



City of Lambertville
REORGANIZATION MEETING
SUNDAY, JANUARY 1, 2023 at 1 P.M.
PHILLIP L. PITTORE JUSTICE CENTER
25 SOUTH UNION STREET
MINUTES

STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

Mayor Nowick called the meeting to order at 1:00 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 of compliance with the Open Public Meetings Act into the record: This meeting is being held in compliance with the Open Public Meetings Act with the notice provided to the Trenton Times and the Hunterdon County Democrat on December 22, 2022, and to members on the list serve on December 27, 2022. The meeting agenda was posted to the City's website on Tuesday, December 27, 2022. The meeting agenda offers the planned action items of the Governing Body to the extent known at the time of publication. This meeting is being streamed live and recorded using the Zoom Meeting Platform.

ROLL CALL.

The City Clerk called the roll as follows:

Present: Councilwoman Lambert; Councilman Stegman, Councilwoman Taylor, Mayor Nowick, Council-elect: Karen Kominsky, Evan Lide.

Note: Councilman Sanders is traveling.

Also Present: William Opel – City Attorney, Cynthia Ege – City Clerk, Lindsay Hansche – 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 the public to continue standing for a moment of silence.

INVOCATION – REVEREND DAWN ALPAUGH

Mayor Nowick invited Reverend Alpaugh to come to the dais to give the invocation.

CERTIFICATION OF ELECTION

The City Clerk read the certification of election into the record.

Election Statement for Municipal Offices, General Election 11-08-2023

A statement of the determination of the Board of Canvassers of Hunterdon County, New Jersey, relative to an election held in the County of Hunterdon on November 2, 2022 for the election of the following mentioned offices in the City of Lambertville:

One (2) Three-year term for Council, that said Board does determine that, Karen J. Kominski and Evan Lide were duly elected to serve as Council Members of the City Council for a term expiring 12/31/2025.

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OATH OF OFFICE

Karen J. Kominsky was sworn into office as City Councilwoman by Assemblyman Verrelli, with her children, Alex and Matthew DelVecchio, holding her grandmother's Bible.

Evan Lide was sworn into office as City Councilman by the City Clerk with his son, Robert, and his wife, Melissa, holding the Bible.

ELECTION OF COUNCIL PRESIDENT

Mayor Nowick asked for nomination for the position of Council President.

Councilwoman Lambert nominated Steven M. Stegman to serve as Council President. Councilwoman Kominsky seconded the nomination. An affirmative roll call vote was taken in favor of the motion by all members present. There being no other nominations for the position of Council President, Mayor Nowick congratulated Mr. Stegman.

OATH OF OFFICE – COUNCIL PRESIDENT

The City Clerk administered the Oath of Office for the position of Council President to Steven Stegman.

COMMENTARY

Mayor Nowick welcomed the public to the reorganization meeting and he recognized the following people in the audience: Mayor Janice Kovach of the Town of Clinton, David DelVecchio, former Mayor of Lambertville, and Zach Rich, Commissioner Director of the County of Hunterdon Committee and former Mayor of West Amwell Township.

Mayor Nowick stated that we are off to a great start, with a promising year with two new Council people, and he is happy to have them join us. He shared that before the meeting, he had looked back at the minutes from his first 2022 meeting and reviewed the comments made by the previous council. Council President Taylor had said that she is here because of service not because of politics, and Mayor Nowick noted that the statement struck a chord. Councilman Sanders had said that he was looking forward to working with the new mayor, and promised to "let him know when he is right and when I disagree." The Mayor said that Councilwoman Lambert spoke about civility, compromise that works, and the collaboration that comes from partnership, and shared that those ideas have guided his leadership style this year. Collaboration and compromise. Councilman Stegman had noted that "the five of us can't do it alone." Mayor Nowick continued to say that last year was about civility, kindness, compromise, gratitude, generosity and communication, and those are the things that will continue to guide us. He thanked his husband Paul who is in Cape Cod having fun, and his children Emerson, Henry and Riley. They have all been very supportive of his efforts. Coming into this role, he was nervous, but set his compass to earn people's trust, and to feel as though he can make a difference and he was hopeful that he was able to accomplish that. In 2022, he opted not to take the Mayor's stipend that was offered. This year, he plans to accept his stipend and donate the full amount to organizations in Lambertville and nonprofits. This reinforces his love and gratitude for our community.

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Council President Stegman commented that he is honored to be sitting here with these 7 people who have gained the trust of the public. He noted that the public is very paramount in his mind. We can't do this alone. He looks forward to working with Councilwoman Kominsky, Councilman Lide and Councilwoman Lambert. He said we are here because we were voted by the people to do the job. He trusts people will stay involved and informed so we can continue to meet the challenges and do with it compassion.

Councilwoman Lambert commented that she is also honored, "I feel grateful every day that the people of Lambertville have entrusted me with this job." Having never served in government before, she's found that she enjoys it. She enjoyed working with the former Council and is looking forward to working with the new members. She said she has always worked to listen to the community. When there is a difference of opinion, you can find yourself in a place you may not have been if you didn't listen. She said she will always listen to the people, and even if she doesn't agree with them, she will stop and think it through. She thanked the residents of the City of Lambertville for allowing her to do this job.

Councilwoman Kominsky thanked everyone for coming. She thanked Alex and Matt for being the most awesome sons and for getting up before noon. She thanked Assemblyman Verrelli, Donna and Melissa for coming to the swearing in. She said Anthony represents us, and to Assemblyman Verrelli, helping people is just second nature. She thanked everyone in Lambertville for putting their confidence in her. She said she has been a resident of Lambertville for quite some time. She has learned a lot, like how to make the best meatballs ever from Aliceann and Aunt Helen. That you don't have to worry on a Ramblers day, because there are five other mothers with eyes on your child. That when you call EMS, people come with compassion. When there is a flood, everyone comes to help. When someone is sick and in trouble, you have friends come. Just a few examples of Lambertville life and the spirit of my second home town. In memory of all those who passed, we all owe it to cherish all of the things that make things special together as one Lambertville. When it comes to being on the Governing Body, she reiterates her commitment to environmental protection – "We have to set our own high standards - we can't leave it up to those who come to build here." She is committed to openness and transparency; she believes in public discussion and collaboration; and long discussion at public participation. She will work to hold the line on taxes and noted that being a careful steward of taxpayer dollars is important to her.

Councilman Lide said he echoed everything Councilwoman Kominsky said. He thanked the public for placing their trust in him. There are difficult decisions to make and work to do. He thanked his wife Melissa, who was not thrilled with his decision to run for council, and his parents. We have a lot of hard work ahead of us. There are issues with affordable housing, and we need to build consensus to handle that. Affordability is a big reason we decided to run. He thanked the Mayor for getting us ready and commented that he knows the Mayor is working hard. He is looking forward to working with Council President Stegman and Councilwoman Lambert.

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APPOINTMENTS TO BOARDS AND COMMISSIONS

The following appointments will be authorized using a consent agenda.

Mayor Nowick noted that there are over 100 people who volunteer and they bring their diverse talents to our boards and commissions. He thanked Councilwoman Lambert for her work on the appointments and said she was very instrumental in engaging the public in the process. He noted that he will attend all of the reorganization meetings.

Councilwoman Lambert read the appointments into the record (later in the meeting).

Mayor Nowick asked for a motion to confirm the nominations.

Broadband, Cable & Telephone Services Advisory Committee: Stefanie Brand, John Weber

Environmental Commission: Cynthia Jahn, Liz Magill-Peer

Historic Preservation: Lisa Easton, Stewart Palilonis, Nora Linderman, Vacancy

Human Rights Council: Scott Elliott, Mayor's Representative – Benedetta Lambert, Kathy-Lynn Kelly,

Lambertville Free Public Library Board: Stephanie Volmer, Manisha Agarwal,

Office of Emergency Management: Lt. Robert Brown – Coordinator, Matt Bast – Deputy Coordinator, Andrew Nowick – Mayor, Cynthia Ege – City Clerk and Deputy Coordinator, Lindsay Hansche – Deputy Clerk, Susan Bacorn – Deputy Treasurer, Michael Barlow – Chief, LFD, Wanda Quinones – SHRS, Lisa Voorhees – Greater Lambertville Area Chamber of Commerce, Bambi Kuhl – Director of Public Assistance, Thomas Horn – Executive Director, LMUA, Scott Elliott – HRC, Kenneth Rogers, Construction Official, John Miller, Flood Expert, Jason Strauss, Chief, LNHA&RS, James Walters, Suez

LMUA: Janine Macgregor

Parks and Recreation: Patricia Walker, Alexis Berends, Barry Middleberg

Planning Board: Class II – Vince Uhl, Class III – Steven Stegman, Paul Kuhl, Marleina Ubel, Robert Jordan, Alternate I – Cynthia Jahn, Alternate II - Michele Romeo

Shade Tree Commission: Art Legere, Helen Pettit

Social Services and Public Assistance Board: Sharon Burd

Zoning Board of Adjustment: Fred Eisinger, Brian Kelly, Jane Wesby

City Historian – Lou Toboz

Division of Senior Services – Mary Izano

End of Board and Commission appointments.

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Councilwoman Lambert made the motion to confirm the nominations to Boards and Commissions. Council President Stegman seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

PROCLAMATIONS

Mayor Nowick asked for a motion to approve the following proclamations:

Honoring Retiring Board Members

Read into the record by Council President Stegman

WHEREAS, the City of Lambertville has over 100 volunteers serving on boards and commissions throughout the City of Lambertville; and

WHEREAS, they donate many hours to research, and working collaboratively on efforts that benefit our community; and

WHEREAS, the following people are hereby recognized for their many contributions to our beautiful City:

Broadband, Cable & Telephone Services Advisory Committee: Wardell Sanders;

Historic Preservation Commission: Evan Lide;

Human Rights Council: Roni Todd-Marino, Fatima Rodriguez-Clavel and Araceli Torres;

Lambertville Free Public Library: Jacqueline Sornstein,

Planning Board: Paul Rotondi, John Miller; Kevin Romano

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville that these individuals are hereby recognized for their many volunteer efforts within our beautiful City.

BE IT FURTHER RESOLVED that Saturday, January 14, 2023 is hereby celebrated as Community Volunteer Day in our community.

ADOPTED: January 1, 2023

Honoring Volunteers

Read into the record by Councilwoman Kominsky

WHEREAS, the City of Lambertville is fortunate to have a long-standing history of volunteerism in our community, and

WHEREAS, throughout 2022, the City benefitted from services generously donated from the following people and organizations:

Special Events Planning and Decorating: Lisa Voorhees, Greater Lambertville Chamber of Commerce, American Legion, Toscani Post 120;

Grants:

Lauren McManus Rosenthal – Flowing Together and NJ Resiliency Program; Mary Anne Borge and Parks and Recreation Commission for their many grant submissions;

Liz Magill Peer for her collaborative efforts with the Resiliency Program, Environmental Commission, Parks and Recreation Commission and the EV Charging Stations;

Helen Pettit for her work on the Shade Tree Commission and the LMUA;

Lauren Kovacs for the tree inventory grant, Kate Millsaps (Stormwater --DEP grants);

Tom Ogren (Salem Oak and historic signs grant)

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Maintenance of Parks: Karen Taylor Ogren (City Hall yard); Friends of Mary Sheridan Park

Volunteers who cleaned the creeks on April 1st, and

Volunteers who cleaned City Hall.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Governing Body of the City of Lambertville, in the County of Hunterdon, in the great State of New Jersey, that the following individuals are hereby recognized for their many contributions to the City of Lambertville.

BE IT FURTHER RESOLVED that Saturday, January 14, 2023 is hereby proclaimed as Volunteer Recognition Day in the City of Lambertville.

ADOPTED: January 1, 2023

Councilwoman Lambert made the motion to adopt the proclamations honoring retiring board members and volunteers. Councilman Lide 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 the following proclamation honoring Stewart and Betsy Palilonis for their years of service.

Honoring Stewart & Betsy Palilonis
Read into the record by Councilwoman Lambert

WHEREAS, Lambertville has a duty to recognize members of the community whose values and hard work seek to improve the common good; and

WHEREAS, Stewart and Betsy Palilonis moved to Lambertville in the 1970's; and

WHEREAS, they raised their three children, Alexander, Gregory and Peter, who graduated from South Hunterdon Regional School District; and

WHEREAS, Stewart has served the community in many different ways including: Attorney and Alternate Attorney to Planning and Zoning Board, served on the Hunterdon County Democratic Committee, was one of the original board members for the South Hunterdon Apartments and wrote the first Historic Preservation Ordinances for the City of Lambertville; and

WHEREAS, Betsy is a retired staff member from the Lambertville Free Public Library, managed the South Hunterdon Apartments, has served on the Lambertville Historical Society and was very active in the Kalmia Club; and

WHEREAS, Stewart was very instrumental in the formation of the Historic Preservation Commission, and wrote the first ordinances establishing the Commission.

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 Stewart and Betsy Palilonis are hereby recognized for their many contributions to the City of Lambertville; and

BE IT FURTHER RESOLVED that their commitment to historic preservation led Lambertville to implementing a Historic Preservation Ordinance and Commission.

BE IT FURTHER RESOLVED that their many contributions to our community have been preserved forever in our history and in our hearts.

Congratulations on a job well-done and thank you for your many years of leadership.

Adopted: January 1, 2023

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Approved by a standing ovation of the members of the Governing Body.

Mayor Nowick commented that he has been the Mayor for one year and has 1/27th of the knowledge that Mayor DelVecchio has. He read into the record the list of former Mayors and they include: **NEED TO GET FROM MAYOR NOWICK.**

Mayor Nowick asked for a motion to adopt the following proclamation honoring David M. DelVecchio for his years of service.

Honoring David M. DelVecchio
Read into the record by Mayor Nowick

WHEREAS, David M. DelVecchio was first elected to serve as Mayor of the City of Lambertville on November 5, 1991; and he was sworn into office on January 1, 1992 by the Honorable Ronald Bookbinder, Judge of the Superior Court for Burlington County; and

WHEREAS, Mayor DelVecchio served a total of nine terms, served on various boards and as the President of the New Jersey League of Municipalities, and his bi-partisan efforts led to many forged relationships and opportunities for the City of Lambertville; and

WHEREAS, his efforts were many and are all preserved in the 27 years of minutes held in trust at City Hall; and

WHEREAS, there were several historical events throughout his tenure and they include: obtained funding to flood proof the Lambertville Public School; the purchase of the Lilly Mansion at 6 Lilly Street as the new home for the Lambertville Free Public Library; revived Connaught Hill; completed various road and drainage projects; made renovations to City Hall that increased accessibility with the addition of an elevator; provided generators for City Hall, the Lambertville Free Public Library and the Phillip L. Pittore Justice Center; upgrades to Parks including Ely Field, Cavallo Park and Arnett Park; and during his term added 19.426 acres to our open space inventory bringing the total of preserved acres to 30.08.

WHEREAS, his flood mitigation efforts led to the installation of the Ely Creek Flood Gates and implemented programs to lower the cost of flood insurance in the southern part of the City.

WHEREAS, David's efforts in Historic Preservation led to the creation of the Lambertville Historic Commission, the adaptive reuse of the former Old Trenton Cracker site at the end of Lambert Lane, The Historic Lambertville House, the Historic Lambertville Jail, and the Phillip L. Pittore Justice Center where the old ACME signs still flank the interior of the building and on the tower and

WHEREAS, his legacy will continue in perpetuity in our beautiful City with what Mayor Dave called "the saddest day of the year", when the parking meters were bagged for the December Holidays

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 David M. DelVecchio is hereby recognized for his many contributions to the City of Lambertville.

ADOPTED: January 1, 2023

The proclamation was approved by a standing ovation of the Governing Body.

Mayor-emeritus DelVecchio commented that during his term he also performed the first Civil Union Ceremony, and the first same sex marriage in the State of New Jersey.

Mayor Nowick noted that Councilman Sanders was traveling and he asked for a motion to adopt the following proclamation honoring Wardell Sanders for his years of service.

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Honoring Wardell Sanders

Read into the record by Councilman Lide

WHEREAS, Wardell Sanders is married to Erika Rubine and they raised two children, Lily and Ian who are graduates of the South Hunterdon Regional School District; and
WHEREAS, Mr. Sanders was elected 5 times to serve on the Governing Body of the City of Lambertville; and for a spell, he served as Council President; and
WHEREAS, throughout his term of 15 years Councilman Sanders has:
been very supportive of preserving the City's Library;
led a committee to create a shared services agreement with the Township of West Amwell for the Police Department;
served on a committee to regionalize the South Hunterdon Regional School District;
served on the PennEast Pipeline Committee where he worked with residents of Lambertville to testify at FERC and file documentation in opposition of the pipeline that led to the failure of PennEast to obtain the approvals required; and
worked diligently with the public to research, discuss, and create the Ordinance allowing for Cannabis retail in Lambertville; and
WHEREAS, Ward wrote the City's Pay-to-Play Ordinance in 2019, wrote the Ordinance for Film Regulations in 2022, and led the City in the 2020 Census to educate our families on the importance of being counted.
WHEREAS, Councilman Sanders oft-repeated maxim "Canalis naviculum non ante mulam" (Don't put the canal boat before the mule) is sound advice for this or any Governing Body; and
WHEREAS, his statesmanship, discipline, and keen sense of humor have brought widespread benefit to Lambertville,
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 Wardell Sanders is hereby recognized for his many contributions to the City of Lambertville; and
BE IT FURTHER RESOLVED that Saturday, January 7, 2023 will be celebrated as Wardell Sanders and Julia Taylor day in the City of Lambertville.
Congratulations on a job well-done and thank you for your many years of leadership.
Adopted: January 1, 2023

Councilwoman Lambert made the motion to adopt the proclamation. Council President 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 the following proclamation honoring Julia Taylor for her years of service.

Honoring Julia Taylor

Read into the record by Mayor Nowick

WHEREAS, Julia Taylor was appointed to serve an unexpired term on the Governing Body of the City of Lambertville on November 5, 2018; and
WHEREAS, throughout her tenure she used her expertise to help the City with our COAH Obligation, and various Planning and Redevelopment Projects; and
WHEREAS, on January 5, 2021, Ms. Taylor was sworn in to serve as the Council President of the Governing Body; and
WHEREAS, after the devastation from Hurricane Ida, Council President Taylor led the City with daily updates on the storm, created a Multi-Agency Resource Center for the residents and businesses to visit and obtain information, and worked with City Staff and local volunteers to ensure our residents were housed, fed, and had the information they needed from FEMA; and

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WHEREAS, in June 2022, Council President Taylor was fundamental in establishing the Resilience Team and has pledged to continue those efforts at preparing Lambertville for Climate Resiliency; and
WHEREAS, she inspired this Mayor with her dedication, insight, kindness, and confidence; and
WHEREAS, Council President Taylor enshrined the word “shrubberty” into the 2022 City Council Meeting minutes, giving everyone a good laugh in the process; and
WHEREAS, her tireless efforts forged many friendships that will last a lifetime,
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 Julia Taylor is hereby recognized for her many contributions in the City; and
BE IT FURTHER RESOLVED that we are grateful for her continuing efforts on the Resiliency Team and look forward to working with her for many years to come; and
BE IT FURTHER RESOLVED that Saturday, January 7, 2023 is hereby designated as Council President Taylor and Councilman Sanders day in the City of Lambertville.
ADOPTED: January 1, 2023

The proclamation was approved by a standing ovation of the Governing Body.

End of Proclamations.

NOTE: Councilwoman Lambert read the appointments into the record.

RESOLUTIONS

The following resolutions will be authorized using a consent agenda.

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

Mayor Nowick asked for a motion to approve the resolutions listed on the consent agenda, Numbers 01-2023 through 17-2023.

RESOLUTION NUMBER 01-2023: *A Resolution Adopting a Temporary Budget for the City of Lambertville for 2023*

RESOLUTION 01-2023

“A Resolution Adopting a Temporary Budget for the City of Lambertville for 2023”

WHEREAS, Section 40A:4-19 of the Revised Statutes of the Local Budget Law provides that, where any contracts, commitments or payments are to be made prior to the adoption the 2023 Budget, temporary appropriations be made for the purposes and amounts required in the manner and time therein provided; and

WHEREAS, Temporary Appropriations shall be adopted within the first 30 days of the Municipality’s fiscal year, and shall not exceed 26.25% of the prior’s year’s adopted Budget, exclusive of appropriations made for Debt Service, Capital Improvements and Public Assistance; and

WHEREAS, the total amount appropriated in the 2022 Municipal Budget, as detailed above, was \$4,761,447.77 and

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WHEREAS, 26.25% of the above amount is \$1,249,880.04

NOW, THEREFORE, BE IT RESOLVED, that an additional sum of \$1,600,328.29 be appropriated for Debt Service, Capital Improvements and Public Assistance, for a total Temporary Budget of \$2,850,208.33.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Lambertville, County of Hunterdon, that the below schedule of Temporary Budget Appropriations for 2023 is hereby adopted as the Temporary Current Budget of the City of Lambertville for 2023 and that a certified copy of this Resolution be transmitted to the Finance Office for their records.

ADOPTED: January 1, 2023

RESOLUTION NUMBER 02-2023: Designating Official Newspapers

RESOLUTION 02-2023
“Designating Official Newspapers”

BE IT RESOLVED by the Governing Body of the City of Lambertville, County of Hunterdon, State of New Jersey, that pursuant to N.J.S.A. 40:53-1 et seq. that “*The Trenton Times*” be designated as the Official Newspaper; and

BE IT FURTHER RESOLVED that official notices may also be published in “*Hunterdon County Democrat*” to meet time requirements.

ADOPTED: January 1, 2023

RESOLUTION NUMBER 03-2023: Designating City Council Meeting Schedule for 2023

RESOLUTION 03-2023
“Designating City Council Meeting Schedule for 2023”

BE IT RESOLVED by the Governing Body of the City of Lambertville, County of Hunterdon, State of New Jersey, that pursuant to the Open Public Meetings Act, N.J.S.A. 10:4 6 et seq., that the following is the regular meeting scheduled for 2023:

WORK SESSIONS:

Thursday, February 2, 2023
Thursday, March 2, 2023
Thursday, April 6, 2023
Thursday, May 4, 2023
Thursday, June 1, 2023
Thursday, September 7, 2023
Thursday, October 5, 2023
Thursday, November 2, 2023
Thursday, December 7, 2023

COUNCIL MEETINGS:

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Thursday, January 19, 2023
Thursday, February 16, 2023
Thursday, March 16, 2023
Thursday, April 20, 2023
Thursday, May 18, 2023
Thursday, June 15, 2023
Thursday, July 20, 2023
Thursday, August 17, 2023
Thursday, September 21, 2023
Thursday, October 19, 2023
Thursday, November 16, 2023
Thursday, December 21, 2023

BE IT FURTHER RESOLVED that all meetings will be held in the meeting room at the Phillip L. Pittore Justice Center located at 25 South Union Street in the City and will start at 7:00 pm prevailing time unless announced otherwise; and

BE IT FURTHER RESOLVED that notice of this schedule shall be published in the January 6, 2023 issue of The Times.

ADOPTED: January 1, 2023

RESOLUTION NUMBER 04-2023: *A Resolution Adopting A Cash Management Plan, Appointing Banks, Awarded through the Fair and Open Process*

RESOLUTION 04-2023

“A Resolution to Adopt a Cash Management Plan for the City of Lambertville”

WHEREAS, N.J.S.A. 40A: 5-14 requires every municipality to adopt a Cash Management Plan on an annual basis; **NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the City of Lambertville, County of Hunterdon, State of New Jersey, that the following requirements be a part of the **2023 Cash Management Plan**, and be adhered to:

I. Cash Management and Investment Objectives

Preservation of capital; adequate safekeeping of assets; maintenance of liquidity to meet operating needs; diversification of the City’s portfolio to minimize risks associated with individual investments.

II. Designation of Official Depositories

The following banks are hereby designated as legal depositories for all municipal funds:

Bank of Princeton	Bank of America
Northfield Bank	PNC
Wells Fargo Bank	

Prior to opening an account, each depository must submit to the Chief Financial Officer / Treasurer a copy of the Governmental Unit Deposit Protection Act (GUDPA) notification of eligibility, which is filed semi-annually with the Department of Banking each June 30th and December 31st;

This list may be amended or supplemented from time to time as Mayor and Council deems necessary.

III. Cash Management

City of Lambertville

Reorganization Meeting Agenda

January 1, 2023, 1 p.m.

Phillip L. Pittore Justice Center located at 25 South Union Street in the City

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All municipal funds received by any official or employee shall be either deposited within 48 hours to an account in the name of the City of Lambertville, or shall be turned over to the Deputy Treasurer within 48 hours of receipt, in accordance with N.J.S.A. 40A: 5-15;

The Chief Financial Officer / Treasurer shall minimize any accumulated idle cash in checking accounts, by assuring that excess balances are promptly swept into the investment portfolio; Investment decisions shall be guided by the cash flow projections prepared by the Chief Financial Officer or the Treasurer; Change Funds and Petty Cash Funds are not required to be maintained in interest-bearing accounts.

IV. Permissible Investments

Bonds or other obligations of the United States of America, or obligations guaranteed by the United States of America; government money market mutual funds; any federal agency or instrumentality obligation authorized by Congress that matures within 397 days from the date of purchase, and has a fixed rate of interest not dependent on any index or external factors; bonds or other obligations of the local unit, or school districts of which the local unit is a part; any other obligations with maturities not exceeding 397 days, as permitted by the Division of Investments; Local Government investment pools; New Jersey State Cash Management Fund; Repurchase agreements of fully collateralized securities.

V. Authority for Investment Management

The Chief Financial Officer / Treasurer, and/or Deputy Treasurer is authorized and directed to make investments on behalf of the City of Lambertville with the consent of the Mayor. All investment decisions shall be consistent with this plan, and all appropriate regulatory constraints.

VI. Safekeeping

Securities purchased on behalf of the City of Lambertville shall be delivered electronically or physically to the City's custodial bank, which shall maintain custodial and/or safekeeping accounts for such securities on behalf of the City.

VII. Procedures for Disbursement of Funds

Payments shall be prepared by the Deputy Treasurer as authorized by the Chief Financial Officer/ Treasurer and submitted to Mayor and Council for their approval;

No municipal funds shall be disbursed by the Chief Financial Officer / Treasurer or Deputy Treasurer prior to approval of the Governing Body, except for: Debt Service payments; Investments; Payroll turnovers to agency accounts; Tax payments to Hunterdon County, the South Hunterdon Regional School District, Board of Fire Commission, District 1 and the Lambertville Free Public Library shall be made in accordance with schedules provided by each taxing district; the annual disbursement of the Petty Cash Check to the City Clerk and Police Department and permit fees for special projects;

Checks approved for payment shall be signed by any of the following; 1) Mayor, 2) City Clerk, 3) Police Director and 4) Council President and must contain three signatures:

Chief Financial Officer's Current Fund

Escrow Accounts for ZBOA, PB and Developers

Trust Other Fund

General Capital Fund

SUI Reserve Fund

Animal Control Fund

Developers Escrow Account

Lilly Mansion Account

COAH Trust

Brewery Loan Repayment Account

Municipal Open Space

Community Development Block Grant

Tax Title Lien Account

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Checks paid from the following accounts must contain two signatures:

Payroll Fund

Wire transfers and Automated Clearing House (ACH) payments are to be made by the Chief Financial Officer / Treasurer, Deputy Treasurer or by the City Clerk as authorized by the Mayor.

VIII. Reporting

The Chief Financial Officer / Treasurer and/or Deputy Treasurer shall report to the Governing Body all purchases of investments in accordance with N.J.S.A. 40A: 5-15.2;

The Chief Financial Officer / Treasurer and/or Deputy Treasurer shall also report to the Governing Body the available cash in each fund and/or bank account.

Audit

This Cash Management Plan shall be subject to the annual audit conducted pursuant to N.J.S.A. 40A: 5-14.

Adopted at the reorganization meeting of the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, held on the 1st day of January 2023.

ADOPTED: January 1, 2023

RESOLUTION NUMBER 05-2023: A Resolution to the Appoint the Certifying Officer and Supervisor for PERS/PFRS

RESOLUTION 05-2023

"A Resolution to the Appoint the Certifying Officer and Supervisor 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.

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, 2023.

ADOPTED: January 1, 2023

RESOLUTION NUMBER 06-2023: Authorizing Signatures on City Bank Accounts

RESOLUTION 06-2023

"Authorizing Signatures on City Bank Accounts"

WHEREAS, on January 1, 2023 the Governing Body of the City of Lambertville met to hold the annual reorganization; and

WHEREAS, they designated the following employees as signers on City Bank Accounts.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Lambertville, County of Hunterdon, State of New Jersey, that through 2023 checks drawn or withdrawals from these accounts be signed as follows:

City Clerk's Account and Petty Cash Account:

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Cynthia Ege, City Clerk, or Lindsay Hansche, Deputy Clerk, and

Police Petty Cash Account:

Robert Brown, Lieutenant, or Anthony Memolo, and

Municipal Court General Account and Bail Account:

Patricia Wozniak, Municipal Court Administrator

Construction Official Account:

Kenneth Rogers, Construction Code Official, or Cynthia Ege, City Clerk

Bureau of Fire Safety Account:

Susan Schlesinger, Fire Prevention Official, or Cynthia Ege, City Clerk

PATF II Account:

Helen T. Kuhl, Director of Public Assistance, or Cynthia Ege, City Clerk

BE IT FURTHER RESOLVED that the accounts listed below signed by three of the following officials, requiring a minimum of one elected official's signature:

Andrew J. Nowick, Mayor

Steven M. Stegman, Council President

Cynthia Ege, City Clerk

Robert Brown, Lieutenant

Chief Financial Officer's Current Fund

Trust Other Fund

General Capital Fund

Animal Control Fund

Lilly Mansion Account

Brewery Loan Repayment Account

Community Development Block Grant

SUI Reserve Fund

COAH Residual Interest Account

Developers Escrow Account

Municipal Open Space

Tax Title Lien Account

Miscellaneous Escrow Accounts (PB, ZBOA, Developers)

BE IT FINALLY RESOLVED that the Payroll Account be signed by two of the following officials:

Andrew J. Nowick, Mayor

Steven M. Stegman, Council President

Cynthia Ege, City Clerk

Robert Brown, Lieutenant

ADOPTED: January 1, 2023

RESOLUTION NUMBER 07-2023: *Re-Appointing the Tax Assessor and Authorizing the Tax Assessor to File Corrective Appeals*

RESOLUTION 07-2023

"Re-appointing the Tax Assessor and authorizing the Tax Assessor to File Corrective Appeals"

WHEREAS, the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey hereby re-appoint Richard Carmosino as the Tax Assessor for the City of Lambertville, and

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WHEREAS, the Governing Body of the City of Lambertville, County of Hunterdon, State of New Jersey, have been informed by the Tax Assessor that from time to time errors are made in computing the tax assessment covering certain property located within the City of Lambertville; and

WHEREAS, the Tax Assessor has requested that the Governing Body authorize him to file corrections of such errors with the Hunterdon County Board of Taxation; and

WHEREAS, the Tax Assessor is called upon to defend tax appeals filed with the Hunterdon County Board of Taxation and to agree to stipulations of appeals;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Lambertville, County of Hunterdon, State of New Jersey, that the Tax Assessor of the City of Lambertville be and is hereby authorized to file corrective appeals with the Hunterdon County Board of Taxation concerning those properties wherein errors have been made, to represent the City of Lambertville in defense of appeals filed with said Board and to sign stipulations of appeals on behalf of the City of Lambertville which he feels are proper and in the best interests of the City of Lambertville; and

BE IT FURTHER RESOLVED that the Tax Assessor sends copies of such corrected assessments to the individuals involved.

ADOPTED: January 1, 2023

RESOLUTION NUMBER 08-2023: Appointing a Municipal Housing Liaison for the City of Lambertville

RESOLUTION 08-2023

“Resolution Appointing a Municipal Housing Liaison for the City of Lambertville”

WHEREAS, pursuant to N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq., all municipalities with substantive certification from COAH, and those that are actively seeking substantive certification are required to appoint a Municipal Housing Liaison for the administration of Lambertville’s affordable housing program to enforce the requirements of N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq.; and

WHEREAS, the March 10, 2015 N.J. Supreme Court issued a ruling that transferred responsibility to review and approve housing elements and fair share plans from COAH to designated Mt. Laurel trial judges; and

WHEREAS, a municipality may no longer wait for COAH to adopt third round rules before preparing new third round housing plans and municipalities must now apply to the Court, instead of COAH, if they wish to be protected from exclusionary zoning lawsuits; and

WHEREAS, the City of Lambertville is actively seeking a Judgment of Repose from the Mt. Laurel trial judge, the court-equivalent of COAH’s substantive certification, for the Third Round; and

WHEREAS, Lambertville amended its ordinances to provide for the appointment of a Municipal Housing Liaison to administer Lambertville’s affordable housing program on May 7, 2003; and

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the City of Lambertville in the County of Hunterdon and the State of New Jersey that Helen T. Kuhl is hereby appointed by the Governing Body of Lambertville as the Municipal Housing Liaison or their appointee for the administration of the affordable housing program.

ADOPTED: January 1, 2023

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RESOLUTION NUMBER 9-2023: *Payment of Taxes*

RESOLUTION 09-2023

"Payment of Taxes"

BE IT RESOLVED by the Governing Body of the City of Lambertville, County of Hunterdon, State of New Jersey, that taxes shall be collected quarterly on February 1, 2023; May 1, 2023; August 1, 2023 and November 1, 2023 and that interest will be charged at the rate of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00 to be calculated from the date the tax was payable until the date of actual payment; and

BE IT FURTHER RESOLVED that there will be a ten (10) day grace period after which unpaid taxes will be charged interest from the due date; and

BE IT FURTHER RESOLVED that, pursuant to statute, if a tax delinquency is over \$10,000.00 at the end of the year, an additional flat penalty of 6% per annum shall be imposed for taxes plus other municipal charges; and

BE IT FINALLY RESOLVED that this Resolution shall be published in the January 6, 2023 issue of The Times.

ADOPTED: January 1, 2023

RESOLUTION NUMBER 10-2023: *Resolution Appointing the Public Agency Compliance Officer for the City of Lambertville*

RESOLUTION 10-2023

"Appointing the Public Agency Compliance Officer for the City of Lambertville"

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Lambertville hereby appoints Susan Bacorn as the Public Agency Compliance Officer and Lindsay Hansche as the Alternate effective January 1, 2023.

ADOPTED: January 1, 2023

RESOLUTION NUMBER 11-2023: *A Resolution Authorizing Petty Cash Accounts for the Police Department and the Clerk's Office*

RESOLUTION 11-2023

"Authorizing the Petty Cash Funds"

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund in any County or municipality by application and resolution, and,

WHEREAS, it is the desire of the *City of Lambertville*, County of Hunterdon to establish such a fund for the following departments:

City Clerk's Office, custodian for this fund is Cynthia Ege in the amount of \$500
Police Department, custodian for this fund is Robert Brown, Lt. in the amount of \$200

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WHEREAS, such custodian shall maintain records for this fund in a manner conducive to proper accounting and auditing procedures;

NOW, THEREFORE BE IT RESOLVED that the Governing Body hereby re-authorizes such action and that these accounts were previously approved by the Director of the Division of Local Government Services.

BE IT FURTHER RESOLVED that the Deputy Treasurer is hereby authorized to issue Petty Cash checks to the City Clerk and Police Department prior to the regularly scheduled session of the Governing Body.

ADOPTED: January 1, 2023

RESOLUTION NUMBER 12-2023: A Resolution Authorizing Change Funds for the Clerk's Office and the Court

RESOLUTION 12-2023

"Authorizing the Change Funds"

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Change Fund in any county of municipality by application and resolution, and,

WHEREAS, it is the desire of the *City of Lambertville*, County of Hunterdon to establish such a fund for the following departments:

Police Department, Robert Brown, in the amount of \$50.00

Court, Patricia Wozniak, in the amount of \$50

Clerk's Office, Cynthia Ege, in the amount of \$100

WHEREAS, such custodian shall maintain records for this fund in a manner conducive to proper accounting and auditing procedures;

NOW, THEREFORE BE IT RESOLVED that the Governing Body hereby re-authorizes such action and that these accounts do not require approval from the Director of the Division of Local Government Services.

ADOPTED: January 1, 2023

RESOLUTION NUMBER 13-2023: A Resolution Appointing the Right to Know Coordinator/Officer, the Recycling Coordinator, and the SWAC Coordinator, the Storm Water Management Program Coordinator and the Assistant Storm Water Management Program Coordinator for the City of Lambertville

RESOLUTION 13-2023

"A Resolution Appointing the Right to Know Officer, Recycling Coordinator, the SWAC Coordinator, Stormwater Management Program Coordinator, and the Assistant Stormwater Management Program Coordinator for the City of Lambertville"

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that the following is hereby authorized for the City of Lambertville for the 2023 calendar year:

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Lester E. Myers, Jr. is hereby appointed as the Right to Know Officer, Recycling Coordinator, the SWAC Coordinator, and the Stormwater Management Program Coordinator;

Brittany Kerr is hereby appointed as the Assistant to the Stormwater Management Program Coordinator.

ADOPTED: January 1, 2023

RESOLUTION NUMBER 14-2023: A Resolution Authorizing the Tax Collector to Cancel Property Tax Credits and Delinquencies for 2023

RESOLUTION 14-2023

"A Resolution Authorizing the Tax Collector to Cancel Property Tax Credits and Delinquencies for 2023"

WHEREAS, the Governing Body of the City of Lambertville, County of Hunterdon, State of New Jersey have been informed by the Tax Collector that from time to time there are property tax credits or delinquencies on certain properties located within the City of Lambertville, and

WHEREAS, pursuant to N.J.S.A. 40A:5-17.1 a resolution may be adopted by the Governing Body of a municipality authorizing a municipal employee to process without further action on the part of the Governing Body the cancellation of any property tax credit or delinquency of less than \$10,

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville, County of Hunterdon, State of New Jersey, that the Tax Collector be authorized to cancel any property tax credit or delinquency of less than \$10 without further action on the part of the Mayor and City for the Calendar Year ending December 31, 2023 and that such action be noted in the Tax Duplicate for the City of Lambertville.

ADOPTED: January 1, 2023

RESOLUTION NUMBER 15-2023: A Resolution to Appoint the Custodian of Records for the City of Lambertville

RESOLUTION 15-2023

"A Resolution to Appoint Custodian of Records for the City of Lambertville"

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville, County of Hunterdon, State of New Jersey, that the following people are hereby appointed as Custodian of Records for the City of Lambertville:

Cynthia L. Ege, City Clerk, and all matters related to the Governing Body;

Lindsay Hansche, Deputy Clerk as an alternate for all matters related to the Governing Body.

Crystal Lawton, TACO, all matters related to Construction, Planning & Zoning Boards of Adjustment;

Lt. Robert Brown, Officer in Charge for the Police Department

ADOPTED: January 1, 2023

RESOLUTION NUMBER 16-2023: A Resolution to Adopt the Policy and Procedure Requiring the Tax Assessor to File the Tax Rate Annually and the List of Tax Appeals Monthly with the Mayor.

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RESOLUTION 16-2023

“A Resolution to Adopt the Policy and Procedure Requiring the Tax Assessor to File the Tax Rate and the List of Tax Appeals With the Mayor Annually”

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville that the Tax Assessor is hereby required to file the Tax Rate within ten days of notice from the County of Hunterdon and the List of Tax Appeals monthly with the Mayor.

ADOPTED: January 1, 2023

RESOLUTION NUMBER 17-2023: *A Resolution to Authorize the Shared Services Agreement with the LMUA for Manpower and Equipment for Snow Plowing and Other Related Emergencies, and for the Use of Fuel.*

RESOLUTION 17-2023

“A Resolution to Authorize the Shared Services Agreement with the Lambertville Municipal Utilities Authority for Snow Removal Through the 2023 Winter Season and for Gas and Diesel Fuel Usage”

WHEREAS, the Lambertville Municipal Utilities Authority has been supplementing services to the City’s public works department during storms, emergencies and times of need; and

WHEREAS, the Lambertville Municipal Utilities Authority agrees to provide equipment and employees to the City of Lambertville and the City agrees to cover or reimburse the Lambertville Municipal Utilities Authority for the cost of fuel to operate the equipment for the 2023 winter season.

WHEREAS, the City of Lambertville Agrees to permit the Lambertville Municipal Utilities Authority to use gas and diesel fuel through the agreement with the County of Hunterdon.

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 Lambertville Municipal Utilities Authority for the 2023 winter season is hereby authorized.

ADOPTED: January 1, 2023

Councilman Lide made the motion to adopt Resolution Numbers 01-2023 through 17-2023. Councilwoman Lambert seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. **MOTION CARRIED.**

End of consent agenda.

NON FAIR AND OPEN/FAIR AND OPEN PROCESS

Mayor Nowick commented that members of the Governing Body expressed concern for not using the Fair and Open process for the 2023 professional appointments. He asked for comments from the members of the Governing Body.

Councilman Lide commented that he had concerns about the Nonfair and Open Process and would prefer moving forward that the City use the Fair and Open Process.

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Councilwoman Kominsky concurred. She commented that the Fair and Open process is meant to serve the public, offering transparency through the appointment process.

Councilwoman Lambert and Council President Stegman both agreed with the comments made by the other Council members.

Mayor Nowick commented that in October, in an effort to be organized and timely, he had discussions with staff and the City Attorney. He asked about the Non Fair and Open Process. At the time, he decided to move forward with a number of appointments via the Non Fair and Open Process. He sent the list to the members of the Governing Body for review. For him, using that process was only meant to streamline things with people that we already felt confident about. It didn't seem prudent to put out an RFP when there likely wasn't going to be a change to our current appointments. That said, the Mayor stated that he is happy to use the Fair and Open process moving forward. Mayor Nowick did note that using the Non Fair and Open process requires the firm appointed to provide the political contributions made in previous years and the contract prohibits them from making contributions in the next year.

RESOLUTION 18-2023: *A Resolution Authorizing the Award of a Non-Fair and Open Contract for the City Attorney and Redevelopment Attorney*

Mayor Nowick read the resolution into the record by title and he nominated William Opel of McManimon Scotland and Baumann, LLC to serve as the City Attorney and Redevelopment Attorney for a one-year term at a rate not to exceed \$\$60,000.00 for the City Attorney, and \$1,000.00 for Redevelopment Projects, with an hourly rate of \$185.00 for both positions.

RESOLUTION 18-2023

"A Resolution Authorizing the Award of a Non-Fair and Open Contract for City Attorney and Redevelopment Attorney"

WHEREAS, the City of Lambertville has a need to acquire professional services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and,

WHEREAS, the Certified Municipal Finance Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is 1 year(s); and

WHEREAS, William Opel of McManimon Scotland and Baumann, LLC has submitted a proposal November 4, 2023 indicating they will provide the professional services for the City Attorney and Redevelopment Attorney; and

WHEREAS, McManimon Scotland Baumann, LLC, has completed and submitted a Business Entity Disclosure Certification which certifies that McManimon Scotland Baumann has not made any reportable contributions to a political or candidate committee in the City of Lambertville in the previous one year, and that the contract will prohibit the firm McManimon Scotland Baumann, LLC from making any reportable contributions through the term of the contract, and

WHEREAS, the Certified Municipal Finance Officer has certified that funds are available in the 2023 Budget – N.J.A.C. 5:30-5.4.

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NOW THEREFORE, BE IT RESOLVED that the Governing Body of the City of Lambertville authorizes the Mayor and City Clerk to enter into a contract with McManimon Scotland Baumann, LLC as follows:

Redevelopment Attorney, hourly rate of \$185.00 (city) to \$395.00 (escrows), with an annual not to exceed amount of \$1,000, noting escrow accounts will be established for interested businesses; and

City Attorney, hourly rate of \$185.00, a monthly rate of \$5,000.00 per month, with an annual stipend not to exceed \$60,000.00, regardless of the number of hours spent on City Attorney business.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution. and,

(BE IT FURTHER RESOLVED that the Notice of Award will appear in the January 6, 2023 edition of the Trenton Times.

ADOPTED: January 1, 2023

Council President Stegman made the motion to approve Resolution Number 18-2023.

Councilwoman Lambert seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

RESOLUTION NUMBER 19-2023: Authorizing the Award of Non-Fair and Open Contracts for Professional Services for the 2023 Calendar Year

Mayor Nowick read the resolution into the record by title and he informed the members of the public that this resolution is to authorize contracts for the following positions:

RESOLUTION 19-2023

*“A Resolution Authorizing the Award of Non-Fair and Open Contracts
for Professional Services”*

WHEREAS, the City of Lambertville has a need to acquire professional services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and,

WHEREAS, the Certified Municipal Finance Officer has determined and certified in writing that the value of the acquisition may exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is 1 year and may be extended 2 times as approved by this Governing Body; and

WHEREAS, the following providers have submitted a proposal November 4, 2022 indicating they will provide the following services:

COAH Attorney: Kelly Grant, Malamut, hourly rate of \$160.00 per hour, with an annual amount not to exceed amount of \$15,000.00;

Public Defender: Stanley Troy, \$300.00 per court appearance/session, with an annual amount not to exceed \$3,600.00;

Alternate Public Defender: Jenna Casper Bloom, at a rate of \$150.00 per client with an annual not to exceed amount of \$750.00;

City Planner: Michael Sullivan, Clarke Caton Hintz, hourly rate of \$180.00, with an annual amount not to exceed \$15,000.00, excluding escrow accounts;

Prosecutor: Philip and Sean Faherty of Hunt and Faherty with an annual amount not to exceed \$26,500.00 (stipend);

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Risk Manager: CBIZ, with an annual amount not to exceed \$14,545.00 which is paid through the Public Alliance Insurance Fund.

Municipal Advisor: Phoenix Advisors in an amount not to exceed \$1,200.00.

WHEREAS, each firm listed has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the City of Lambertville in the previous one year, and that the contract will prohibit the them from making any reportable contributions through the term of the contract, and

WHEREAS, the Certified Municipal Finance Officer has certified that funds are available in the 2023 budget, N.J.A.C. 5:30-5.4.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the City of Lambertville authorizes the Mayor and City Clerk to enter into a contract with the firms as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution. and,

BE IT FURTHER RESOLVED that a Notice of Award will be published in the January 6, 2023 edition of the Trenton Times.

ADOPTED: January 1, 2023

Councilman Lide made the motion to approve Resolution Number 19-2023. Councilwoman Lambert seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

RESOLUTION NUMBER 20-2023: A Resolution Authorizing Professional Service Contracts for the 2023 Calendar Year using the Fair and Open Process.

Mayor Nowick read the resolution into the record by title and informed the members of the public that this resolution is to authorize contracts through the fair and open process to the following:

RESOLUTION NUMBER 20-2023

“Authorizing Professional Service Contracts for the 2023 Calendar Year”

WHEREAS, there exists a need for a Professional Services for the 2023 calendar year; and

WHEREAS, the contract is 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 9, 2022 and received December 2, 2022, providing sufficient time to give notice, and publicly opened on December 2, 2022; and

WHEREAS, sufficient funds are available in the 2023 Temporary Budget, adopted ordinances or grants, and will be made available in the 2023 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 the following positions are here by authorized:

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City Auditor: Suplee Clooney & Company at an annual rate not to exceed \$40,000.00 for completion of the ADS, AFS, Annual Audit, and budget assistance;

Budget Consultant: Michael Drulis of Mortford Drulis & Associates, hourly rate of \$84.00 per hour, an annual rate not to exceed \$25,000.00

Bond Counsel: Thomas Hastie of Malamut & Associates, hourly rate of \$205.00 per hour, with an annual rate not to exceed \$750.00 to the calendar year budget, up to \$15,000.00 to be charged to the bond ordinance;

Planning Board Attorney: Scott D. Salmon, Esq., Jardim, Meisner & Susser, P.C., hourly rate of \$165.00 at an annual rate not to exceed \$500.00; excluding escrow accounts;

Planning Board Engineer: Gilmore & Associates, hourly rate of \$160.00 at an annual rate not to exceed \$750.00, excluding escrow accounts;

City Engineer: Gilmore & Associates, Inc., hourly rate of \$160.00 per hour, with an annual rate not to exceed \$5,000.00;

Alternate City Engineer: CME Associates, hourly rate of \$195.00 per hour, with an annual not to exceed amount of \$400.00, excluding escrow accounts;

Special Engineer for Stormwater Management: MS4 Tier A and Stormwater Management Utility Advisory: Princeton Hydro, hour rate of \$195.00 per hour, in an amount not to exceed \$5,000.00;

Zoning Board Attorney: Scott D. Salmon, Esq., Jardim, Meisner & Susser, P.C., hourly rate of \$165.00 per hour, an annual rate not to exceed \$500.00; excluding escrow accounts;

Zoning Board Engineer: Gilmore & Associates, hourly rate of \$160.00 at an annual rate not to exceed \$750.00, excluding escrow accounts;

Alternate Zoning Board Engineer: CME Associates, hourly rate of \$195.00 per hour with an annual amount not to exceed \$400.00, excluding escrow accounts;

City Architect: Michael Burns Architect, hourly rate of 195.00 per hour, with an annual rate not to exceed of \$1,000.00.

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 the City Clerk are hereby authorized and directed to finalize and sign an agreement for the 2023 calendar year.

BE IT FURTHER RESOLVED that notice of these actions shall be printed in the January 6, 2023 issue of The Times, N.J.A.C. 5:34-9.5 (d).

ADOPTED: January 1, 2023

Councilwoman Lambert made the motion to approve Resolution Number 20-2023. Council President Stegman seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. **MOTION CARRIED.**

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RESOLUTION NUMBER 21-2023: A Resolution to Authorize the Contracts for Garbage/Solid Waste Disposal and Recycling for the 2023 Calendar Year

Mayor Nowick read the resolution into the record by title. He informed the members of the public that this resolution is to authorize contracts for garbage and recycling.

RESOLUTION 21-2023

“A Resolution to Authorize the Contract for Garbage/ Solid Waste Disposal and the Recycling Program for the 2023 Calendar Year”

NOW THEREFORE BE IT RESOLVED, that Governing Body of the City of Lambertville in the County of Hunterdon, State of New Jersey, that the Mayor and City Clerk are hereby authorized and directed to finalize and sign an agreement for the 2023 calendar year for garbage/solid waste disposal and recycling with the following entities:

- County of Hunterdon Transfer Station, Contract for Garbage with payment to Waste Management of New Jersey
 - One-year term beginning January 1, 2023 and ending December 31, 2023, for the garbage collection at an annual rate not to exceed \$135,000.00;
- Colgate Paper Stock Company for the recycling program for a one-year term beginning January 1, 2023 and ending December 31, 2023 at an annual rate not to exceed \$25,000.00

ADOPTED: January 1, 2023

Councilwoman Kominsky made the motion to approve Resolution Number 21-2023. Councilman Lide seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. **MOTION CARRIED.**

RESOLUTION NUMBER 22-2023: A Resolution to Appoint a Company to Provide Animal Control for the City of Lambertville for the 2023 Calendar Year

Mayor Nowick read the resolution into the record. He further commented that in the last few days, he received 6 letters in opposition of this appointment. The City recognizes both its statutory and legal obligation. The letters were all received in the past couple of days. Mayor Nowick commented that there is a memorandum available that detailed the interview process. He worked with the City Clerk and the Officer-in-Charge of the Police Department on this appointment and they were present during interviews. At the end of the day, he said he is confident moving forward with this appointment. He recognized that not all appointments or decisions are easy, but we do the best we can and act in good faith.

Councilwoman Lambert commented that she too received emails and telephone calls. She had a few conversations with members of the public and appreciates everyone who reached out to share their thoughts. She asked if the appointment would be for the year or if we could make an interim appointment.

Mayor Nowick responded that it is customary to appoint for a year, and then conduct a 6 month formal review to give feedback. In this case the City is prepared to offer a six month contract.

Councilwoman Lambert agreed that a mid-year review would be helpful. We have received different comments but all of this info bubbled up at the last minute. The City is in a bind, we are

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required to appoint someone and we've gone through the interview process, and changing the direction at this point will put us out of compliance. Moving forward and doing an assessment mid-year seems prudent. She also suggested that next time we do a request for proposals that we clearly specify how we want this service to operate within our community and what we require. We need to outline whether it will be solely by request or they would be working in the community at will. Those types of things bubbled up and we should take a closer look to specify our requirements and make sure bidders have the opportunity to articulate how they will meet those requirements.

Councilwoman Kominsky commented that since we have a lot of input and concern, maybe we could put together an ad-hoc group to review the work as time goes along, as well as researching the information, the standards and the experiences with different companies so we can make a harmonious decision. She also commented that it would be helpful to hear the public comment prior to making a decision about the resolution.

Discussion ensued and after some discussion, the members of the Governing Body agreed to take public comment before ruling on the resolution.

PUBLIC COMMENT:

Mayor Nowick read the rules of engagement into the record.

Zanya Gissler of Kingwood Township, NJ, a business owner in Lambertville for over 20 years. She thanked Councilwoman Kominsky for allowing the public comment period. She said she cares deeply about this community, and that she is very active in the dog world. She is a dog trainer, she travels around the country. Unfortunately, she took her eye off one of her dogs for one minute and it bit a child. This has been traumatic. St. Hubert's interviewed her at length and realized that this was a one-time incident. Two months after the event, she received notices at her house to call Animal Control Solutions. She stated that they showed up at my house with a State Trooper with a piece of paper requiring that she surrender her dogs. She had to hire an attorney and fight to prove the dogs were not dangerous dogs. She spent \$5,000 to prove her dogs were not dangerous. The dogs were taken to an impound, and she was not allowed to see them. When she called and expressed concern to Animal Control Solutions the representative laughed at her.

Judy Gleason of Lambertville commented that she wanted to identify a couple of things. If you change the one year contract to 6 months or less, it has to be changed in the resolution. I would recommend 60 days as the trial. Secondly, there are many issues around this particular service, and one issue is with enforcement. We have a money thing beneficial to the town – if there is enforcement carried out by the entity, there is a monetary benefit to the City, and that is a valid thing to consider. She thanked Councilwoman Kominsky for the suggestion of a committee. Perhaps people from the City could volunteer to be involved. She thanked the Council for the opportunity to comment before the vote.

Lori Stagnitto of New Hope, PA, moved to Lambertville 29 years ago. Formed Lambertville Animal Welfare 15 years ago. Ms. Stagnitto gave an overview of the nonprofit she organized and the services they provide the community. She started the Trap Neuter and Release program in the City because of the 100 free roaming cats in Lambertville. Carolyn Murphy rounded up 30 of

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them and they were spayed. We are down to two left in the City of Lambertville. Hunterdon County does not have a municipal shelter. She has formed collaboration throughout Mercer County, Hunterdon County and Somerset County so that we all take the animals and they are not killed. Carolyn and I collaborate closely with Tabby's Place, dead or alive. Carolyn has a contract in Hopewell for deceased dogs in their freezer. No dogs are killed. Other animal control services don't have these types of places. So much more I could say. I know a lot of this is politics from when Carolyn left. It was because she did not have what she needed from the City of Lambertville to legally do her job.

Lauren McWater of York St. thanked the members of the Governing Body for reconsidering the year contract. It is a wise thing. She knows Zanya as a passionate, educated dog owner. She has a personal experience with Carolyn Murphy, she has taken care of my animals. I would like to say that Carolyn is very passionate and bends over backwards for the animals. I urge you to consider 60 days instead of six months, and to explore all of the options.

Eve Rangle of Delaware Township. She was involved in a rescue with Animal Control Solutions where dogs that were seized. 2 cats were left behind and she took care of them. The animals were not treated properly when they were seized. The neighbor was so upset they called the prosecutor's office. I've heard concerns from other people about the conditions of seized animals.

There being no more in-person comments, Mayor Nowick asked if there were any hands raised on Zoom. No hands were raised. We had 11 people participating on Zoom.

Mayor Nowick asked for a motion to close the public comment period for Animal Control Officer. Councilwoman Kominsky made the motion and Councilman Lide seconded the motion. An affirmative voice vote was taken in favor of the motion to close the comment period for the resolution to award a contract to Animal Control Solutions to serve as the City's Animal Control Officer.

Discussion ensued. Mayor Nowick commented that he believes a 6 month contract is appropriate and would allow us to make a realistic assessment. We have a number of references for this group including Raritan Township, Readington Township, Lebanon and Franklin who are all happy with their services.

RESOLUTION NUMBER 22-2023

*"A Resolution to Appoint a Company to Provide Animal Control
for the City of Lambertville through June 30, 2023"*

WHEREAS, the City of Lambertville solicited for quotes for Animal Control Officer from Animal Control Solutions and Advanced Animal Control for the first two quarters of 2023; and

WHEREAS, the Certified Municipal Finance Officer has provided a certificate of funds available; and

WHEREAS, the City Attorney has reviewed the quotes and has determined that they are responsive and responsible; and

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey that the Mayor, City Attorney and City Clerk are hereby authorized to sign the agreement with Animal Control Solutions in an amount not to exceed \$900.00 per month, \$5,400.00; plus the fees as noted the addendum to the contract (when possible will be paid by the owner of the animal), and will not exceed \$450.00 for vetting and housing for all strays for the period of this contract.

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BE IT FURTHER RESOLVED that this is one-year contract beginning January 1, 2023 through June 30, 2023

ADOPTED: January 1, 2023

The members of the Governing Body amended the contract from a 12 month contract to a 6 month contract. Mayor Nowick noted that they had several good reports and they will take the public comment into consideration.

Councilman Lide made the motion to approve Resolution Number 22-2023 as amended. Councilwoman Kominsky seconded the motion. A roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

RESOLUTION NUMBER 23-2023: *A Resolution to Authorize the Contracts for the Following Services: Cleaning, Technology, Landscaping for the 2023 Calendar Year*

Mayor Nowick read the resolution into the record by title. He informed the members of the public that this is to authorize the contracts for the following positions:

RESOLUTION 23-2023

"A Resolution to Authorize the Mayor to Sign the Contract for the Following Services: Office Cleaning, Technology Services, and Landscaping Services for the 2023 Calendar Year"

NOW THEREFORE BE IT RESOLVED, that Governing Body of the City of Lambertville in the County of Hunterdon, State of New Jersey, do hereby authorize the Mayor and City Clerk to sign the contract with the following vendors beginning January 1, 2023 and ending December 31, 2023:

CNS Cleaning for cleaning services (weekly rate: \$336.03) with an annual amount not to exceed \$17,473.56 for a one year contract period;

LookFirst Technology for technology services (monthly rate: \$1,366) with an annual amount not to exceed \$16,392.00; Note: this excludes fees associated with the storage of records for a three year contract period;

Pura Vida for landscaping services (clean-up, mulching, mow) with an annual amount not to exceed \$28,610.00 for a one year contract period:

Ely Park at an annual rate of \$5,375.00

Cavallo Park at an annual rate of \$4,125.00

North Union Street Park at an annual rate of \$1,375.00

Mary Sheridan Park at an annual rate of \$1,900.00

Arnett Park at an annual rate of \$750.00

Closson Property at an annual rate of \$11,000.00

150 Swan Street at an annual rate of \$375.00

Northfield Court median at an annual rate of \$375.00

Charged to Open Space Maintenance: \$25,275.00

Municipal Office Space:

Police Department at an annual rate of \$625.00

Phillip L. Pittore Justice Center at an annual rate of \$1,250.00

City Hall at an annual rate of \$1,460.00

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Charged to Maintenance of Public Buildings: \$3,335.00

ADOPTED: January 1, 2023

Councilwoman Kominsky made the motion to approve Resolution Number 23-2023. Councilwoman Lambert seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. **MOTION CARRIED.**

RESOLUTION NUMBER 24-2023: *A Resolution to Authorize an Amendment to Section Two, Section Three, Paid and Unpaid Time Off Policies of the Staff Policy and Procedures Manual.*

Mayor Nowick read the resolution into the record by title. He informed the members of the public that this resolution authorizes time off for employees of the City.

Councilwoman Lambert thanked the City Clerk for putting together a well-documented assessment. She asked if the memo could be made available to the public. Her only comment was in regards to the reallocated hours - she feels the adjustment in hours should all be within the same pay period.

Council President Stegman commented that he spoke with Councilwoman Lambert about this and he did not realize that the City employees were losing hours by working on Tuesday nights.

RESOLUTION NUMBER 24-2023

A Resolution to Authorize an Amendment to Section Two, Section Three Paid and Unpaid Time Off Policies of the Staff Policy and Procedures Manual.

SECTION THREE, PAID AND UNPAID TIME OFF POLICIES

Paid Holiday Policy:

Non-contractual Employees are entitled to the following paid holidays:

New Year's Day	Monday	January 2, 2023
Martin Luther King, Jr. Day	Monday	January 16, 2023
President's Day	Monday	February 20, 2023
*Good Friday	Friday City Hall Staff works late on Tuesday, April 4, 2023. Compensation date: October 31 City Hall will close at 4:30 p.m.	April 7, 2023
Pre-Memorial Day	Friday (1/2 day for all non-City Hall) Full Day for City Hall Employees working late on Tuesday evenings.	May 26, 2023
Memorial Day	Monday	May 29, 2023
Pre-Independence Day	Monday	July 3, 2023
**Independence Day	Tuesday	July 4, 2023

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	City Hall Staff is scheduled to work 9.5 hrs. Compensation back to the City: November 10, 2023 holiday.	
Labor Day	Monday	September 4, 2023
Columbus Day	Monday	October 9, 2023
*Trick or Treating	Tuesday City Hall will close at 4:30 p.m. to compensate for April 7, 2023 holiday.	October 31, 2023
**Veterans Day	Friday	November 10, 2023
Pre-Thanksgiving	Wednesday (1/2 day for all non-City Hall) Full Day for City Hall Employees working late on Tuesday evenings.	November 22, 2023
Thanksgiving	Thursday	November 23, 2023
Day After Thanksgiving	Friday Excluding Public Works Employees who will be paid time and ½ for working.	November 24, 2023
Christmas Day	Monday	December 25, 2023
New Year's Day	Monday	January 1, 2024

A holiday falling on a Saturday will be observed on the preceding Friday, and a holiday falling on a Sunday will be observed on the following Monday.

Public Works employees working on a scheduled day off will be compensated at a rate of time and a half.

ADOPTED: January 1, 2023

Councilwoman Lambert made the motion to approve Resolution Number 24-2023. Councilman Stegman seconded the motion. A roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

End of Resolutions.

ANNOUNCEMENTS.

Did you know that you can renew your dog license and parking permits online? The link is as follows: <https://www.lambertvillenj.org/government/forms-documents>

DOG AND CAT LICENSES are due no later than Tuesday, February 28 to avoid the late fee. Please include a copy of your pet's valid rabies vaccination.

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PARKING STICKERS expired on 12/31/2022 - And you can renew online!

<https://www.lambertvillenj.org/government/forms-documents>

Schedule of 2023 Reorganization Meetings

Planning Board, Wednesday, January 4, 2023 at 7:00 p.m.

Library Board, Tuesday, January 10th, 2023 at 7:30 p.m. at the Lambertville Free Public Library, located at 6 Lilly Street;

Human Rights Council, Monday, January 9, 2023 at 7:00 p.m.

Historic Preservation Commission, Tuesday, January 10, 2023 at 7:30 p.m.

Parks & Recreation Commission, Wednesday, January 11, 2023 at 7:00 p.m.

Shade Tree Commission, Monday, January 23, 2023 at 7:30 p.m.

Environmental Commission, Wednesday, January 25, 2023 at 7:00 p.m.

Zoning Board of Adjustment, Thursday, January 26, 2023 at 7:30 p.m.

Broadband, Cable and Telephone Services Advisory Committee, Monday, January 30, 2022 at 7:00 p.m.

Lambertville Municipal Utilities Authority, Tuesday, February 7, 2023, 6 p.m. at the LMUA located on Station Court in the City

Office of Emergency Management, Thursday, February 9, 2022 at 2:30 pm

All meetings at held at the Phillip L. Pittore Justice Center located at 25 South Union Street in the City unless otherwise noted.

PUBLIC COMMENT.

Mayor Nowick asked for public comments and he reminded everyone about the rules for engagement and the three minute time limit.

In-person

Jeff Tittle welcomed the new Council members. He complimented Councilman Lide's great legal background and Councilwoman Kominisky's background in the state government. He suggested that the City speak with East Amwell Township about animal control. He commented about the topic of public comment and suggested that the City consider putting it at the beginning for agenda items only, and expressed his interest in increasing the time limit.

Mayor Nowick commented that he is willing to have a conversation about this.

Councilman Lide commented that people should not have to wait until 9:30 to speak about something. People have busy schedules. I hope we can do that in the future.

Tom Servick thanked Mayor Nowick, Councilwoman Lambert, and Council President Stegman for a fine year. The town moved in a much better direction. He said he appreciates the Lambertville Matters, and he said think it's very advantageous to the public to make comments before they are voted on.

Lori Stagnitto, of New Hope said she is devastated. She has worked in our community for three decades. She spoke about an incident with a resident and a lost cat and said Animal Control

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Solutions isn't going to go out of their way to find an animal. She felt she was disrespected. She is an Animal Control Officer; she has worked with other Animal Control Officers and she knows the dirty and the ugly behind them. The last time she was in front of Council was when the Animal Control position was on the agenda and the Governing Body switched to St. Hubert's. After that, she received a threatening letter from the attorney of Animal Control Solutions. I have had two threatening letters and I am not allowed to say anything about them. Hillsborough is going to court. You will not get a six month review because no one will use them - no one will be calling animal control.

Zanya Gissler of Kingwood Township said she wanted to make something very clear, they came to my home illegally. It was not their jurisdiction. They took my dog illegally. The dogs were impounded. If it wasn't for Annie Trinkle they would have been there until my court case. They lied. Waved a piece of paper that was not a court order. \$75 per dog per day. 75 x 3 per day. Kingwood Township came to my rescue. These are the type of people you are dealing with.

There being no further public comment, Mayor Nowick asked for a motion to close the public comment period. Councilwoman Lambert made the motion and Council President Stegman seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

ADJOURNMENT.

The meeting adjourned at 3:01 p.m. with a motion made by Councilwoman Lambert and seconded by Council President Stegman. 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