



**CITY OF LAMBERTVILLE
SPECIAL SESSION
MAYOR AND COUNCIL
MONDAY, DECEMBER 3, 2018, 7 P.M.
PHILLIP L. PITTORE JUSTICE CENTER
25 SOUTH UNION STREET
MINUTES**

STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT.

Mayor DelVecchio called the meeting to order at 7:00 p.m. and informed the members of the public present that this meeting is being held in compliance with the Open Public Meetings Act with notice provided to the Trenton Times, the Hunterdon County Democrat and various individuals on the list serve. The meeting agenda was posted to the city's website and on the bulletin board at City Hall.

ROLL CALL.

The City Clerk called the roll as follows:

Present: Councilwoman Asaro, Council President Sanders, Councilwoman Taylor, Mayor DelVecchio.

Absent: Councilwoman Warner.

PLEDGE OF ALLEGIANCE.

Lt. Brown led the public in the Pledge of Allegiance.

MOMENT OF SILENCE.

The City Clerk led the public in a moment of silence in honor of those serving in the United Armed Forces in country and abroad.

Mayor DelVecchio asked for a moment of silence in honor of the 41st President, George Bush who flew 58 missions as a pilot in the Navy.

RESOLUTIONS.

RESOLUTION NUMBER 192-2018: A Resolution Authorizing the Shade Tree Commission to File the Grant Application for the Distribution of Tree Seedlings to Residents on Earth Day or Arbor Day; and Authorizing the Mayor and City Clerk to Execute the Agreement.

Mayor DelVecchio explained to the members of the public present that this resolution is to authorize a grant for the distribution of tree seedlings to residents on Earth Day or Arbor Day. He suggested that the Shade Tree Commission distribute the seedlings on Arbor Day, which is a forgotten date. Emily Goldman, the Chair of the Shade Tree Commission commented that it will depend on the date of distribution. The Committee thought they might hand them out during Shad Festival to residents in bundles of 5 and give all remaining to Lamberts Hill and Woodcrest. The Trees are an assortment and you get what they give you.

RESOLUTION NUMBER 192-2018

A Resolution Authorizing the Shade Tree Commission to File the Grant Application with the New Jersey Department of Environmental Protection State Forest Service for the Distribution of Tree Seedlings to Residents on Earth Day or Arbor Day; and Authorizing the Mayor and City Clerk to Execute the Agreement.

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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 Shade Tree Commission is hereby authorized to submit the grant application to the State of New Jersey Department of Environmental Protection for tree seedlings.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute the agreement, if necessary.

ADOPTED: December 3, 2018.

Mayor DelVecchio asked for a motion to adopt the resolution authorizing the grant to the State of New Jersey DEP for seedlings. Councilwoman Taylor made the motion to adopt. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

RESOLUTION NUMBER 191-2018: A Resolution to Endorse the Housing Element of the Fair Share Plan, adopted by the Planning Board on November 7, 2018.

Mayor DelVecchio read the resolution into the record by title. He introduced Brian Shotts, the City's Attorney for COAH and asked Mr. Shotts to give an overview of the resolution.

Mr. Shotts commented that the governing body had to endorse the Housing Element of the Fair Share Plan which was adopted by the Planning Board on November 7, 2018. The governing body has to endorse the plan by resolution which shows how the city will comply and also the regional need.

Governing Body Resolution 191-2018
City of Lambertville, Hunterdon County

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 December 3, 2008; and

WHEREAS, the Governing Body endorsed the Housing Element and Fair Share Plan on December 29, 2008; 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

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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, said Order requires the City to adopt a housing element and fair share plan and implementing ordinances that are consistent with the Settlement by January 9, 2019; and

WHEREAS, the Planning Board held a public hearing and adopted an amended Housing Element and Fair Share Plan on November 7, 2018;

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.

ADOPTED: December 3, 2018

Mayor DelVecchio asked for questions or comments from the public.

Liz asked if it was necessary to adopt this resolution since the overlay ordinance was still being worked on.

Mr. Shotts commented that this is just the plan and not covered in the ordinance.

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Mayor DelVecchio commented that he thought the governing body should adopt the resolution and go on the record showing that we support the effort beyond the Closson property. The Overlay Ordinance will be addressed in the new year. We are looking at alternative sites. There is no action due to the time necessary/required to adopt before the year end. The City Planner is looking at alternatives.

There being no further questions, Mayor DelVecchio asked for a motion to adopt Resolution Number 191-2018, endorsing the Housing Element and Fair Share Plan pursuant to N.J.S.A. 40:55D-28. Council President Sanders made a motion to adopt the resolution. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present.

ANNOUNCEMENTS.

MENORAH LIGHTING is scheduled for Thursday, December 6, 2018 at 6:30 pm at City Square (South Union and Bridge Street). Rabbi Kornfeld of Chabad of Hunterdon County.

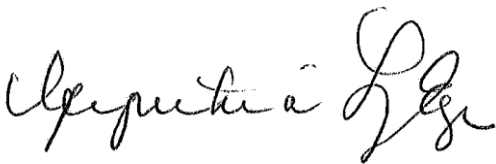
PUBLIC PARTICIPATION/PETITION OF CITIZENS AND PUBLIC DISCUSSION.

A member of the public thanked the governing body for paying attention to the comments from the public.

ADJOURNMENT.

The meeting adjourned at 7:20 p.m. with a motion made by Council President Sanders and seconded by Councilwoman Taylor. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Respectfully submitted,



Cynthia L. Ege, CMR, RMC, City Clerk

The December 3, 2018 Special Session Minutes were approved at the regularly scheduled session of December 18, 2018.