



City of Lambertville

**REGULARLY SCHEDULED SESSION
THURSDAY, APRIL 23, 2020, 7:00 PM
PHILLIP L. PITTORE JUSTICE CENTER
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, provided to the Hunterdon County Democrat and Trenton Times, the posting of the meeting agenda on the Bulletin Board at City Hall, on the City's website at www.lambertvillenj.org, on the exterior door of the Elevator Entrance at City Hall, and to department heads and the listserv. Please note an additional notice was advertised in the April 17 edition of the Trenton Times and the April 23rd edition of the Hunterdon County Democrat.

Instructions on how to participate in the meeting were emailed through the City's listserv, provided on a call-in message at City Hall, posted on the City's website at www.lambertvillenj.org and will be read into the record at the beginning of the meeting and again during Public Participation.

II. INSTRUCTIONS FOR THE PUBLIC ON HOW TO PARTICIPATE USING ZOOM AND CALLING IN

The public participation portion of the meeting will be taken under Agenda Item Number 15.

If you want to participate or make a public comment, there are two ways to do so.

If you are currently utilizing a computer to participate, you would click the "Raise Hand" button on the bottom of the screen. This will place you in a queue that I can see for when it's time to take public comments. People are sorted in the order they raised their hands. When I call on you, a message will pop-up asking if you want to unmute yourself. If you choose to move forward and place a public comment or question, choose to unmute, if you have changed your mind then choose to deny.

If you are dialing in tonight on your phone, to "raise your hand" dial *9 to be placed in the queue. When called on, the system will ask you to confirm being un-muted to proceed.

Please try to be concise with your questions or comments, to be mindful of others' time.

Once called, I will ask you to please state your full name and address into the record, then please feel free to make your comment or ask a question. You will remain unmuted while the governing body responds. Please make sure there is no background noise such as the T.V. on, music or loud chatter.

When public comments are finished, participants will be placed back on mute for the duration of the meeting.

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Members of the Governing Body will raise their hand to make a comment or ask a question.

III. ROLL CALL

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

IV. PLEDGE OF ALLEGIANCE

V. MOMENT OF SILENCE

VI. CITY ATTORNEY STATEMENT REGARDING COUNCIL SESSIONS

VII. BILLS LIST

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.

- a. RESOLUTION NUMBER 59-2020: *A Resolution to Authorize the Mayor, City Attorney and City Clerk to Sign the License Agreement for 95 Clinton Street, Granting Relief to Cure a 50-Year-Old Problem with the Fence, Pool, and Landscaping in the City's Right of Way.*

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 Mayor, City Attorney and City Clerk are hereby authorized to execute the License to cure the 50-year-old problem with the fence, pool and landscaping in the City's right of way with Johanna Cushing, 95 Clinton Street, Block 1014, Lot 1.

- b. RESOLUTION NUMBER 65-2020: *A Resolution to Authorize the Mayor, City Attorney and City Clerk to execute the Contract with Lt. Brown January 1, 2019 through December 31, 2021.*

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 Mayor Fahl, the City Attorney and City Clerk are hereby authorized to execute the contract with Lt. Robert Brown, as follows:

a.			
b. Base	Base	Base	
	1/2019	1/2020	1/2021

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d.				
e.	\$10	\$116,678.7	\$124,678.73	\$127,172.30

The contract shall be retro to January 2, 2019 and end December 31, 2021.

- c. RESOLUTION NUMBER 66-2020: *A Resolution to Endorse the Housing Element of the Fair Share Plan.*

RESOLUTION 66-2020

A Resolution to Endorse the Housing Element of the Fair Share Plan

WHEREAS, the Planning Board of the City of Lambertville, Hunterdon County, State of New Jersey, adopted its current Housing Element and Fair Share Plan pursuant to N.J.S.A. 40:55D-28 on November 7, 2018; and

WHEREAS, the Governing Body endorsed the Housing Element and Fair Share Plan on December 2, 2018; and

WHEREAS, the Governing Body subsequently petitioned the Council on Affordable Housing (COAH) for substantive certification but said substantive certification was not received prior to COAH's rules being overturned in In The Matter of the Adoption of N.J.A.C. 5:96 and 5:97 By The Council On Affordable Housing; and

WHEREAS, as COAH failed to adopt new constitutionally compliant rules, the NJ Supreme Court entered an order of March 10, 2015 which transferred responsibility to review and approve housing elements and fair share plans from COAH to designated Mount Laurel trial judges within the Superior Court; and

WHEREAS, the City filed for Declaratory Judgment with the New Jersey Superior Court on July 8, 2015; and

WHEREAS, the City executed a Settlement Agreement with Fair Share Housing Center (FSHC) on May 22, 2018 that identified the City's affordable housing obligation and a preliminary indication of how the City would satisfy the affordable housing obligation; and

WHEREAS, the Settlement Agreement was subject to a Fairness Hearing on September 13, 2018 during which the Court found that the Settlement Agreement was fair to the interests of low and moderate income households; and

WHEREAS, the Court's review and approval of the Settlement Agreement is reflected in an Order on Fairness and Preliminary Compliance Hearing signed by the Honorable Thomas C. Miller, P.J.Civ. and filed on October 11, 2018; and

WHEREAS, the City executed a Settlement Agreement with Fair Share Housing Center (FSHC) on January 29, 2020 that identified the City's affordable housing obligation

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and a preliminary indication of how the City would satisfy the affordable housing obligation; and

WHEREAS, the Planning Board held a public hearing and adopted an amended Housing Element and Fair Share Plan on March 4, 2020;

WHEREAS, COAH's Prior Round rules at N.J.A.C. 5:91-2.2(a) requires that the municipal governing body endorse a plan adopted by the municipal planning board; and

NOW THEREFORE BE IT RESOLVED that the Governing Body of the City of Lambertville, Hunterdon County, State of New Jersey, hereby endorses the Housing Element and Fair Share Plan as adopted by the City of Lambertville Planning Board; and

BE IT FURTHER RESOLVED that the Governing Body of the City of Lambertville, pursuant to the provisions of N.J.S.A. 52:27D-301 et seq. and N.J.A.C. 5:96-3.2(a), submits this Housing Element and Fair Share Plan to the Superior Court pursuant to the City's Settlement Agreement with Fair Share Housing Center and the City's Declaratory Judgment action requesting a Judgment of Compliance & Repose through July 8, 2025.

d. RESOLUTION NUMBER 67-2020: A Resolution to Support the Coronavirus Community Relief Act

A Resolution to Support the Coronavirus Community Relief Act

WHEREAS, Congressman Tom Malinowski (NJ-07), along with Assistant Speaker Ben Ray Lujan (NM-03), Congressman Andy Levin (MI-09) and Congressman Joe Neguse (CO-02) have introduced H.R. 6467, the *Coronavirus Community Relief Act*; and

WHEREAS, this new legislation will provide \$250 billion in stabilization funds for mid-sized local communities, cities and towns across the United States that are struggling amidst the COVID-19 pandemic; and

WHEREAS, the Borough of Frenchtown like many municipalities throughout Hunterdon County has been negatively impacted by COVID-19; and

WHEREAS, the *Coronavirus Aid, Relief and Economic Security Act*, signed into law on March 27th, provided stabilization funds for states and larger communities, but capped localities able to receive direct support at those with populations of over 500,000; and

WHEREAS, H.R. 6467 will provide needed financial resources to smaller municipalities and counties on the front lines of the COVID-19 pandemic; and

WHEREAS, H.R. 6467 will provide critical funds that are needed immediately by smaller municipalities and counties to continue providing critical care and screening of COVID-19 victims; and

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WHEREAS, in addition to H.R. 6467, there are additional financial needs of smaller communities whom have expended substantial sums of money responding to the ongoing COVID-19 pandemic; and

WHEREAS, we call upon our federal officials to consider further relief measures for state and local governments including new investments in infrastructure, upgrades to our rural health care systems, and access to high speed broadband;

NOW THEREFORE BE IT RESOLVED, by the Common Council of the City of Lambertville, County of Hunterdon, State of New Jersey that we wish to extend our support for H.R. 6467 and call for further relief measures for state and local governments including investments in infrastructure, rural healthcare systems, and high speed broadband; and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Congressman Tom Malinowski, and U.S. Senators Robert Menendez and Cory Booker.

ADOPTED: April 23, 2020

IX. ORDINANCES FIRST READING

- a. Ordinance Number 02-2020: *An Ordinance to Amend the Lambertville City Code, 2014, Chapter VII, Traffic, Section 4.7 Parking Restricted for Use by Handicapped Persons, Adding Two Handicapped Parking Spaces: West Side of 39 Clinton Street and the West Side of 135 North Union Street.*

Summary to be given by Mayor Fahl at the meeting.

An Ordinance to Amend the Lambertville City Code, 2014, Chapter VII, Traffic, Section 4.7 Parking Restricted for Use by Handicapped Persons, Adding Two Handicapped Parking Spaces: West Side of 39 Clinton Street and the West Side of 135 North Union Street

SECTION 4.7 PARKING RESTRICTED FOR USE BY HANDICAPPED PERSONS is hereby amended to include the following:

<i>Name of Street</i>	<i>Sides</i>	<i>Location</i>
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Clinton Street	West	39 Clinton Street
North Union Street	West	135 North Union Street

INTRODUCTION AND FIRST READING: April 23, 2020

ADOPTION AND SECOND READING: May 21, 2020

- b. Ordinance Number 03-2020: *A Bond Ordinance Providing for Various Actions Including Planning and Design Costs and Professional Fees in Furtherance of Various Redevelopment Efforts in and by the City of Lambertville, in the County of Hunterdon, New Jersey, Appropriating \$85,000 Therefor and Authorizing the Issuance of \$85,000 Bonds or Notes of the City to Finance Part of the Cost Thereof*

Summary to be given by Mayor Fahl at the meeting.

BOND ORDINANCE PROVIDING FOR VARIOUS ACTIONS INCLUDING PLANNING AND DESIGN COSTS AND PROFESSIONAL FEES IN FURTHERANCE OF VARIOUS REDEVELOPMENT EFFORTS IN AND BY THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$85,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$85,000 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 purpose described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the City as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$85,000. No down payment is required pursuant to N.J.S.A. 40A:12A-37 as this bond ordinance is for actions expected to be undertaken by the City pursuant to existing and future redevelopment plans pursuant to N.J.S.A. 40A:12-1 *et seq.*

Section 2. In order to finance the cost of the purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$85,000 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.

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Section 3. (a) The purpose for the financing of which the bonds are to be issued is to finance various actions including planning and design costs and professional fees incurred in connection with and in furtherance of the City's pursuit of various redevelopment objectives throughout the City, including the preparation and amendment of the Lambertville High School Redevelopment Plan and further including all related costs and expenditures incidental thereto.

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

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

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no 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:

(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 benefitted thereby.

(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 15 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

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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 \$85,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$85,000 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.

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(a) hereof shall be applied either to direct payment of the cost of the improvement 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.

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

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

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

INTRODUCTION AND FIRST READING: April 23, 2020

ADOPTION AND SECOND READING: May 21, 2020

- c. Ordinance Number 04-2020: A Bond Ordinance Proving for Various Actions Including Planning and Investigation Costs in Furtherance of a

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Scattered Site Study in and By the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, Appropriating \$18,000 Therefor and Authorizing the Issuance of \$18,000 Bonds or Notes of the City to Finance Part of the Cost Thereof.

Summary to be given by Mayor Fahl at the meeting.

BOND ORDINANCE PROVIDING FOR VARIOUS ACTIONS INCLUDING PLANNING AND INVESTIGATION COSTS IN FURTHERANCE OF A SCATTERED SITE STUDY IN AND BY THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$18,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$18,000 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 purpose described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the City as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$18,000. No down payment is required pursuant to N.J.S.A. 40A:12A-37 as this bond ordinance is for actions expected to be undertaken by the City pursuant to existing and future redevelopment plans pursuant to N.J.S.A. 40A:12-1 *et seq.*

Section 2. In order to finance the cost of the purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$18,000 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 purpose for the financing of which the bonds are to be issued is to finance various actions including planning and investigation costs and professional fees incurred in connection with and in furtherance of the City's pursuit of various redevelopment objectives throughout the City, including the preparation of a study of various scattered sites throughout the City including all related costs and expenditures incidental thereto.

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

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

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no 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

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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 benefitted thereby.

(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 15 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 \$18,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$18,000 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.

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(a) hereof shall be applied either to direct payment of the cost of the improvement 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 real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

INTRODUCTION AND FIRST READING: April 23, 2020

PUBLIC HEARING AND SECOND READING: May 21, 2020

- d. Ordinance Number 05-2020: A Bond Ordinance Providing for Various Technology Improvements Including Software Upgrades in and By the City of Lambertville, in the County of Hunterdon, New Jersey, Appropriating \$64,250 Therefor and Authorizing the Issuance of \$61,037 Bonds or Notes of the City to Finance Part of the Cost Thereof

Summary to be given by Mayor Fahl at the meeting.

ORDINANCE NUMBER 05-2020
BOND ORDINANCE PROVIDING FOR VARIOUS TECHNOLOGY
IMPROVEMENTS INCLUDING SOFTWARE UPGRADES IN AND
BY THE CITY OF LAMBERTVILLE, IN THE COUNTY OF
HUNTERDON, NEW JERSEY, APPROPRIATING \$64,250
THEREFOR AND AUTHORIZING THE ISSUANCE OF \$61,037
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 improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the City of Lambertville, in the County of Hunterdon, New Jersey (the "City"). For the improvement or purpose described in

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Section 3(a), there is hereby appropriated the sum of \$64,250, including the sum of \$3,213 as the down payment. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$61,037 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 hereby authorized and the purpose for the financing of which the bonds are to be issued is various technology improvements including software upgrades, including work and materials necessary therefor and incidental thereto.

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

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

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no 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:

(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 benefitted thereby.

(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 5 years.

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(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 \$61,037, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$12,000 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.

(e) This bond ordinance authorizes obligations of the City solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from the gross debt of the City pursuant to N.J.S.A. 40A:2-44(c).

Section 7. The City hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. The City hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the obligations, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the obligations. The Chief Financial Officer is hereby authorized to act on behalf of the City to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The City hereby declares the intent of the City to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purpose described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement 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.

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

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City shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

INTRODUCTION AND FIRST READING: April 23, 2020

ADOPTION AND SECOND READING: May 21, 2020

- e. Ordinance Number 06-2020: A Bond Ordinance Providing for the Creation and Implementation of a Housing Element and Fair Share Plan in and By the City of Lambertville, in the County of Hunterdon, New Jersey, Appropriating \$35,000 Therefor and Authorizing the Issuance of \$33,000 Bonds or Notes of the City to Finance Part of the Cost Thereof

Summary to be given by Mayor Fahl at the meeting.

ORDINANCE NUMBER 06-2020
BOND ORDINANCE PROVIDING FOR THE CREATION AND
IMPLEMENTATION OF A HOUSING ELEMENT AND FAIR
SHARE PLAN IN AND BY THE CITY OF LAMBERTVILLE, IN
THE COUNTY OF HUNTERDON, NEW JERSEY,
APPROPRIATING \$35,000 THEREFOR AND AUTHORIZING THE
ISSUANCE OF \$33,000 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 improvement described in Section 3(a) of this bond ordinance is hereby 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 sum of \$35,000, including the sum of \$2,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$33,000 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 hereby authorized and the purpose for the financing of which the bonds are to be issued is to provide for the creation and

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implementation of a Housing Element and Fair Share Plan, including all related costs and expenditures necessary therefor and incidental thereto.

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

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

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no 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:

(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 benefitted thereby.

(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 15 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 \$33,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

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(d) An aggregate amount not exceeding \$33,000 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.

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 Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement 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.

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

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

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

INTRODUCTION AND FIRST READING: April 23, 2020

ADOPTION AND SECOND READING: May 21, 2020

X. ORDINANCES SECTION READING/PUBLIC HEARING

- a. Ordinance Number 01-2020: An Ordinance of the City of Lambertville, County of Hunterdon, State of New Jersey Amending the Redevelopment Plan for the Lambertville High School Redevelopment Area, Block 1073, Lots 1, 3, 5, 6, 7, 8, 9, 10, 11, 32, 33 and 33.01, Block 1090, Lots 4 and 5, and Block 1091, Lots 1 and 1.01.

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To review the Lambertville Redevelopment Plan (Attachment A), cut and paste this link in your Internet Browser:

<https://drive.google.com/file/d/1V3jSbS9mxyvJN2xb9CMrMmqAyDG0fjOq/view>

AN ORDINANCE OF THE CITY OF LAMBERTVILLE, COUNTY OF HUNTERDON, STATE OF NEW JERSEY AMENDING THE REDEVELOPMENT PLAN FOR THE LAMBERTVILLE HIGH SCHOOL REDEVELOPMENT AREA, BLOCK 1073, LOTS 1, 3, 5, 6, 7, 8, 9, 10, 11, 32, 33 AND 33.01, BLOCK 1090, LOTS 4 AND 5, AND BLOCK 1091, LOTS 1 AND 1.01

WHEREAS, in accordance with the Local Housing and Redevelopment Law, *N.J.S.A. 40A:12A-1, et seq.* (the “**Redevelopment Law**”), on June 19, 2018, the Governing Body of the City of Lambertville, County of Hunterdon, New Jersey (“**Governing Body**”) designated the area known as the Lambertville High School Redevelopment Area and identified as Block 1073, Lots 1, 3, 5, 6, 7, 8, 9, 10, 11, 32, 33, and 33.01, Block 1090, Lots 4 and 5, and Block 1091, Lots 1 and 1.01 on City of Lambertville Tax Maps including rights of way (the “**LHS Redevelopment Area**”), as an area in need of redevelopment; and

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

WHEREAS, the Governing Body desires to have the City of Lambertville Planning Board (the “**Planning Board**”) review and comment upon certain additional revisions to the Original LHS Redevelopment Plan (the “**Amended LHS Redevelopment Plan**”), a copy of which is attached hereto as Exhibit A; and

WHEREAS, subject to receipt of the Planning Board’s recommendations concerning the Amended LHS Redevelopment Plan, the Governing Body believes that the adoption of the Amended LHS Redevelopment Plan is in the best interests of the City of Lambertville and the redevelopment of the LHS Redevelopment Area.

NOW THEREFORE BE IT ORDAINED by the Governing Body of the City of Lambertville, County of Hunterdon, State of New Jersey, that:

SECTION 1. Pursuant to *N.J.S.A. 40A:12A-7(e)*, the Governing Body hereby refers the Amended LHS Redevelopment Plan to the Planning Board for review and recommendation. The Planning Board shall prepare a report regarding its recommendations as to the aforementioned Amended LHS Redevelopment Plan and submit same to the Governing Body within 45 days after referral, as required by the Redevelopment Law.

SECTION 2. Contingent upon the receipt of the Planning Board’s recommendations, and pursuant to the authority granted to the Governing Body by

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N.J.S.A. 40A:12A-7, the Amended LHS Redevelopment Plan, dated February 2020, prepared by Clarke Caton Hintz, and attached hereto as Exhibit A, is hereby adopted.

SECTION 3. Pursuant to the provisions of *N.J.S.A.* 40A:12-7(c), the Amended LHS Redevelopment Plan hereby supersedes applicable provisions of the City of Lambertville Land Use Ordinance. In so doing the Amended LHS Redevelopment Plan shall constitute an explicit amendment to the City Zoning Map to identify the LHS Redevelopment Area as the boundaries of the area regulated by the Amended LHS Redevelopment Plan. The official City Zoning map shall be amended to henceforth coincide with the Amended LHS Redevelopment Plan.

SECTION 4. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency only.

SECTION 5. If any provision of this ordinance is declared invalid, such invalidity shall not affect the other provisions of this ordinance. Furthermore, the other provisions of this ordinance are deemed to be severable and remain in full force and effect.

SECTION 6. This ordinance shall take effect after final approval and publication according to law.

FIRST READING AND INTRODUCTION: February 20, 2020

SECOND READING AND PUBLIC HEARING: April 23, 2020

Note: Notice was provided for the March 19, 2020 session and advertised on February 24, 2020.

March 19, 2020 session was cancelled, and this ordinance was carried to the April 7, 2020 session with the pending notice advertised in the April 2, 2020 edition of the Times.

April 7, 2020 meeting carried the Ordinance to the April 23, 2020 session with notice advertised in the April 13, 2020 edition of the Times.

Open the Public Hearing for Ordinance Number 01-2020

-Council Comments

-Public Comments

Close the Public Hearing

Vote to adopt or reject the Ordinance

XI. BOARDS, COMMISSIONS, COMMITTEES

a. Community Advisory Team Update

b. Lambertville Free Public Library

i. Resumes were received from:

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1. Dave Ringer
2. Rosemary King
3. Karen Riedeberg
4. Albert Bauer

c. Zoning Board of Adjustment

- i. Jane Wesby moves to a regular board member.
- ii. Larry Imhoff moves to Alternate I
- iii. Reggie Ross moves to Alternate II

XII. BUSINESS ADMINISTRATOR

- a. 2020 Budget Discussion

XIII. CORRESPONDENCE

XIV. ANNOUNCEMENTS

- a. OPENING FOR UCC SUBCODE INSPECTOR. Please go to lambertvillenj.org for more information
- b. JUSTICE CENTER PARKING: Parking Space Number 16 is available for lease at the Phillip L. Pittore Justice Center. The fee is \$55 per month. If interested, call Kristina Majeski at 609-397-0110, ext. 12.
- c. LANDLORD REGISTRATION: The process of registering your rental unit has been changed. Please wait to receive instructions from Frank D'Amore, the Fire Official, before mailing in your renewal. Thank you!
- d. CENSUS: Cut and paste this link in your browser:
<https://2020census.gov/?msclkid=d5669b5e0b1d1fd97e13c5343c771c39>
- e. SPARKLE WEEK UPDATE: Sparkle Week will be held the first two weeks of August. Details will follow.

XV. PUBLIC PARTICIPATION/PUBLIC CONCERN

The Deputy Clerk read instructions for the public to participate in the meeting into the record.

If you want to participate or make a public comment, there are two ways to do so.

If you are currently utilizing a computer to participate, you would click the "Raise Hand" button on the bottom of the screen. This will place you in a queue that I can see for when it's time to take public comments. People are sorted in the order they raised their hands. When I call on you, a message will pop-up asking if you want to unmute yourself. If you

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choose to move forward and place a public comment or question, choose to unmute, if you have changed your mind then choose to deny.

If you are dialing in tonight on your phone, to “raise your hand” dial *9 to be placed in the queue. When called on, the system will ask you to confirm being un-muted to proceed.

Please try to be concise with your questions or comments, to be mindful of others' time.

Once called, I will ask you to please state your full name and address into the record, then please feel free to make your comment or ask a question. You will remain unmuted while the governing body responds. Please make sure there is no background noise such as the T.V. on, music or loud chatter.

When public comments are finished, participants will be placed back on mute for the duration of the meeting.

XVI. 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 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. A voice message was recorded on the machine at 609-397-0110 explaining how the public could call in or log on to the meeting.