



City of Lambertville
WORK SESSION
TUESDAY, OCTOBER 1, 2019, 7:00 PM
PHILLIP L. PITTORE JUSTICE CENTER
25 SOUTH UNION STREET
AGENDA

Please note: A Work Session is a meeting of the Mayor and Council held for the purpose of determining the contents of the regular council session agenda. All work sessions will be limited to one hour.

COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

Mayor Fahl called the meeting to order at 7:00 p.m. and asked the City Clerk to read the statement of compliance with the Open Public Meetings Act into the record.

The City Clerk read the following statement:

The regularly scheduled work session of the Governing Body of the City of Lambertville scheduled for today, October 1, 2019 has been provided to the Trenton Times and the Hunterdon County Democrat. The meeting agenda was posted on the Bulletin Board at City Hall and on the city's website and was distributed through the City's list serve, to department heads, the City Attorney and the City Engineer.

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.

NEW BUSINESS/CONSTITUENT CONCERNS

Landlord Registration

Mayor Fahl informed the members of the public present that the City held two separate meetings with landlords across the city. This is an ongoing concern because of a couple of issues with bad landlords. This was an opportunity to interact with landlords. We discussed significant facts about how we register landlords and it became clear how we handle landlord registration needs revision.

Step 1: changing process is getting a system that you can register online;

Step 2: compilation of a comprehensive list of all landlords and identify more renters;

Step 3: reviewing the way our inspection process works for fire safety and construction safety. This is why we wanted an open dialogue so that it wasn't a burden. The goal is to provide a comprehensive regular inspection to ensure

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safety throughout the city. Because our units are touching each other, fire safety key importance.

The City held those meeting on September 25. We received comments backs from landlords. We are excited about the level of enthusiasm, and they heard our goals. We are currently doing an internal review of notes, and plan to release legislative changes in November to roll out by January 2020, so that when you register it is electronic and addresses these issues.

Council questions:

Councilwoman Warner: Asked about the fee structure. A multi-unit dwelling, currently pays one \$50 to register as a landlord. Mayor Fahl responded that we aren't trying to create new revenue through fees, but the fee structure will change to give regular inspections in the unit. She is working with the Fire Inspector, the Construction Official and the Business Administrator to come up with the overall cost differential. Those cost will be reflective in the fee. The City had internal discussions about how to condense the fee and create savings and efficiencies where possible. We want to make sure no one feels that we are assessing the fees as a money grab but instead to provide a safer environment to the renters and the owners.

Council President Asaro asked if things came up were unexpected. Mayor Fahl responded that there were innovative ideas on how to manage better. The other thing is construction and fire officials are willing to work with folks to get them up to code rather than quickly fining for incompliance. They are important part of why it is safe. General vibe was that they were glad to have this discussion before we got to a place where we were significantly changing the process.

Councilman Sanders asked if the City was developing report to summarize the discussion. Mayor Fahl responded that she is working with city attorney to produce what we think is draft legislation to bring back to work session. Councilman Sanders asked if there was any kind of difference in responses from the two different groups of landlords. Mayor Fahl responded there was a vast difference, those with 2 or fewer units and 3 or more units experienced a difference in inspections, which is gigantic. Buildings that have 16 to 17 units are inspected every 5 years by community affairs and are held to different standards. There were units who were yet to be inspected by the city. This is an opportunity to fill in gaps. Those with more units are more worried about duplicative inspections. Councilman Sanders asked about the turnout. Mayor Fahl responded that it was a good turnout. Landlords that attended are the best actors because they fill out the registration and pay fee and then they show up when they are sent a letter. There were only a few that didn't attend, but like we said, we will send out city wide letter to every door and ask to self-identify as renter and hoping it will produce people who have not been registering. The goal is to build data base so we can contact other landlords and we can educate. She talked to the department association and they gave us resources for renters. We will educate the city on their rights as renters.

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Councilman Sanders asked about the timing of the report, and ordinance changes. Mayor Fahl responded that we have to get that done before we start landlord registration in 2020.

Mayor Fahl asked for public comment.

Judy Gleason, 86 N Union Street: just having seen this happen, switching to online registration is not without cost. What is the cost? Mayor Fahl responded that it is a question of cost versus benefit. The clerk's time cost money. The other thing is the larger picture with the significant changes from coming from the State on programs that the city uses. In 2020 the city needs to take a huge shift for construction and tax assessor's office and work from the same system. The goal is to purchase an easy to use electronic database to ensure safe service. As we are doing that, thinking more broadly is good government.

Mayor Fahl asked the Business Administrator to elaborate. He commented that the Mayor covered most basis. There is a cost to doing a paper processes, processing money that isn't electronic takes time and cost money. This is happening electronically, so the payment will cost 0 dollars. As the mayor said, we are currently fragmented. There is a software program through the State called Permits NJ used for the construction office. The State shutting it down the end of this year. The Fire Official uses a different system. Ms. Gleason asked if it was going to cost more. The Business Administrator responded that we don't know right now. We are currently interviewing Mitchell Humphreys, Gov Pilot, and four or five other vendors that are being using by surrounding municipalities. We are demoing the software. Part of the goal is to reduce the amount of paper, and develop a streamlined process for the landlords while utilizing one package throughout the City. If we can streamline that it's a value.

Judy Gleason asked if the cost would be provided to the members of the public. Mayor Fahl responded that it is part of goal of the next couple months. She is trying to provide transparent and open conversation about the budget and the concerns. One of the values of having a Business Administrator is we can get things we couldn't get before we were managed by volunteers.

Councilman Sanders asked about the platforms and modules? The Business Administrator responded that different software programs have different packages. This would allow us to do close to a dozen processes online. You can do online as well and will include Animal licensing, OPRA requests, zoning permits, schedule building inspections for homeowners and contractors, check status of your permit. We will figure what is best.

Councilwoman Taylor commented that some packages have public interfaces with mapping on property by property basis. Mayor Fahl responded that this is all part of what we are doing to make city hall work better for everyone. You can take a picture of a pot hole and the systems sends it with ticket number and then you can check on the

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status. It doesn't mean pot hole will be fixed faster, but it allows the city to track pot holes and how fast it was fixed, making city operations work better.

Councilwoman Warner asked the Business Administrator, since you have a lot of experience outside of our municipality, is there any vender you have had direct experience with or do you have a preference for vender. The Business Administrator responded that one vender was not a super positive experience. He has since talked to the folks in the construction office last week, and he was happy to learn that all issues were resolved. The company worked with them and fix some of the times. Sometimes the vendors don't understand the municipal side. He felt it was interesting to get that feedback. He is reaching out to colleagues in other towns. Mayor Fahl commented that she had a conversation Liz Lempert in Princeton. They did a similar thing when they got a new website, they did a lot of internal work to get the office to work together.

Helen Pettit, Buttonwood Street asked if the City had a fix on what percentage of our housing units are owner occupied. Seems we could be comparing to where we send out tax bills to if that is different. Mayor Fahl responded that we don't have one and we don't have accurate info. The other thing is that the operation would be easier if we first didn't have to put into a spread sheet and then cross reference of tax data. Helen commented that there are other issues than construction and fire safety. When they move into single family homes like when is garbage pick-up, etc. Mayor Fahl responded that she is working with the Business Administrator on a welcome packet for everyone that comes into the city to partner with realtors, landlords and renters to give you all of the information, calendar of events, engage in the city so that is on the list. We have a pretty long list but we are working on it. She agrees about the waste management issues – indoctrinated early in trash could solve waste stream issues and voter registration form. On the list, but far outside of the concerns.

Lisa Gets, Mt Hope Street, so we talking a bounty's recurrent? So that is what happens now? Mayor Fahl responded, yes, the City reached back to get widest spread we had someone showed up who hadn't been a landlord for years. Ms. Gets asked what triggers inspections? Mayor Fahl responded that's the question at hand. The City received a lot of push back for change of occupancy. And 4 or 5 fire inspections in a 12-month time frame doesn't really do anything. We said regular inspections. The language could look something like: along with change of occupancy no more than one per year and no more than a 3-year gap without an inspection.

There being no further comments or questions, Mayor Fahl moved on to the next topic.

Arts Improvement Initiative

Mayor Fahl informed the members of the public present that this was a passion project of hers. She said she was excited to work on this with the Business Administrator and a series of people who are invested in the community to come together to identify ways that the city can drive creating local art and invest in public arts. There is a lot behind the notion that property values increase the closer you are to public art. She is putting

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together a task force which will meet until they feel like they can advise the council. We will either adopt or amend their recommendations and move forward with a public arts initiative driven by the task force. A couple of quick things: mission, key points, general qualifications and the responsibilities will be up on the website this week. She has asked Aylin Green, an artist who has work throughout the region will be the local chair. The Mayor, Business Administrator, City Clerk, Allison Richard (who previously volunteered to serve on the committee), Cullin McAuliffe, chair of local symphony, and Rachel Finkle will represent the business community. There is one more open slot and Mayor Fahl said she asked a few different larger property owners who were unable to serve. Additional information will be available on the city's website.

Mayor Fahl asked for Council questions and questions from the public. There being no questions, Mayor Fahl moved onto the next topic.

NJWSA/D&R Canal Replanting Task Force

Mayor Fahl commended the Business Administrator and she asked him to give an update. The Business Administrator gave the following commentary: Along the canal, the New Jersey Water Supply Authority did some maintenance and the city was or wasn't aware. We are trying to build a relationship with them. The city has no legal jurisdiction over them, they have a lease agreement over the water. What we asked for is the long-term strategy on what the canal will look like, what kind of maintenance they are doing and why. We received a document back, a replanting plan. There are invasive species and the DEP and the water supply need to protect canal walls and the water in the canal, and the best way to do that is to plant a switch grass that takes over everything and then they can plan more native species of plants. We wanted more information about what was going to be planted when and why, we created a task force of five people consisting of the Business Administrator, the Mayor, the City Clerk, the City Planner and a representative from Lambertville Goes Wild, and Liz Magill Peer, the Chair of the Environmental Commission to get a group of stakeholders. They are very open and willing to take the feedback. We are hopeful that we will come out of this to meet the city's goals. We have goals that are in alignment with that but they are not one to one (aesthetic basis). D&R canal commission is meeting in November and we will give that to them for that meeting. Then they will get back to us on whether our feedback is accepted.

Mayor Fahl informed the members of the public present that this is actually a huge step forward for us in our relationship with the New Jersey Water Supply Authority. Although we don't have jurisdiction over anything, they do they are willing to dialogue on what we can do. We want to create a working partnership with an organization that has the license to change the look of our town. Unprecedented access and it also signals a huge shift in our relationship. Alex did a lot of the reparative work. We are looking forward to present the final memo in early December as well as this planting plan.

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Councilman Sanders – thank you for your efforts. Is there a sense, It seems like this year is unprecedented in their engagement. Is this a new thing? The Business Administrator responded that they have admitted that their maintenance was lacking in the past. Internally, they have got things together and one of the things that came out was more maintenance. Concerned about vegetation that will eventually be trees, push the wall out, 1.4 million get water from the canal. When things happen, like spills, gas, they are monitoring these things, and are sensitive to what is happening in the canal. The concern for structural integrity of the canal. Mayor Fahl commented that was community concern and there was a push back against maintenance workers. Unfortunately, while it feels you are doing something by stopping the maintenance worker it caused problems and we had to go to the head with representatives of the New Jersey Water Supply Authority. The City was never told the maintenance workers were coming to the city. The gears grind slowly, it took months, and will take several years for the beautiful native plants along the canal to mature. I do think it will net us a beautiful canal and safer infrastructure. We will need to do significant communications with those who reside along the canal on Clinton Street with nonnative plants and with other folks who have planted gardens on State property. Mayor Fahl commended Lambertville Goes Wild for community engagement and having everyone have native plants. We need to band together to make changes.

Councilman Sanders commented that the DEP is the overseer for the land, the water authority has an easement right to keep up the water supply. What is the Delaware River Canal Commission's role? The Business Administrator responded honestly as we were going through this there were a few points where it was a gray area. The City Planner, Emily Goldman commented that the water supply manages water, motorized vehicles, DEP owns land and they have the operation license of the water. Canal commission regulates and oversees the master plan for the canal created in 1989, parks and recreation owns it. It is managed by the canal commission for land use, water supply for water and Green Ares also involved.

Mayor Fahl commented that we had a meeting initially with SHPO, New Jersey Water Supply Authority, DEP and everyone identified themselves as a government agency.

The Business Administrator commented that the canal on the Pennsylvania side is not as nice, it was interesting hearing that they have been contacted for the last year or two to help on the Pennsylvania side. When you think about where money comes from to pay for different things, really the reason the canal exists is because the revenue comes in for water from the canal. The benefit for us using it almost secondary.

Alex Bauer: Choo choo train plan? Weed killer, how does that reconcile? Mayor Fahl commented that she wanted to take a step back for a second. She said the concern from residents a long Clinton Street, in conglomeration for the nonprofit entity with the railroad. This is not the case. The number of government fingers in the pie is a good indication there is no backroom deal. The train line itself is privately owned, 501c3 entity to maintain all the way to Ringoes. They are not doing that with DEP or the New

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Jersey Water Supply Authority. The Business Administrator commented that they have an easement and the right to do that maintenance. Mr. Bauer commented that somehow, they need to reconcile, you can't do all this work to have this canal and then put a train next to it. The City Planner commented that they need to apply for the train path to New Jersey Water Supply Authority.

Helen Pettit, Buttonwood Street commented that these are all adjunct lines with Conrail, MUA, just to get approvals to jack pipes under rail lines they won't talk to you. DEP is pretty impotent with rail systems.

There being no further comment or questions, Mayor Fahl moved on with the next topic.

2020 Budget Update

Mayor Fahl commented that there is a lot to update everyone on, mostly around the process for next month. November is the month we start to present to the public. We are not at step 1 but step 3, of the budget process. We began as soon as we closed out the 2019 budget. She announced that there is an extra council meeting in November to have an opportunity to talk about the process.

The Business Administrator informed the members of the public that right now, DCCB, (departments, commission, committees and boards), everyone has to participate, to take ownership of their own budgets. Everyone has set up a one on one meeting with myself to go over budget to go through budget process. Learning process. A lot of infrastructures, lot of stuff, and we are trying to make it really smooth. Next line in the sand is October 15 to submit budgets to the Administrator. He will review it, create a massive spread sheet including the operating request, capital request for next six years. You will be able to look at budget documents on website. Municipalities under 10,000 in population have to do a 3-year capital plan. Municipalities over 10,000 in population have to do a 6-year capital plan. In the past is the place holder number, as we sort of talked about before, a lot of bond ordinance to do a lot of capital projects that wasn't in that before. This is a pretty big step, buildings, vehicles, parks, roads everything. He is trying to understand over the next ten years, what do we have to spend to maintain this building, improve the building, complete better programming. We will work with departments, we have two Works Sessions/Council meetings on November 12 and 14, where I will be sitting to present with department heads. What they did this year and what they hope to do next year. We will have an additional meeting, the last voting session of the year, to kind of adding everything up and showing what it comes out to, did nothing what does that add up to and what is the city committed to doing; How are we going to triage, can we do it in five years, not do at all; Lay out strategies we already started working on. For example: Clinton Street Phase II, we brought cost down, strategies like that we will employ to put forward a budget that doesn't burden from a tax perspective.

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Mayor Fahl commented that is the process, she reminded everyone, for no reason at all, the governing budgets don't get passed until March or April. For the first several months we operate on a temporary budget. She started a conversation that lasted six months long with the primary focus a transparent budget process. There are more meetings where we are talking about spending money and long-term plans. We want to educate the public, allow for public participation. In January and February, we will continue to present as we move forward with the budget. There will be public sessions, where people can ask questions, there will be testimony from department heads, every opportunity to discuss and ask questions. She is excited about infrastructure, excited how city residents interact with city, and she is impressed with how much we can accomplish with a small budget. She looks forward to this conversation and hopes the public use this as an opportunity to see how we spend tax dollars.

The Business Administrator commented that the plan is on website pdf from first budget presentation. We are also posting on Facebook, Money Mondays. The timing, March and April; the state doesn't allow us to do it in the previous year because we have bills that we won't have until February or March.

Mayor Fahl commented that she is doing a series of fireside chats in the city in October. She will post those dates on website and Facebook. She is going into folks' homes to discuss debt service payments, any questions you have about the budget or the process, we want to make sure this isn't for Facebook that neighbors are talking to neighbors, 4 scheduled, hoping for a five or six. Keep watch on if your neighbors are hosting.

Mayor Fahl asked for questions or comments.

Allison Richards asked about the fire side chats, will they be on the calendar? Mayor Fahl responded yes, on the 2020 page and I am hoping generally announced. Alex will make sure they are on the calendar. The host will flyer their general neighborhood.

A member of the public asked if they will also be in Spanish? Mayor Fahl responded that she doesn't speak Spanish, she will work with Fisherman's Mark and will try to reach out to Spanish community. The goal is to start to produce in Spanish, no employees who speak Spanish. We are working on it but it's not perfect.

Helen Pettit asked if the city had an Asset Management Plan. The Business Administrator responded that the State requires fixed assets inventory, but not a plan. Correct – not really.

Mayor Fahl commented that the type of long-term planning that it would require we do not have for every department, some departments have, assets management plan. Lt Brown has an asset management plan, it is extensive and well kept. We have 11 properties the city owns. The Business Administrator commented that there is huge difference between Lt Brown's plan and what we currently have. If that plan isn't part of the governing body's spending plan, it is great that we have the plan, if it isn't formalized, it's the plan is more of an idea.

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Mayor Fahl commented that there is no such thing as status quo, if things break, fall apart, all have cost, every building and every building has a cost. No way to logically plan. Mayor Fahl said it will be ongoing work throughout my tenure.

ANNOUNCEMENTS

Mayor Fahl read the announcements into the record.

The Annual House Tour sponsored by the Lambertville Historic Society will be held on Sunday, October 20, 2019. For additional information please visit

<https://lambertvillehistoricalsociety.org/>.

Halloween Parade: The annual Halloween Parade will be held on Sunday, October 27, 2019. For additional information, please visit: lambertvillenj.org/Halloween

Trick or Treating in the City of Lambertville: The City of Lambertville will close North Union Street between York and Buttonwood Streets on October 31, 2019 from 5:30 to 8 pm. Trick or Treating will take place from 6 to 8 pm.

The Annual Pet Parade will be held on Saturday, October 19, 2019 with a rain date of Saturday, October 26, 2019.

PUBLIC PARTICIPATION

Judy Gleason, 86 N Union Street, venue on Bridge Street limited to 50 attendees/person, storytelling programs, up to 150. At that time, you hadn't really done polling, checking people who pushed back about concern for this space. There has been one event, have you checked, polled the push back people, what are people thinking: Mayor Fahl commented that she is working with Bucks County to put a poll together for those who attend. We had one event, I agreed to knock on doors after that events, I made off hand calls to folks who live on Ferry Street, we are planning on a guided poll on those who attended the meeting, intend to reach out to those on the street. She said she is actively working on it and is hoping to knock doors – ran out of time.

Lauren Kovacs, 90 Douglas Street read the following statement into the record: Request Keep Lambertville Green is a citizen volunteer group dedicated to preserving and enhancing Lambertville's natural beauty, wildlife habitats, and environmental resources to protect the community character and lifestyle enjoyed by our residents. One of our group's goals is to convince the City to pass an ordinance eliminating or, at a minimum, strictly limiting the use of pesticides within City limits. We encourage the City to, as soon as possible, enact a moratorium on the use of all synthetic pesticides within the City for the length of one year. During the year, we ask that the City work with Keep Lambertville Green and other interested stakeholders to author and pass an ordinance mandating the use of Integrated Pest Management for pest control with strict limits on, and permits required for, the use of certain pesticides. Integrated Pest Management (IPM) is a sustainable approach to managing pests by combining biological, cultural, physical and chemical tools in a way that minimizes economic, health, and

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environmental risks. (USDept. of the Army)
<https://aec.army.mil/index.php/conserve/IPM>

Mayor Fahl noted that we did speak directly about this. It has been discussed at a few meetings with Environmental Commission's Chair, and the Environmental Commission had an open discussion in their public meeting. She is taking this as an opportunity to advise the public that the City will be rolling out a plan with Lambertville's Environmental Commission to address these concerns, and to allow for public feedback. She has been actively working on this since the last meeting and is working on how to address the concerns in appropriate way for full feedback not just for keep Lambertville Green but for other stakeholders who may be concerned with the ban so that we can really hear from experts. There are a couple researchers from Rutgers who may be able to come and speak on this. We need to get the wheels around this, it's a big request.

Emily Goldman, the City Planner and resident recommended you speak to tree company who may need to use treatment for emerald ash borer. It might be worth talking to them. Helen Pettit expressed concern for exposure to litigation from pesticide manufacturers. Mayor Fahl commented about the neonicotinoids ban and working with Senator Smith. This is a precedence setting, and the model the city used on banning single use plastics is interesting and should be considered.

Helen Pettit commented that the Shade Tree Commission discussed people nailing things to street trees and asked we make note.

The Business Administrator reminded everyone that the city offices are going to be closed on Monday, October 14, and Friday afternoon October 11. He also advised that the City is the recipient of a DEP grant for 2 electric vehicle chargers for the city, two dual stations, two plug each, level 2 chargers up to \$12,000. He is working on identifying locations, and getting them in the ground. Mayor Fahl commended the Business Administrator on his work on that grant and also that part of the charm of Lambertville is that we are all concerned about the earth and the Business Administrator and I will be working on more opportunities to encourage Lambertville residents to make greener choices. Most of the pollution in New Jersey is from driving. We can work to fix it, one small step in a much larger plan to help incentivize. Helen Pettit asked how the payment for using the system works. The Business Administrator responded that none accept cash, and the payment method depends on the charging facility; can work with Parkmobile or the Tesla membership program.

CLOSED SESSION: The Governing Body will go into closed session to discuss matters related to COAH (attorney-client and litigation matter).

RESOLUTION

“Authorizing a Closed Session at the October 1, 2019 Lambertville City Council Meeting to Discuss Matters Related to COAH (Attorney-Client and Litigation Matter)”

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Lambertville that a closed session shall be held on October 1, 2019, in the Phillip L. Pittore Justice Center, located at 25 South Union Street, Lambertville, to discuss the following matters: Matters related to COAH (attorney-client and litigation matter).

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

ADOPTED: October 1, 2019

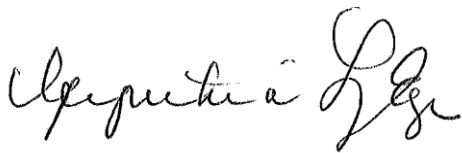
Mayor Fahl and City Council convened in closed session at 8:20 p.m. with a motion made by Council President Asaro and seconded by Councilwoman Warner. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Mayor Fahl and City Council re-convened in regular session at 8:43 p.m. with a motion made by Councilman Sanders and seconded by Councilwoman Warner. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

ADJOURNMENT

The meeting adjourned at 8:43 p.m. with a motion made by Council President Asaro and seconded by Councilwoman Warner. 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 October 1, 2019 Work Session Minutes were approved at the October 17, 2019 Voting Session.