



City of Lambertville
REGULARLY SCHEDULED SESSION
THURSDAY, May 16, 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 7:03 p.m. and asked the City Clerk to read the statement of compliance with the Open Public Meetings Act into the record.

"Adequate notice of the voting session of the Governing Body of the City of Lambertville held on May 16, 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 (by phone), 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 moment of silence in honor of those serving in the United States Armed Forces in Country and abroad.

APPROVAL OF MINUTES

Mayor Fahl asked for a motion to approve the April 18, 2019 Voting Session and the May 2, 2019 Work Session Minutes. Councilwoman Taylor made the motion a to approve the minutes as submitted/amended. Council President Asaro seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

ADMINISTRATIVE REPORTS

Mayor Fahl 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 and 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, Tax Collector – Cynthia McBride, CMTC, Council President Asaro made the motion to approve the Administrative Reports. Councilman Sanders 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

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Council President Asaro asked for a motion to approve the Bills List and the amendment to the Bills List. Council President Asaro made the motion to approve the Bills List as submitted. Councilwoman Taylor seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

PROCLAMATIONS

Mayor Fahl asked for a motion to adopt the following proclamations:
American Legion – will be read on Memorial Day.

Proclamation

WHEREAS, the American Legion was chartered by Congress in 1919 on September 16th as a wartime veterans organization based on the four pillars of Veterans Affairs & Rehabilitation, National Security, Americanism, and Children & Youth; and

WHEREAS, over the years, the American Legion has become a preeminent community-service organization which now numbers more than 2.5 million members -- men and women -- in over 14,000 American Legion posts worldwide working a variety of programs that support the four pillars and benefit our nation's veterans, its service members, their families, the youth of America and its citizens; and

WHEREAS, the members of the American Legion are dedicated to upholding the ideals of freedom and democracy, while working to make a difference in the lives of fellow Americans; and

WHEREAS, the 2019 observance of American Legion Day provides an opportunity to recognize Legionnaires in our community for their many contributions to our community that includes the annual Memorial Day Commemoration.

NOW, THEREFORE BE IT RESOLVED THAT, I, Julia Fahl, Mayor of the City of Lambertville, New Jersey do hereby proclaim September 16, 2019, as THE AMERICAN LEGION DAY

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of May in the year of our Lord two thousand nineteen.

ADOPTED: May 16, 2019

Julia Fahl, Mayor

Dave Burd.

Proclamation

WHEREAS, David K. Burd, husband to Sharon, father to Amanda and Julia; is a lifelong resident of the City of Lambertville, will be celebrating his 70th birthday on May 21, 2019; and

WHEREAS, Mr. Burd has served on the Lambertville-New Hope Ambulance and Rescue Squad for over 50 years; the South Hunterdon Regional Board of Education; and served on the Governing Body of the City of Lambertville in the 1990's; and

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WHEREAS, Dave has served as the Coordinator of the Office of Emergency Management and he has worked diligently on the Emergency Operations Plan to ensure that the city is ready for all types of emergency situations; and

WHEREAS, Mr. Burd serves as the Chairperson of the Cable Television Advisory Board and has provided guidance to the city during contract renewal times; and

WHEREAS, the City has valued his input on various other projects including the Hazard Mitigation Plan, generator projects, and Halloween Parade, and

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that David K. Burd is hereby recognized for his many contributions to the City and thanked for his volunteer spirit.

BE IT FURTHER RESOLVED that Mr. Burd is hereby wished a Happy 70th Birthday with extended wishes for many many more.

ADOPTED: May 16, 2019

Julia Fahl, Mayor

Mayor Fahl asked for a motion to approve the proclamations as listed on the agenda. Councilwoman Taylor made a motion to approve the proclamations. Councilman Sanders seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

RESOLUTIONS

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

Mayor Fahl read the following resolutions by title into the record and asked for a motion to adopt Resolution Numbers 71-2019 through 78-2019.

RESOLUTION NUMBER 71-2019: *A Resolution to Authorize the Professional Services Contract with Michael Burns to Serve as City Architect, awarded through the Non-Fair and Open Process, With the Hourly Rate of \$80 to \$195 in An Amount Not to Exceed 20% of Each Project.*

RESOLUTION NUMBER 71-2019

A Resolution to Authorize the Professional Service Contract with Michael Burns to Serve as City Architect, awarded through the Non-Fair and Open Process, With an Hourly Rate of \$80 to \$195 in an Amount Not to Exceed 20% of the Project, With A Term Beginning May and Ending December 2019

WHEREAS, there exists a need for an Architect to serve and assist with special projects; and

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WHEREAS, the contracts are being awarded pursuant to the Non-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., and

WHEREAS, the contract rates have been established at \$80 to \$195 per hour with an amount not to exceed 20% of each project; 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;

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 Michael Burns, a local Architect who has served the City for several years, is hereby appointed at the City Architect, beginning May 1, 2019 and ending December 31, 2019.

BE IT FURTHER RESOLVED that notice of these actions shall be printed in the May 21, 2019 issue of The Times, N.J.A.C. 5:34-9.5 (d).

ADOPTED: May 16, 2019

- a. RESOLUTION NUMBER 72-2019: A Resolution to Authorize the City Clerk to File the Raffle Application Filed by the American Legion Toscanini Post #120 for the Pull Tabs Beginning July 13, 2019 through July 12, 202.

RESOLUTION NUMBER 72-2019

A Resolution to Authorize the City Clerk to File the Raffle Application Filed by the American Legion Toscanini Post #120 for the Pull Tabs Beginning July 13, 2019 through July 12, 2020

WHEREAS, the American Legion Toscanini Post #120 filed an application in the Clerk’s Office for a raffle on Thursday, May 9, 2019; and

WHEREAS, a copy of the application was filed with the police department on May 9, 2019 ; and

WHEREAS, the Municipal Clerk has completed the determinations statement which verifies the applicant is qualified to hold the raffle.

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 City Clerk is hereby authorized to file the application with the State of New Jersey, Legalized Games of Chance Control Commission.

ADOPTED: May 16, 2019

RESOLUTION NUMBER 73-2019: A Resolution to Amend Resolution Number 62-2019, Awarding the Contract for the Purchase of a 6 Yard Garbage Truck to Truck and Parts of Pennsylvania in the Amount of \$63,400, A Change in Value from \$59,900 to \$63,400.

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RESOLUTION NUMBER 73-2019

A Resolution to Amend Resolution Number 62-2019, Awarding the Bid for the Purchase of a Refurbished Garbage Truck to Trucks and Parts of Pennsylvania In the Amount of \$63,400

WHEREAS, the City of Lambertville adopted

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 \$63,400.00

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 \$63,400.00.

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 \$63,400.00 is hereby awarded.

ADOPTED: May 16, 2019

RESOLUTION NUMBER 74-2019: Chapter 159 Grant for Ditching Disposables Awarded by Sustainable Jersey in the Amount of \$20,000. The City has received \$10,000.

RESOLUTION NUMBER 74-2019

RESOLUTION REQUESTING THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S.A. 40A:4-87 (Chapter 159 P.L. 1948)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Finance may approve the insertion of any special item if revenue in the budget of any County or Municipality when such item have been made available by Law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount.

WHEREAS, the Chief Financial Officer has certified that the City has received a grant in the amount of \$10,000.00 for Sustainable Jersey Grant.

NOW THEREFORE, BE IT RESOLVED that the City of Lambertville hereby requests the Director of Division of Local Finance to approve the insertion of an item of revenue in the 2019

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CY Budget in the amount of \$10,000.00 which item is now available as revenue from the receipt of the Sustainable Jersey Grant.

BE IT FURTHER RESOLVED that a like sum of \$10,000.00 is hereby appropriated under the caption of:

OPERATIONS "EXCLUDED FROM CAP"

Sustainable Jersey Grant \$10,000.00

BE IT FURTHER RESOLVED that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval, with a copy of the letter awarding the Grant.

ADOPTED: May 16, 2019

RESOLUTION NUMBER 75-2019: *A Resolution to Authorize the Refund of Two Overpayments of Property Taxes to Wells Fargo for Block 1002.1, Lot 52 in the Amount of \$2,891.89 and to CoreLogic for Block 1093, Lot 2 in the Amount of \$1,335.96.*

RESOLUTION 75-2019

A Resolution Authorizing the Refund of Two Overpayments of Property Taxes to Wells Fargo for Block 1002.1, Lot 52 in the Amount of \$2,891.89 and to CoreLogic for Block 1093, Lot 2 in the Amount of \$1,335.96

WHEREAS, the Tax Collector has advised of two overpayments for the second quarter 2019 tax payments, and

WHEREAS, the overpayments received are as follows:

Wells Fargo, Block 1002.1, Lot 52 in the amount of \$2,891.89

CoreLogic, Block 1093, Lot 2, in the amount of \$1,335.96

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey that the refund of tax payments to Wells Fargo in the amount of \$2,891.89 and CoreLogic in the amount of \$1,335.96 are hereby authorized.

ADOPTED: May 16, 2019

RESOLUTION NUMBER 76-2019: *A Resolution Authorizing the Redemption of a Tax Lien for Block 1002, Lot 75 In the Amount of \$5,319.96. Plus, the Premium of \$3,600.00.*

RESOLUTION 76-2019

A Resolution Authorizing the Redemption of a Tax Lien for Block 1002, Lot 75 In the Amount of \$5,319.96

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WHEREAS, Tax Lien Certificate 18-00002 issued on Block 1002 Lot 75 was sold to Christiana T C/F CE1/FirstTrust, First Trust Bank PO BOX 5021, Philadelphia, PA 19111 on 06/21/2018 and

WHEREAS, payment has been received by the Tax Collector for redemption of the tax lien from a property owner.

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey that the check is hereby authorized to Christiana T C/F CE1/FirstTrust, First Trust Bank PO BOX 5021, Philadelphia, PA 19111 for the redemption of tax lien certificate #18-00002 in the amount of: \$5,319.96

In addition, the City is holding a premium in the amount of \$3,600.00

and upon redemption this is due back to the lienholder.

2 checks for the lienholder –

Check 1= \$5,319.96

Check 2= for premium= \$3,600.00

ADOPTED: May 16, 2019

RESOLUTION NUMBER 77-2019: A Resolution to Authorize the Public Sale of Tax Lien Certificate Number 88-00552, for 113 Swan Street, Block 1069, Lot 1.

RESOLUTION NUMBER 77-2019

A Resolution Authorizing Public Sale of Tax Sale Certificate # 88-00552 Pursuant to N.J.S.A. 54:5-113, for Block 1069, Lot 1, 113 Swan Street

WHEREAS, the City of Lambertville has acquired title to certain real estate by reason of it having been struck off and sold for delinquent taxes and assessments;

WHEREAS, the Tax Collector of the City of Lambertville requires authorization for the public sale by assignment of a certain Certificate of Tax Sale, together with subsequent liens thereon; and

WHEREAS, the total amount of the municipal lien exceeds the assessed value of the real estate as of the date of the last sale thereof for unpaid taxes;

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville that the Tax Collector and City Clerk be and they are hereby authorized to sell by public sale by assignment the following Tax Sale Certificate together with the subsequent liens thereon for an amount not less than the total due, \$15,131.22.

BLOCK/LOT	ADDRESS	CERT NO.	AMOUNT OF SALE IN CERTIFICATE	TOTAL TAX LIENS ACCRUED	TOTAL	OWNER LAST TAX DUPLICATE
1069, 1	113 Swan Street	88-00552	\$2,377.44	\$12,753.78	\$15,131.22	Estate of Carolyn Ely

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ADOPTED: May 16, 2019

RESOLUTION NUMBER 78-2019: A Resolution to Authorize the Submission of a Grant Application to the Sustainability Institute of the College of New Jersey for the Stewardship Grant Program for Resiliency, Planning in the Amount of \$10,000.

RESOLUTION NUMBER 78-2019

A Resolution Authorizing the Submission of a Grant Application to the Sustainability Institute of the College of New Jersey for the Stewardship Grant Program for Resiliency, in the Amount of \$10,000.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville that the grant application to the Sustainability Institute of the College of New Jersey for the Stewardship Grant Program to assist with tree inventories, risk tree assessments, storm assessments, insect and disease management projects or any combination of these activities, for up to \$10,000.00 is hereby authorized.

ADOPTED: May 16, 2019

Council President Asaro made a motion to adopt Resolution numbers 71-2019 through 78-2019. Councilman Sanders seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present.

Mayor Fahl informed the members of the public present that the following resolution is to authorize the increase in the contract for Happenings Media for work on a grant received by the Environmental Commission through Sustainable Jersey in the amount of \$20,000 for the Ditching Disposables Project. She commended Liz Magill-Peer and the Commission members for their work. Mayor Fahl asked for a motion to adopt Resolution Number 79-2019.

RESOLUTION NUMBER 79-2019: A Resolution to Authorize the Contract with Happenings Media in an Amount Not to Exceed \$6,450 for Media Coverage for the Sustainable Jersey Grant Awarded for the Ditching Disposables Project.

RESOLUTION NUMBER 79-2019

A Resolution Authorizing the Contract with Happenings Media in An Amount Not to Exceed \$6,450.00 for Assistance with the Sustainable Jersey Grant Titled "Ditching Disposables"

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville that the contract with Happenings Media in an amount not to exceed \$6,450.00 for assistance with the Sustainable Jersey Grant titled "Ditching Disposables" is hereby authorized.

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ADOPTED: May 16, 2019

Councilwoman Warner made the motion to adopt the resolution. Councilman Sanders seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRID.

RESOLUTION NUMBER 80-2019: *A Resolution to Authorize the Suspension of the Meters on Wednesday, June 26, 2019 from 5 – 9 PM for a Special Event Hosted by the Business Community.*

Mayor Fahl informed the members of the public present that members of the business community would like the City to suspend meters on June 26th from 5 – 9 pm for a special event to help bring people into our community.

RESOLUTION NUMBER 80-2019

A Resolution Authorizing the Suspension of the Meters on Wednesday, June 26, 2019 from 5 – 9 PM

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville that the meters are hereby suspended on Wednesday, June 26, 2019 from 5 – 9 pm for a special event hosted by the business community.

ADOPTED: May 16, 2019

Mayor Fahl asked for a motion to adopt the resolution. Councilman Sanders made the motion to suspend the meters on June 26. Council President Asaro seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

RESOLUTION NUMBER 81-2019: *A Resolution to Authorize Change Order Number 1 for the Fence at Ely Field to Install a Gate by the Softball Field to allow for Accessibility to the Bleachers in An Amount Not to Exceed \$3,639.05 Plus Additional Cost to Comply with ADA Requirements.*

Mayor Fahl informed the members of the public present that this resolution authorizes a change order for the fence at Ely Field to include a gate by the softball field. This gate allows access to the bleachers without going through the dugout. It will also be ADA compliant.

RESOLUTION NUMBER 81-2019

A Resolution to Authorize Change Order Number 1 for the Fence at Ely Field to Install a Gate by the Softball Field to allow for Accessibility to the Bleachers in An Amount Not to Exceed \$3,639.05.

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NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville that change order 1 for the fence at Ely Field in the amount of \$3,639.05 plus the cost of making the entrance ADA accessible to install a gate by the bleachers at the soft ball field is hereby authorized.

ADOPTED: May 16, 2019

Mayor Fahl asked for a motion to adopt Resolution Number 81-2019. Council President Asaro made a motion to adopt the resolution and Councilwoman Taylor seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

RESOLUTION NUMBER 82-2019 AND 83-2019:

Mayor Fahl asked for a motion to adopt Resolution Numbers 82-2019 and 83-2019. She read the resolutions into the record by title.

RESOLUTION NUMBER 82-2019: *Resolution of the City Council of the City of Lambertville Designating Block 1053, Lots 2 and 3 as an Area of the City in Need of Rehabilitation*

RESOLUTION NUMBER 82-2019

Resolution of the City Council of the City of Lambertville Designating Block 1053, Lots 2 and 3 as an Area of the City in Need of Rehabilitation

WHEREAS, the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., authorized municipalities to determine whether certain parcels of land in the municipality constitute areas in need of rehabilitation; and

WHEREAS, in accordance with the Redevelopment Law, the Governing Body of the City of Lambertville has undertaken a study to determine if the property at the corner of Feeder Street on 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 (YMAC Property) should be considered an area in need of rehabilitation pursuant to the Redevelopment Law; and

WHEREAS, Clarke Caton Hintz, the designated planner for the City of Lambertville, completed a study and submitted said study to the City dated April 12, 2019, a copy of which has been submitted to the Planning Board as Exhibit A. Said report states that the YMAC Property meets the criteria set forth in N.J.S.A. 40A:12A-14 since a significant portion of the structures are in a deteriorated or substandard condition and that a program of rehabilitation, as defined in N.J.S.A. 40A:12A-3 may be expected to prevent further deterioration and promote the overall development of the site; and

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WHEREAS, N.J.S.A. 40A:12A-14(a) provides that prior to the adoption of a resolution designating the YMAC Property as an area in need of rehabilitation, the Governing Body must first submit a copy of the proposed resolution so designating the property to the City Planning Board for its review and recommendations; and

WHEREAS, by Resolution 69-2019, dated April 18, 2019, the Governing Body requested the Planning Board to consider the designation of the YMAC Property as an area in need of rehabilitation; and

WHEREAS, at its regularly scheduled public meeting on May 1, 2019, the Planning Board reviewed the report of Clarke Caton Hintz, and considered the comments of the Lambertville Planning Board Members and the public and concluded that the criteria for designating the property as an area in need of rehabilitation has been satisfied; and

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Lambertville, that based upon the investigation undertaken by Clarke Caton Hintz, and the recommendation of the Planning Board on the matter, that the Study Area identified as Block 1053, Lots 2 and 3, be and is hereby designated as an “area in need of rehabilitation”, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., with the use of all powers provided by the Legislature for use in Rehabilitation Areas.

NOW THEREFORE, BE IT FURTHER RESOLVED by the Governing Body of the City of Lambertville that a copy of this Resolution designating Block 1053, Lots 2 and 3 as an area in need of rehabilitation with the use of all powers provided by the Legislature for use in a Rehabilitation Area be made available to, and notice of this designation be served upon, each owner of property within the rehabilitation area.

BE IT FURTHER RESOLVED by the Governing Body of the City of Lambertville that a copy of this Resolution be forwarded to the Commissioner of the Department of Community Affairs, pursuant to the Redevelopment Law, for approval.

ADOPTED: May 16, 2019

RESOLUTION NUMBER 83-2019: A Resolution Requesting Permission for the Insertion of a Grant in the Amount of \$1,318.99 for Body Armor

RESOLUTION NUMBER 83-2019

RESOLUTION REQUESTING THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S.A. 40A:4-87 (Chapter 159 P.L. 1948)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Finance may approve the insertion of any special item if revenue in the budget of any County or Municipality when such item have been made available by Law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount.

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WHEREAS, the Chief Financial Officer has certified that the City has received a grant in the amount of \$1,318.99 for Body Armor.

NOW THEREFORE, BE IT RESOLVED that the City of Lambertville hereby requests the Director of Division of Local Finance to approve the insertion of an item of revenue in the 2019 CY Budget in the amount of \$1,318.99 which item is now available as revenue from the receipt of the Body Armor.

BE IT FURTHER RESOLVED that a like sum of \$1,318.99 is hereby appropriated under the caption of:

OPERATIONS "EXCLUDED FROM CAP"

Body Armor \$1,318.99

BE IT FURTHER RESOLVED that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval, with a copy of the letter awarding the Grant.

ADOPTED: May 16, 2019

Council President Asaro made the motion to approve the resolutions and Councilwoman Warner 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 13-2019: *An Ordinance to Amend the Lambertville City Code, 2014, Chapter X, Building and Housing, Building Sub Code Fees.*

Mayor Fahl read the Ordinance into the record by title. Mayor Fahl informed the members of the public present that this ordinance will increase construction permit fees. The last time this ordinance was amended was in 2016.

ORDINANCE NUMBER 07-2016

An Ordinance to Amend Chapter Ten, Fees for Construction Permits

10-1.3 Fees for a Construction Permit.

Fees. The fee for a construction permit in Lambertville or any interlocal arrangement shall be the sum of the Subcode fees listed in paragraphs 1(a) through 6(d) hereof and shall be paid prior to the issuance of a permit. Twenty (20%) percent of the construction permit fee shall be considered as the plan review fee, which will be paid at the enforcing agency's office at the time the permit application is submitted and is non-refundable. The plan review fee for prototype plans shall be five (5%) percent of the amount to be charged for a construction permit.

1. Building Subcode Fees.

- a. Fees for new construction shall be based upon the volume of the structure. This fee shall be in the amount of **\$.075** per cubic foot, except that agricultural structures on farms shall be in the amount of \$0.025.

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- b. Fees for renovations, alterations, repairs, commercial roofing, commercial siding, and for foundations and on-site work for pre-manufactured construction or relocated structures, the fee shall be based upon the estimated cost of work. The City reserves the right to require a copy of actual contracts or current market price evaluation based on common estimating practices; or an architect or engineer's cost estimate; or actual third-party estimates. The cost shall include all labor and material (including bartered, donated, free, etc. labor and/or materials)
- c. This fee shall be as follows:
 - i. **\$37.00** per \$1,000.00 of estimated cost of work up to \$50,000.00 of estimated cost of construction;
 - ii. **\$33.00** per \$1,000.00 for estimated cost of work from \$50,001.00 to \$100,000.00 estimated cost of construction; and
 - iii. **\$29.00** per \$1,000.00 for additional costs over \$100,000.00 estimated cost of construction.
- d. The fee for temporary structures shall be based on the volume of the structure. The building Subcode fee shall be .025 per cubic foot. Electric, plumbing and fire Subcode fees shall be based on the normal fee schedule. All structures for which volume cannot be computed shall be \$95.00.
- e. Fees for additions shall be computed on the same basis as for new construction (volume) for the added portion.
- f. Fees for combination renovations and additions shall be computed as the sum of the fees computed separately in accordance with paragraphs (a) and (b) above.
- g. The fee for construction or installation of a single family residential in-ground swimming pool shall be **\$250.00**. The fee for construction or installation of all other use group in-ground swimming pools shall be **\$350.00**. The fee for aboveground pools shall be **\$75.00**.
- h. The fee for construction or installation of retaining walls shall be as follows:
 - i. The fee for a retaining wall with a surface area of 550 square feet or less that is associated with a single Class 3 residential structure shall be **\$150.00**.
 - j. The fee for a retaining wall with a surface area of more than 550 square feet that is associated with a single Class 3 residential structure shall be **\$290.00**.
- k. The fee for all other retaining walls shall be based on the cost of work as follows:
 - i. \$20.00 per \$1,000.00 of estimated cost of work up to \$50,000.00,
 - ii. \$16.00 per \$1,000.00 of estimated cost of work from \$50,001.00 to \$100,000.00,
 - iii. \$12.00 per \$1,000.00 of estimated cost of work over \$100,000.00,
- l. **In use groups R-3, 4 or 5 single family detached dwellings the fee for the construction and/or renovation of a deck up to 150 sq. ft. shall be \$150.00, 151 sq. ft. to 250 sq. ft. shall be \$240.00 and over 250 sq. ft. shall be \$350.00. All other use groups shall be based on the cost of the work.**
- m. The installation of sheds over 200 square feet shall be a minimum of \$175.00
- n. The fee for a residential roof or siding replacement shall be \$110.00 and for commercial roof or siding replacement shall be based on the cost of work.
- o. The fee for a demolition and/or removal permit of a building or structure shall be **\$150.00** for Class 3 residential and **\$275.00** for all other use groups, provided that the fee shall be \$75.00 for structures under 400 square feet in area.
- p. The fee for removal or abandonment of underground storage tanks shall be **\$125.00** each for tanks up to 1,000 gallons and **\$195.00** each for tanks over 1,001 gallons.

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- q. The fee to construct or erect a sign shall be \$3.00 per square foot surface area of the sign, computed on one side only for double-faced signs. The minimum fee shall be \$75.00.
- r. The minimum fee for the building technical section shall be **\$75.00**.
- 2. *Plumbing Subcode Fees.*
 - a. The fee shall be in the amount of **\$26.00** per fixture or stack such as sinks, water closets, urinals, bath tubs, showers, clothes washers, dishwashers, hose bibs, gas piping per outlet, condensate pump, etc., except as listed below in 2(b) and (c).
 - b. The fee for domestic hot water heater replacement fee shall be \$95.00.
 - c. The fee for special devices shall be **\$110.00** for the following: grease traps, oil separators, water-cooled air-conditioning units, air-conditioning compressors, refrigeration units, hot water boilers, fuel oil piping, new gas service and underground gas lines, interceptors, water and sewer connections, active solar systems, sewer pumps.
 - d. For equipment listed in NJAC 5:23-2.23(l) such as backflow preventers, high pressure boilers, refrigeration systems, etc. the fee shall be \$95.00 for the first device and \$25.00 for additional similar devices in the same building.
 - e. The minimum fee for the plumbing technical section shall be **\$75.00**.
- 3. *Electrical Subcode Fees.*
 - a. For from one to 25 devices, receptacles or fixtures, the fee shall be in the amount of \$75.00; for each additional device, receptacle or fixture in addition to this, the fee shall be in the amount of \$1.25 per device, receptacle or fixture. For the purpose of computing this fee, devices, receptacles or fixtures shall include but are not limited to the following: lighting outlets or fixtures, switches, fluorescent fixtures, receptacles, light standards less than 8 foot in height, communication points, alarm devices, and other panels or devices rated less than 20 amps, smoke and heat detectors, or similar fixtures, and motors or devices of less than or equal to one horsepower or one kilowatt.
 - b. For each motor or electrical device greater than one horsepower and less than or equal to 10 horsepower; and for photovoltaic system arrays, greater than one kilowatt and less than or equal to 10 kilowatts, the fee shall be **\$35.00**.
 - c. For each motor or electrical device greater than 10 horsepower and less than or equal to 25 horsepower; for photovoltaic system arrays, greater than 10 kilowatts and less than or equal to 25 kilowatts or kva; the fee shall be **\$65.00**.
 - d. For each motor or electrical device greater than 26 horsepower and less than or equal to 50 horsepower; and for photovoltaic system arrays, greater than 26 kilowatts and less than or equal to 50 kilowatts or kva, the fee shall be **\$125.00**.
 - e. For each motor or electrical device greater than 51 horsepower and less than or equal to 100 horsepower; and for photovoltaic system arrays, transformers and generators greater than 51 kilowatts and less than or equal to 100 kilowatts or kva, the fee shall be **\$200.00**.
 - f. For each motor or electrical device greater than 100 horsepower; and for photovoltaic system arrays, transformers and generators greater than 100 kilowatts or kva, the fee shall be **\$800.00**.
 - g. Equipment, devices rated by kilowatt or kva include but are not limited to the following: electric ranges/receptacles, ovens, surface units, electric hot water heaters, electric dryers/receptacles, dishwashers, central AC units, baseboard heaters, transformers, generators, steam shower units or any other devices consuming or generating electrical current. Equipment or devices rated by

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horsepower include but are not limited to the following: garbage disposals, motors, etc. Space heaters or air handlers may be rated by HP, kW or kva.

- h. For each service, panel or motor control and for inverters, panels and disconnects for photovoltaic systems, rated up to 100 amps the fee shall be **\$95.00**.
 - i. For each service, panel or motor control and for inverters, panels and disconnects for photovoltaic systems, rated 101 amps up to 200 amps the fee shall be **\$175.00**.
 - j. For each service, panel or motor control and for inverters, panels and disconnects for photovoltaic systems, rated 201 amps up to 400 amps the fee shall be **\$360.00**
 - k. For each service, panel or motor control and for inverters, panels and disconnects for photovoltaic systems, rated over 400 amps the fee shall be **\$800.00**.
 - l. For all the following: signs; fire, security, burglar control stations; communication control units; smoke, heat, fire, burglar alarm systems in 1 and 2 family dwellings; utility load management devices; lighting standards over 8 foot the fee shall be **\$75.00**.
 - m. For in-ground pools the fee shall be \$225.00.
 - n. For spas, hot tubs, or fountains the fee shall be \$150.00.
 - o. For storable or portable pools, the fee shall be \$75.00.
 - p. For a swimming pool bonding certificate of compliance, the fee shall be \$95.00
 - q. Transformers and generators less than or equal to 20kw shall be \$100.00. Transformers and generators greater than 20kw and less than or equal to 50kw shall be \$175. Generator panels shall follow (h) thru (k) above.
 - r. The minimum fee for the electrical technical section shall be **\$75.00**.
4. *Fire Subcode Fee.*
- a. The fee for sprinkler systems shall be **\$125.00** for up to 12 heads;
 - b. For 13 to and including 40 heads the fee shall be **\$200.00**.
 - c. For 41 to and including 100 heads the fee shall be **\$350.00**; and
 - d. For all heads over 100 the fee shall be \$2.00 per head.
 - e. The fee for each standpipe shall be \$325.00.
 - f. The fee for each independent pre-engineered suppression system shall be **\$225.00**.
 - g. The fee for each gas or oil-fired appliance shall be \$75.00
 - h. The fee for each kitchen exhaust system shall be \$225.00.
 - i. The fee for spray booths exhaust system shall be **\$325.00**.
 - j. The fee for a wood/coal burning stove, fire place inserts, pre-fab or masonry fireplace shall be **\$75.00**.
 - k. The fee for Dry pipe, Pre-action or sprinkler alarm valves and for smoke, heat detectors and manual fire alarms shall be \$125.00 for up to 12 alarms, except that hard wired and interconnected alarms for 1 and 2 family residential the fee shall be **\$75.00** for up to 12 alarms;
 - l. Each device over 12 shall be \$8.00 each
 - m. The fee for R3, R4 and R5 fire alarm systems shall be \$95.00.
 - n. The fee for fire pumps shall be **\$425.00** each.
 - o. The fee for incinerators shall be **\$425.00** each.
 - p. The fee for crematoriums shall be **\$425.00** each.
 - q. The fee for unit heaters shall be \$75.00 each.
 - r. The fee for chimney relining shall be \$75.00.
 - s. The fee for the installation of **any underground fuel storage tank up to 550 gallons shall be \$150.00. The fee for the** above ground fuel storage tanks up to 550 gallons shall be \$75.00. For tanks 551 to 1,000 gallons shall be **\$200.00**. For tanks over 1,001 gallons, the fee shall be **\$400.00**.
 - t. The fee for a fire sprinkler water storage tank shall be **\$275.00**.

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- u. The minimum fee for the fire technical section for 1 or 2 family residential shall be **\$65.00** and for all other use groups shall be **\$125.00**.
- 5. *Certificates and Other Special Fees.*
 - a. The fees for certificates shall be as follows:
 - b. Certificate of occupancy, residential (single family) is **\$175.00** except the fee for a certificate of occupancy for pools, decks and small additions (under 400 square feet) is \$45.00.
 - c. Certificate of occupancy, other than single family is **\$350.00**.
 - d. Certificate of occupancy for changes in use group is **\$350.00**.
 - e. Certificate of approval, no fee.
 - f. Continued certificate of occupancy is **\$350.00** per unit or tenant space.
 - g. Temporary certificate of occupancy, renewal fee shall be **\$30.00**.
 - h. Certificate of Compliance, no fee.
 - i. The fee for asbestos or lead abatement projects shall be as follows:
 - j. The administrative fee for each construction permit issued for an asbestos hazard abatement project shall be as specified at NJAC 5:23-8.9
 - k. The administrative fee for each certificate of occupancy issued following the successful completion of an asbestos hazard abatement project shall be as specified at NJAC 5:23-8.9
 - l. The fee for a permit for lead hazard abatement projects shall be \$190.00.
 - m. The fee for a lead abatement clearance certificate shall be \$35.00.
 - n. The fee for a variation request application shall be **\$125.00** for Class 3 residential and; **\$300.00** for Class 3 other than residential and Class 2 and; **\$850.00** for Class 1 buildings. The fee for resubmission of an application for a variation shall be one half (1/2) of the original fee if required by the Construction Official.
 - o. The fee for an application for the construction board of appeals shall be as specified by the Hunterdon County Construction Board of Appeals application.
 - p. A fee of \$110.00 per hour may be charged for review of any amendment or change to a plan that has already been released, or any other additional work required by ordinance or interlocal agreement.
 - q. The fee for a zoning permit is **\$50.00**
 - r. The fee for a Flood Development Permit shall be **\$175.00** plus any applicable City engineering review costs, if required by the City Engineer.
 - s. The fee to reinstate a lapsed permit shall be fifty (50%) percent of the initial permit fee provided such application is made within one (1) year from the date the initial permit lapsed. Thereafter, the fee to reinstate a lapsed permit shall be based on the current fee schedule.
 - t. The fee for an annual permit shall be charged annually, and shall be a flat fee based on the number of maintenance workers (excluding managers, engineers and clerks) who are primarily engaged in work governed by a Subcode (building/fire, electrical and plumbing). Fees shall be as follows:
 - i. One (1) through twenty-five (25) workers (including foreman or forewoman), **\$1,500.00** per worker;
 - ii. each additional worker over twenty-five (25), **\$450.00** per worker.
 - u. Prior to the issuance of the annual permit a training registration fee of **\$196.00** per Subcode shall be submitted by the applicant and shall be forwarded by the Construction Official to the Department of Community Affairs, Construction Code Element, Training Section along with a copy of the construction permit

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(Form F-170). Checks shall be made payable to "Treasurer, State of New Jersey." The Department shall register these individuals and notify them of the courses being offered.

- 6. *Exempt Fees.*
 - a. No fees shall be charged for construction of any permitted building or structure owned by the City of Lambertville or any of its respective agencies.
 - b. Newly constructed and rehabilitated residential units that are to be legally restricted to occupancy by households of low income may qualify for reduce fees or be exempt from construction permit fees as authorized by City Council on an individual basis, except for the State Training Fee.
 - c. Pursuant to N.J.S.A. 52:27D-126e and N.J.S.A. 40:55D-8, no person shall be charged a construction permit surcharge fee or enforcing agency fee for any construction, reconstruction, alteration or improvement designed and undertaken solely to promote accessibility by disabled persons to an existing public or private structure for any of the facilities contained therein. A disabled person, or a parent or sibling of a disabled person, shall not be required to pay any municipal fee or charge in order to secure a construction permit for any construction, reconstruction, alteration or improvement which promotes accessibility to his or her own living unit. For purposes of this subsection, the term "disabled person" means a person who has the total and permanent inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment, including blindness, and shall include, but not be limited to, any resident of this state who is disabled pursuant to Federal Social Security Act (42 U.S.C. §416), or the Federal Railroad Retirement Act of 1974 (45 U.S.C. §231, et seq.), or is rated as having a sixty (60%) percent disability or higher pursuant to any federal law administered by the United States Veterans Act. For purposes of this paragraph, the term "blindness" means central visual acuity of 20/200 or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the field of vision such that the widest diameter of the visual field subtends an angle no greater than twenty (20) degrees shall be considered as having a central visual acuity of 20/200 or less.
 - d. Outside agency fees. Notwithstanding any other fee hereinafter set forth, when the township has retained a private on-site inspection or plan review agency to carry out Subcode official responsibility no fee charged shall exceed the amount paid by the Township to that private agency plus thirty (30%) percent.

11. The Mechanical Inspector fee for construction use group R-3 and R-5 shall be:

- a. First Device \$65.00
- b. Each additional device \$30.00

INTRODUCTION AND FIRST READING: May 16, 2019
PUBLIC HEARING AND SECOND READING: June 20, 2019

Mayor Fahl asked for a motion to introduce on first reading Ordinance Number 13-2019. Council President Asaro made the motion to introduce Ordinance Number 13-2019. Councilwoman Warner 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 June 20, 2019.

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ORDINANCE NUMBER 14-2019: *An Ordinance to Amend the Lambertville City Code, 2014, Chapter 8 Municipal Parking Areas and Metered Parking, Section 25.1.2, Meters Erected, Hours of Parking, Meter Free.*

Mayor Fahl read the ordinance into the record by title. She informed the members of the public present that this will amend Chapter 8, and increase the hours of operation on Sundays from 1 – 9 pm to 9 am to 9 pm. Mayor Fahl informed the members of the public present that this was suggested during the June 2 Work Session to help compensate for the loss of anticipated revenue for the parking meters.

ORDINANCE NUMBER 14-2019

An Ordinance to Amend the Lambertville City Code, 2014, Chapter 8 Municipal Parking Areas and Metered Parking, Section 8-251.2, Meters Erected, Hours of Parking, Meter Free

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that the following sections of Chapter 8 are hereby amended to read:

8-25.2 Meters Erected, Hours of Parking, Meter Free

Parking meters shall be erected in a portion of the lot and vehicles parked in those spots between the hours of 9:00 a.m. to 9:00 p.m., Sunday through Saturday, shall be subject to the provisions of Section 8-17 and 8-18 regarding parking meter spaces and the deposit of coins.

INTRODUCED ON FIRST READING: May 16, 2019

PUBLIC HEARING AND SECOND READING: June

Mayor Fahl asked for a motion to introduce on first reading Ordinance Number 14-2019 Councilwoman Warner made the motion to introduce Ordinance Number 14-2019. Councilwoman Taylor seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present.

The public hearing is scheduled for June 20, 2019.

ORDINANCES – FINAL 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.*

Mayor Fahl read the ordinance into the record by title. They informed the members of the public that this will create a handicapped parking space in front of 127 North Franklin Street.

ORDINANCE NUMBER 08-2019

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*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 RESOVLED 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:

In front of 127 North Franklin Street.

FIRST READING AND INTRODUCTION: April 18, 2019

PUBLIC HEARING AND ADOPTION: May 16, 2019

Mayor Fahl/Council President Asaro opened the public hearing for Ordinance Number 08-2019 and asked for public comment.

There being no public comment, Mayor Fahl asked for a motion to close the public hearing for Ordinance Number 08-2019. Councilman Sanders made the motion to close the public hearing 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 08-2019. Councilman Sanders made the motion and Councilwoman Taylor seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

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 \$1.25 Per Hour, and Section 18.1b to Increase the Daily Rate to \$10.00. NOTE: Amended at the 05-02-19 Work Session.*

Mayor Fahl read the ordinance into the record by title. She informed the members of the public present that this ordinance will increase meter fees to \$1.25 per hour. Mayor Fahl explained that this is a reduction as a result of the work session and the comments from the public.

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 \$1.25 Per Hour, and Section 18.1b. to Increase the Daily Rate to \$10.00

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

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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 cents (\$.20), 30 minutes for a fee of sixty-two (\$.62) cents or an hour for a fee of one dollar and twenty-five cents (\$1.25).

8-18 Deposit of Coins Required

b. For a fee of ten (\$10) 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 opened the public hearing for Ordinance Number 09-2019 and asked for public comments and questions.

Council President Asaro commented that this was a reasonable compromise.

Judy Gleason, 86 North Union Street asked if this required anything be done to the meters? Mayor Fahl responded that Parkmobile is instant, but the meter will need to be reprogrammed in order to make this shift. Lt. Brown said it can be done in one day.

Lisa Stephens asked when it was going into effect. Mayor Fahl said the City will work with the Chamber to make sure we alert businesses before it takes effect.

Councilwoman Taylor asked if Parkmobile and the meters would be updated at the same time. Mayor Fahl responded that it was a reasonable request. She talked to Parkmobile and they are adding the option to park for 30 minutes rather than 1 hour to help offset the increase for residents who want the option to run in and pick up something.

Lisa Stephens asked if the meters would still accept small change. Mayor Fahl responded that it would.

There being no further comments, Mayor Fahl asked for a motion to close the public hearing for Ordinance Number 09-2019. Councilman Sanders made the motion to close the public hearing and Council President Asaro seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Mayor Fahl/Council President Asaro asked for a motion to adopt on second reading granting final approval of Ordinance Number 09-2019. Councilman Sanders 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.

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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.*

Mayor Fahl/Council President Asaro read the Ordinance into the record by title. They informed the members of the public present that this will amend the meeting agenda to reflect the way the city conducts business.

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
Announcements
Public Participation
Adjournment

FIRST READING AND INTRODUCTION: April 18, 2019

PUBLIC HEARING AND ADOPTION: May 16, 2019

PUBLIC HEARING AND ADOPTION: May 16, 2019

Mayor Fahl opened the public hearing for Ordinance Number 10-2019 and asked for public comments and questions.

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There being no comments, Mayor Fahl asked for a motion to close the public hearing for Ordinance Number 10-2019. Council President Asaro made the motion to close the public hearing 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 10-2019. Council President Asaro made the motion and Councilwoman Taylor 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.

Mayor Fahl/Council President Asaro explained that this will amend the Ordinance that created the Human Rights Council by correcting the name and adding two additional members.

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

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:

All references to the City of Lambertville Human Relations Council (LHRC) is hereby amended to read "The City of Lambertville Human Rights Council (LHRC); and

The **City of Lambertville Human Rights Council** (LHRC) will consist of a total of nine (9), amended to read eleven (11) members, 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.

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;

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- 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:

Additional Members:

- 7) A resident of the City of Lambertville
- 8) A resident of the City of Lambertville

Remove:

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

FIRST READING AND INTRODUCTION: April 18, 2019

PUBLIC HEARING AND ADOPTION: May 16, 2019

Mayor Fahl opened the public hearing for Ordinance Number 11-2019 and asked for public comments and questions.

Council President Asaro commented that this would add two additional positions to the Commission, change the name to the Human Rights Council. She proposed adding David Garner and Eppie Castro to fill the positions.

Mayor Fahl commented that the HRC is hosting the annual We Are 1 Picnic on June 9th at Cavallo Park. The Fire Department will be cooking.

There being no public comments, Mayor Fahl asked for a motion to close the public hearing for Ordinance Number 11-2019. Council President Asaro made the motion to close the public hearing and Councilwoman Taylor seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Mayor Fahl/Council President Asaro asked for a motion to adopt on second reading granting final approval of Ordinance Number 11-2019. Council President Asaro made the motion and Councilwoman Taylor seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

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ORDINANCE NUMBER 12-2019: CAP Bank Ordinance

Mayor Fahl/Council President Asaro read the Ordinance into the record by title. She informed the members of the public present that the city did not go to cap and this will bank those funds for use in the next two succeeding budget periods.

ORDINANCE TO ESTABLISH A CAP BANK

(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 year's 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.

Introduced/First Reading: April 18, 2019

Public Hearing/Second Reading: May 16, 2019

Mayor Fahl/Council President Asaro opened the public hearing for Ordinance Number 12-2019 and asked for public comments and questions.

A member of the public commented that she did not understand the ordinance. The City Auditor, Warren Korecky, responded that the municipality is under a limitation under what they can appropriate up to 2.5%. If you are under it, you can pass an ordinance to bank the unused funds to be used in the next two funding cycles.

Karen Taylor Ogren asked if this meant we may need to go up to 3.5%. Mayor Fahl responded and said no, we are not taxing you to the full extent. We are passing the

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ordinance to say we didn't tax to the fullest extent so if we need to use it next year we can.

Councilman Sanders commented that this is routine and something that the city has done for the last decade.

Mayor Fahl asked for a motion to close the public hearing for Ordinance Number 12-2019. Councilman Sanders made the motion to close the public hearing and Council President Asaro seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Mayor Fahl asked for a motion to adopt on second reading granting final approval of Ordinance Number 12-2019. Councilwoman Taylor made the motion and Councilman Sanders seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

NEW BUSINESS/CONSTITUENT CONCERNS

Adoption of the 2019 Budget

Mayor Fahl informed the members of the public present that there was an extraordinary amount of debt service, representing 25% of the budget. This isn't something we can address in two years or six years. We need to change how we are bonding for debt, start to address long term debt issues in a fiscally responsible manner without cutting services to the city. The ways we generated revenue is hard but I think we have come to a good place where it hurts a little for everyone. I look forward to continuing our discussion when we open it for comment.

Mayor Fahl introduced the City Auditor to the members of the public. Mr. Korecky informed the members of the public that there is a minor amendment to the budget as a result of the decrease in meter fees. The levy is 2.590, an increase of \$233,000 over the 2018 budget and that generates tax rates of 03326, an average of \$98 over the previous year's budget for the average house assessed at \$377,500, in Lambertville.

Mayor Fahl commented that this budget is based on an average assessed value of \$377,500, increase in meter fees to \$1.25 per hour, increase in metered spaces at Cavallo Park, Coryell Street and potential for the parking area at Ely Field which will require a public discussion. We have worked with the PTA and the school directly to address concerns for parking by staff members during the day. This is critical revenue generator the ongoing years to make sure we have the incoming revenue to maintain the parks. We increased our meter hours from 9 am to 9 pm Sunday through Saturday and decreased the total line items by \$6,000 to \$54,200. With that I will open the public hearing and asked for Council comments first.

Councilman Sanders commented that the anticipated surplus went from \$445 to \$435? The City Auditor explained that it was reduced due to the change in the parking meter fees to make up the short fall in the fund balance. Construction Code was increased by

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\$10,000. Mayor Fahl commented that we were using more fund balance this year than in previous years. This is a short term solution to a long-term problem. Debt service is going to be a decade long problem. It is not a long-term solution to dip into fund balance but because of the conversation at the May 2 work session, she felt it was reasonable to do it because she didn't want the burden to fall on tax payers.

Beth Caruso asked about the meters at Cavallo Park. Lt. Brown commented that they have found that the parking isn't necessarily used by residents but it is out of towners who park and ride on the tow path. The meters will move people along. We have spread the burden from visitors to locals and I think it is fair.

Melissa Masset, Inn of the Hawk, commented that residents park on Mt. Hope Street and she too parks there. She asked if they would receive parking passes. Mayor Fahl responded they would be entitled to parking passes if they reside on the street. Ms. Masset asked when this would pass? Mayor Fahl said it would be on the meeting agenda for the June 6th work session. Mayor Fahl said it is the city's intent to purchase the meters in bulk and this will assist the city with providing funding for the maintenance of the parks. Ms. Masset asked if there was a different rate applied to businesses. The City Auditor responded that it is the same rate and based on the average property assessment of \$377,500.

Council President Asaro commented that it was previously discussed only running the meters from dawn to dusk at the parks and keeping the same hours as established by the Recreation Commission.

Emily Goldman, 93 North Union Street asked if there was a change with Open Space Tax, and Mayor Fahl responded that there were no changes.

There being no further questions, Mayor Fahl asked for a motion to close the public hearing for the 2019 budget. Council President Asaro made a motion to close the public hearing on the 2019 budget. Councilman Sanders 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 amend the 2019 Budget. Council President Asaro made a motion to amend the 2019 Budget and Councilman Sanders 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 the 2019 budget. Council President Asaro made a motion to adopt the amended 2019 budget. Councilwoman Taylor 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

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Route 29 Road Diet: Mayor Fahl informed the members of the public present that the Route 29 Road Diet has been discussed a couple of occasions at work sessions and voting sessions. This is an attempt to slow down Route 29 traffic and turn it into a one lane in and one lane out. We have progress with NJDOT and we will be holding a public meeting to go over the final approval plan with NJDOT as soon as we receive NJDOT final notes. Once the community meeting has happened, we can apply for a work order through NJDOT. Mayor Fahl said this is a passion project of hers. This began in 2001 and this is the first major step forward we have had in quite a while. She encouraged everyone to come to the community meeting.

LMUA and Swan Creek Flood Mitigation Project: Mayor Fahl reported that there have been no serious movements with this project. She promised to work on it diligently.

CORRESPONDENCE

St. Andrews Episcopal Church: Request for a handicapped parking space in front of 50 York Street.

Amy Carver: correspondence about the application in front of the Planning Board for 14 Lambert Lane.

Fire District #1: Invitation to participate in the Firemen's Monument in Mount Hope Cemetery immediately following the Memorial Day Parade Ceremonies.

County of Hunterdon: Notice of Public Hearing for the Department's SFY2020 Senior Citizens and Disabled Resident Transportation Assistance Program grant application.

Lambertville Human Rights Council: Request for the closure of the parking lot on Mount Hope Street on June 9th for the annual We Are One Picnic.

Mayor Fahl asked for a motion to approve the request from the Lambertville Human Rights Commission. Councilman Sanders made the motion, Council President Asaro seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

ANNOUNCEMENTS

COUNCIL OFFICE HOURS: May 20, 2019, 7:30 – 8:30 am, City Hall, 18 York Street, Lambertville

PUBLIC WORKS NEWS:

Please note: **we no longer accept electronics.** The County of Hunterdon is accepting electronics on June 8th at their location in Flemington.

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Leaves and brush (no more than 4 inches in diameter) can be dropped off to the Convenience Center at Public Works on the following days:

First Saturday from 9 am to 12 noon

Third Wednesday from 3 – 5 pm

PERMITS from the clerk’s office for drop off.

If you have 4 OR MORE BAGS you can call public works (609-397-2230) to arrange a pick-up.

******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.

RULES:

You can start placing your garbage to the curb on the following days:

Zone One - Tuesday and Two - Wednesday pick-ups: Sunday, June 2

Zone Three – Thursday and Four – Friday pick-ups: Monday, June 10

PLEASE NOTE: The Kalmia Club is holding their annual Garden Tour on June 8th. We are asking you to not place your Sparkle items to the curb until Monday, June 10th.

You cannot place additional items out once your garbage has been picked up.

No building construction debris (sheet rock, large pieces of wood, etc),

No concrete, brick or block,

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No electronics (televisions, microwaves, monitors, computers, stereos); these may be taken to Hunterdon County on June 8th. The schedule can be found at the following link: <http://co.hunterdon.nj.us/recycling.html>

No paints or oils of any kind; these may be taken to Hunterdon County on August 3. The schedule can be found at the following link: <http://co.hunterdon.nj.us/recycling.html>

Limit two car tires per household,

Brush or tree branches must be separated and bundled and nothing larger than 4 inches by diameter,

SUMMER CAMP

The Recreation Commission is looking for qualified individuals to serve as Camp Counselors. For additional information, please contact the City Clerk at cityclerk@lambertvillenj.org.

The program schedule is in process. Sign-up sheets will be available on the city's website (www.lambertvillenj.org) starting Monday, May 13.

PROGRAM HIGHLIGHTS: The Summer Camp is a fun half day program with drop off between the hours of 8:30 and 9 am and pick up no later than 12 noon. Program highlights include: fishing, Water Wednesdays, walking trips, and more!

CHANGES TO THE PROGRAM:

Pay as You Go: This year, the city will again offer a “pay as you go” program, however, it is important that for staffing purposes, that you enroll your child/children at the beginning of the program. We will make every effort to accommodate changes in your schedule.

Special Needs: This program is not staffed with professionals qualified to deal with students with special needs. If you have a child with special needs, please advise the city prior to making an application to the program so that we can assess our abilities in providing the required services.

PUBLIC PARTICIPATION/PUBLIC CONCERN

Kathy Williams, 84 Coryell Street, asked what she should do with construction debris. The Public Works Director asked her to meet with him immediately following the meeting.

Judy Gleason, 86 North Union, asked where the city was with the parklette. Mayor Fahl commented that the bad weather has caused delays and we have pride this weekend. This has pushed the Parklette back until after this weekend.

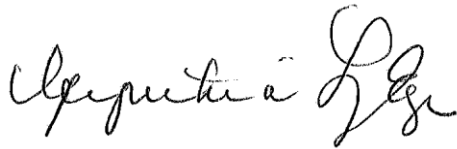
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Alley, 24 North Union Street informed the members of the public present that the June 26th event is for retailers, galleries, art antiques, locals' night, restaurants – all will be participating. Mayor Fahl said the city will assist with promoting the event.

ADJOURNMENT

The meeting adjourned at 8:02 p.m. with a motion made by Council President Asaro and seconded by Councilwoman Taylor. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Respectfully submitted,



Cynthia L. Ege, CMR, RMC, City Clerk



The May 16, 2019 session minutes were approved by the Governing Body at the Voting Session held on June 20, 2019.