



City of Lambertville
REGULARLY SCHEDULED SESSION
THURSDAY, MARCH 21, 2019, 6:00 PM
PHILLIP L. PITTORE JUSTICE CENTER
MINUTES

STATEMENT OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

Council President Asaro called the meeting to order at 7:00 p.m. and read the following statement of compliance with the Open Public Meetings Act into the record:

"Adequate notice of this Meeting of the Governing Body of the City of Lambertville held on March 21, 2019 has been provided through the posting of the annual meeting schedule, by emailing notice to the Hunterdon County Democrat and the Trenton Times and to various individuals on the list serve in accordance with Section 13 of the Open Public Meetings Act."

ROLL CALL

The City Clerk called the roll as follows:

Present: Councilman Sanders, Councilwoman Taylor, Councilwoman Warner, Council President Asaro, Council President Asaro.

Absent: None.

PLEDGE OF ALLEGIANCE

Council President Asaro 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 States Armed Services in country and abroad.

APPROVAL OF MINUTES

Council President Asaro asked for a motion to approve the following minutes: 02/19/19 Regular Session Minutes, 02/19/19 Closed Session Minutes, 03/05/19 Work Session Minutes, and 03/05/19 Closed Session Minutes. Councilwoman Taylor made a motion to approve the minutes as listed on the meeting agenda. Councilwoman Warner seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

ADMINISTRATIVE REPORTS

Council President Asaro asked for a motion to approve the following administrative reports: Clerk's Report – Cynthia Ege, CMR, RMC, Construction Official – Kenneth Rogers, Sub Code Official, Court – Patricia Wozniak, Court Administrator, Finance – Christie Ehret, CMFO (no report), Fire Official – Frank D'Amore (no report), Police Department – Robert Brown, Lt., Public Works – Lester E. Myers, Jr., CMPW, Tax Assessor – Richard Carmosino, CMTA (no report), Tax Collector – Cynthia McBride, CMTC.

Councilwoman Warner made a motion to approve the administrative reports as listed on the meeting agenda. Councilwoman Taylor seconded the motion. An affirmative

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voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

APPROVAL OF THE BILLS LIST

Council President Asaro asked for a motion to approve the bills list. Council President Asaro made a motion to approve the bills list as submitted. Councilwoman Warner seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

PROCLAMATIONS

WinterFest: A Proclamation to Congratulate the Organizers of the WinterFest on a Successful Event.

Council President Asaro asked for representatives of the WinterFest could join her at the dais. Members of Council took turns reading the following proclamation into the record:

Proclamation

WHEREAS, the Twin Rivertown Projects, Inc. was formed in 1997 to give back to the communities in the City of Lambertville and the Borough of New Hope, *and*

WHEREAS, throughout the years, the Winter Festival has donated to the Lambertville, New Hope, and Solebury Parks and Recreation Departments, donated to local foodbanks and social services organizations, schools, fire, police and rescue squads; *and*

WHEREAS, events organized through this fund raiser include the infamous Chili Cook-Off, the Capella Extravaganza, the Beef “n” Brew, the Winter Festival Concert, the Taste of Winter Fest, *and*

WHEREAS, in 2019 the Twin Rivertown Projects, Inc. raised \$36,000 through the week-long event which was distributed among various causes; *and*

WHEREAS, the City’s Recreation Commission received a donation in the amount of \$400.

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 Twin Rivertown Projects, Inc. is hereby congratulated on celebrating 22 years of success.

BE IT FURTHER RESOLVED that the last weekend of January is hereby proclaimed Winter Festival Week in honor of the Twin Rivertown Projects, Inc. and will continue to be celebrated as long as the fund raiser continues.

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Council President Asaro asked for a motion to adopt the proclamation honoring Twin Rivertown Projects, Inc. for 22 years of success. Councilwoman Taylor made a motion to adopt the proclamation. Councilman Sanders seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

RESOLUTIONS

Council President Asaro read the resolution by title into the record. She asked if anyone was present to discuss the person to person transfer for Walkers Wine & Spirits to the Irish Diplomat LLC and she opened the public hearing asking for public comment. Coleen McNally and Scott Lessig, the new owners were present.

RESOLUTION NUMBER 30-2019: *A Resolution to Authorize the City Clerk to Sign the Person to Person Transfer of Liquor License Number 1017-44-010-006 from Walkers Wine & Spirits to Irish Diplomat LLC.*

RESOLUTION NUMBER 30-2019

A Resolution to Authorize the City Clerk to Sign the Person to Person Transfer of Liquor License Number 1017-44-010-006 from Walkers Wine & Spirits to Irish Diplomat LLC

WHEREAS, an application has been filed by Irish Diplomat, LLC. for a Person-to-Person Transfer of Plenary Retail Consumption License Number 1017-44-010-006, heretofore issued to Walkers Wine & Spirits. for premises located at 86-88 Bridge Street, Lambertville, New Jersey; WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term;

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33;

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business;

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council do hereby approve, March 25, 2019, the transfer of the aforesaid Plenary Retail Consumption License to Irish Diplomat, LLC. and do hereby direct the City Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred effective Date to Irish Diplomat, LLC for premises located at 86-88 Bridge Street."

ADOPTED: March 21, 2019

There being no public comment, Council President Asaro asked for a motion to close the public hearing for the resolution authorizing the person-to-person transfer of the ABC License from Walkers Wine and Spirits to the Irish Diplomat, LLC. Councilwoman Taylor made the motion to close the public hearing. Council President Asaro seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

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Council President Asaro asked for a motion to adopt Resolution Number 30-2019, authorizing the person to person transfer. Councilwoman Warner made the motion to authorize the resolution. Council President Asaro seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

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 Fahl informed the members of the public present that Resolution Number 58-2019 was being pulled from the consent agenda and was being tabled.

Council President Asaro asked for a motion to approve the following resolution numbers: 52-2019 to 57-2019 and 59-2019.

RESOLUTION NUMBER 52-2019: A Resolution Requesting \$72,000 from the LMUA

RESOLUTION 52-2019

A Resolution Requesting \$72,000 from the Lambertville Municipal Utility Authority

WHEREAS, P.L. 2204, c. 87 established a formal procedure for local authorities to transfer funds to their creating government agency; and

WHEREAS, the Lambertville Municipal Utility Authority was created by the governing body of the City of Lambertville; and

WHEREAS, N.J.S.A., 40A:5A-12.1 in part states:

“To the extent there is available an undesignated fund balance or unreserved retained earnings by (a covered authority) ... an amount in that undesignated fund balance or unreserved retained earnings, not to exceed 5% of the annual costs of operation of the authority may be appropriated for use in the local budget of the municipal or county that created the authority unless otherwise restricted by bond covenants;” and

WHEREAS, the law required payments to the municipality shall be made no later than 30 days prior to the close of the municipality fiscal year, or anytime sooner as made by mutual agreement; and

WHEREAS, the City of Lambertville has anticipated the Lambertville Municipal Utility Authority appropriation of \$72,000 as a Special Item of Revenue in the proposed 2019 municipal budget.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Lambertville, County of Hunterdon, State of New Jersey does hereby request that the Lambertville Municipal Utility Authority transfer \$72,000 to the City of Lambertville.

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RESOLUTION NUMBER 53-2019: *A Resolution to Suspend the Sweeper with the Start Date of April 15, 2019.*

RESOLUTION NUMBER 53-2019

A Resolution Authorizing the Continuation of the Suspension of the Street Sweeper from December 10, 2018 through April 15, 2019

NOW THEREFORE BE IT RESOLVED that the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey hereby authorizes the continuation of the suspension of the street sweeper beginning December 10, 2018 and resuming on April 15, 2019, due to the weather conditions.

ADOPTED: March 21, 2019

RESOLUTION NUMBER 54-2019: *A Resolution to Authorize the Refund of a Permit Fee to George Slack, 271 North Main Street in the Amount of \$75.00.*

RESOLUTION NUMBER 54-2019

A Resolution to Authorize the Refund of a Permit Fee to George Slack, 271 North Main Street in the Amount of \$75.00

NOW THEREFORE BE IT RESOLVED that the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey hereby authorizes the refund of a construction permit fee to George Slack of 271 North Main Street in an amount not to exceed \$75.00.

ADOPTED: March 21, 2019

RESOLUTION NUMBER 55-2019: *A Resolution to Approve the Amended Meeting Schedule, Changing the Meeting Dates for May and August.*

RESOLUTION NUMBER 55-2019

A Resolution to Authorize the Amended Meeting Schedule for the May and August Meeting of the Governing Body

NOW THEREFORE BE IT RESOLVED that the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey hereby authorizes the amendment of the 2019 Meeting Schedule to read as follows:



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WORK SESSIONS:

Tuesday, April 2, 2019
Tuesday, May 7, 2019
Tuesday, June 4, 2019
Tuesday, July 2, 2019
Tuesday, August 6, 2019
Tuesday, September 3, 2019
Tuesday, October 1, 2019
Monday, November 4, 2019
Tuesday, December 3, 2019

COUNCIL MEETINGS:

Thursday, April 18, 2019
Thursday, May 23, 2019
Thursday, June 20, 2019
Thursday, July 18, 2019
Thursday, August 22, 2019
Thursday, September 19, 2019
Thursday, October 17, 2019
Thursday, November 21, 2019
Thursday, December 19, 2019

ADOPTED: March 21, 2019

RESOLUTION NUMBER 56-2019: *A Resolution to Authorize the Appointment of a Humane Law Enforcement Officer.*

RESOLUTION NUMBER 56-2019

A Resolution to Authorize the Appointment of a Humane Law Enforcement Officer

WHEREAS, Vincent Albani, Detective has completed the required training to serve as municipal humane law enforcement officer by the governing body of a municipality of the City of Lambertville in accordance with per P.L. 2017, CHAPTER 331, Section 25 and 26, and

WHEREAS, the chief law enforcement officer of the municipality has recommended the appointment of Vincent Albani, Detective to serve as the municipal humane law enforcement officer, and

WHEREAS, Vincent Albani, Patrolman has completed the required training for the Municipal Humane Law Enforcement Officer position,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lambertville in the County of Hunterdon and State of New Jersey that Vincent Albani, Detective is hereby appointed the Municipal Humane Law Enforcement Officer for the City of Lambertville.

ADOPTED: March 21, 2019

RESOLUTION NUMBER 57-2019: *A Resolution to Rescind Resolution Number 43-2019, Awarding a Contract to Ascend for the Lead Abatement Project at the*

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Lambertville Free Public Library and Authorize the City Architect to Rebid the Project.

RESOLUTION NUMBER 57-2019

A Resolution Rescinding Resolution 43-2019 Awarding the Lead Abatement Contract to Ascend Construction Management, rejecting all bids received for the Lead Abatement Contract

WHEREAS, February 19, 2019, Resolution 43-2019 awarded a contract to Ascend Construction Management for the lead abatement project at the Lambertville Free Public Library, and

WHEREAS, on March 6, 2019, it was brought to the attention of the City that that the vendor for the lead abatement project failed to timely submit required documents with its original bid submission and it is the recommendation of the City Attorney that Resolution 43-2019 be rescinded; and

WHEREAS, the bid submission of the apparent second low bidder for the lead abatement project submitted a bid that was in excess of 20% of the City's estimate for the project and it is the City Architect's recommendation that the apparent second low bidder's submission be rejected pursuant by N.J.S.A. 40A:11-13.2(a); and

WHEREAS, the Mayor and Council have determined that Resolution 43-2019 should be rescinded and that the lead abatement project for the Lambertville Free Public Library should be re-advertised;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lambertville in the County of Hunterdon and State of New Jersey that:

1. Resolution Number 43-2019 awarding the bid to Ascend Construction Management in the amount of \$59,000.00 for the lead abatement project at the Lambertville Free Public Library is hereby rescinded and the contract is hereby null and void;
2. The bid received by the apparent second low bidder is rejected based upon N.J.S.A. 40A:11-13.2(a);
3. The staff and/or City Architect is hereby authorized to rebid the lead abatement project for the Lambertville Free Public Library.

ADOPTED: March 21, 2019

RESOLUTION NUMBER 58-2019: *A Resolution to Amend the Staff Handbook, Chapter III, Article III, Administrative Procedures, Amending Section III, Holidays.*

Note: removed from the meeting agenda.

RESOLUTION NUMBER 59-2019: *A Resolution Appointing Tyler Clark As a Patrolman for the City of Lambertville.*

RESOLUTION NUMBER 59-2019

A Resolution Appointing Tyler Clark As a Patrolman for the City of Lambertville

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NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lambertville in the County of Hunterdon and State of New Jersey that Tyler Clark is hereby appointed to serve in the Police Department as a Police Officer with the hire date of 03-08-19.

ADOPTED: March 21, 2019

Council President Asaro asked for a motion to adopt the resolutions listed on the consent agenda. Councilwoman Taylor made the motion and Councilwoman Warner seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. **MOTION CARRIED.**

Mayor Fahl informed the members of the public present that the following resolution is authorizing the submittal of a grant application to the County of Hunterdon for the Renovation of the City Jail.

RESOLUTION NUMBER 60-2019: A Resolution to Authorize the Submittal of a Grant to the County of Hunterdon, Open Space, for the Renovation of the City Jail.

RESOLUTION NUMBER 60-2019

A Resolution to Authorize the Grant Application to the County of Hunterdon Historic Preservation Grant Program for the Restoration Project of the City Jail

WHEREAS, the Hunterdon County Board of Chosen Freeholders has approved an Open Space, Recreation, Farmland and Historic Preservation Trust Fund and establish a Historic Preservation Grant Program to provide County funds in connection with the acquisition of historic properties and the preservation of historic properties, buildings, structures, facilities, sites, areas or objects, in Hunterdon County; and

WHEREAS, the City of Lambertville in conjunction with the Historic Society desires to further the public interest by obtaining funding in the amount of \$190,877.70 from the County of Hunterdon to fund the following historic preservation project:

Restoration of the City Jail located at Mary Sheridan Park

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lambertville in the County of Hunterdon and State of New Jersey resolved that the Historical Society of the City of Lambertville is hereby authorized to:

- Make application for such Historic Preservation Grant funds;
- Provide additional application information and furnish such documents as may be required, and
- Act as the authorized correspondent of the above-named applicant; and

WHEREAS, the County of Hunterdon shall determine if the application is complete and in conformance with the scope and intent of the Hunterdon County Open Space, Farmland and Historic Preservation Trust Fund Plan, adopted Freeholder Board Policies and the Procedures Manual for the Historic Preservation Grant Program adopted thereto, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the County funds in accordance with such adopted Policies and Procedures, and rules, regulations and applicable statutes;

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NOW THEREFORE BE IT FURTHER RESOLVED BY THE City of Lambertville:

1. That the Historic Society of the City of Lambertville is hereby authorized to execute any documents and agreements with the County of Hunterdon known as the Restoration of the City Jail Project;
2. That, in the event the County of Hunterdon’s funds are less than the total project cost specified above, the applicant will pursue alternative funding sources necessary to complete the project.
3. That the applicant agrees to comply with all applicable federal, state and local laws, rules, and regulations in its performance of the project; and
4. That this resolution shall take effect immediately.

ADOPTED: March 21, 2019

Council President Asaro asked for a motion to adopt Resolution Number 60-2019. Councilwoman Warner made the motion and Council President Asaro seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. **MOTION CARRIED.**

Mayor Fahl asked for a motion to approve the following resolution, directing the City Planner to conduct a preliminary investigation to determine whether block 1053, lots 2 and 3 or any part thereof is in need of a rehabilitation.

RESOLUTION NUMBER 61-2019: A Resolution of the City of Lambertville, County of Hunterdon, Directing the City Planner to Conduct a Preliminary Investigation to Determine Whether Block 1053, Lots 2 and 3 or Any Part Thereof is an Area in Need of Rehabilitation as Defined in N.J.S.A. 40A:12-6

RESOLUTION NUMBER 61-2019

A Resolution of the City of Lambertville, County of Hunterdon, Directing the City Planning Board to Conduct a Preliminary Investigation to Determine Whether Block 1053, and Lots 2 and 3, or Any Part Thereof Is an Area in Need of Rehabilitation as Defined in N.J.S.A. 40A:12-6

WHEREAS, the Governing Body of the City of Lambertville seeks to undertake a rehabilitation effort within the City; and

WHEREAS, N.J.S.A. 40A:12A-14 authorizes the Governing Body of any municipality, by Resolution, to determine whether any area of the municipality is a rehabilitation area pursuant to the criteria contained in N.J.S.A. 40A:12A-14; and

WHEREAS, the City Council of the City of Lambertville considers it to be in the best interest of the City to have the City’s Planner conduct such an investigation regarding Block 1053, Lots 2 and 3 which parcels are currently in private ownership, as described and delineated on the official Tax Map of the City of Lambertville; and

WHEREAS, such preliminary investigation will be designed to evaluate such area to determine whether designation of these properties as an “area in need of rehabilitation” is in conformance with statutory criteria and will promote the City’s efforts toward the overall development of the City, consistent with the Master Plan.

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

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1. The City Planner of the City of Lambertville is hereby directed to conduct a preliminary investigation to determine whether the aforementioned parcels are in need of rehabilitation according to the criteria set forth in N.J.S.A. 40A:12A-;
2. The City Planner of the City of Lambertville is hereby directed to study the aforementioned parcels to develop a map showing the boundaries of the proposed rehabilitation area and to draft a report/Resolution containing its findings;
3. The results of such preliminary investigation shall be submitted to the Governing Body for review and approval in accordance with the provisions of the New Jersey Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

ADOPTED at the regularly scheduled session of the Governing Body in the City of Lambertville, in the County of Hunterdon, State of New Jersey held on Thursday, March 21, 2019.

Council President Asaro asked for a motion to adopt Resolution Number 61-2019. Councilwoman Warner made the motion to adopt. Councilwoman Taylor seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

ORDINANCES – FIRST READING

ORDINANCE NUMBER 05-2019: An Ordinance Amending and Supplementing the City of Lambertville Land Use Ordinances 2015, And Specifically, Subsections 300 Zoning Districts, 301 Regarding the Zoning Map, 402 Entitled “Residential Low Density (R-L) District” to Establish One New Inclusionary Overlay Zone, and 406 Entitled “Central Business District” To Establish One New Inclusionary Overlay Zone.

Council President Asaro read the ordinance into the record by title.

ORDINANCE NO. 05-2019

**AN ORDINANCE AMENDING AND SUPPLEMENTING
THE “ZONING ORDINANCE”, OF THE
CODE OF THE CITY OF LAMBERTVILLE (2014)
COUNTY OF HUNTERDON, STATE OF NEW JERSEY
AND SPECIFICALLY, SUBSECTIONS 300 ZONING DISTRICTS,
301 REGARDING THE ZONING MAP,
402 ENTITLED “RESIDENTIAL LOW DENSITY (R-L) DISTRICT” TO
ESTABLISH ONE NEW INCLUSIONARY OVERLAY ZONE, AND
406 ENTITLED “CENTRAL BUSINESS DISTRICT” TO ESTABLISH ONE NEW
INCLUSIONARY OVERLAY ZONE**

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

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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, said Order requires the City to adopt Inclusionary Overlay Zone ordinances that are consistent with the Settlement by January 9, 2019; and

WHEREAS, the Governing Body introduced the Inclusionary Overlay Zone ordinances on March 21, 2019;

WHEREAS, the Planning Board has determined that the Inclusionary Overlay Zone ordinances are consistent with the goals and objectives of City of Lambertville’s 2018 Housing Element and Fair Share Plan on April 3, 2019; and

WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Governing Body held a public hearing(s) on the Inclusionary Overlay Zoning ordinances on April 18, 2019; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY

OF LAMBERTVILLE, in the County of Hunterdon and the State of New Jersey, that the "Zoning Ordinance", of the Code of the City of Lambertville (2014) (hereinafter “Code”) is hereby amended and supplemented as follows:

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SECTION 1. Amend Subsection 300, “Zoning Districts”, of the Code of the City of Lambertville (2014) to read as follows:

§300 Zoning Districts.

- A. For purposes of this Ordinance, the City of Lambertville is hereby divided into the following zoning districts:

Symbol	Zone
R-C	Residential - Conservation
R-L	Residential Low Density
R-1	Residential 1
R-2	Residential 2
R-3	Townhouse Residential
CBD	Central Business District
C-2	Service Commercial (Ord. No. 2014-28)
C-3	General Commercial
	Residential Overlay Option 1 (Ord. No. 2001-15)
IO-1	Inclusionary Overlay Zone 1
IO-2	Inclusionary Overlay Zone 2
LHSRA	Lambertville High School Redevelopment Area

- B. No change.

SECTION 2. Amend Subsection 301, “Zoning Map”, of the Code of the City of Lambertville (2014) to read as follows:

§301 ZONING MAP

- A. The boundaries of these districts are hereby established as shown on the map entitled “Zoning Map of the City of Lambertville”, dated October 26, 2018 and as it may be amended pursuant to law.

Editor’s Note: The Zoning Map may be found at the end of this Zoning Ordinance.

- B. Zoning Map Amendments.

- 1. No change.
- 2. Overlay Zones.

An Ordinance to Amend the Zoning Map of the City of Lambertville to repeal the Residential Option 2 Overlay District and create two Inclusionary Overlay Zones that create realistic opportunities for housing that is affordable to very-low-, low-, and moderate-income households.

IO-1 Inclusionary Overlay Zone 1	Block 1072, Lot 3 and 3.01 Block 1058, Lot 15
IO-2 Inclusionary Overlay Zone 2	Block 1022, Lot 8

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3. Lambertville High School Redevelopment Area.

An Ordinance to Amend the Zoning Map of the City of Lambertville to create the Lambertville High School Redevelopment Area that creates a realistic opportunity for housing that is affordable to very-low, low-, and moderate-income households.

LHSRA 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 Block 1091, Lots 1 and 1.01
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Editor’s Note: See §1600 for the Connaught Hill Redevelopment Plan. See the Appendix for the Zoning Map

SECTION 3. Amend Subsection 402.2.H. of Subsection 402.2 of the Code of the City of Lambertville (2014) containing the zoning requirements for “Residential Option 2 Overlay District” to read in its entirety as follows:

H. IO-1 Inclusionary Overlay Zone District.

1. Purpose and area of application.
 To address its affordable housing unmet need obligation, the City through the implementation of an Inclusionary Overlay Zone Ordinance that creates a realistic opportunity for housing that is affordable to very-low, low-, and moderate-income households on Block 1022, Lot 3 and 3.01 and Block 1058, Lot 15. This Ordinance establishes the Inclusionary Overlay Zone 1 – the IO-1 District – and permits the creation of multi-family development on the properties identified above provided that such housing complies with a required inclusionary set-aside requirement for affordable housing and with the requirements of this ordinance. This ordinance shall not take effect until such time that the sites have access to public water and sewer.
2. Special Rules.
 - (a) In any inclusionary development permitted by this ordinance, in the case of affordable rental units, at least 15% of the residential units must be affordable to very-low, low-, and moderate-income households and, in the case of owner-occupied affordable units, at least 20% of the residential units must be affordable to very-low, low-, and moderate-income households.
 - (b) Where this Ordinance contradicts §1200-6 of the City’s Affordable Housing Ordinance, the effects and requirements of this Ordinance shall supersede the requirements of §1200-6.
3. Additional permitted uses. In addition to the uses otherwise permitted in the R-L District, the following additional uses shall be permitted:
 - (a) Townhouse dwellings.

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- (b) Apartment dwellings.
- 4. Restriction on conditional uses. No development utilizing the provisions of the IO-1 Inclusionary Overlay District shall include any conditional use permitted in §402.4.
- 5. Accessory Uses Permitted.
 - (a) Common recreational facilities, as specifically approved by the Planning Board within the specified open space in order to satisfy the needs of the residential population within the development, including but not limited to tennis courts, tot lots, picnic tables and recreational paths.
 - (b) Complimentary landscape structures and elements including benches, trellises, gazebos and other such features customarily associated with the permitted principal uses.
 - (c) Underground sprinkler systems within the designated open space and within individual lots, provided that the water spray does not extend beyond the tract boundary line.
 - (d) Fences and walls in accordance with the design provisions specified in §507.
 - (e) Patios and balconies.
 - (f) Off-street parking and private garages in accordance with §402.2H.9 and §509.
 - (g) Signs in accordance with §402.2H.11 and §515.
 - (h) Office space within an apartment building to be used for the operation and management of the affordable rental apartments.
 - (i) Lighting in accordance with §511.
 - (j) Stormwater management and other utilities.
 - (k) Conservation areas, recreation, open space, and public purpose uses.
 - (l) Temporary construction trailers and one (1) sign not exceeding thirty-two (32) square feet in area, either attached to the trailer or freestanding, which advertises the prime contractor, subcontractor(s), architect, financing institution and similar data for the period of construction beginning with the issuance of a construction permit and ending with the issuance of a Certificate of Occupancy or one (1) year, whichever time period is less. The temporary construction trailer(s) and temporary sign shall be located on the site where the construction is taking place and shall be set back at least thirty feet (30') from all lot lines and from the right-of-way lines of all existing and proposed streets. There shall be at least one (1) operating telephone within the trailer.
 - (m) Other accessory uses customarily incidental to a principal use.
- 6. Maximum Building Height.
 - (a) No principal building shall exceed forty (40) feet in height and three (3) stories as measured from the proposed finished grade except as further allowed in §400.8, entitled "Height Exceptions".
 - (b) No accessory building shall exceed twenty-five (25) feet in height and one and one-half (1 1/2) stories.

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7. Area, Yard, Height and Coverage Requirements.
 (a) The following regulations, area, bulk, setback and intensity requirements for the principal dwelling and permitted accessory structures applies for the IO-1 District:

IO-1 Area, Yard, Height and Coverage Requirements §402.2H.7		
Requirements		
Tract		
Min. Tract Size	2.2 acres	
Max. Density	6 dwelling units per acre	
Min. Open Space	20%	
Min. Buffer to existing single-family detached dwellings	20 FT	
Lots	Townhouse Dwelling	Multi-Family Apartments
Min. Lot Size	2,000 SF	30,000 SF
Min. Lot Frontage	20 FT	150 FT
Min. Lot Depth	100 FT	200 FT
Max. Building Coverage	70%	35%
Max. Lot Coverage	80%	60%
Principal Building		
Min. Front Yard	10 FT	20 FT
Min. Side Yard	0 FT common wall; 10 FT otherwise	30 FT
Min. Rear Yard	15 FT	50 FT
Max. Garage Height	1 story	N/A
Distance between buildings		
Side-to-Side	20 FT	30 FT
Rear-to-Rear	50 FT	50 FT
Side-to-Rear	50 FT	50 FT
Accessory Buildings or Structures		
Min. Front Yard	N.P.	N.P.
Min. Side Yard	N/A	10 FT
Min. Rear Yard	3 FT	10 FT
Distance to another building	N/A	20 FT
Notes:		
1. Patios and Decks on end units may not project more than three (3) feet beyond the Principal Building wall.		
2. Balconies may encroach into a required minimum setback up to three (3) feet.		
3. Unless modified by §400.7.A.		
N.P. = Not a permitted location		

- (b) No parking area, loading area, driveway or other structure (except for approved access ways, signs and fencing) shall be permitted within twenty feet (20') of any tract boundary line, and such areas shall be planted and

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maintained in lawn area or ground cover and shall be landscaped with trees and shrubbery as approved by the Board.

8. Requirements for Buildings.

(a) General Architectural Requirements.

- (1) Multiple detached principal buildings shall be permitted on the tract.
- (2) The exteriors of all building in the development, including accessory buildings, shall be architecturally compatible and shall be constructed of complimentary materials.
- (3) All building elevations shall exhibit classical proportions. The characteristics of classicism include symmetry, repetition of elements, expressions of hierarchy to reflect the building uses, and tripartite compositions (base, middle, top).
- (4) Sub-elements within the facades and individual architectural components (i.e., railings, awnings, columns) shall also conform to the overall classical proportions of the facade.
- (5) All entrances to a building shall be articulated utilizing architectural elements such as lintels, pediments, pilasters, columns, porticoes, porches or overhangs.
- (6) Balconies and patios shall be designed as integral subcomponents of the building facade. Cantilevered balconies are not permitted.
- (7) The building shall be provided with both heat and smoke alarms as well as fire suppression sprinkler system where required by code.

(b) Façade Treatments.

- (1) Any façade exceeding thirty feet or more in length shall include at least one change in wall plane (projection or recess) having a depth of at least 3% of the entire length of the facade and extending for a minimum of 20% of the entire length of the facade.
- (2) The architectural treatment of the front façade(s) shall be continued in its major features around all sides of each building.

(c) Roof Treatments.

- (1) Principal roof eaves shall project at least two (2) feet beyond the building facade or a supporting column. Secondary roof eaves (i.e., balconies, porches and patios) shall project at least one foot.
- (2) Primary roofs shall have a minimum pitch of 6/12. Secondary roofs may have a pitch below 6/12.
- (3) The transition between a facade and a roof shall have a cornice or frieze that is designed to fit the overall composition of the facade.

(d) Windows and Fenestration.

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- (1) Windows and other openings in the facade shall exhibit a vertical emphasis, in harmony with the overall facade composition. Windows shall be single hung with simulated divided lights.
 - (2) Within each building elevation, the maximum ratio of windows to wall shall be 50% window to 50% wall. The minimum ratio of window to wall shall be 25% window to 75% wall.
9. Off-Street Parking and Driveways.
- (a) Parking shall not be permitted between buildings and Brunswick Avenue (Route 518).
 - (b) Townhouse dwellings.
 - (1) Individual townhouse driveways shall not have direct access to a public street, but may have direct access to an internal street, roadway, etc.
 - (2) Townhouse dwellings shall provide at least one (1) off-street parking space within an enclosed garage located in the rear yard with access from a lane/alley.
 - (3) Garages, driveways and parking areas shall have a minimum setback of three (3) feet from any side property line or side of dwelling unit. An exception to the three-foot setback from the side property lines shall exist for townhouse lots to permit garages, driveways and parking areas that share a common wall on the common property line.
 - (c) Multi-family dwellings.
 - (1) Parking shall not be located in the front yard between buildings and public streets. Individual building driveways shall not have direct access to a public street, but may have direct access to an internal street, roadway, etc.
 - (2) Parking areas shall not be located between buildings and internal streets, roadways, etc.
 - (3) Parking areas shall be set back at least seven (7) feet from building walls.
 - (d) Each dwelling unit shall be provided a minimum number of parking spaces according to the provisions of the Residential Site Improvement Standards (RSIS), *N.J.A.C. 5:21*, or based upon historical data provided subject to City review.
 - (e) See §509 for additional standards.
10. Trash and Recycling Requirements.
- (a) The trash and recyclable material collection and pickup locations shall be provided either within the building being served or in nearby locations outside the building.
 - (b) If located outside the building, the trash and recyclable materials area shall be totally enclosed, finished with materials used to construct the building(s) being served, up to a maximum of eight (8) feet in height, and located in a manner to be obscured from view from parking areas,

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streets and adjacent residential uses or zoning districts by a fence or wall. Landscaping, at least six (6) feet in height, shall be provided around any outdoor trash and recycling area.

- (c) The area provided for the collection and pickup of trash and recyclable materials shall be well lit and shall be safely and easily accessible by trash and recycling personnel and vehicles. Collection vehicles shall be able to access the trash and recycling area without interference from parked cars or other obstacles. Reasonable measures shall be taken to protect the trash and recycling area and the bins or containers placed therein against theft of trash and recyclable materials, bins or containers.
- (d) Any bins or containers which are used for the collection of trash and recyclable material, and which are located in an outdoor trash and recycling area, shall be equipped with a lid.
- (e) Individual bins or containers for the collection and pickup of recyclable materials shall be equipped with signs indicating the materials to be placed therein.
- (f) See §512 for additional standards.

11. Permitted Signage.

- (a) Community Sign. One (1) ground mounted freestanding sign identifying the name of the development no larger than twenty-five (25) square feet shall be permitted at the entrance to the development from an existing public street.
 - (1) The sign shall not exceed six (6) feet in height and shall be set back at least ten (10) feet from all street lines and fifty (50) feet from all other property lines.
 - (2) Any sign illumination shall be external to the sign and shall be designed and oriented to prevent any sight of the lamp from any street or neighboring properties.
- (b) Residential Building Identification: Each residential building may have up to two attached identification signs. The maximum sign area of each shall not exceed six (6) square feet. Such signs shall be appropriately integrated within the architecture of the buildings.
- (c) See §515 of this chapter for permitted temporary signs, additional standards and the design requirements for signs.

12. Community Design.

- (a) The front façade of buildings shall face Brunswick Avenue (Route 518).
- (b) A minimum of 750 square feet of area shall be provided as community open space for the residential development.
- (c) Plantings. All portions of a lot not covered by buildings or structures (e.g. parking lots, parking spaces, loading areas, access aisles, driveways, sidewalks, walkways, curbs, trash enclosures, children play areas, dog walks, etc.) shall be suitably planted with grass, shrubs, and trees and shall be maintained in good condition. In any case, no less

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than twenty (20%) of the area of the lot shall be so planted, and the planted area may include approved detention and/or retention basins.

- (d) Other design features.
 - (1) Wherever reasonably feasible, sustainable construction techniques shall be utilized to minimize the impact upon the environment, including energy efficient building designs, recycled materials, water conservation devices, permeable pavement, native plantings, low chemical usage to maintain the landscaping, and similar measures which are sensitive to the environment.
 - (2) The stormwater management plan shall include stormwater management facilities that are designed to enhance the aesthetic attributes of the proposed development.

13. Affordable Housing Standards.

- (a) A Developer's Agreement is required to establish low/moderate apportionment, very low-income requirement per *N.J.S.A. 52:27D-329.1*, bedroom distribution, unit size, etc.
- (b) At least 13% of the units shall be affordable to very-low-income households, 37% of the units shall be affordable to low-income households, and 50% may be affordable to moderate-income households.
- (c) The affordable units shall be developed in accordance with COAH's regulations at *N.J.A.C. 5:93* and the Uniform Housing Affordability Controls (UHAC), *N.J.A.C. 5:80-26.1* et seq., which govern the administration and affordability controls of affordable units in New Jersey, with one exception. The exception is for 13% very-low income housing at 30% of the regional median income instead of the UHAC requirement of 10% very-low income housing at 35% of the regional median income.
- (d) Affordable Housing Standards. In addition to addressing the requirements of COAH and noted above, the affordable units shall be developed in accordance with the following:
 - (1) The affordable units cannot be age-restricted units;
 - (2) The bedroom distribution requirements pursuant to *N.J.A.C. 5:93-7.3* and *N.J.A.C. 5:80-26.3(b)*.
 - (3) The unit distribution requirements pursuant to *N.J.A.C. 5:80-26.3*.
 - (4) The length of controls requirement and deed restrictions pursuant to *N.J.A.C. 5:80-26.11*.
 - (5) The accessibility and adaptability requirements pursuant to *N.J.A.C. 5:97-3.14*.

SECTION 4. Create Subsection 406.1P of Subsection 406.1 of the Code of the City of Lambertville (2014) containing the zoning requirements for "Central Business District (CBD)" to read in its entirety as follows:

P. IO-2 Inclusionary Overlay Zone District.

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1. Purpose and area of application.
To address its affordable housing unmet need obligation, the City through the implementation of an Inclusionary Overlay Zone Ordinance that creates a realistic opportunity for housing that is affordable to very-low, low-, and moderate-income households on Block 1022, Lot 8. This Ordinance establishes the Inclusionary Overlay Zone 2 – the IO-3 District – and permits the adaptive reuse of the existing nonresidential building into non-age-restricted (family) apartments on the property identified above provided that such housing complies with a required inclusionary set-aside requirement for affordable housing and with the requirements of this ordinance.
2. Special Rules.
 - (a) In any inclusionary development permitted by this ordinance, in the case of affordable rental units, at least 15% of the residential units must be affordable to very-low, low-, and moderate-income households and, in the case of owner-occupied affordable units, at least 20% of the residential units must be affordable to very-low, low-, and moderate-income households.
 - (b) Where this Ordinance contradicts §1200-6 of the City’s Affordable Housing Ordinance, the effects and requirements of this Ordinance shall supersede the requirements of §1200-6.
3. Permitted uses.
 - (a) Apartment dwellings.
4. Restriction on conditional uses. No development utilizing the provisions of the IO-2 Inclusionary Overlay District shall include any conditional use permitted in §406.3.
5. Accessory Uses Permitted.
 - (a) Common recreational facilities, as specifically approved by the Planning Board within the specified open space in order to satisfy the needs of the residential population within the development, including but not limited to tennis courts, tot lots, picnic tables and recreational paths.
 - (b) Landscaping features including benches, trellises, gazebos and other such features customarily associated with the permitted principal uses.
 - (c) Fences and walls in accordance with the design provisions specified in §507.
 - (d) Patios and balconies.
 - (e) Off-street parking in accordance with §406.1P.7 and §509.
 - (f) Signs in accordance with §515.
 - (g) Office space within an apartment building to be used for the operation and management of the affordable rental apartments.
 - (h) Lighting in accordance with §511.
 - (i) Stormwater management and other utilities.
 - (j) Conservation areas, recreation, open space, and public purpose uses.
 - (k) Temporary construction trailers and one (1) sign not exceeding thirty-two (32) square feet in area, either attached to the trailer or freestanding, which advertises the prime contractor, subcontractor(s),

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architect, financing institution and similar data for the period of construction beginning with the issuance of a construction permit and ending with the issuance of a Certificate of Occupancy or one (1) year, whichever time period is less. The temporary construction trailer(s) and temporary sign shall be located on the site where the construction is taking place and shall be set back at least thirty feet (30') from all lot lines and from the right-of-way lines of all existing and proposed streets. There shall be at least one (1) operating telephone within the trailer.

- (l) Other accessory uses customarily incidental to a principal use.
- 6. Maximum Density. The maximum density of housing units shall be ten (10) units per acre.
- 7. Off-Street Parking.
 - (a) Each dwelling unit shall be provided a minimum number of parking spaces according to the provisions of the Residential Site Improvement Standards (RSIS), *N.J.A.C. 5:21*.
 - (b) See §509 for additional standards.
- 8. Affordable Housing Standards.
 - (a) A Developer's Agreement is required to establish low/moderate apportionment, very low-income requirement per *N.J.S.A. 52:27D-329.1*, bedroom distribution, unit size, etc.
 - (b) At least 13% of the units shall be affordable to very-low-income households, 37% of the units shall be affordable to low-income households, and 50% may be affordable to moderate-income households.
 - (c) The affordable units shall be developed in accordance with COAH's regulations at *N.J.A.C. 5:93* and the Uniform Housing Affordability Controls (UHAC), *N.J.A.C. 5:80-26.1 et seq.*, which govern the administration and affordability controls of affordable units in New Jersey, with one exception. The exception is for 13% very-low income housing at 30% of the regional median income instead of the UHAC requirement of 10% very-low income housing at 35% of the regional median income.
 - (d) Affordable Housing Standards. In addition to addressing the requirements of COAH and noted above, the affordable units shall be developed in accordance with the following:
 - (1) The affordable units cannot be age-restricted units;
 - (2) The bedroom distribution requirements pursuant to *N.J.A.C. 5:93-7.3* and *N.J.A.C. 5:80-26.3(b)*.
 - (3) The unit distribution requirements pursuant to *N.J.A.C. 5:80-26.3*.
 - (4) The length of controls requirement and deed restrictions pursuant to *N.J.A.C. 5:80-26.11*.
 - (5) The accessibility and adaptability requirements pursuant to *N.J.A.C. 5:97-3.14*.

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SECTION 5. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the Courts to be invalid, such adjudication shall apply only to the subsection, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 6. This Ordinance shall take effect upon final adoption, publication and the filing of a copy of said Ordinance with the Hunterdon County Planning Board, all in accordance with the law.

Council President Asaro asked for questions from the public.

Council President Asaro made a motion to introduce on first reading Ordinance Number 05-2019 on first reading. Councilwoman Taylor seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

ORDINANCE NUMBER 06-2019: An Ordinance to Amend the City of Lambertville Land Use Ordinances 2015, Article VI Standards for Review of Applications.

Council President Asaro read the ordinance into the record by title. She informed the members of the public present that this ordinance will amend the city's land use ordinances to include a Development Review Committee.

ORDINANCE NUMBER 06-2019

- a. *An Ordinance to Amend the City of Lambertville Land Use Ordinances 2015, Article VI Standards for Review of Applications*

The Zoning Ordinance of the City of Lambertville, Article 600 is hereby amended as follows:

Section 620.x.1: Development Review Committee

1. There shall be a joint standing committee of the Planning Board and the Zoning Board, designated as Development Review Committee, which shall be responsible for reviewing applications for Completeness.
2. Committee Composition. The Development Review Committee shall comprise of the Board Engineer, Board Planner, and Board Secretary. The Board Attorney may attend as needed. The Chair of each Board may appoint one (1) member of their respective Board to the Development Review Committee for a one (1) year term. Vacancies shall be filled at or by the next regular session of the respective Board. Not more than one alternate member from each Board may serve on any standing committee.

Section 620.x.2: Actions to Be Deemed Complete

The Development Review Committee shall examine each application to ascertain that all required check-list items required by municipal ordinance are shown or furnished in the application or accompanying documents, or that otherwise a waiver has been requested. If all check-list items are provided and no waivers requested the application shall be deemed complete and the applicant shall be so notified. If waivers are requested as to any items the Committee shall recommend that the full Board grant or deny said waivers, with or without conditions, as to the application at its next regularly scheduled or special

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meeting. The Board shall at its next ensuing regularly scheduled or special meeting held not later than 45 days from the date of submission of such application with the Committee’s recommendations, decide whether to grant or deny the waiver or waivers requested and to declare the application with waivers complete. The merits hearing, if properly noticed, may occur immediately following a declaration of completeness from the Board having jurisdiction. If the Development Review Committee fails to provide notice of incompleteness with information about the deficiencies within 45 days of the filing, the application shall be deemed complete.

Section 620.x.3: No Limit on Other Board Powers.

Nothing herein shall otherwise limit the power of the Board having jurisdiction to grant appropriate waivers, including waivers for submissions in other contexts, as provided in the Municipal Land Use Law and the City’s Ordinances, such as waivers coupled with requests for bulk variances or other appropriate relief.

INTRODUCTION AND FIRST READING: March 21, 2019

PUBLIC HEARING AND SECOND READING: April 18, 2019

Council President Asaro asked for public comments/questions.

There being no comments, Council President Asaro asked for a motion to introduce on first reading Ordinance Number 06-2019. Councilman Sanders made a motion to introduce Ordinance Number 06-2019. Councilwoman Warner seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Council President Asaro informed the members of the public that the public hearing is scheduled for April 18, 2019.

ORDINANCE NUMBER 07-2019: An Ordinance to Amend the Salary Range for the Officials and Employees of the City of Lambertville, County of Hunterdon, State of New Jersey.

Council President Asaro read the ordinance into the record by title. She informed the members of the public present that this ordinance will establish the salary ranges for municipal employees, including the Business Administrator and the Class III Officer.

ORDINANCE NUMBER 07-2019

“AN ORDINANCE TO AMEND THE SALARY RANGE FOR THE OFFICIALS AND EMPLOYEES OF THE CITY OF LAMBERTVILLE, COUNTY OF HUNTERDON, STATE OF NEW JERSEY”

BE IT ORDAINED by the Mayor and Council of the City of Lambertville, County of Hunterdon, State of New Jersey as follows:

SECTION ONE: The following shall be the range of compensation for the officials and employees of the City of Lambertville not covered by separate bargaining units:

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Police Director	\$50,000 - \$95,000
Business Administrator	\$90,000 - \$120,000
Senior Police Administrative Assistant	\$23,000 - \$45,000
Secretary, Part-time	\$11.00 - \$24.00 per hour
Crossing Guard	\$10.00 - \$20.00 per hour
Parking Enforcement Officer, Full Time	\$12.00 - \$25.00 per hour
Parking Enforcement Officer, Part-time	\$11.00 - \$25.00 per hour
Class II Special Police Officer	\$11.00 - \$30.00 per hour
Class III Special Officer	\$18.00 - \$35.00 per hour
Police Officer, Part-time	\$12.00 - \$45.00 per hour
Matron	\$12.00 - \$40.00 per hour
Court Administrator	\$26,000 - \$51,000
Violations Clerk/Dty Ct Admin Part Time	\$11.00 - \$25.00 per hour
Municipal Court Judge	\$10,000 - \$20,000
Municipal Court Judge, DWI	\$110.00 - \$175.00 per hour
Chief Financial Officer/Director of Finance	\$7,000 - \$55,000 or \$29 to 60 per hour
Tax Collector	\$15,000 - \$43,000
Tax Assessor	\$20,000 - \$35,000
Tax Assessor, Reassessment work	\$5,000 - \$10,000
Mayor & City Council	\$500 - \$10,000
Municipal Clerk	\$50,000 - \$95,000
Administrative Assistants	\$20,000 - \$40,000
Bookkeeper/Deputy Treasurer	\$20,000 - \$60,000
Planning Board Administrative Officer	\$3,000 - \$10,000
Zoning Board Administrative Officer	\$3,000 - \$10,000
Zoning Officer	\$4,000 - \$15,000
Construction Code Official	\$17,000 - \$60,000
Electric Subcode Official	\$9,000 - \$20,000
Plumbing Subcode Official	\$4,000 - \$20,000
Fire Subcode Official	\$4,000 - \$13,000
Fire Prevention Official	\$10,000 - \$25,000
Sub Code Officials – Hourly Rate	\$18.00- \$45.00 per hour
Construction Control Person/TACO	\$18,000 - \$40,000
Substitute Official/Inspector	\$18.00 - \$40.00 per hour
Public Works Director	\$25.00 - \$55.00 per hour
Public Works Foreman	\$16.00 - \$40.00 per hour
Solid Waste Driver	\$15.00 - \$30.00 per hour
Solid Waste Collector	Minimum Wage - \$15.00 per hour
Truck Driver/Labor	\$14.00 - \$25.00 per hour
Labor	\$14.00 - \$25.00 per hour
Public Works Operator	\$15.00 - \$30.00 per hour
Librarian	\$15.00 - \$30.00 per hour
Children’s Librarian	\$14.00 – \$30.00 per hour
Library Assistant	Minimum Wage - \$25.00 per hour
Public Assistance Director	\$7,000 - \$30,000
Animal Control Officer	\$4,000 - \$25,000

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Historic Commission Secretary	\$250 - \$2,000
Hourly Rate for Part Time Work	\$11.00 - \$45.00 per hour
Director of Summer Program	\$30 - \$65 per hour/\$3,000 to \$10,000
Counselors of Summer Program	\$16 - \$45 per hour

SECTION TWO: REPEALER. All Ordinances or parts of Ordinances heretofore adopted which are inconsistent with the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION THREE: VALIDITY. If any section, sentence, clause, provision or portion of this Ordinance shall be held to be invalid by any court of competent jurisdiction such holdings shall not affect or impair any other section, sentences, provisions or portions of this Ordinance.

SECTION FOUR: EFFECTIVE DATE. This Ordinance shall not take effect until final publication and passage by the City Council of the City of Lambertville provided however that the minimum and maximum rates of employment of this Ordinance shall be retroactive to January 1, 2019.

INTRODUCED: March 21, 2019

ADOPTED: April 9, 2019

Council President Asaro asked for a motion to introduce Ordinance Number 07-2019. Councilwoman Taylor made a motion to introduce on first reading Ordinance Number 07-2019. Councilwoman Warner seconded the motion an affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Council President Asaro informed the members of the public present that the public hearing is scheduled for April 9, 2019.

I. ORDINANCES – FINAL READING

ORDINANCE NUMBER 03-2019: *An Ordinance Supplementing Chapter 2 of the City Code of the City of Lambertville Entitled “Administrative Code” to Create the Position of City Business Administrator Within the City Administration.*

Council President Asaro read the ordinance into the record by title. She informed the members of the public present that this ordinance amends the Administrative Code for the City of Lambertville to include the position of Business Administrator.

CITY OF LAMBERTVILLE

ORDINANCE 03-2019

AN ORDINANCE SUPPLEMENTING CHAPTER 2 OF THE CITY CODE OF THE CITY OF LAMBERTVILLE ENTITLED “ADMINISTRATIVE CODE” TO CREATE THE POSITION OF CITY BUSINESS ADMINISTRATOR WITHIN THE CITY ADMINISTRATION

WHEREAS, N.J.S.A. 40A:9-136 provides that the governing body of any municipality may, by ordinance, appoint a municipal administrator; and

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WHEREAS, the Mayor of the City of Lambertville has recommended that it is in the best interest of the City and the City Administration to create the position of city business administrator; and

WHEREAS, City Council of the City of Lambertville agree with the recommendation of the Mayor and have determined that it is in the best interest of the residents of the City of Lambertville to appoint a City Business Administrator to oversee the Department of Administration and other such Departments of the City as needed in the performance of their duties and to provide counsel and advise the Mayor and City Council on business affecting the City of Lambertville as needed;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lambertville in the County of Hunterdon, State of New Jersey that Chapter 2 of the City Code be and is hereby supplemented as follows:

ARTICLE II: AMENDED SECTIONS. Chapter 2 of this Code, entitled “ADMINISTRATION, DEPARTMENTS” is supplemented as follows:

1. §2-5.1 remains unchanged.
2. §2-5.1(A) is hereby created and entitled “City Business Administrator” and shall read as follows:
 1. Appointment and compensation. The Administrator shall be appointed by and to serve at the pleasure of the Mayor. The Administrator shall receive such compensation as shall be prescribed by the Salary Ordinance. The Administrator need not be a resident of the City of Lambertville.
 2. General powers and duties. Under the direction and supervision of the Mayor, the Administrator shall be the administrative officer of the municipality. The Administrator shall serve as the Personnel Officer and shall have the authority, except for the Police Department, to hire, transfer, promote, demote and discharge any employees, subject to approval of the Mayor. The Administrator shall have the authority to impose lesser forms of discipline than demotion or discharge without the approval of the Mayor and City Council, subject to any applicable ordinances of the City or laws of the State. The Administrator shall serve as the Purchasing Agent of the municipality, unless and until the City Council shall authorize the appointment of a Purchasing Agent. The Administrator shall, to the extent permitted by law:
 - a) Keep the Mayor advised of the financial condition of the municipality and make reports to the governing body as requested by the Mayor or Council.
 - b) Study the governmental and administrative operations and needs of the municipal government and prepare and recommend to the Mayor and Council necessary and desirable plans and programs to meet present and foreseeable needs.
 - c) Any time he or she deems, investigate, at the direction of the Mayor or Council, the affairs of any office or department of the municipality.
 - d) Manage and resolve inquiries and complaints concerning affairs affecting the City government, provide information and assistance and remedy or cause to be remedied the source of any just complaint.
 - e) Perform such other duties as may be required of him/her by ordinance or resolution of the City Council.

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3. Administrative supervision and direction. The Administrator, to the extent permitted by law, shall be empowered to:
 - a) Direct and supervise the office of Administration, Finance and other departments or offices that may be created by the governing body, and have consultation with and input from those departments for the sound personnel policies and administrative practices.
 - b) Audit all bills and vouchers for payment prior to final approval by the City Council.
 - c) Maintain a continuing review and analysis of budget operations, work programs and costs of municipal services.
 - d) Establish for working personnel vacation and sick leave schedules and appropriate records and reports any applicable ordinances of the City or laws of the State.
 - e) Recommend, implement and enforce the procedures and policies of the Department of Administration, Finance and other departments or offices that may be created by the governing body.

3. §2-5.2 entitled “Department Heads and Subordinates” is amended and shall read as follows:
 - a. The head of each department, with the exception of the Department of Public Safety, shall be a Director appointed by the Mayor, with the advice and consent of Council.
 - b. The head of the Department of Finance shall have the title of Chief Financial Officer, and the City Business Administrator, Director of the Department of Administration.
 - c. The Mayor shall recruit, select and appoint persons qualified by training and experience for their respective office as department heads.
 - d. Each department head shall serve during the term of the Mayor appointing him/her, unless removed from office by the Mayor, and shall continue to serve until a successor is appointed and qualified.
 - e. Each department head shall serve at the pleasure of the Mayor.
 - f. Personnel subordinate to the Director of a department shall be appointed by the Director with the approval of the Mayor, except as otherwise provided by this Code, and shall serve during the term of the Mayor by whom they are appointed, unless otherwise provided by the Charter, general law, this Code or other ordinances.
 - g. Personnel subordinate to the Director of a department may be removed by the Director with the approval of the Mayor, unless otherwise provided by the Charter, general law, this Code or other ordinances.
 - h. Nothing in this Code shall be construed to prevent the Mayor from appointing to any position for which the Mayor has the responsibility of making appointments, any otherwise qualified person, including him/herself or herself, Council members or other municipal officers, except as specifically prohibited by the Charter, general law or this Code.
 - i. The Mayor shall send to Council the names of his or him/her appointees to the position of department heads within forty-five (45) days of assuming office.

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- j. Council shall act when required by the Charter, this Code or general law, on appointments of department heads within fifteen (15) days of assuming office.
 - k. No new department, division, office, officer or employee position shall be created except by action of the Council, and no existing department, division, office, officer or employee position shall be abolished except by action of the Council; the creation and/or the abolition of any position by Council shall be specifically noted as appropriate in the annual budget; and any ordinance establishing a new department, division, office, officer or employee position shall include a statement of the powers, duties and responsibilities of the function therein created, and this Code shall be appropriately amended.
4. §2-5.3 entitled “Interim Appointments” is amended and shall read as follows:
Whenever a vacancy exists in any office required by the Charter or by this Code to be filled by the Mayor with the advice and consent of Council and there is no holdover incumbent, the Mayor may temporarily fill such vacancy, in the absence of any contrary provision in the Charter or in this Code, by appointing an acting officer, including the designation of him/herself or herself as an acting department head in the event of a vacancy in such office. Such appointee shall have all of the functions, powers and duties of the office until it shall be permanently filled. Any such appointment shall terminate not later than sixty (60) days after the date of the appointment, unless the Council shall by resolution authorize one (1) or more extensions of such a period.
5. §2-5.4 entitled “Powers and Duties of Department Heads.” is amended and shall read as follows:
The head of each department, under the supervision of the Mayor and subject to the Charter and to this Code, shall:
- a. Prescribe the internal organization of the department and the duties of subordinate officers and employees within the department with the approval of the City Business Administrator, except as provided by the Charter, this Code or by ordinance.
 - b. Ensure that all powers, functions and duties assigned to the department are carried out with diligence.
 - c. Operate his or her department in an efficient and effective manner.
 - d. Report in writing to the Mayor and City Business Administrator recommendations for improving departmental performance, requirements of the department and the results of the assignments made to the department.

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- e. Report promptly to the Mayor, City Business Administrator and to the Chief Financial Officer projected deviations in the financial performance of the department.
 - f. Report at least monthly to the Mayor and Council, in such form as shall be approved by the Mayor, on the work of the department during the preceding month.
 - g. Cooperate with the Mayor, City Business Administrator, Chief Financial Officer and Council in the preparation of the annual budget, providing supporting information for all budgetary requirements and explanation of all deviations from previous budgets.
 - h. Assign, with the City Business Administrator's approval, functions, powers and duties to subordinate officers and employees within the department and modify such assignments as need appears.
 - i. Assign priorities to the conduct of the functions, powers and duties allocated to the department.
 - j. Supervise the work of the department through the divisions established by this Code and supervise and direct the work of the employees of the department.
 - k. Delegate to other officers or employees of his department such of his or her powers as he or she may deem necessary for efficient administration and operation.
 - l. Prohibit the expenditure of municipal funds or the commitment of municipal funds by the department except as provided by law.
 - m. Provide liaison with other departments, divisions, boards, etc., as required for the efficient and effective operation of the administrative branch.
 - n. Familiarize him/herself or herself with general law affecting his or her department and with funds available for the performance of the functions of his department from sources outside the City.
6. §§2-5.5 through 2-6.1 remain unchanged.
7. §2-7.1 entitled "Administrative Divisions" is amended and shall read as follows:
- a. Under the supervision of the Mayor as chief executive, there shall be a Department of Administration, the head of which shall be the City Business Administrator. Within the Department there shall be the following divisions:
 - 1. Division of Municipal Operations.
 - 2. Department of Finance.
 - 3. Office of the City Clerk.
 - 4. Division of Law.
 - b. *Departmental Powers and Duties Generally.* The Department shall assist the Mayor in the direction and supervision of the departments established by this Code; coordinate the operation and administration of

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the various departments, divisions and agencies of the City government; conduct the business operations of the City and perform such other duties as the Mayor may designate. With respect to the statutory agencies herein designated, the Department shall have the authority of overseeing such agencies and the departments herein established.

8. §2-7.2 entitled “Division of Municipal Operations” is amended and shall read as follows: Within the Department there shall be a Division of Municipal Operations, the head of which shall be the City Business Administrator. The Division shall include such other personnel as shall be authorized by ordinance.

a. *Powers and Duties.* Under the supervision of the Business Administrator, the Division shall:

1. Maintain operating reports of the various departments, divisions, offices and agencies of the municipal government.
2. Collect, report upon and turn over to the Chief Financial Officer all fees for which no other collection procedures are established by general law or by this Code.
3. Maintain financial records of City operations.
4. Prescribe and enforce rules and regulations for the efficient management of the City government, subject to the Charter and to this Code.
5. Develop and enforce sound personnel and purchasing practices and procedures for all of the departments, divisions, offices and agencies of the City government.
6. Assist the Mayor in coordinating the operation and administration of the departments herein established.
7. Maintain a continuing review and analysis of budget operations, work programs and costs of municipal services, including an inventory and depreciation schedule of all property owned by the City.
8. Have custody of all City property, real or personal, not assigned in other departments, and assign such property within the departments.
9. Perform such other duties as may be prescribed.

b. *Preparation of Budget.* The Division shall prepare the budget document.

1. On or before November 1 of each year, each department head shall submit to the Department of Administration requests for appropriation for the ensuing budget year, including a statement of departmental programs, expenditures and employees for the last-completed fiscal year as estimated, together with the departmental request for the ensuing fiscal year. Significant deviation of the requested amount from the

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amount currently budgeted shall be accompanied by explanatory information. In a separate capital section, the departmental requests shall also set forth the estimated capital needs and appropriation requests for capital purposes of the department for the then-current fiscal year and for the two (2) ensuing fiscal years.

2. The Division of Municipal Operations shall compile and evaluate the requests for appropriations received from the department heads, for consideration by the Mayor. During the month of November, each department head shall appear before the Mayor and the Finance Committee of Council for hearings on the various requests.
 3. On or before December 15 of each year, the Chief Financial Officer shall prepare estimates of property and nonproperty tax revenues which may be anticipated for the support of the budget for the ensuing fiscal year.
 4. On or before the 31st day of January, the Mayor shall submit the proposed budget to the Council. After consideration by the Council, there shall be appended to the budget a detailed analysis of all items of expenditure and revenue. Said analysis shall include for each line item a comparison of the amounts budgeted for the current year and the amounts budgeted and expended in the previous year.
 5. There shall be appended to the budget document a capital section which shall include a budget of capital projects proposed or continued for the current budget year, together with a forecast of capital needs for the ensuing year.
- c. *Adoption of Budget.* The budget shall be considered, approved and adopted after public hearing and certification by the Director of Local Government Services in accordance with Local Budget Law.
- d. *Operation of Budget.*
1. The Mayor and City Business Administrator, as head of the Department of Administration, shall supervise the administration of each annual budget. Quarterly, or such other periodic allotments of appropriations as may be deemed desirable, shall be established. Each department shall administer its expenditures within the limits of such allotments.
 2. No deficits may be incurred within a department. However, upon consultation with the Finance Committee and approval of Council, priorities and allotments may be shifted within the confines of an annual budget.
- e. *Purchasing.* All purchases of any supplies, materials or equipment or contractual services for a department shall be made by the Department of Administration pursuant to a written request from the head of the

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department whose appropriation will be charged and the certification of the Chief Financial Officer that a sufficient unencumbered balance of appropriation is available to pay therefor. All such purchase contracts shall conform to applicable requirements of State statutes for competitive bidding. Except as the City Council may authorize in case of emergency, no purchase shall be made and no bill, claim or voucher shall be approved unless the procedures prescribed by or pursuant to this Code has been followed.

1. Award of Contracts. Where contracts are let to public bidding the Council may, upon recommendation from the head of the department whose appropriation will be charged, let the contract in the manner prescribed by law. Any such contract shall be executed in the manner provided by this Code and by general law.
 2. Purchase by Quotation. Where purchases in excess of one thousand (\$1,000.00) dollars are made without competitive, bidding, the department head shall obtain, wherever possible, at least three (3) price quotations for the items to be purchased and shall attach them to the voucher submitted to the Chief Financial Officer for approval as required by subsection 3-11.1. Wherever circumstances permit, the purchase shall be made from the lowest of such quotations.
 3. Emergency Purchases. The City Business Administrator shall establish a procedure for the purchase of any item or items required for the immediate protection of the public health, safety or welfare, which will permit such emergency purchases to be made for specific purposes in a manner other than that prescribed by this Article.
 4. Acceptance of Material. Upon delivery of materials purchased, the receiving department shall immediately inspect said materials as to quantity, quality and condition in accordance with the purchase order and shall immediately notify the Department of Administration.
 5. Purchasing of Capital Items. All requisitions for capital items shall include references to the appropriate line item in the budget.
- f. *Personnel.* The Division shall supervise the hiring policy of the City as herein established and shall receive and distribute applications for employment, schedule interviews and maintain personnel files and records for all employees of the City.
9. §2-7.3 remains unchanged.
 10. §2-7.4 entitled "Office of the City Clerk" is amended and shall read as follows:
Within the Department there shall be the Office of the City Clerk, the head of which shall be the City Clerk, who shall be appointed by the Mayor with the advice and consent of Council. The Clerk shall be the Clerk of the Council, perform such functions as may be required by law of Municipal Clerks generally

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and perform such other duties as may be prescribed for Clerk of the Council by Article III of this Chapter and have such other powers and duties as Council may prescribe, including:

- 1) Maintaining records of ordinances and resolutions of the Council.
- 2) Receiving and replying to inquiries and complaints concerning affairs affecting the City government in coordination with the City Business Administrator.
- 3) Serving as Clerk of the Council. He or she shall attend all meetings of the Council and shall keep the minutes of the proceedings of the Council.
- 4) Ensuring the custody of and shall safely keep all records, books and documents of the City, except those committed by Charter or ordinance to any other office or transferred thereto by the Business Administrator. He or she shall, upon request and upon the payment of the fees prescribed therefor by resolution of the Council for the use of the City, furnish a certified copy of any such paper in his or her custody.
- 5) Be the depository and custodian of all: Official surety bonds furnished by or on account of any officer or employee, except his or her own bond (which shall be placed in the custody of the CFO); Insurance policies upon or with respect to risks insured for the benefit of the City or to protect it against any claim, demand or liability whatsoever; Formal contracts for work, labor services, supplies, equipment and materials to which the municipality may be a party; Be the depository for and have custody of all performance bonds running to the City as obligee, or any other form of security given by any contractor, subdivision developer or other persons on account of work done or to be done in or for the City; and have custody of all leases of property owned by the City. The Clerk shall also report to the City Business Administrator, at such time as the Administrator may require, on the coverage, expiration date and premium of each surety bond and contract of insurance, the nature and terms of outstanding leases, the rent reserved by each and their respective expiration dates.
- 6) Administer the provisions of the City ordinances with reference to the licensing of occupations and activities for which licenses are required by law or ordinance to be obtained from the Clerk.
- 7) Perform all of the functions required of municipal clerks by the General Election Law (Title 19 of the Revised Statutes of the State of New Jersey) and any other law or ordinance.
Have such other, different and additional functions, powers and duties as may be prescribed by law or ordinance or delegated to him/her by the City Administrator.

11. §2-7.5 remains unchanged.

12. §2-8.1 entitled "Department Established" is amended and shall read as follows:
- a. *Appointment of Director; City Business Administrator to Supervise this Department.* Under the supervision of the City Business Administrator there

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shall be a Department of Public Works, Parks and Public Property, the head of which shall be the Director, who shall be appointed by the Mayor.

b. *Department Powers and Duties Generally.* This Department shall provide for the proper and efficient conduct of all public works' functions of the municipal government and shall provide technical advice and assistance to other departments and agencies as needed. It shall administer and control the following functions and the construction, operation and maintenance of public works, improvements, facilities and services relating thereto:

1. Storm sewers and drains.
2. Streets, bridges, roads and sidewalks.
3. Rivers, streams, waterfronts and flood damage control and reduction.
4. Traffic engineering and street lighting.
5. Public buildings.
6. Parks, greens, trees and recreational facilities.
7. Garbage and recycling.

13. §§2-8.2 through 2-9.1 remain unchanged.

14. §2-9.2 entitled "Powers and Duties of the Board of Health" is amended and shall read as follows:

The Board of Health shall have all the functions, powers and duties of a local Board of Health under Title 26 of the New Jersey Revised Statutes.

15. §§2-9.3 through 2-9.5 remain unchanged.

16. §2-9.2 entitled "**Department of Public Safety Established.**" is amended and shall read as follows:

Under the supervision of the City Business Administrator, there shall be a Department of Public Safety composed of a Police Director, the Police Department and the Office of Emergency Management.

17. §§2-10.2 through 2-10.4 remain unchanged.

ARTICLE TWO. Repealer, Severability and Effective Date.

1. **Repealer.** Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
2. **Severability.** In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the City Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the City to meet the goals of the Ordinance.
3. **Effective Date.** This Ordinance shall take effect upon proper passage in accordance with the law.

INTRODUCED FOR FIRST READING: February 19, 2019

SECOND READING AND PUBLIC HEARING: March 21, 2019

Council President Asaro opened the public hearing for Ordinance Number 03-2019 and asked for public questions and comments. There being no public questions or comments, Council President Asaro asked for a motion to close the public hearing.

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Councilwoman Warner made a motion to close the public hearing for Ordinance Number 03-2019. Councilman Sanders seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Council President Asaro made a motion to adopt on second reading, granting final approval for Ordinance Number 03-2019. Councilwoman Warner seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

ORDINANCE NUMBER 04-2019: *An Ordinance to Establish an Easement with Canal Pointe Studios and Allied Village Square to connect drained into the Storm Drain Located on the City’s Property at the North Union Street Park.*

Council President Asaro read the ordinance into the record by title. She informed the members of the public present that this ordinance authorizes the approval of an easement for the owners of CVS (Allied Village) and Canal Pointe (Daniel Popkin) to tie into the city’s stormwater drainage located on the property (North Union Street Park) owned and maintained by the city.

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ORDINANCE NUMBER 04-2019

AN ORDINANCE OF THE CITY OF LAMBERTVILLE AUTHORIZING THE GRANTING OF AN EASEMENT OVER A PORTION OF CITY PROPERTY LOCATED ON BLOCK 1004, LOT 1.01, NEAR 278 NORTH UNION STREET, IN ORDER TO PERMIT THE CONNECTION OF IMPROVED SURFACE WATER DRAINAGE FACILITIES AND TO PROMOTE PUBLIC HEALTH AND SAFETY

WHEREAS, the City of Lambertville (the “City”) owns and maintains property along North Union Street, near 278 North Union Street, and identified on the municipal tax map as Block 1004, Lot 1.01 (hereinafter “the subject property”); and

WHEREAS, the Mayor and City Council have determined that it is in the City’s interest to authorize the granting of an easement in favor of adjoining property owners in order to permit the connection of improved surface water drainage facilities to an existing municipal surface water drainage system, in order to ameliorate existing standing water conditions and the impaired drainage of surface water, and to promote public health and safety for adjoining property owners, as set forth in the map attached hereto as Exhibit “A”; and

WHEREAS, the City will grant the easement rights at no cost to the adjoining property owners, and in consideration for the cost to those property owners for their construction of new and improved drainage facilities on the adjoining private properties, and in the best interests of the City;

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

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1. The City of Lambertville hereby authorizes the granting of easement rights in the subject property, as set forth above, and City staff be and is hereby authorized and directed to execute and record all documents and papers as may be necessary in this matter.
2. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reasons, then the City Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the City to meet the goals of the Ordinance.
3. This Ordinance shall take effect upon final passage and publication in accordance with the law.

CITY CLERK, RMC/CMR

Council President Asaro opened the public hearing for Ordinance Number 04-2019 and asked for public questions and/or comments. There being no public questions or comments, Council President Asaro made a motion to adopt on second reading, granting final approval for Ordinance Number 04-2019. Councilwoman Warner seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

II. UNFINISHED/OLD BUSINESS/ONGOING PROJECTS

FIREWORKS, Delaware River Town

Council President Asaro asked for questions or comments regarding the request from the Delaware River Towns Chamber of Commerce for fireworks. There being no questions or comments, Council President Asaro made a motion to approve the request from the Delaware River Towns Chamber of Commerce for fireworks on the following dates: Summer First Friday Shows: Friday June 7, 2019, Friday July 5, 2019, Friday August 2, 2019. Councilwoman Warner seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Elizabethtown Gas Project Update

Mayor Fahl reported that Skoda, the contractor for Elizabethtown Gas has moved onto the North Union Street project. We were able to knock on doors in the affected areas to notify them of the project. This will be ongoing for the next two weeks, weather permitting.

Mayor Fahl asked Councilwoman Taylor to give an update on the Music Mountain gas project. Councilwoman Taylor informed the members of the public present that the residents on Music Mountain currently do not have gas service. The City has initiated

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the process to see if it is possible to get gas on the hill. The next step is to poll the neighbors with the information asking them to fill out the survey and then hold a public meeting to find out more. Mayor Fahl commended Councilwoman Taylor on her work and she said she wasn't aware of this situation. This will save people a lot of money.

Nancy Anderson, South Franklin Street asked if they would be installing smart meters because there is some controversy over them. Some have caught fire, EMFS are nauseous, makes people feel sick, disoriented and she feels research should be done first.

Mayor Fahl commented that she appreciated Ms. Anderson's input and said the city will ask whether they are installing smart meters.

Councilman Sanders asked if there was discussion to see if other places in the city that don't have gas. Public Works Director Myers commented that Connaught Hill did not have gas service. Councilwoman Taylor said she would look into it.

LMUA and Swan Creek Flood Mitigation Project

Mayor Fahl has a meeting scheduled in Trenton on March 25, 2019.

NEW BUSINESS/VOTING SESSION

Board Appointments

Council President Asaro made the following nominations:

Volunteer committee appointments: Christine Miller, Mary Jane Legere, Lauren Kovacs, Jeremy Dongilli, and Council President Asaro.

Celebrations Committee: Derek Roseman, Jane Rosenblatt, Hannah Kubik, American Legion, Commander of the American Legion: Norbert Rosso (alternate: George Hambach), Delaware River Towns Chamber of Commerce Representative.

Zoning Board of Adjustment to replace Marcus Rayner: Debra Vari.

Recreation Commission to replace Bob Pierman: Lindsay Sherwin

Lambertville Free Public Library: Stephanie Volmer

Historic Preservation to replace John Hencheck: Debbie Closson.

Councilwoman Warner made a motion to confirm the nominations made by Council President Asaro. Council President Asaro seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

III. CORRESPONDENCE

The City Clerk read the correspondence into the record.

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TOWN OF CLINTON: Resolution Number 46-19 adopted by the Town of Clinton opposing the New Beekeeping Regulations as Proposed by the NJ Department of Agriculture.

BOARD OF CHOSEN FREEHOLDERS: Call for a Constitutional Amendment to Protect 9-1-1 Fees.

TAMARA KENDIG: Request for a block party on June 23, 2019 with a rain date of June 30, 2019, from noon to 5 pm on Jefferson Street from George Street to Main Street.

TOWNSHIP OF READINGTON: Resolution to Urge Opposing the Adopting of New Beekeeping Regulations.

TOWNSHIP OF WEST AMWELL: Notice of Adoption for Amended Zoning Fees.

Nancy Anderson asked the city to consider opposing the Beekeeper's changes.

ANNOUNCEMENTS

Council President Asaro read the announcements into the record.

LANDLORD REGISTRATIONS are due by April 1, 2019 to avoid the \$50 late fee.

NEW HOPE CELEBRATES PARADE is scheduled for May 18, 2019.

CONVENIENCE CENTER: Mayor Fahl informed the members of the public that this is an ongoing project, a work in process. We are trying to address ongoing concerns about maintaining capabilities.

PUBLIC PARTICIPATION/PUBLIC CONCERN

Shirley Kessler of Canal Street thanked the governing body for the upgrades to the façade of the Phillip L. Pittore Justice Center. Mayor Fahl said it was a project of the prior administration and she acknowledged David DelVecchio and Steve Stegman for their diligent work on this project.

A member of the public asked about electronics recycling. Mayor Fahl responded that the company handling the recycling no longer does this and removed their bin from our site. The County of Hunterdon collects electronics on specific dates. Councilwoman Warner commented that Staples and Best Buy also recycling electronics.

Nancy Anderson of South Franklin Street asked for a status update on Verizon. Mayor Fahl responded that it warrants more discussion and it will be on the next work session.

CLOSED SESSION to resume interviews for the position of Business Administrator.

RESOLUTION

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“Authorizing a Closed Session at the March 21, 2019 Lambertville City Council Meeting to Hold Interviews for the Business Administrator Position”

WHEREAS, the Council of the City of Lambertville is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that a closed session, not open to the public, may be held for certain specified purposes when authorized by N.J.S.A 10:4-12(b).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Lambertville that a closed session shall be held on March 21, in the Phillip L. Pittore Justice Center, located at 25 South Union Street, Lambertville, to conduct interviews for the Business Administrator position.

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

ADOPTED: March 21, 2019

Mayor Fahl and City Council convened in closed session at 7:45 p.m. with a motion made by Council President Asaro and seconded by Councilwoman Warner. An affirmative voice/roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Mayor Fahl and City Council re-convened in regular session at 9:43 p.m. with a motion made by Council President Asaro and seconded by Councilwoman Warner. An affirmative voice/roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

ADJOURNMENT

The meeting adjourned at 9:43 p.m. with a motion made by Councilman Sanders and seconded by Council President Asaro. An affirmative voice vote in favor of the motion.

Respectfully submitted,

Cynthia L. Ege, CMR, RMC, City Clerk

The March 21, 2019 session minutes were approved at the regularly scheduled session held on April 18, 2019.