



City of Lambertville
REGULARLY SCHEDULED SESSION
THURSDAY, APRIL 18, 2019, 7:00 PM
PHILLIP L. PITTORE JUSTICE CENTER
MINUTES

STATEMENT OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

Mayor Fahl called the meeting to order at 7:00 p.m. and asked the City Clerk to read the following notice 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 April 18, 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, Mayor Fahl

Absent: None.

PLEDGE OF ALLEGIANCE

Mayor Fahl 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 Forces in country and abroad.

APPROVAL OF MINUTES

Council President Asaro asked for a motion to approve the following sets of minutes: 03/21/19 Regular Session Minutes, 03/21/19 Closed Session Minutes, 04/02/19 Work Session Minutes and 04/09/19 Special Session Minutes. Mayor Fahl made a motion to approve the minutes as submitted/amended. 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, (Lambertville, Frenchtown), Court – Patricia Wozniak, Court Administrator, Finance – Christie Ehret, CMFO, Fire Official – Frank D'Amore, Police Department – Robert Brown, Lt., Public Works – Lester E. Myers, Jr., CMPW, Tax Assessor – Richard Carmosino, CMTA –no report, Tax Collector – Cynthia McBride, CMTC.

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Mayor Fahl made a motion to approve the administrative reports. Councilwoman Taylor seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

APPROVAL OF THE BILLS LIST

Council President Asaro made a motion to approve the bills list and the amended bills list. Councilwoman Taylor seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

PROCLAMATIONS

ARBOR DAY

Council President Asaro read the proclamation by title into the record and she urged the members of the public present to plant trees to gladden the heart and promote the well-being of this and future generations.

Celebrate Arbor Day

WHEREAS, in 1872, Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, trees in our City increase property values, enhance the economic vitality of business areas and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW THEREFORE, The Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey proclaim Friday, April 19, 2019 as Arbor Day in the City of Lambertville, and I urge all citizens to celebrate Arbor Day and to support effort to protect our trees and woodlands; and

BE IT FURTHER RESOLVED that all citizens are urged to plant trees to gladden the heart and promote the well-being of this and future generations.

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Julia Fahl, Mayor

Council President Asaro asked for a motion to adopt the proclamation for Arbor Day. Mayor Fahl made the motion to adopt the proclamation, and Councilwoman Warner seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

NATIONAL GUN VIOLENCE NATIONAL DAY – JUNE 7, FIRST FRIDAY IN JUNE

Council President Asaro read the proclamation into the record.

PROCLAMATION

DECLARING THE FIRST FRIDAY IN JUNE TO BE
NATIONAL GUN VIOLENCE AWARENESS DAY

WHEREAS, every day, 96 Americans are killed by gun violence and on average there are nearly 13,000-gun homicides every year; and

WHEREAS, Americans are 25 times more likely to be killed with guns than people in other developed countries; and

WHEREAS, protecting public safety in the communities they serve is mayors' highest responsibility; and

WHEREAS, support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from dangerous people; and

WHEREAS, mayors and law enforcement officers know their communities best, are the most familiar with local criminal activity and how to address it, and are best positioned to understand how to keep their citizens safe; and

WHEREAS, in January 2013, Hadiya Pendleton, a teenager who marched in President Obama's second inaugural parade and was tragically shot and killed just weeks later, should be now celebrating her 21st birthday; and

WHEREAS, to help honor Hadiya – and the 96 Americans whose lives are cut short and the countless survivors who are injured by shootings every day – a national coalition of organizations has designated June 7, 2019, the first Friday in June, as the 5th National Gun Violence Awareness Day; and

WHEREAS, the idea was inspired by a group of Hadiya's friends, who asked their classmates to commemorate her life by wearing orange; they chose this color because hunters wear orange to announce themselves to other hunters when out in the woods and orange is a color that symbolizes the value of human life; and

WHEREAS, anyone can join this campaign by pledging to Wear Orange on June 7th, the first Friday in June in 2019, to help raise awareness about gun violence; and

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WHEREAS, by wearing orange on June 7, 2019 Americans will raise awareness about gun violence and honor the lives of gun violence victims and survivors; and

WHEREAS, we renew our commitment to reduce gun violence, and pledge to do all we can to keep firearms out of the wrong hands, and encourage responsible gun ownership to help keep our children safe.

NOW, THEREFORE BE IT RESOLVED, that Mayor Julia Fahl of the City of Lambertville declares the first Friday in June, June 7, 2019, to be National Gun Violence Awareness Day. I encourage all citizens to support their local communities' efforts to prevent the tragic effects of gun violence and to honor and value human lives.

BE IT FURTHER RESOLVED that moving forward, the first Friday in June is hereby declared National Gun Violence Awareness Day in the City of Lambertville, County of Hunterdon, State of New Jersey.

April 18, 2019

Julia Fahl, Mayor

Mayor Fahl asked for a motion to adopt the proclamation, declaring Friday, June 7th as National Gun Violence Awareness Day in the City. Council President Asaro made a motion to adopt the proclamation and Mayor Fahl seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Marcia O'Connell was invited to the dais to say a few words. Ms. O'Connell thanked the governing body on behalf of MAGV in America, for their support in this effort to reduce gun violence.

Mayor Fahl thanked each person for coming and helping to put this on our agenda. She thanked Council President Asaro and everyone else for their passion and support.

RESOLUTIONS

RESOLUTION NUMBER 61-2019: A Resolution to Authorize the Salary & Wage for the Shared Services Agreement with Frenchtown Borough for the First Quarter of 2019.

RESOLUTION NUMBER 61-2019

A Salary & Wage Resolution, First Quarter of 2019, for Shared Services Agreement with the Borough of Frenchtown

NOW THEREFORE BE IT RESOLVED BY THE Governing Body of the City of Lambertville that the following is hereby authorized for the first quarter 2019 shared services agreement with the Borough of Frenchtown:

Charles Rogers: \$2,200.00, paid

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Victor Timpanero: \$500.00
Timothy Dieterman: \$500.00
Kenneth Rogers: \$7,931.66

ADOPTED: April 18, 2019

Councilwoman Warner made a motion to authorize Resolution Number 61-2019 and Councilwoman Taylor seconded the motion. An affirmative voice vote was taken in favor of the motion to approve Resolution Number 61-2019. 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.

Council President Asaro informed the members of the public present that resolution numbers 67-2019 and 69-2019 were pulled from the consent agenda and would be acted upon individually. She then asked for a motion to adopt resolution numbers 62-2019, 63-2019, 64-2019, 65-2019, 66-2019, and 68-2019.

RESOLUTION NUMBER 62-2019: *A Resolution to Award/Reject the Bid for the Purchase of a Refurbished Garbage Truck in the Amount of \$59,900 to Trucks and Parts of Pennsylvania.*

RESOLUTION NUMBER 62-2019

A Resolution to Award/Reject the Bids Received for the Purchase of a Refurbished Garbage Truck in the Amount of \$59,900, With the Low Bid Received from Trucks and Parts of Pennsylvania

WHEREAS, the City of Lambertville solicited for bids for the purchase of a 2009 Chevy C450 Truck with a New Way Diamond Back Body Type or Equivalent 6 Yard Garbage Truck on March 8, 2019; and

WHEREAS, the bid opening was held on March 28, 2019 and the city received the following bids:

Truck and Parts of Pennsylvania in the amount of \$59,900.00
Barlow Chevrolet, Inc., Delran, NJ, in the amount of \$102,889.53

WHEREAS, the City Attorney has reviewed the bids received and has determined they are responsive and responsible; and

WHEREAS, the Certified Municipal Finance Officer has certified that funds are available for the low bid provided by Truck and Parts of Pennsylvania in the amount of \$59,900.00.

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NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that the bid received from Truck and Parts of Pennsylvania in the amount of \$59,900 is hereby awarded.

ADOPTED: April 18, 2019

RESOLUTION NUMBER 63-2019: *A Resolution to Authorize the Release of the Cash Bond in the Amount of \$5,000 Held by the First National Bank for George Michaels, for the Project Titled Canal View Completed on November 10, 2018.*

RESOLUTION NUMBER 63-2019

A Resolution to Authorize the Release of the Cash Bond in the Amount of \$5,000 Held by the First National Bank for George Michaels, for the Project Titled Canal View Completed on November 10, 2018

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 cash bond held by First National Bank in the name of George Michaels, for the project titled Canal View, completed on November 10, 2018 and can be released.

ADOPTED: April 18, 2019

RESOLUTION NUMBER 64-2019: *A Resolution to Authorize Electronic Tax Sale Pursuant to Rules and Regulations Promulgated by the Director of the Division of Local Government Services.*

RESOLUTION NUMBER 64-2019

A RESOLUTION AUTHORIZING ELECTRONIC TAX SALE

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services; and

WHEREAS, the Director of the Division of Local Government Services has promulgated rules and regulations for electronic tax sales; and

WHEREAS, the rules and regulations authorize a municipality to conduct an electronic tax sale; and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process; and

WHEREAS, the municipality of Lambertville City wishes to participate in an electronic tax sale.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the City of Lambertville, New Jersey, that the Tax Collector is hereby authorized to participate in an electronic tax sale and submit same to the Director of the Division of Local Government Services if necessary.

The foregoing resolution was duly adopted by the City Council of the City of Lambertville at a public meeting held on April 18, 2019.

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ADOPTED: April 18, 2019

RESOLUTION NUMBER 65-2019: *A Resolution to Authorize the Fee of \$10 Per Notice for Each Notice of Tax Sale in Accordance with N.J.S.A. 54:5-19.1.*

RESOLUTION NUMBER 65-2019

***A RESOLUTION AUTHORIZING A FEE
FOR MAILING TAX SALE NOTICES***

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services; and

WHEREAS, the rules and regulations require a municipality to send two (2) notices of tax sale to all properties included in said sale; and

WHEREAS, the rules and regulations allow said municipality to charge a fee of up to \$25.00 per notice for the creation, printing and mailing of said notice; and

WHEREAS, in an effort to more fairly assign greater fiscal responsibility to delinquent taxpayers, the City of Lambertville wishes to charge \$10.00 per notice mailed which will be assessed specifically to the delinquent accounts that are causing the need for a tax sale and not to the general tax base.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the City of Lambertville that a fee of \$10.00 per notice be established and is hereby authorized and directed to be charged for each notice of tax sale that is sent in conjunction with the 2019 electronic tax sale.

The foregoing resolution was duly adopted by the City Council of the City of Lambertville at a public meeting held on April 18, 2019.

ADOPTED: April 18, 2019

RESOLUTION NUMBER 66-2019: *A Resolution to Authorize the Refund of an Escrow Account for Marisa Ehinger of 45 Buttonwood Street, Block 1010, Lot 17 in the Amount of \$241.61 for an Application to the Zoning Board of Adjustment for a Variance.*

RESOLUTION NUMBER 66-2019

A Resolution to Authorize the Refund of an Escrow Account for Marisa Ehinger of 45 Buttonwood Street, Block 1010, Lot 17 in the Amount of \$241.61 for an Application to Zoning Board of Adjustment

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 escrow balance in the account titled Marisa Ehinger for block 1010, lot 17, 45 Buttonwood Street in the amount of \$241.61 is hereby authorized.

ADOPTED: April 18, 2019

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RESOLUTION NUMBER 68-2019: *A Resolution to Authorize the Refund of a Tax Overpayment for the First Quarter, 2019 for Block 1083, Lot 5 in the Amount of \$1,597.11.*

RESOLUTION NUMBER 68-2019

A Resolution to Authorize the Refund of a Tax Overpayment for the First Quarter, 2019 for Block 1083, Lot 5 in the Amount of \$1,597.11.

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 refund of a tax overpayment for the first quarter of 2019 for block 1083, lot 5 in the amount of \$1,597.11 to C&E Tax Lien Fund 1, PO Box 5021, Philadelphia, PA, 19111-5021 is hereby authorized.

ADOPTED: April 18, 2019

Councilwoman Warner made the motion to adopt the resolutions listed on the consent agenda and Mayor Fahl seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

RESOLUTION NUMBER 67-2019: *A Resolution to Authorize the Contracts for Professional Services Beginning May 1, 2019 and Ending December 31, 2019.*

The City Clerk read the resolution into the record. Mayor Fahl informed the members of the public present that by bidding the professional services contracts the city was able to streamline appointments and caused the professionals to reduce hourly rates which will overall save the city money.

RESOLUTION NUMBER 67-2019

“Authorizing Professional Service Contracts, May to December 2019”

WHEREAS, there exists a need for Attorneys to serve as City Attorney, Municipal Prosecutor, and Public Defender for the Municipal Court, to handle labor related matters, to handle bonds and other financial matters and to advise the City in land use issues; and

WHEREAS, the contracts are being awarded pursuant to the Fair and Open Process, a process that provides for public solicitation of proposals OR qualifications and the New Jersey Local Unit Pay-to-Play Law as defined in N.J.S.A. 19:44A-20.4 et seq., bids were advertised on March xx and received on April 5, 2019, providing sufficient time to give notice, and publicly opened on April 5, 2019 for the various professional services; and

WHEREAS, sufficient funds are available in the 2019 Temporary Budget, adopted ordinances or grants, and will be made available in the 2019 Municipal Budget for the City of Lambertville for such services;

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NOW THEREFORE BE IT RESOVLED by the Governing Body of the City of Lambertville in the County of Hunterdon in the State of New Jersey that the bids received for the positions of City Architect and Auditor are hereby rejected; and

BE IT FURTHER RESOLVED that the Council Members of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey hereby confirms the nomination made by Mayor Fahl for a term beginning May 1 1, 2019 and ending December 31, 2019 for the following positions:

MALAMUT & ASSOCIATES, hourly rate: \$160.00:

Bond Attorney annual not to exceed amount of \$17,000.00;

Labor Attorney annual not to exceed amount of \$5,000.00;

COAH Attorney annual not to exceed amount of \$28,000.00;

PARKER MCCAY, hourly rate of \$200 to \$240.00 per hour to serve as Redevelopment Attorney with an annual not to exceed amount of \$15,000.00;

SHEAK & KORZUN, hourly rate of \$175.00 per hour to serve as Planning Board Attorney, ZBOA Alternate was awarded to Sheak & Korzun, with a not to exceed amount of \$23,000.00;

STEWART PALILONIS, hourly rate \$180.00, with a not to exceed amount of \$2,700.00;

T AND M ASSOCIATES, hourly rate of \$155.00 to serve as City Engineer with a not to exceed amount of \$190,000.00;

VAN CLEEF ENGINEERING, hourly rate \$148.00 to \$164.00, to serve as Planning Board and ZBOA Engineer with a not to exceed amount of \$36,000.00;

CLARKE CATON HINTZ, \$110 to 170 per hour to serve as City Planner with a not to exceed amount of \$33,000.00;

BE IT FURTHER RESOLVED that The Mayor and City Clerk are hereby authorized and directed to execute an agreement with the following individuals for the last eight months of 2019.

BE IT FURTHER RESOLVED that these contracts are being awarded as described through the Fair and Open Process, “a process that provides for public solicitation of proposals OR qualifications,” as defined under the N.J.S.A. 49:44-20.4.

BE IT FURTHER RESOLVED that notice of these actions shall be printed in the April 24th, 2019 issue of The Times, N.J.A.C. 5:34-9.5 (d).

ADOPTED: April 18, 2019

Mayor Fahl asked for public comment.

Judy Gleason, 86 North Union Street said she was concerned that council would not have received this ahead of time, a little confusing that the council didn’t see this. Mayor Fahl commented that the city received and publicly opened the bids on April 5, after our working session. We do need to award by April 30th so they can begin on May 1.

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Mayor Fahl asked for a motion to adopt Resolution Number 67-2019. Council President Asaro made the motion to adopt the resolution and Councilwoman Warner seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

RESOLUTION NUMBER 69-2019: A Resolution to Authorize the Submittal of the Draft Resolution to the Planning Board for the Designation of Block 1053, Lots 2 and 3 as an Area in the City in Need of Rehabilitation.

Mayor Fahl read the resolution into the record and asked the City Planner to address any questions regarding this resolution.

RESOLUTION NUMBER 69-2019

Resolution of the City Council of the City of Lambertville directing the Planning Board to Review and Consider the Designation of Block 1053, Lots 2 and 3 as an Area in Need of Rehabilitation pursuant to the Local Redevelopment and Housing Law

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (the “Act”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of rehabilitation in accordance with the Act, including Sections 3 and 14 thereof; and

WHEREAS, property located in the City’s southern sector and located at the corner of Feeder Street and Wilson Street, and known as the Young Men’s Athletic Club (YMAC), and designated as 65 Wilson Street, Block 1053, Lots 2 and 3 and containing two buildings and associated improvements in various conditions (the “YMAC Property”) merit evaluation to see if such area, and the parcels therein, would qualify as an area in need of rehabilitation pursuant to the Act; and

WHEREAS, the City desires to direct the Planning Board of the City of Lambertville (the “Planning Board”) to perform a preliminary investigation of the parcels set forth in Section 1 to determine whether such parcels would qualify as an “Area in Need of Rehabilitation” under the Act; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Lambertville as follows:

1. **PRELIMINARY INVESTIGATION OF STUDY AREA.** The Planning Board is hereby authorized and directed to conduct an investigation pursuant to *N.J.S.A. 40A:12A-14* to determine whether all or a portion of Block 1053, Lots 2 and 3, (together, the “Study Area”) satisfies the criteria set forth in the Act, including *N.J.S.A.40A:12A-14* and *N.J.S.A.40A:12A-3*, to be designated as an area in need of rehabilitation.

2. **PLANNING BOARD TO MAKE RECOMMENDATIONS.** After conducting its investigation in accordance with Section 14 of the Act, the Planning Board shall make a recommendation, within 45 days of the date of this resolution, to the City as to whether the City should designate all or part of the Study Area as an area in need of rehabilitation.

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3. **SEVERABILITY.** If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

4. **AVAILABILITY OF THE RESOLUTION.** A copy of this Resolution shall be transmitted to the Secretary and Chairman of the Planning Board and shall be available for public inspection at the offices of the City Clerk.

5. **EFFECTIVE DATE.** This Resolution shall take effect immediately.

ADOPTED: April 18, 2019

Mayor Fahl asked for council questions. There being no questions, Mayor Fahl asked for public comments.

John Hencheck, 92 Quarry Street asked if this would trigger eminent domain. Mayor Fahl responded that it would not.

Erin Taylor Ogren asked what they would be rehabilitated to. The City Planner responded that we don't know yet. If the governing body decides to declare it, the next step is to create a redevelopment with a public hearing.

There being no further questions, Mayor Fahl asked for a motion to adopt resolution number 69-2019. Councilwoman Taylor made the motion to adopt 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.

ORDINANCES – FIRST READING

ORDINANCE NUMBER 08-2019: An Ordinance to Amend the Lambertville City Code, 2014, Chapter VII Traffic, Section 4.7 Parking Restricted for Use by Handicapped Persons, to Include a Handicapped Parking Space in front of 127 North Franklin Street.

Council President Asaro read the ordinance into the record by title. She informed the members of the public present that this ordinance will create a handicapped parking space in front of 127 North Franklin Street.

ORDINANCE NUMBER 08-2019

An Ordinance to Amend the Lambertville City Code, 2014, Chapter VII Traffic, Section 4.7 Parking Restricted for Use by Handicapped Persons, to Include a Handicapped Parking Space in Front of 127 North Franklin Street

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 Chapter VII Traffic, Section 4.7 Parking Restricted for Use by Handicapped Person is hereby amended to include the following handicapped parking space:

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In front of 127 North Franklin Street.

FIRST READING AND INTRODUCTION: April 18, 2019

PUBLIC HEARING AND ADOPTION: May 16, 2019

Council President Asaro asked for a motion to introduce on first reading Ordinance Number 08-2019. Councilwoman Taylor made the motion to introduce on first reading. Mayor Fahl seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

ORDINANCE NUMBER 10-2019: *An Ordinance to Amend the Lambertville City Code, 2014, Chapter II, Administrative Code, Article III City Council, Section 10, Rules and Procedures, Amending Section 3.10 Rules and Procedure, a. Order of Business.*

Council President Asaro read the ordinance into the record by title. Mayor Fahl informed the members of the public present that this ordinance will amend the format of the meeting agenda. Mayor Fahl commented that the goal is for the agenda to be more reflective of the working agenda.

ORDINANCE NUMBER 10-2019

An Ordinance to Amend the Lambertville City Code, 2014, Chapter II Administrative Code, Article III City Council, Section 10 Rules and Procedure

NOW THEREFORE BE IT RESOVLED by the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that Chapter II Administrative Code, Section 10, Rules and Procedure is hereby amended as follows:

- a. Order of Business. Promptly at the hour designated, all regular and special meetings of the Council shall commence. Unless otherwise authorized by resolution of Council, all business coming before the Council shall be heard and voted on in the following order:

Statement of Compliance with the Open Public Meetings Act

Roll Call

Pledge of Allegiance

Moment of Silence

Approval of Minutes

Administrative Reports

Approval of Bills List

Resolutions

Ordinances – First reading

Ordinances – Final Reading

Correspondence

Old Business *change to* Ongoing Projects

New Business *change to* Constituent Concerns

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Announcements
Public Participation
Adjournment

FIRST READING AND INTRODUCTION: April 18, 2019

PUBLIC HEARING AND ADOPTION: May 16, 2019

Council President Asaro asked for a motion to introduce on first reading Ordinance Number 10-2019. Councilman Sanders made the motion to introduce on firsts reading. Councilwoman Warner seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

ORDINANCE NUMBER 11-2019: *An Ordinance to Amend the Lambertville City Code, 2014, Chapter III, Municipal Officers: Procedures; Departments, Boards and Commissions, Section 17, The City of Lambertville Human Relations Council (LHRC), 17.4, Council Established: Appointment; Compensation; Terms; Vacancies, to Increase the Number of Members from 9 Full Members, Plus 1 Alternate, to 11 Full Members, Plus 1 Alternate.*

Council President Asaro read the ordinance into the record by title. Mayor Fahl informed the members of the public present that this will increase the number of members on the Lambertville Human Relations Council to 11 full time members. She would also like to change the title of the council to the Lambertville Human Rights Council.

ORDINANCE NUMBER 11-2019

An Ordinance to Amend the Lambertville City Code, 2014, Chapter III Municipal Officers, Procedures; Departments, Boards and Commissions, Section 17.4 Council Established, Appointment; Compensation; Terms; Vacancies, to Increase the Number of Members from 9 11 Full Members, Plus 1 Alternate to 11 Full Members, Plus 1 Alternate

NOW THEREFORE BE IT RESOVLED by the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that Chapter III Municipal Officers, Procedures; Departments, Boards and Commissions, Section 17.4, Council Established: Appointment; Compensation; Terms; Vacancies is hereby amended as follows:

The **City of Lambertville Human Relations Council** (LHRC), will be changed to the City of Lambertville Human Rights Council, will consist of a total of nine (9) members and be changed to eleven (11), from both the public and private sector, and is hereby established in the City of Lambertville. The members of the **City of Lambertville Human Rights Council** (LHRC) shall be appointed by the Mayor, with the advice and consent of the Lambertville City Council.

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Public Sector Members:

- 1) The Mayor of the City of Lambertville, or his or her representative, to run concurrent with the Mayor's three-year term;
- 2) The President of the Lambertville City Council, or his/her representative, for a one-year term;
- 3) The Police Director of the City of Lambertville, or his/her representative for a one-year term;
- 4) The Director of Public Assistance of the City of Lambertville, for a three-year term concurrent with the Mayor's three-year term;
- 5) The President of Board of Education from the Lambertville-Stockton-West Amwell unified school district, or his/her representative, for three-year term concurrent with their term;
- 6) The Chairperson of the Lambertville Free and Public Library, or his or her representative, for a one-year term.

Private Sector Members:

- 7) A resident of the City of Lambertville for a 2-year term;
- 8) A resident of the City of Lambertville for a 3-year term;
- 9) A resident of the City of Lambertville for a 5-year term.

Additional Members:

- 10) A resident of the City of Lambertville
- 11) A resident of the City of Lambertville

Delete:

The Clerk of the City of Lambertville will be an Alternate member.

All members of the LHRC shall serve without compensation.

FIRST READING AND INTRODUCTION: April 18, 2019

PUBLIC HEARING AND ADOPTION: May 16, 2019

Mayor Fahl informed the members of the public present that change was requested by the chair, John Woods. It is an opportunity to increase diversity and allow more voices to be heard. She said she was excited about the opportunity to get more involved and commended the HRC and Council President Asaro.

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Mayor Fahl asked for a motion to introduce on first reading Ordinance Number 11-2019. Councilwoman Warner made the motion to introduce 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.

Mayor Fahl noted that the public hearing is scheduled for May 16, 2019.

ORDINANCES – FINAL 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. She informed the members of the public present that this will assist the city in meeting the requirements of the settlement agreement with COAH.

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

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

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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:

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

§300 Zoning Districts.

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- 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.

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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

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 1072, 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-

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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.
 - (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.

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- (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.
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		

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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 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.

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- (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.

- (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).

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(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, streets and adjacent residential uses

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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).

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- (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 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.

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- (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.

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.

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- (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), 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

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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*.

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- (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 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.

Mayor Fahl opened the public hearing for Ordinance Number 05-2019 and asked for public questions or comments.

Bruce Berlin, 7 Northfield Court asked why he was the only one on his cul de sac that received the notice. The City Planner responded that it is only those within 200 feet of the property. The other properties must not have been within the 200 feet area. Mr. Burlen asked about the intension, do you have the power to rip down and build townhouses? The City Planner responded that it allows for provision for town houses or apartments, no requirements to use the overlay, the city has to do this per our settlement agreement and present realistic opportunities to develop. Mr. Berlin said that there is no real plan but if there was would there be another meeting. The City Planner responded yes.

Mike Pearson, 55 Lambert Lane commented that he has owned the property for 10 years. He and his wife have serious concerns, not about type, they are kind, open hearted, but we feel that particular section is ill served for the kind of traffic if you were to add significant traffic, foot traffic, etc., where the sidewalk ends. We are severe repetitive loss property; any structure would become a potential severe repetitive loss. Although it is a solution to solve a requirement, I think that particular location is not appropriate, a wilderness, 10 or 15 herring nest, bald eagle nest, pristine wilderness, protected by the lack of access and I think there may be an advantage, there are better spaces in town that won't impact our greatest assets, the Delaware River. Creating a need in a space that is not well maintained. The City Planner commented that it encompasses the old OTC, and is an adaptive re-use of the building, the building has been vacant for 6 years, aside from Minnow and Wasko, it gives us another option to renovate.

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Don Columbo, 18 Lambert Lane commented that the building is right in the flood plain, impoverished people living in the middle of this? This is ridiculous, two strong current streams, water is guaranteed to come up with no way of leaving. He did some research on Chicago and they did away with it. Mayor Fahl commented that she appreciated his comments, just a rezoning issue, not a plan for affordable housing. I want to remind everyone that COAH is not a tenement, but workforce housing, various levels of income rates for COAH for folks that fall into the limits and include the police officers, teachers, etc. I ask that we keep the public comment to what this ordinance is about, establishing new overlay zones. We are responding to an agreement with fair share housing and an ongoing agreement we have to uphold with the courts with the State of New Jersey. I hope to see you again when we talk about ongoing COAH projects.

Judy Gleason, 86 North Union Street, said she has a question that goes to what you are limiting this to, an overlay zone creates the ability to do something, we don't have the ability to do now. It creates an ability to do something for the I01, for those properties, the current zone does not permit town houses or apartment developments. So, the overlay zone would have another option of a permitted use on their property in addition to the other permitted uses as long as 15 to 20% were affordable housing units. I02 right now the CBD has a permitted conditional use and allows to covert upper storage as long as 15 to 20% were affordable housing units, a mixture of market rate and affordable housing units.

John Hencheck, 99 Quarry Street, when we look at the area, Northfield Court, I think it would help people understand, it is owned by the Heritage Conservatory, starting at the gas station and going east. Take a look at what they own and they appropriately put in the zoning map. It was a donation by Morty Barnett, the druggist to keep the area green.

Megan Warner, 34 Elm Street, thank you for going forward, the important thing about COAH, when they get a head start, they can control the future, thoughtful overlays, good work by Emily. A lot of thought, permits the city to control their own future.

Michael Pearson, commented that the old cracker factory had tractor trailers at 3 am come to a stop, but the question I have, on what basis did you decide that this area was suitable for this agreement and if it was a decision based on one thing why is that more important than the current beautiful area, and how do you justify it? The City Planner responded that it in the housing plan adopted in 2018 and includes the COAH requirement for this, we are not looking to demolish, but to renovate the interior of the building. Mr. Pearson commented that that clarifies it.

Steve Stegman, Studdiford Street asked if the City Planner could describe about the CBD and apartments on the first floor. The City Planner responded that they are a conditional use, the upper can be used for storage or 50% of the first floor, the overlay allows you to convert the entire building to apartments. It adds affordable housing to the mix. Steve Stegman commented, if I understand correctly, the Broadmoor for

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instance, if the owner wanted to convert street level into an apartment, that's more than 50% of the building, then they can do that.

Mayor Fahl asked for a motion to close the public hearing. Councilman Sanders made a motion to close the public hearing for Ordinance Number 05-2019. Councilwoman Warner 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 adopt on second reading, granting final approval for Ordinance Number 05-2019. 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.

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. Mayor Fahl informed the members of the public present that this will create the land use ordinance to include a Development Review Committee which will help to make the process a little easier for applicants of the planning and zoning board.

ORDINANCE NUMBER 06-2019

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 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

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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 opened the public hearing for Ordinance Number 06-2019 and asked for public questions or comments.

Mayor Fahl commented that this received unanimous support from both the Planning and Zoning Board of Adjustment, she thanked the City Planner for suggesting this.

Mayor Fahl asked for Council questions or comments. There being no questions or comments, she asked for public questions or comments.

Kim Gaglio, York Street asked how the public stays abreast of this if it is done before the meeting. Mayor Fahl responded that this takes the completeness hearing and moves it to a meeting prior to the board meeting. Applicants will save money because their professionals aren’t sitting through other applications.

There being no additional questions or comments, Council President Asaro asked for a motion to close the public hearing for Ordinance Number 06-2019. Mayor Fahl 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 asked for a motion to adopt on second reading, granting final approval of Ordinance Number 06-2019. Council President Asaro 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.

UNFINISHED/OLD BUSINESS/ONGOING PROJECTS

Route 29 Road Diet: Mayor Fahl informed the members of the public present that on April 10, she and members of NJDOT, the City Engineer with notes from the City Planner did a walkthrough of the Route 29 project. Beginning at the four lanes at the most southernly part of Route 29 and ending at Swan Street, the road will be reduced from four lanes to two lanes, with a turning radius at Mt. Hope and Swan Streets. This is

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an ongoing project for the past 18 years. It is a safety concern and this will start the process of naturally slowing down Route 29. NJDOT will just be restriping the project to start. After six months, they will do a study and hopefully reduce the speed limit. We are one of the last roads with a 45 mile an hour speed limit with such a short setback. She hopes to have this completed by the end of the year.

Mayor Fahl asked for Council comments. There being no comments or questions from the governing body, Mayor Fahl asked for public comments.

A member of the public said this is the first they are hearing of it and asked for details. Mayor Fahl responded that it will start before Weeden Street through to Bridge Street. There will be one lane in and one lane out of town. It expands to two lanes by Mt. Hope Street and Swan Street to allow for turning radiuses.

Steve Stegman asked if the plan includes landscaping in the center median. Mayor Fahl said there will be no shovels in the ground for phase 1, it is only for restriping. We would like to continue these conversations. Ultimately, this is important to get this speed down to a reasonable rate. Steve Stegman asked if the state agreed to lower the speed limit. Mayor Fahl said they would need to wait for six months and the state will conduct a study and then they will tell us what the speed limit will be.

Michael Pearson, 55 Lambert Lane asked if this contemplates the parking in front of Zanya's, when you leave town, you have two lanes and you cannot use both lanes but if we are talking about adjusting guides that is a nasty situation. Mayor Fahl responded that the plan does encompass this, one lane in and one lane out with turning radiuses.

Barbara Hencheck, 99 Quarry Street, when we go up the hill how will we adjust for that? Mayor Fahl responded that this doesn't encompass Route 179, only Route 29.

Kim Gaglio commented that she goes to a gym behind Zanya's and to get out of that parking lot you have to go across the two lanes, people need to make a u turn to come back into town. Mayor Fahl responded that this is something we are going to be closing some of the gaps, using pilons, permanent cones through the course of the six-month study to help guide people to make u turns.

Councilman Sanders commented that the map would help people to understand it better. Mayor Fahl said there is a map at City Hall for members of the public to view.

Tom Eagan asked, if I am coming north, between Swan and Route 518, by the pizzeria, is that one lane? Mayor Fahl commented that there will be a public meeting and she will bring the map. She did a walk through with the former DOT engineer, Gary Toth, the plan is not ill conceived. The City Planner commented that around Feeder Street is where the striping expands back; heading south it is between Swan and Mt. Hope Street where there are openings for turning lanes.

LMUA and Swan Creek Flood Mitigation Project: Mayor Fahl informed the members of the public present that Tom Horn and Mayor Fahl met with NJDEP to bring Mayor Fahl

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up to speed on the project. We are in the same place as we were in May of 2018, but I do feel like we have a better understanding of what it requires. The City will work with Tom Eagan and the CRS Committee to figure out a way to get what DEP needs to move the project forward.

Mayor Fahl asked for Council comments. There being no comments, Mayor Fahl opened it up for public comments.

John Hencheck commented that the D&R Canal was built to take water much higher up. The intention to raise water level between Trenton and the Raritan River, Stockton and Lambertville has five feet difference, five feet higher than the river, at that point, part of this plan is when the gates close the pumps put that back into the river, the pump made to handle additional impact of what would be normal flow verses flood level flow.

Steve Stegman asked about other projects that aren't listed. Two projects that he is interested in an update on. 1: The Library, where are we with the painting. Mayor Fahl said we are working with the Library Board as well as the director to make sure we get it right and it focuses on the entire building, inclusive of the porch. It will be on a voting agenda but isn't on this one. Steve Stegman asked if the city was still committed to the project. Mayor Fahl said we have to remediate the lead. We are finishing the work on the building; it was bid as a separate project and that was the concern. Yes, the city is still committed to the project.

2: the grant to put the porch back on City Hall, where are we with that? Mayor Fahl said most of the capital improvements are on hold, to be determined. Steve Stegman asked where we are with the grant. Mayor Fahl said she would look into it and get back to him.

NEW BUSINESS/CONSTITUENT CONCERNS

Parking Meters, Section 18.1, to Increase Meter Fees to \$1.50 Per Hour, section b. to Increase the daily rate to \$12.00.

Mayor Fahl addressed the members of the governing body and public and commented that this was brought up during the working session, the ordinance is on the agenda for first reading, but it does not have to be implemented until the second reading and public hearing. Tonight, is the ongoing discussion; we want to hear input from the public. She invited everyone to the May 2 work session which will be held at City Hall at 7 pm and the budget will be the primary discussion. The plan is to review the budget line by line and to explain the city's decision. One reason we are moving forward is because we have a \$220,000 unbudgeted item for debt service in the 2019 budget. In 2018. The city paid 1.1 million towards debt service, this year we are paying 1.328 in debt service. This is driving the governing body to look for other ways to generate revenue to mitigate the direct cost to tax payers.

Mayor Fahl asked for Council comments.

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Councilman Sanders asked if this included expanding the meters to Mt. Hope Street and the parking lot at Ely Field. Mayor Fahl responded that it does not include the expansion, just the rate increase.

Council President Asaro commented that she took a comparative look at surrounding communities with a high tourist base like Princeton, Asbury Park, lots in New Hope and this is in keeping with the surrounding communities.

Mayor Fahl commented that just this week we did \$5,580 in cash and \$1,268 from Parkmobile for a total of \$6,700 in revenue from meters.

Council President Asaro commented that in Princeton the rate is \$2 per hour.

Councilwoman Taylor asked what our current rate was. Mayor Fahl responded \$1.00 per hour.

Mayor Fahl informed the members of the public present that as part of the budgeting process, the DCA won't allow the city to budget \$60,000 in meter fees per quarter, we are just going to assume 50% more, we had to take a conservative cut into the anticipated appropriation and anything over that goes into fund balance. We won't see a full benefit from this increase until 2020.

Mayor Fahl opened it up for public comment.

Megan Warner stated she was curious about the lot in front of the park. Mayor Fahl commented that it was discussed in the working session, but the city isn't ready to move forward yet. Ms. Warner said that several staff members expressed concern for this and asked if they would give passes out to the school. Mayor Fahl said she appreciated the input. Councilman Sanders commented that he agreed with Ms. Warner and felt the city should give passes to the staff at the school.

Eric Kaplan, 32 Bridge Street, how important is ticketing? And if it is important, why aren't they doing it consistently in the evenings. Mayor Fahl commented that she appreciated his comments. And to answer your first question, Lt. Brown and I have been working on the way we are ticketing in the city, we have been working diligently to make sure our laws are being enforced. Mr. Kaplan asked what the revenue was for meters vs enforcement? Mayor Fahl said she didn't have the number. Lt. Brown responded that parking tickets increased by 583 in 2018. Mayor Fahl commented that the police have been working diligently and working closely with the city.

Steve Stegman, Studdiford Street, commented when the city writes a parking ticket, the city doesn't keep all of the money. Mayor Fahl said that was an excellent point.

Amy Coss, 26 Bridge Street, asked the governing body to take into consideration the pressures of the retail business, competing with flick of a finger, and they need to be pleasant and welcoming. She is concerned, but if we are twice the price, I see that as an impediment to shopping in Lambertville. A lot of questions, feedback, New Hope has

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less expensive, longer time for holiday parking, she asked that the governing body keep this in mind.

John Hencheck, asked the city to take a look at some form of a sticker, we could pre-pay for and read with a bar machine, encourage those who live on outskirts to do their shopping and not be tied to quarters, prepaid money at the beginning of the year, a source of revenue. Mayor Fahl said we will be doing a series of trainings on Parkmobile.

Councilwoman Taylor commented that she hopes we can consider changing the way we use Parkmobile so we can do something for less than the \$1.50 fee. Mayor Fahl said Parkmobile is willing to change our application.

Council President Asaro said a half hour/30-minute rate would be great.

Councilman Sanders said we needed to look at our contract with Parkmobile.

Michael Pearson, Lambert Lane asked if anyone thought of a toll on the bridge? Mayor Fahl responded that it isn't within our purview.

Judy Gleason, North Union Street, commented that it seems as though the number of meters on the street are empty during the week and knowing to the retail point, we would like to see our business be healthier, look at raising, but letting our businesses use the meters, shop free in Lambertville, think meter revenue shows weekends and evenings and it wouldn't cost us anything really.

Mayor Fahl said she commended Ms. Gleason, she felt it was a great idea, it's something we need to partner with the Chamber and businesses, not directly related to raising the fees. Councilman Sanders and I spent time to discuss congestion pricing. The technology is not really possible but meter free days, if not weekly, certainly around moments in the city.

Dean Stephens, Brunswick Avenue and the Lambertville Trading Company, has 37 years and 1-month experience, I have been on three different parking commissions and all kinds of city meetings about parking meters which are now in the Smithsonian. Two major things, huge factor was when the Bridgewater Commons opened, the internet is literally putting a hurting on brick and mortar, 365 days per year, cherish our customers, we don't just have tourist, but a lot of regulars, each time the meters go up, that cup of coffee is costing me, or the gift is costing x amount more, 50% increase when you look at it is a hefty percentage, if meters are going up, we have to balance what we do with our pricing and things are tough and I would look at other ways, every possible way, whatever you can get, licenses, dog licenses, landlord registration, we pay them all, not pets though, and I have concerns about the increase. Mayor Fahl thanked Mr. Stephens for coming and for speaking, the LTC is one of the oldest businesses, excellent Stewarts for our community. We have been talking about increasing every one of the fees, expanding landlord registration, looking administratively at fees and the need to bulk pick-up fees. I have asked the court to look at every one of their fees, we are

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exploring other avenues for revenue in the city. Over the course of my short time as Mayor, I have held department meetings, council meetings, and revenue is something we need to discuss. I inherited a budget with significant amount of debt service, in order to maintain services needed and deserved, we need to make up revenues. We do not feel like this is a band aid over a wound, we need to, whole hog addresses it with this budget. I appreciate that it affects the business community and I appreciate your concerns, we understand. Mr. Stephens responded that we also keep looking and we need our customers to come to a friendly town, to a good place, and to not have it continue in the amazing way it does would hurt us.

Charles Buttacci, owns two businesses in the Central Business District and lives in Lambertville. I am appalled, if you have a budget, the fair thing to do is increase everyone's budget, it will cost me three times, but I am willing to pay, if you need more money, raise everyone's taxes, do any of you have businesses in Lambertville? Do you walk down the street, you still have to pay, giving tickets, destroying your ticket? Do you want Lambertville to be a Ghost town? Go back to the 70s, what brought Lambertville back? Antique shops and businesses. Everyone should pay their fair share. Mayor Fahl commented that she appreciated Mr. Buttacci's concerns and she encouraged him to attend the May 2nd work session where we will be talking about the budget. We are dealing with the reality of increased debt service, this is not one size fit all, we are taking every avenue to make sure we continue to provide services while maintaining commitments.

Councilman Sanders commented that Ms. Gleason's suggestion was terrific. He said that raising rates, there is also a hope message that there is a commitment to look at clever solutions to smartly raise revenue. He thinks that a Tuesday, or one day during the week, we can have a day or a week or three days in a month that's good for business and if it isn't being used, we have an obligation to pursue charging. I understand your frustration.

Mayor Fahl responded that she wanted to reiterate that the city has a strong working relationship with the chamber. We are generating other ideas to make sure we are supporting the Central Business District.

Councilwoman Taylor commented that there has been a lot of conversation, how do we improve economic development, sparked by parking but the underlying concern is about the health of the business community. The increase counter is not one size fits all solution or discussion. We will take that to heart.

Mayor Fahl commented that in order for the DCA to accept our budget and the increase in revenue for meters, the ordinance has to be passed at our next voting session. She asked for a motion to introduce Ordinance Number 09-2019 on first reading.

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ORDINANCE NUMBER 9-2019: *An Ordinance to Amend the Lambertville City Code, 2014, Chapter VII Municipal Parking Areas and Metered Parking, Article II Parking Meters, Section 16.1, to Increase Meter Fees to \$1.50 Per Hour, and Section 18.1b to Increase the Daily Rate to \$12.00.*

ORDINANCE NUMBER 09-2019

An Ordinance to Amend the Lambertville City Code, 2014, Chapter VIII Municipal Parking Areas and Metered Parking, Article II Parking Meters, Section 16.1, to Increase Meter Fees to \$1.50 Per Hour, and Section 18.1b. to Increase the Daily Rate to \$12.00

NOW THEREFORE BE IT RESOVLED by the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that Chapter VIII Municipal Parking Areas and Metered Parking as follows:

8-16 Parking Meters

1 City to Install

The City shall install parking meters in the parking meter zones as provided in this article immediately adjacent to each designated parking space. The meters are digital and will accept any combination of nickels, dimes and quarters. A vehicle may lawfully park in such parking meter zones for a period of 10 minutes for a fee of twenty-five cents (\$.25) or a quarter, 30 minutes for a fee of seventy-five (\$.75) cents or an hour for a fee of one dollar and fifty cents (\$1.50).

8-18 Deposit of Coins Required

b. For a fee of twelve (\$12) dollars per day payable to the City of Lambertville, contractors regularly engaged in the maintenance field or vehicles involved for moving household goods may secure a sign to be secured to the meter allowing them to park in a metered space for that day.

FIRST READING AND INTRODUCTION: April 18, 2019

PUBLIC HEARING AND ADOPTION: May 16, 2019

Mayor Fahl asked for a motion to introduce on first reading Ordinance Number 09-2019. 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.

The public hearing is scheduled for May 16, 2019.

CAP BANK ORDINANCE

CALENDAR YEAR 2019

ORDINANCE TO ESTABLISH A CAP BANK

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(N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et.seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said final budget appropriations to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous years final appropriations; and,

WHEREAS, a municipality may, by ordinance, bank the difference between its final budget appropriations and the 3.5% increase authorized by this ordinance when said difference is not appropriated as part of the final budget; and,

WHEREAS, the City Council of the City of Lambertville City, County of Hunterdon, hereby determines that this difference in the amount of \$34,507.19 that is not appropriated as part of the final budget shall be retained as an exception to the final appropriations in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

INTRODUCTION OF THE 2019 BUDGET

Mayor Fahl informed the members of the public present that the governing body will hold a special work session on May 2, 2019 to review the budget with the members of the public. The public hearing is scheduled for May 16, 2019. She asked for a motion to introduce the 2019 budget on first reading. Council President Asaro made a motion to introduce the 2019 budget. Councilwoman Warner seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

BOARD APPOINTMENTS

Mayor Fahl nominated the following people to serve on boards/commissions: Environmental Commission – Kate Millsaps Wolfinger; and OEM – Barbara Parsons. Councilman Sanders made a motion to confirm Mayor Fahl’s nominations. Councilwoman Warner seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

CORRESPONDENCE

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STATE OF NEW JERSEY DOT: Notice of award of a grant in the amount of \$160,330 for George Street – Phase II.

HUNTERDON COUNTY DEPARTMENT OF HEALTH: Notice of Pesticide Control (Mosquito and Vector). Schedule is available on the County’s website.

ASSEMBLYWOMAN VERLINA REYNOLDS-JACKSON: Resolution in Support of an Accurate 2020 Census.

MARY ANN RANSON: Request to change the dates for Sparkle Week (garden tour is second week of June).

ANNOUNCEMENTS

SHAD FESTIVAL will be held on April 27th and 28th.

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

MEMORIAL DAY PARADE is scheduled for Monday, May 27th with step off at 9 am at the corner of North Union and Cherry Street.

SPARKLE WEEK:

ZONE ONE, TUESDAY PICK-UP – JUNE 4

Begins at Church Street and goes south to Route 29, includes Bridge Street, Ferry Street, Swan Street, Mount Hope Street and Canal Street. It also includes Curley Lane, Grants Alley and Washington Street.

ZONE TWO, WEDNESDAY PICK-UP – JUNE 5

Includes Cottage Hill, Connaught Hill and Music Mountain.

ZONE THREE, THURSDAY PICK-UP – JUNE 13

Begins at Church Street, runs north to Delaware Avenue.

ZONE FOUR, FRIDAY PICK-UP – JUNE 14

Begins the north side of Delaware Avenue, runs north to Cherry Street, and includes Lamberts Hill and Blair Tract.

PUBLIC PARTICIPATION/PUBLIC CONCERN

Steve Stegman, Studdiford Street asked about the status of the porch grant at City Hall. He suggested reaching out to the Historical Society for donations so that the city didn’t lose the grant funding. Mayor Fahl said she would look at the timeline for the grant.

Michael Pearson, Lambert Lane asked about the clear cutting of the canal. Mayor Fahl said she received multiple complaints and the New Jersey Water Authority actually has

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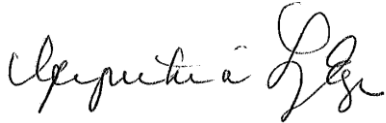
the right of way for anything that may impede the structure of the canal. She is meeting with the DRCC in May and is considering an ordinance that would require them to provide notice.

John Hencheck, Quarry Street, thanked Steve Stegman for the work he did on the grant for the porch, job well done. He mentioned the fundraising he and his wife did for the lights at city hall. He supported the reconstruction of the porch at city hall and felt it would be a wonderful place for a ceremony.

ADJOURNMENT

The meeting adjourned at 9:00 p.m. with a motion made by Councilman Sanders and seconded by Council President Asaro. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Respectfully submitted,



Cynthia L. Ege, CMR, RMC, City Clerk



The April 18, 2019 minutes were approved at the regular voting session held on May 16, 2019.