



City of Lambertville
REGULARLY SCHEDULED SESSION
TUESDAY, NOVEMBER 10, 2020, 6:00 PM
VIRTUAL MEETING USING ZOOM
AGENDA

Please use this link to obtain information for meeting participation:

<http://lambertvillenj.org/virtualmeetings>

I. STATEMENT OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

This meeting is being held in compliance with the Open Public Meetings Act with the Annual Notice advertised in Trenton Times; the meeting notice was provided to the Hunterdon County Democrat and Trenton Times, sent to department heads, members of the listserve and was posted on the glass doors of the elevator entrance at City Hall. The meeting agenda was posted on the Bulletin Board at City Hall, on the City's website at www.lambertvillenj.org.

This session will be recorded using Zoom. The recording will be posted to the City's website.

II. CLOSED SESSION: *A Resolution to go into Closed Session to discuss Attorney/Client Privileged Issues Related to Contract Negotiations, Pursuant to N.J.S.A. 40:4-12(b)(7)*

RESOLUTION

"Authorizing a Closed Session at the November 10, 2020 Lambertville City Council Meeting to Discuss Attorney/Client Privileged Issues Related to Contract Negotiations, Pursuant to N.J.S.A. 40:4-12(b)(7)"

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, N.J.S.A. 10:4-12 provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by resolution; and

WHEREAS, it is necessary for the City to discuss, in a session not open to the public, attorney-client privileged issues related to contract negotiations involving the City, pursuant to N.J.S.A. 10:4-12(b) (7).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Lambertville that a closed session shall be held on November 10, 2020, via Zoom, to discuss attorney/client issues related to contract negotiations involving the City, pursuant to N.J.S.A. 40:4-12(b)(7).

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

ADOPTED:

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

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

III. ROLL CALL

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

IV. PLEDGE OF ALLEGIANCE

V. MOMENT OF SILENCE

- a. Those serving in the United States Arms Forces in Country and Abroad;
- b. Those serving on the front lines of COVID19

VI. STATEMENT REGARDING PUBLIC COMMENT – Mayor Fahl

VII. BILLS LIST

- a. Payment of Procurement Card: - \$796.07
 - Greener Printer - \$208.30;
 - Sustainable Jersey - Grant Ditching Disposals Flyers/Postcards
 - Sticker Mule - \$90.00; Environmental Commission
 - Monthly Zoom - \$447.78; Communications Programs & Services
 - Monthly Mailchimp - \$49.99; Communications Programs & Services

VIII. RESOLUTIONS

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

CONSENT AGENDA:

- a. RESOLUTION NUMBER 136-2020: A Resolution to Authorize the Refund of the Veteran's Deduction Allowance for Block 1052, Lot 2, 51 South Union Street in the Amount of \$250 to Nicholas Brady.

RESOLUTION NUMBER 136-2020

A Resolution to Authorize the Refund of the Veteran's Deduction for Block 1052, Lot 2, 51 South Union Street in the Amount of \$250.00 for Nicholas Brady

WHEREAS, the Tax Collector requested a refund of a Veteran's Deduction granted by the State of New Jersey for the 2020 taxes for Block 1052, Lot 2 on the Tax Map of the City of Lambertville, with a mailing address of 51 South Union Street.

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey that the refund to Nicholas Brady for the 2020 Veteran's Deduction for block 1052, Lot 2, 51 South Union Street is hereby authorized.

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- b. RESOLUTION NUMBER 137-2020: A Resolution to Accept the 2019 Audit.

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GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

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

WHEREAS, the Annual Report of Audit for the year 2019 has been filed by a Registered Municipal Accountant with the *Municipal Clerk* pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

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

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

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

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

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

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

NOW, THEREFORE BE IT RESOLVED, That the Governing Body of the City of Lambertville, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby

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submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION
PASSED AT THE MEETING HELD ON NOVEMBER 10, 2020.

Cynthia L. Ege, City Clerk

- c. RESOLUTION NUMBER 138-2020: *A Resolution to Authorize the Contract for Professional Services:*

RESOLUTION NUMBER 138-2020

Authorizing Professional Service Contracts for Redevelopment Work to Clarke Caton Hintz Not to Exceed \$15,000 for Police Site Work and \$3,000 for Work with the CAT Members

WHEREAS, there exists a need for Planning Services to handle matters related to Redevelopment; 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 October 10, 2019 and received on November 6, 2019, providing sufficient time to give notice, and publicly opened on November 6, 2019 for City Planner; and

WHEREAS, sufficient funds are available in the Scattered Sites Ordinance, number 04-2020, for such services;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey hereby confirms the nomination made by Mayor Fahl for the duration of the following projects:

Redevelopment -Police Site Work - Clarke Canton Hintz, Not to Exceed \$15,000;

Redevelopment - CAT Work - Clarke Canton Hintz not to exceed \$3,000

BE IT FURTHER RESOLVED that the Mayor and/or the City Clerk are hereby authorized and directed to finalize and sign an agreement for the 2020 calendar year.

BE IT FURTHER RESOLVED that notice of these actions shall be printed in the November 16, 2020 issue of The Times, N.J.A.C. 5:34-9.5 (d).

ADOPTED: November 10, 2020

- d. RESOLUTION NUMBER 139-2020: *A Resolution to Amend the Not to Exceed Amounts in Resolution Numbers 17-2020 – City Attorneys, 20-2020 – City Planner, and 19-2020 – City Engineer.*

RESOLUTION NUMBER 139-2020

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A Resolution to Amend the Not to Exceed Amounts in Resolution Numbers 17-2020 – Attorneys, 20-2020 – City Planner, and 19-2020 City Engineer.

WHEREAS, on January 7, 2020, the Governing Body of the City of Lambertville awarded contracts for professional services; and

WHEREAS, the following not to exceed amounts in the resolutions for professional services is amended to read:

Resolution Number 10-2020 for City Engineer: Suburban Consulting Engineers, LLC, an increase in the contract from \$7,500 to a not to exceed amount of \$13,500.00;

Resolution Number 20-2020 for the City Planner for matters related to COAH: Clarke Canton Hintz, an increase the contract from \$15,000 to a not to exceed amount of \$36,300.00;

(\$21,228.21 to be charged to COAH Trust)

Resolution Number 17-2020 for COAH Attorney: Malamut, an increase the contract from \$15,000 to a not to exceed amount of \$27,300.00.

(\$12,280.54 to be charged to COAH Trust)

NOW THEREFORE BE IT RESOLVED BY THE Governing Body of the City of Lambertville, in the County of Hunterdon, that the amendments to resolutions listed adopted on January 7, 2020 are hereby authorized.

ADOPTED: November 10, 2020

e. RESOLUTION NUMBER 140-2020: A Resolution to Authorize a Shared Services Agreement with the County of Hunterdon for the Use of Fuel and Diesel Tanks for Public Works and the Police Department Vehicles.

A Resolution to Authorize a Shared Services Agreement with the County of Hunterdon for the Use of Fuel and Diesel Tanks for Public Works and the Police Department Vehicles.

WHEREAS, the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, is removing the gas and diesel tanks from the Public Works Yard, and

WHEREAS, there is a need to purchase diesel and fuel to service the City's Public Works and Police Vehicles; and

WHEREAS, the County of Hunterdon has gas and diesel fuel tanks at the yard located in the Township of West Amwell; and

WHEREAS, a Resolution for authorization for the shared services agreement with the County of Hunterdon is pending adoption; and

WHEREAS, the employees of the City of Lambertville will log and submit a monthly statement to the Finance Department and the City of Lambertville will reimburse the County of Hunterdon on a monthly basis for fuel.

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NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey that the shared services agreement with the County of Hunterdon for gas and diesel fuel is hereby authorized.

ADOPTED: November 10, 2020

*f. **RESOLUTION NUMBER 141-2020: A Resolution Authorizing Transfer of Budget Appropriations in the 2020 General Fund Budget.***

RESOLUTION NUMBER 141-2020
 RESOLUTION AUTHORIZING TRANSFER OF BUDGET APPROPRIATIONS PURSUANT TO
 N.J.S.A 401:4-58

WHEREAS, in accordance with N.J.S.A 40A:4-58, transfers may be made between appropriation accounts in the General Budget in the last two months of the fiscal year; and

<u>ACCOUNT</u>	<u>IN</u>	<u>OUT</u>
ADMINISTRATION S&W		\$(21,567.00)
MAYOR & CITY COUNCIL SW	\$ 1,000.00	
MAYOR & COUNCIL OE		\$(23,000.00)
FINANCIAL ADMINISTRATION OE	\$ 5,000.00	
TAX ASSESSOR OE	\$ 2,000.00	
LEGAL SERVICES - OE	\$ 12,500.00	
PLANNING BOARD OE	\$ 550.00	
LIABILITY INSURANCE/SURETY BONDS	\$ 6,517.00	
GROUP INSURANCE Waivers		\$ (9,000.00)
POLICE S&W		\$ (5,000.00)
PUBLIC WORKS S&W		\$ (5,000.00)
SOLID WASTE COLLECTION OE	\$ 15,200.00	
BUILDINGS & GROUNDS OE	\$ 7,500.00	
DOG REGULATION OE	\$ 7,500.00	
UTILITY EXPENSES & BULK PURCHASES	\$ 5,800.00	
TOTALS	\$ 63,567.00	\$(63,567.00)

WHEREAS, such transfers are made to cover expenses in accounts in excess of that anticipated and from accounts having expenses in less amounts than anticipated; now

THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville, County of Hunterdon, New Jersey, in accordance with N.J.S.A 40A:4-58 that transfers between budget appropriation accounts on the attached report are authorized and that a certified copy of this resolution adopted by not less than a two-thirds (2/3) vote of the full membership of the governing body shall be transmitted to the Chief Financial Officer.

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ADOPTED: November 10, 2020

IX. DISCUSSION AROUND POTENTIAL PRESERVATION OF BLOCK 1002, LOT 41, CLOSSON PROPERTY.

ORDINANCE NUMBER 14-2020: *An Ordinance Authorizing the Purchase of Property Located at 260 N. Main Street (Block 1002, Lot 41) and Authorizing the Execution of Agreements in Connection Therewith*

WHEREAS, David and Edward W. Closson (the “Clossons”) own the property shown on the City of Lambertville’s (the “City”) Tax Maps as Block 1002, Lot 41, commonly known as 260 N. Main Street (the “Closson Property”); and

WHEREAS, currently situated on the Closson Property are the Homestead Farm Market and associated improvements and parking space related thereto, a residential home, a barn, a revolutionary-era stone farmhouse, along with significant open space and gardens; and

WHEREAS, pursuant to *N.J.S.A. 40:12-15.7* and *N.J.S.A. 40A:12-5*, and in furtherance of its effort to acquire land for recreation and conservation purposes, and for the continued performance of essential City functions, the City desires to purchase from the Clossons the Closson Property, pursuant to a Purchase and Sale Agreement by and between the City and the Clossons (the “Agreement”); and

WHEREAS, in order to set forth the terms and conditions under which the City and the Clossons will carry out their respective obligations with respect to the transaction described herein, the City desires to authorize the execution of the aforementioned Agreement.

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 price to purchase the Closson Property from the Clossons is not to exceed \$2,900,000.00, and is hereby deemed to be reasonable.
3. The Mayor is hereby authorized to execute the Agreement, in substantially the same form as that on file with the City Clerk, and any and all documents necessary to effectuate the acquisition from the Clossons of the Closson Property, upon such terms and conditions as are set forth in the Agreement.

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4. The terms of the Agreement are reasonable, and the City is further authorized to take all steps necessary for the conduct of due diligence at the Closson Property pursuant to said Agreement.

5. The City Clerk is hereby directed to publish this Ordinance as required by applicable law.

6. This Ordinance shall take effect pursuant to applicable law.

X. ORDINANCES – FIRST READING

- a. ORDINANCE NUMBER 15-2020: *An Ordinance to Amend the Lambertville City General Ordinances, 2014, to Include a Handicapped Parking Space in front of 29 North Franklin Street.*

ORDINANCE NUMBER 15-2020
An Ordinance to Amend the Lambertville City Code 2014, Chapter 7, Section 4-7, Parking Restricted for Use by Handicapped Persons to Add Handicapped Parking in Front of 29 North Franklin Street.

NOW THEREFORE BE IT RESOLVED that the application for a handicapped parking space in front 29 North Franklin Street for Christine Bolles is authorized as follows:

North Franklin Street, on the south side of the street in front of 29 North Franklin Street.

INTRODUCED: November 10, 2020

PUBLIC HEARING AND ADOPTION: November 30, 2020

- b. ORDINANCE NUMBER 16-2020: *An Ordinance to Amend the General Code of the City of Lambertville, Chapter VII, Traffic, Section 4.5, Parking Time Limited on Certain Streets to **Remove** Two Parking Spaces on the Southwest Side of Bridge Street With a Twenty-Minute Maximum Time Limit, Sunday through Saturday.*

ORDINANCE NUMBER 16-2020
*An Ordinance to Amend the General Code of the City of Lambertville, Chapter VII, Traffic, Section 4.5, Parking Time Limited on Certain Streets to **Remove** Two Parking Spaces on the Southwest Side of Bridge Street With a Twenty-Minute Maximum Time Limit, Sunday through Saturday.*

BE IT ORDAINED by the Mayor and Governing Body of the City of Lambertville that Chapter VII, Traffic, Section 4.5, Parking Time Limited on Certain Streets to **remove** the following:

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<i>Name of Street</i>	<i>Sides</i>	<i>Time Limit</i>	<i>Hours</i>	<i>Location</i>
Bridge Street	South	20 minutes	9 am to 9 pm	First two parking spaces on the south side of Bridge Street west of Main Street.

INTRODUCTION AND FIRST READING: November 10, 2020

ADOPTION AND SECOND READING: November 30, 2020

XI. EMERGENCY RESOLUTION AND ORDINANCE

- a. **RESOLUTION NUMBER 131-2020: A Resolution Authorizing the Chief Financial Officer of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey to Submit an Application to the Director of the Division of Local Government Services for Approval of A Special Emergency in the Amount of \$438,000.00, or Such Other Amount Certified by Such Director, for the Purposes Set forth in N.J.S.A. 40A:4-53(L) and/or N.J.S.A. 40A:4-53(M)**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than a majority of all members thereof affirmatively confirming) AS FOLLOWS:

Section 1. The City of Lambertville, in the County of Hunterdon, New Jersey (the "City") hereby approves the application prepared by the Chief Financial Officer of the City in the form attached hereto as **Exhibit A**, seeking the approval of the Director of the Division of Local Government Services (the "Director") of a special emergency in the amount of \$438,000, or such other amount certified by the Director, for the purposes set forth in N.J.S.A. 40A:4-53(l) and/or N.J.S.A. 40A:4-53(m).

Section 2. The City hereby further authorizes and directs the Chief Financial Officer of the City to submit said Application to the Director by no later than December 1, 2020. If necessary for any reason, the City hereby further authorizes the Chief Financial Officer of the City to submit to the Director a written request for an extension of the December 1, 2020 deadline and to file such Application on or prior to such extended deadline granted by the Director, if any.

Section 3. This resolution shall take effect in accordance with applicable law.

- b. **ORDINANCE NUMBER 13-2020: ORDINANCE AUTHORIZING A SPECIAL EMERGENCY**

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*APPROPRIATION IN THE AMOUNT OF \$438,000, OR
SUCH OTHER AMOUNT CERTIFIED BY THE DIRECTOR
OF THE DIVISION OF LOCAL GOVERNMENT SERVICES,
FOR THE PURPOSES SET FORTH IN N.J.S.A. 40A:4-53(L)
AND/OR N.J.S.A. 40A:4-53(M), IN AND BY THE
BOROUGH OF LAMBERTVILLE, IN THE COUNTY OF
HUNTERDON, NEW JERSEY*

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY AS
FOLLOWS:**

Section 1. The City of Lambertville, in the County of Hunterdon, New Jersey (the "City") hereby appropriates an aggregate amount of \$438,000 to provide for (i) the immediate preparation, response, recovery, and restoration of public services during such time as a public health emergency, pursuant to the "Emergency Health Powers Act," P.L.2005, c.222 (C.26:13-1 et seq.), declared in response to COVID-19 remains in effect, in the amount of \$43,000, pursuant to N.J.S.A. 40A:4-53(l) and (ii) a deficit in operations experienced by the City during fiscal year 2020, in which a public health emergency pursuant to the "Emergency Health Powers Act," P.L.2005, c.222 (C.26:13-1 et seq.), or a state of emergency, pursuant to P.L.1942, c.251 (C.App.A:9-33 et seq.), or both, has been declared by the Governor in response to COVID 19, in the amount of \$395,000, pursuant to N.J.S.A. 40A:4-53(m). The appropriation authorized hereby shall be in the individual and aggregate amounts set forth herein or such other amounts as certified by the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey (the "Director").

Section 2. The City shall apply for any financial assistance that may be available to the City from the federal government, the State of New Jersey, and other sources to offset any operating deficit directly attributable to COVID-19, and any such financial assistance obtained by the City shall be utilized to offset any operating deficit.

Section 3. A copy of this ordinance as finally adopted shall be filed with the Director.

Section 4. This ordinance shall take effect upon the latter of (i) the date determined by applicable law or (ii) the earlier of (a) the date the Director approves in writing the application submitted by the Chief Financial Officer of the City for approval of the special emergency authorized hereby (the "Application") and (b) the date that is 45 days (or the first business day following such 45th day, if applicable) following the date the Chief Financial Officer submits the Application to the Director.

XII. ANNOUNCEMENTS

- a. **VETERANS' DAY (Armistice Day), NOVEMBER 11, 2020**
The American Legion will be honoring Veterans with a ceremony on Wednesday, November 11, 2020 at 11 AM. All are invited to participate.

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All City Offices will be closed on November 11 in honor of our Veterans.

Garbage and Recycling scheduled for Wednesday, November 11 will be picked up on Tuesday, November 10.

- b. **FREE ELECTRONICS RECYCLING DAY:** The City of Lambertville is sponsoring a Free Electronics Recycling Day on Saturday, November 21, from 9 to 11 am at the American Legion located at 320 North Union Street in the City. For additional information, use the following link:
<https://www.lambertvillenj.org/newsfeed-pages/597-electronics-recycling-event>
- c. **PARKING NEWS!** All metered parking is free on Thanksgiving Day, November 26, 2020 and from December 17th through December 25!
- d. **APPOINTMENTS TO BOARDS AND COMMISSIONS:** The City is in the beginning stages of planning appointments for the 2021 calendar year. If you are currently serving on a board or commission, or if you would like to be considered for an appointment, please submit your letter of interest and resume to the Mayor, Council President and City Clerk using the following email addresses:
 - i. mayorfahl@lambertvillenj.org
 - ii. Councilpresidentasaro@lambertvillenj.org
 - iii. cityclerk@lambertvillenj.org
- e. **CONVENIENCE CENTER HOURS:** For additional information, please visit the city's website at: <https://lambertvillenj.org/newsfeed-pages/389-the-city-of-lambertville-convenience-center>
 - i. Wednesday, November 18, 2020 from 3 to 5 pm
 - ii. Saturday, November 21, 2020 from 9 am to 12 noon

XIII. PUBLIC PARTICIPATION/PUBLIC CONCERN

XIV. ADJOURNMENT

C: Department Heads, City Attorney, City Engineer, Posting on the bulletin board at City Hall, the exterior glass doors by the elevator room at City Hall, on the exterior glass door of the Justice Center, the

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website (www.lambertvillenj.org) and notice was sent to the Democrat, the Trenton Times, various individuals on the list serve, Delaware River Towns Chamber of Commerce listserv, and the Bucks County Herald.