance earlier this year.

ORDINANCE NUMBER 14-2022
 An Ordinance to Amend the Lambertville City Code, 2014, Chapter 7, Section 7-4.4
 Parking Prohibited Certain Hours

§ 7-4.4 Parking Prohibited Certain Hours.
 [Ord. #88-25, § 5; Ord. #90-02, § 1; Ord. #94-16, § 3, Ord. #97-20, § 1; 1990 Code § 7-4.4.]

WHEREAS, In full compliance with the Clean Communities Grant, the City of Lambertville prohibits parking during certain hours for the purpose of running the street sweeper;

WHEREAS, the street sweeper, overseen by the Department of Public Works, has many values that improve quality of life for the residents and wildlife in our City; and helps to protect the Delaware River, and

WHEREAS, the Public Works Department has requested that the City review this policy to increase the prohibition of parking and to make all hours the same throughout the City.

NOW THEREFORE BE IT RESOLVED by the governing body of the City of Lambertville that the prohibited hours for parking in section 7-4.4, Parking Prohibited Certain Hours is here by changed to add:

Name of Street	Side	Hours	Location
WEDNESDAY			
North Main Street, & Bridge Street (179)	Southbound (west side)	8 – 10 AM	Between Cherry
South Main Street, Mount Hope Street	Southbound (West side)	8 – 10 am	Bridge to
FRIDAY			
South Main Street, Hope Street	Southbound (East side)	8 – 10 am	Swan to Mount

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North Union Street Parking Lot Entire Lot 8 – 10 am East Side of
North Union Street

INTRODUCTION AND FIRST READING: May 19, 2022

PUBLIC HEARING AND SECOND READING: June 16, 2022

Mayor Nowick asked for a motion to introduce Ordinance Number 14-2022 on first reading with a public hearing scheduled for June 16. Councilwoman Taylor made the motion and Councilwoman Lambert seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

ORDINANCE NUMBER 15-2022: An Ordinance to Amend the Lambertville City Code, Chapter 2 Administrative Code, Section 2-9.4 Local Public Assistance Board, Changing the Name to Read: Social Services and Public Assistance Board.

Mayor Nowick read the ordinance into the record by title. He informed the governing body and the members of the public present that this only changes the title to include “Social Services” and was at the request of the Director of Public Assistance.

ORDINANCE NUMBER 15-2022

An Ordinance to Amend the Lambertville City Code, Chapter 2 Administrative Code, Section 2-9.4 Local Public Assistance Board, Changing the Name to Read: Social Services and Public Assistance

WHEREAS, Chapter 2 of the Administrative Code currently reads “Local Public Assistance Board,” and

WHEREAS, the Local Public Assistance Board’s responsibilities operate under N.J.S.A. 44:8-107; and

WHEREAS, the statute addresses social services.

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 title of the code is hereby changed to read: Social Services and Public Assistance.

BE IT FURTHER RESOLVED that there shall be a director whose title is Director of Social Services and Public Assistance.

Mayor Nowick asked for a motion to introduce on first reading Ordinance Number 15-2022 with a public hearing scheduled for June 16. Councilwoman Lambert made the motion and Councilman Stegman seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

ORDINANCES SECOND READING/PUBLIC HEARING

ORDINANCE NUMBER 07-2022: Amending the Lambertville City Code, 2014 to Include a Handicapped Parking Space in Front of 1 Washington Street.

Mayor Nowick read the ordinance into the record by title. He informed the members of the public present that this ordinance will add a handicapped parking space on Washington Street in front of #1.

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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 Lambertville City Code, 2014, Chapter 7, Handicapped Parking, Section 7-4.8, is amended to include the following:

Washington Street, on the West Side in front of 1 Washington Street

Mayor Nowick opened the public hearing for Ordinance Number 07-2022 and he asked for Council comments. There being no council comments, Mayor Nowick asked for public comments from in-person attendees and those joining the meeting via Zoom. There being no public comments, Mayor Nowick asked for a motion to close the public hearing for Ordinance Number 07-2022. Council President Taylor made the motion and Councilwoman Lambert seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Mayor Nowick asked for a motion to adopt on second reading granting final approval of Ordinance Number 07-2022. Councilman Sanders made the motion and Councilwoman Lambert seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

ORDINANCE NUMBER 08-2022: *An Ordinance to Amend the Lambertville City Code, 2014, Chapter 7, Stop Intersection, to Include a Stop Sign at the Intersection of Swan and Studdiford Streets in the City of Lambertville, County of Hunterdon, State of New Jersey.*

Mayor Nowick read the ordinance into the record by title. He informed the members of the governing body and public that this ordinance will add a stop sign on Swan Street as you drive from Route 519/Brunswick Avenue into the city.

ORDINANCE NUMBER 08-2022

An Ordinance to Amend the Lambertville City Code, 2014, Chapter 7, Stop Intersection, to Include a Stop Sign at the Intersection of Swan and Studdiford Streets in the City of Lambertville, County of Hunterdon, State of New Jersey

WHEREAS, the governing body of the city of Lambertville recognize there is a hazardous condition at the intersection of Swan and Studdiford Street on Cottage Hill in the City of Lambertville; and

WHEREAS, traffic flow from Route 518, also known as Brunswick Avenue, is heavy during the morning and afternoon hours and this has caused a dangerous situation for motor vehicles and pedestrians; and

WHEREAS, the recommended remedy to assist with the prevention of motor vehicle traffic is to install a stop sign on the easterly side of the intersection at Swan Street and Studdiford Street; and

NOW THEREFORE BE IT RESOLVED by the governing body of the City of Lambertville that the Lambertville City Code, Chapter 7, Section 7.2 Stop Intersection, will be amended by Ordinance Number 08-2022 to include a stop intersection at the easterly side of Swan Street where it intersects Studdiford Street.

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§ 7-7.2 Stop Intersection.

[Ord. #88-25, § 7; Ord. #90-02, § 2; Ord. #96-11, § 1; 1990 Code § 7-7.2]

Pursuant to the provisions of N.J.S.A. 39:4-140, the intersections described below are hereby designated as Stop Intersections. STOP signs shall be installed as provided herein.

SWAN STREET and STUDDIFORD STREET

At the easterly side of Swan Street.

INTRODUCTION AND FIRST READING: April 21, 2022

PUBLIC HEARING AND SECOND READING: May 19, 2022

Mayor Nowick opened the public hearing for Ordinance Number 08-2022 and he asked for Council comments. Councilman Stegman asked if the speed tracking device currently posted on the road was part of this ordinance. Mayor Nowick responded that it was not, we are using goHunterdon's equipment and tracking speed levels as routine.

Mayor Nowick asked for public comments. There were no in-person or Zoom attendees who wanted to make a comment. Mayor Nowick asked for a motion to close the public hearing for Ordinance Number 08-2022. Councilwoman Lambert made the motion and Councilman Stegman seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Mayor Nowick asked for a motion to adopt Ordinance Number 07-2022 on second reading, granting final approval. Councilman Sanders made the motion and Councilwoman Lambert seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

ORDINANCE NUMBER 09-2022: *An Ordinance to Amend the Lambertville City Code, 2014, Chapter 14, Streets and Sidewalks to Include Provisions for Utility Work, Amend Fees, and Other Sections of the Code.*

Mayor Nowick read the ordinance into the record by title. He informed the members of the public and council that this ordinance amends the street opening requirements for utility companies and also requires a five year moratorium on road work.

ORDINANCE NUMBER 09-2022

An Ordinance to Amend the Lambertville City Code, 2014, Chapter 14, Streets and Sidewalks, to Include Provisions for Utility Work and to Amend the Fees

Chapter 14
Streets and Sidewalks

§ 14-1 **STREET OPENINGS.**

§ 14-1.1 **Permit Required for Street Opening.**

[1990 Code § 14-1.1; Ord. No. 09-2011]

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It shall be unlawful for any person to make any opening through or under the surface of any public City street or right-of-way for any purpose whatsoever without first obtaining a permit from the City. This includes construction of new sidewalks as well as openings in the cartway.

§ 14-1.2 Application.

[1990 Code § 14-1.2; Ord. No. 09-2011]

An application for the permit shall be made in writing to the City Clerk and shall be forwarded to the City Clerk for processing. The application, accompanied by a plot plan, diagram or drawing, shall set forth the exact location, nature and extent of the opening to be made together with a statement of the purpose or purposes thereof. The drawing shall be drawn to scale. The Public Works Director shall respond within 48 hours to the Office of the City Clerk advising of his approval and/or requirements of all applications. When traffic is of a concern, the City Clerk shall forward the application to the Police Department for review and consideration of the need for a traffic plan.

§ 14-1.3 Fees.

[1990 Code § 14-1.3; Ord. No. 2007-29; Ord. No. 09-2011; Ord. No. 05-2016]

- a. The application shall be accompanied by a fee as designated in the following fee schedule:
 - a. Sidewalk Permit, a fee of \$50.00
 - b. Street Opening Permit, a fee of \$100.00
 - c. Utility Fees:
 - i. Emergency Repair, fee of \$100.00
 - ii. Planned Main Upgrades
 1. \$1,000 per street or cartway (Note: the consideration for the increase in fees for utilities was based on the average number of properties on a street in the downtown area (between 13 and 22).
 2. Engineering Services: the Utility will enter into an agreement to reimburse the City for all engineering services related to their project. This will cover pre and post construction review and meetings.
- b. If the application is for a project costing in excess of \$15,000 then the application shall include an escrow agreement, a preliminary fee of \$5,000 (previously \$1,000.00) to cover costs to review and inspect the project by the City Engineer and a performance bond in the amount of 10% of the costs as certified by the City Engineer based on documentation submitted by the applicant. 20% of the bond shall be in cash.
- c. The City of Lambertville imposes a five year moratorium on all road work completed within the City limits. This moratorium can be waived under the following conditions:
 - Action of the governing body;
 - Emergency Repair Work;

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If the moratorium is waived by the governing body, the applicant shall, in addition to complying with all requirements of the City Engineer and the Public Works Director, post a maintenance bond guaranteeing the work for a period of two years.

§ 14-1.4 Discharge of Bond.

[1990 Code § 14-1.4; Ord. No. 09-2011]

When the Public Works Director or City Engineer is satisfied that the street opened has been replaced in the same or as good condition as it was before the opening, on the account of which the bond was given, the Director shall direct the City Clerk to cancel or discharge the bond.

If the Public Works Director or City Engineer finds that the street has not been replaced in the same or as good condition as it was before the opening, the Director shall give notice to the applicant to correct the same within 30 days. If the applicant fails to correct the same within 30 days, the cash bond shall be utilized by the Public Works Department to correct the same. In the event of a corporate bond, the City Clerk shall be authorized to take the necessary steps to collect payment from the bonding company.

§ 14-1.5 Construction of a New Driveway.

[1990 Code § 14-1.5; Ord. No. 2003-22]

The fee for the construction of a new driveway shall be \$50 per unit. If this requires a public hearing before the governing body, the applicant will post escrow in the amount of \$1,500 to cover professional services for the review of the application.

- a. Standards for a New Driveway.
 1. The use of the property must be in conformity with the Zoning Ordinance.
 2. The driveway shall be located a minimum of three feet from any property line.
 3. The driveway shall be a minimum of nine feet wide and 18 feet long not including that portion located within the street right-of-way.
 4. The total lot coverage as stipulated in the Zoning Ordinance shall not be exceeded.
- b. Notice to the Public. Any application for the creation of a new driveway that has not been subject of a public hearing before either the Planning Board or the Zoning Board of Adjustment or is located within the Historic District of the City of Lambertville as designated by the State of New Jersey shall be accompanied by proof of publication of a notice in official newspaper of the City that the applicant has applied for permission to construct a driveway and that the Mayor and Council will hold a public hearing on the application at the next regular meeting and that any interested party can be heard at that time. The applicant must obtain a list of property owners within 200 feet of the property upon which the driveway is proposed. A notice of the filing of the application and the date of the public hearing shall be served on each property owner on the list by certified mail or personal service at least 10 days before the scheduled hearing.
- c. Hearing. The comments from the Public Works Director, Police Director and adjacent property owners will be considered by the Mayor and City Council in deciding on the application.
- d. After a favorable decision of the Mayor and City Council, the City Clerk is authorized to issue a permit for the construction of the new driveway subject to the conditions, if any, imposed by the Mayor and City Council.

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INTRODUCTION AND FIRST READING: April 21, 2022

PUBLIC HEARING AND SECOND READING: May 19, 2022

Mayor Nowick opened the public hearing for Ordinance Number 09-2022 and he asked for Council comments. There being no council comments, Mayor Nowick asked for public comments. There were no public comments from in-person attendees or those participating via Zoom. Mayor Nowick asked for a motion to close the public hearing for Ordinance Number 09-2022. Councilman Stegman made the motion and Council President Taylor seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Mayor Nowick asked for a motion to adopt Ordinance Number 09-2022 on second reading granting final approval. Council President Taylor made the motion and Councilman Sanders seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

ORDINANCE NUMBER 10-2022: An Ordinance of the City of Lambertville authorizing the sale of City-owned real property no longer necessary for a public purpose and establishing the procedures therefore, concerning Block 1070, Lot 13 on the tax maps of the City, more commonly known as 150 Swan Street.

Mayor Nowick read the ordinance into the record by title. He informed the members of the public present that this ordinance will allow the city to sell block 1070, lot 13, also known as 150 Swan Street to a member of the public.

ORDINANCE NUMBER 10-2022

An Ordinance of the City of Lambertville authorizing the sale of City-owned real property no longer necessary for a public purpose and establishing the procedures therefore, concerning Block 1070, Lot 13 on the tax maps of the City, more commonly known as 150 Swan Street.

WHEREAS, the City of Lambertville (the "City"), a municipal corporation of the State of New Jersey, owns real property shown on the City Tax Maps as Block 1070, Lot 13, more commonly known as 150 Swan Street (the "Property"); and

WHEREAS, the City has taken inventory of the vacant lots it owns within the City that are under-sized, without capital improvements, and not necessary for public use; and

WHEREAS, the City has identified the Property as not necessary for public use, and determined that the sale of such Property will return it to the tax rolls of the City, thereby creating revenue for the City; and

WHEREAS, the Governing Body of the City (the "Governing Body") has determined that it is in the best interests of the City to offer the Property for sale pursuant to N.J.S.A. 40:12-1, et seq.; and

WHEREAS, in consequence, the Governing Body has determined that it is in the best interests of the City to offer the Property for sale to the highest bidder pursuant to N.J.S.A. 40A:12-1 et seq., the New Jersey Local Lands and Buildings Law ("LLBL"); and

WHEREAS, N.J.S.A. 40A:12-13 within the LLBL authorizes, among other things, the City to sell municipally owned real property or capital improvement not needed for

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public use at public auction and sale to a private person, upon specified terms and conditions; and

WHEREAS, the Governing Body desires to authorize the sale of the Property to the highest bidder at public auction and sale (the "Purchaser"), all consistent with the terms and conditions set forth herein below.

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 following conditions apply to the within action by the Governing Body:
 - A. A sign shall be posted on the Property advising that the Property is for sale.
 - B. The public sale, if not canceled, shall take place by open public sale at auction to the highest bidder at a date and time set forth in the public notice to be published in accordance with the requirements of N.J.S.A. 40A:12-13(a) and as more particularly described in subsection M., below.
 - C. The City shall have the right to remove the Property from the auction for any reason whatsoever until the time of the auction. Notice of such removal will be posted prior to the commencement of the auction.
 - D. The Property shall be sold subject to 2022 taxes, prorated from the date of sale.
 - E. The City may, at its discretion, reject all bids.
 - F. Potential Bidders are advised: (1) to conduct all necessary title searches prior to the date of the sale; (2) that the description of the Property is intended as a general guide only and may not be accurate; (3) no representations of any kind are made by the City as to the condition of the Property which is being sold in its present condition, "as is"; (4) that the sale is made subject to all applicable laws, statutes, regulations, and ordinances of the United States, State of New Jersey, and the City of Lambertville.
 - G. At the conclusion of the auction, the successful bidder shall provide a deposit of 10% of the bid by certified check or money order and shall execute an Agreement of Sale. Said Agreement of Sale shall be binding upon the high bidder until such time that the Governing Body either: (1) does not accept the bid in which case bidders deposit will be returned; or (2) accepts the bid whereupon the City shall execute the Agreement of Sale and both parties shall be held bound by the terms and conditions contained therein. The balance of the purchase price shall be paid at closing which shall occur not later than sixty (60) days following the acceptance of the bid by the City. The purchaser shall be entitled to possession immediately following closing of title.
 - H. At the conclusion of the auction, the successful bidder shall also provide a deposit of \$500.00 dollars by certified check or money order as a deposit on all applicable fees and City costs related to the sale of the property.
 - I. In the event the City is unable to convey clear and marketable title, insurable at regular rates by a title insurance company licensed to do business in the State of New Jersey, the City will forthwith return to the purchaser any and all deposit moneys previously submitted by the purchaser, and neither party shall have any further rights against the other. The acceptance of a deed by the purchaser from the City shall

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extinguish any claims that said purchaser may have against the City in connection with the quality of title conveyed.

J. The Property herein sold is subject to any existing encumbrances, liens, easements, zoning ordinances, other restrictions of record, such facts as an accurate survey would reveal and any present or future assessments for the construction of improvements benefiting said property. The City makes no representations as to the presence of any environmental conditions on the Property and the purchaser assumes the risk of any such condition, all Property being sold "as is."

K. All conveyances by the City shall be made by Quitclaim Deed.

L. Acceptable bids shall be confirmed by resolution of the Governing Body no later than the first regular meeting of the Governing Body following the date of receipt.

M. This Ordinance shall constitute and serve as the public notice to be published in a newspaper circulating in the City at least once a week for two (2) consecutive weeks, the last publication being not earlier than seven (7) days prior to the date set forth for the public sale.

N. In the event the successful bidder fails to close on the Property, the bidder shall forfeit the ten percent (10%) deposit.

O. The Governing Body reserves the right to withdraw this offer to sell, or upon completion of the bidding to accept or reject any or all bids for said Property or to waive any informality in relation thereto.

3. If any section, subsection, provision, clause, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such adjudication shall not affect the remaining sections, subsections, provisions, clauses, or portions, which shall be deemed severable therefrom, and construed to give effect to the remaining provisions.

4. All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance, are hereby replaced and/or repealed to the extent of such inconsistency.

5. This Ordinance shall take effect at the time and in the manner provided by law.

INTRODUCTION AND FIRST READING: April 21, 2022

PUBLIC HEARING AND SECOND READING: May 19, 2022

Mayor Nowick opened the public hearing for Ordinance Number 11-2022 and he asked for Council comments. There being no council comments, Mayor Nowick asked for public comments. There were no in-person or Zoom attendee comments.

Mayor Nowick asked for a motion to close the public hearing for Ordinance Number 10-2022. Councilman Stegman made the motion and Council President Taylor seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Mayor Nowick asked for a motion to adopt on second reading Ordinance Number 10-2022. Councilwoman Lambert made the motion and Council President Taylor seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

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ORDINANCE NUMBER 11-2022: A Bond Ordinance Providing for Various Road Improvements in and by the City of Lambertville, in the County of Hunterdon, New Jersey, Appropriating \$600,000.00 Therefor and Authorizing the Issuance of \$585,713 Bonds or Notes of the City to Finance Part of the Cost Thereof

Mayor Nowick read the ordinance into the record by title. He informed the members of the public present that this bond ordinance will fund the Arnett Avenue Culvert repairs (Main Street side) and the 2020 DOT grant for road work.

ORDINANCE NUMBER 11-2022

BOND ORDINANCE PROVIDING FOR VARIOUS ROAD IMPROVEMENTS IN AND BY THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$585,713 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 \$600,000, including \$150,000 expected to be received as a New Jersey Department of Transportation grant (the "NJDOT Grant") for the improvement or purpose described in Section 3(a) hereof, and further including the aggregate sum of \$14,287 as the several down payments for the improvements or purposes required by the Local Bond Law.

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 \$585,713 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>

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a) 2020 Roadway Resurfacing Program, including all work and materials necessary therefor and incidental thereto.	\$300,000 (including a \$150,000 New Jersey Department of Transportation Grant expected to be received)	\$300,000	10 years
b) Repairs to Arnett Avenue resulting from damage caused by Hurricane Ida, including all work and materials necessary therefor and incidental thereto.	<u>\$300,000</u>	<u>\$285,713</u>	10 years
Totals:	<u>\$600,000</u>	<u>\$585,713</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 and the NJDOT Grant, as applicable.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The City hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

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(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 benefited 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 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 \$585,713, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$120,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The City hereby declares the intent of the City to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or, if other than the NJDOT Grant, to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the City is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City and to execute such disclosure document on behalf of the City. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the City and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all the taxable property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. The appropriation authorized by this bond ordinance provides in full for the \$600,000 appropriation created by a resolution of the City duly adopted on April 21, 2022, and entitled, "RESOLUTION OF THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY AUTHORIZING EMERGENCY TEMPORARY

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APPROPRIATIONS PURSUANT TO N.J.S.A. 40A:4-20 IN THE AMOUNT OF \$600,000 TO FUND THE 2020 ROADWAY RESURFACING PROGRAM AND REPAIRS TO ARNETT AVENUE RESULTING FROM DAMAGE CAUSED BY HURRICANE IDA", and accordingly, said emergency temporary appropriations shall not be provided for in the City's 2022 municipal budget.

Section 12. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor Nowick opened the public hearing for Ordinance Number 11-2020 and he asked for Council comments. There being no council questions or comments, Mayor Nowick asked for public comments. There were no in-person or Zoom attendee questions or comments. Mayor Nowick asked for a motion to close the public hearing for Ordinance Number 11-2022. Council President Taylor made the motion and Councilwoman Lambert seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Mayor Nowick asked for a motion to adopt on second reading Ordinance Number 11-2022. Councilman Stegman made the motion and Council President Taylor seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

ORDINANCE NUMBER 12-2022: Bond Ordinance Providing A Supplemental Appropriation Of \$35,000 For Improvements To Grant Avenue And Allen Street In And By The City Of Lambertville, In The County Of Hunterdon, New Jersey, And Authorizing The Issuance Of \$35,000 Bonds Or Notes Of The City To Finance The Cost Thereof

Mayor Nowick read the ordinance into the record by title. He informed the members of the public present that this ordinance will add supplemental funding to the bond ordinance adopted to fund the 2021 DOT grant for road work.

ORDINANCE NUMBER 12-2022

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$35,000 FOR IMPROVEMENTS TO GRANT AVENUE AND ALLEN STREET IN AND BY THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$35,000 BONDS OR NOTES OF THE CITY TO FINANCE THE COST THEREOF.

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

Section 1. The improvement described in Section 3(a) of this bond ordinance has heretofore been authorized to be undertaken by the City of Lambertville, in the County of Hunterdon, New Jersey (the "City") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the supplemental amount of \$35,000, such sum being in addition to the \$200,000 appropriated therefor by bond ordinance #05-2021 of the City, finally adopted April 22, 2021 (the "Original Bond Ordinance"). No down payment is required

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pursuant to N.J.S.A. 40A:2-11(c) as the improvement or purpose referred to in Section 3(a) is being partially funded by a \$113,150 New Jersey Department of Transportation grant (the "NJDOT Grant") as described in the Original Bond Ordinance.

Section 2. In order to finance the additional cost of the improvement or purpose and in anticipation of receipt of the NJDOT Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$35,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement heretofore authorized and the purpose for the financing of which the bonds are to be issued is improvements to Grant Avenue and Allen Street, including, but not limited to, milling, paving and reconstruction, and including all work and materials necessary therefor and incidental thereto, as described in the Original Bond Ordinance.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is \$235,000, including the \$200,000 authorized by the Original Bond Ordinance and the \$35,000 bonds or bond anticipation notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$235,000, including the \$200,000 appropriated by the Original Bond Ordinance and the \$35,000 appropriated herein.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The City hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the City may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

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(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 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 a 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 \$35,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$75,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement. Of this amount, \$60,000 was estimated for these items of expense in the Original Bond Ordinance and \$15,000 is estimated therefor herein.

Section 7. The City hereby declares the intent of the City to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or, if other than the NJDOT Grant, to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the City is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City and to execute such disclosure document on behalf of the City. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the City and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all the taxable 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.

Mayor Nowick opened the public hearing for Ordinance Number 12-2022 and he asked for Council comments. There being no council questions or comments, Mayor Nowick asked for public comments. There were no in-person or Zoom attendee questions or comments.

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Mayor Nowick asked for a motion to close the public hearing for Ordinance Number 12-2022. Councilman Sanders made the motion and Councilwoman Lambert seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Mayor Nowick asked for a motion to adopt on second reading Ordinance Number 12-2022. Councilman Sanders made the motion and Council President Taylor seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

ORDINANCE NUMBER 13-2022: Bond Ordinance Providing For Various Capital Improvements In And By The City Of Lambertville, In The County Of Hunterdon, New Jersey, Appropriating \$1,100,000 Therefor And Authorizing The Issuance Of \$1,047,618 Bonds Or Notes Of The City To Finance Part Of The Cost Thereof

Mayor Nowick read the ordinance into the record by title. He informed the members of the public that this ordinance will fund the following projects/purchases:

EQUIPMENT VEHICLES: Coin Counter, \$3,000.00; Live Scan Fingerprint System, \$26,000.00, Technology, \$30,000.00, Ford Explorer SUV, \$60,000.00, Garbage Truck, \$250,000.00, F30 Pickup, \$80,000.00; and

IDA RELATED: Washington Street, \$165,000.00, Catch Basin Repairs, \$5,000.00, Quarry Street, \$150,000.00, Quarry Street Hillside, \$20,000.00, York Street, \$82,500.00, Justice Center Exterior, \$7,500.00, Malloy Tract, \$5,000.00, Stryker Street, \$31,000.00, Alexander Avenue Culvert, \$18,000.00, Alexauken Creek Waterway, \$45,000.00.

ORDINANCE NUMBER 13-2022

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$1,100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,047,618 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 \$1,100,000, and further including the aggregate sum of \$52,382 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments

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and sidewalk stabilization and improvements, inlet improvements and improvements to the Justice Center, including all work and materials necessary therefor and incidental thereto.				
	\$594,990	\$566,656		10 years
c) <u>Administration Department</u> The acquisition of technology equipment, including, but not limited to, computers and servers, and further including all related costs and expenditures incidental thereto.	\$33,740	\$32,133		5 years
d) <u>Solid Waste Department</u> The acquisition of trucks, including, but not limited to, a garbage truck and a pickup truck, and further including all related cost and expenditures incidental thereto.	\$371,170	\$353,496		5 years
Total	<u>\$1,100,000</u>	<u>\$1,047,618</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.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The

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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 benefited 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 7.85 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 a 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 \$1,047,618, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$122,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The City hereby declares the intent of the City to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

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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 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.

Mayor Nowick opened the public hearing for Ordinance Number 13-2022 and he asked for Council comments. There being no questions or comments from the governing body, Mayor Nowick asked for public comments.

Mayor Nowick asked for a motion to close the public hearing for Ordinance Number 13-2022. Councilman Stegman made the motion and Council President Taylor seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Mayor Nowick asked for a motion to adopt on second reading Ordinance Number 13-2022. Council President Taylor made the motion and Councilman Sanders seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

DISCUSSION ITEMS

Board Vacancies: Mayor Nowick announced the following positions available to serve on boards and commissions: Historic Preservation - Secretarial Position, Parks and Recreation Commission – 1 position, Shade Tree Commission – 2 vacancies, Zoning Board of Adjustment – 1 position. Members of the public who are interested in serving should submit their resume with a cover letter to the Mayor Nowick.

CORRESPONDENCE

Mayor Nowick read the correspondence into the record.

NJDOT 2023 GRANT ANNOUNCEMENT: deadline is July 1st.

ANNOUNCEMENTS

Mayor Nowick read the announcements into the record:

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Calling all Lambertville Ladies: The Mayor needs a dress! The Pride parade is May 21st and the Mayor will be at the front of the parade wearing a dress. So dig through your closets and bring a dress or two to City Hall on Monday, May 16th between 7-8pm.

Sparkle Week Reminder: please remember to purchase your bulk garbage permits either through the website (www.lambertvillenj.org) or by stopping in at City Hall, 18 York Street.

Kalmia Club's Hidden Garden Tour is scheduled for June 11, 2022. For additional information, visit the following website: kalmiaclub.org/events.htm

Summer Camp: The Parks and Recreation Commission is sponsoring a summer camp beginning June 20 and ending July 29. Visit lambertvillenj.org/summer-camp to register.

Lambertville-New Hope Ambulance and Rescue Squad members are celebrating EMS Week beginning May 15 through May 21. Stop in and thank them for their commitment and service to the community.

New Hope Celebrates will host the Pride Parade on May 21st. The week-long festivities include special events, parties and educational activities, culminating with the parade and fair with live entertainment.

Memorial Day Parade will be held on Monday, May 30, 2022 with step off at 9 am. All local volunteer squads are invited to participate. The line-up will begin on Cherry and North Union Street. The Grand Marshall is William Linden.

Capital Philharmonic of NJ to Perform Family Concert in Support of Fisherman's Mark - Fisherman's Mark

The Capital Philharmonic of New Jersey (CPNJ) will perform a family concert to benefit Fisherman's Mark on Sunday, June 5 at 5PM at South Hunterdon High School. The concert is made possible by a grant from the NJ State Council on the Arts designed for outreach into new communities. For additional information, visit the following website: www.fishermansmark.org

The Primary Election is scheduled for Tuesday, June 7. The polls will open at 6 am and close at 8 pm. There is a drop off box located at the Phillip L. Pittore Justice Center, 25 South Union Street for the public to drop off their ballots.

Districts 1 and 2 will vote at the Phillip L. Pittore Justice Center located at 25 South Union Street.

Districts 3 and 4 will vote at the American Legion located at 320 North Union Street in the City.

PUBLIC PARTICIPATION

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Mayor Nowick opened the meeting for public participation and he asked the Deputy Clerk for the number of participants on Zoom. There were 8 attendees participating via Zoom.

Councilman Stegman informed the members of the public that Phillips Barber held their groundbreaking this Saturday. This is a project that they have been planning for approximately 12 years. They originally had a 5 story building, but they are taking the more conservative and realistic look. The plans include additional Doctors' offices and waiting rooms. They are also expanding the number of services, so we don't need to go to Flemington. It's a great project and the Lambertville facility is the busiest facility in the Hunterdon County area with the most number of patients.

Judy Gleason: Return to #16-2022 – the way it was discussed seems to differ from the explanation given. Discussion ensued and Ms. Gleason was told that the Budget Consultant will be present at the June 2 session and will respond to her question.

There were no comments from Zoom attendees.

Mayor Nowick asked for a motion to close the public participation session of the meeting. Councilman Stegman made the motion and Councilwoman Lambert seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

CLOSED SESSION: The governing body will go into closed session to discuss matters related to personnel pursuant N.J.S.A. 10:4-12(b)(8).

RESOLUTION

“Authorizing a Closed Session at the May 19, 2022 Lambertville City Council Meeting to Discuss Personnel Pursuant to N.J.S.A. 10:4-12(b)(8)”

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 May 19, 2022, held in-person at the Phillip L. Pittore Justice Center, to discuss matters related to personnel pursuant to N.J.S.A. 10:4-12(b)(8).

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.

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Mayor Nowick and City Council convened in closed session at 8:45 p.m. with a motion made by Councilman Stegman and seconded by Councilwoman Lambert. An affirmative voice/roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Mayor Nowick and City Council re-convened in regular session at 9:37 p.m. with a motion made by Councilwoman Lambert and seconded by Councilman Stegman. An affirmative voice/roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

ADJOURNMENT

The meeting adjourned at 9:37 p.m. with a motion made by Councilwoman Lambert and seconded by Councilman Sanders. An affirmative voice vote was taken in favor of the motion to adjourn by all members present. MOTION CARRIED.

Respectfully submitted,

Cynthia L. Ege
CMR, RMC, City Clerk