



City of Lambertville
Regularly Scheduled Council Meeting
Thursday, October 6, 2022, 7:00 P.M.
Phillip L. Pittore Justice Center, 25 South Union
Street, Lambertville
MINUTES

STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

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

The City Clerk read the following statement into the record: This meeting is being held in compliance with the Open Public Meetings Act with notice made to the Trenton Times, the Hunterdon County Democrat, the Listserv, Department Heads, the City Attorney and City Engineer. The meeting agenda provides for all action items known at the time of publication and is subject to change. This meeting is being streamed live using the Zoom Meeting Platform and will be recorded.

ROLL CALL

The City Clerk called the roll as follows:

Present: Councilwoman Lambert, Councilman Sanders, Councilman Stegman, Council President Taylor, Mayor Nowick

Also present: William Opel – City Attorney, Cynthia Ege – City Clerk, Lindsay Hansche – Deputy Clerk

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

Mayor Nowick led the public in the Pledge of Allegiance and he asked the members of the public to remain standing for a moment of silence.

BILLS LIST

Mayor Nowick asked for a motion to approve the Bills List. Council President Taylor made the motion and Councilman Stegman seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

RESOLUTIONS

RESOLUTION NUMBER 170-2022: A Resolution to Authorize the Grant Application (Shade Tree Commission)

Mayor Nowick read the resolution into the record by title. He asked for a motion to adopt Resolution Number 170-2022 authorizing the grant application with the New Jersey Urban and Community Forestry Program. Mayor Nowick recognized Lauren Kovac for her work on this grant application.

RESOLUTION NUMBER 170-2022

A RESOLUTION OF THE CITY OF LAMBERTVILLE, COUNTY OF HUNTERDON, TO ENTER INTO A GRANT AGREEMENT WITH THE NEW JERSEY URBAN AND COMMUNITY FORESTRY PROGRAM

WHEREAS, our urban forest is an important resource that contributes to the quality of life for the residents of the City of Lambertville; and

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WHEREAS, our urban forest works to improve air and water quality, mitigate the heat island effect, increase property values, increase economic stability, improve citizen health and beautify the City; and

WHEREAS, day-trippers and tourists provide vital income to the City via local businesses, and a landscape including tree-lined streets adds to the city's attractiveness and directly supports its economy; and

WHEREAS, storm-related damage and flooding in the last decade have been devastating, with a large number of trees brought down by Hurricane Sandy's winds and heavy rain from Tropical Storm Ida; and

WHEREAS, the City recognizes the importance of trees in flood mitigation through the interception of stormwater, slowing of runoff, and infiltration of water into the soil; and

WHEREAS, our City's residents have been made even more vulnerable to flash flooding due to the significant loss of ash trees on the hillsides above our community; and

WHEREAS, a tree inventory is necessary to understand the condition of our urban forest and how to best maintain and enhance it.,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Lambertville, County of Hunterdon, that the Mayor and Council of the City of Lambertville authorizes the Mayor, City Attorney and City Clerk to enter into a Stewardship Grant agreement with the New Jersey Department of Environmental Protection's Urban and Community Forestry Program to complete a tree inventory for the City.

ADOPTED at a meeting of the Governing Body of the City of Lambertville, Hunterdon County, on October 6, 2022.

Councilman Stegman made the motion and Councilwoman Lambert seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. **MOTION CARRIED.**

RESOLUTION NUMBER 171-2022: *A Resolution to Establish a Green Team as Part of Sustainable Jersey*

Mayor Nowick read the resolution into the record by title. He informed the members of the public that this re-establishes the Green Team as part of Sustainable Jersey. Mayor Nowick asked for a motion to adopt Resolution Number 171-2022.

RESOLUTION NUMBER 171-2022

A Resolution to Establish a Green Team Pursuant to Sustainable Jersey

WHEREAS, the governing body of the City of Lambertville strives to save tax dollars, assure clean air and water, improve working and living environments, and build a community that is sustainable economically, environmentally, and socially; and

WHEREAS, the governing body of the City of Lambertville wishes to build a model of government which benefits its residents with green community initiatives which are

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environmentally and economically sound, easy to replicate, and affordable to implement;
and

WHEREAS, in an attempt to focus on green issues, the Mayor and City Council of the City of Lambertville wishes to re-establish a Green Team;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that the Green Team will be comprised of the following membership which will be nominated by the Mayor and confirmed by Council:

Environmental Commission Representative;
Parks and Recreation Commission Representative;
Resilience Team;
The City Clerk;
The Public Works Director;

BE IT FURTHER RESOLVED that the purpose of the Green Team is to:

- ☐ facilitate the successful completion of the requirements for re-certification of Sustainable Jersey;
- ☐ educate and encourage all city employees, residents, and businesses to participate in green initiatives;
- ☐ collaborate with public and private green committees to ensure the replication of best practices and to ensure a coordinated effort within the City of Lambertville;

BE IT FURTHER RESOLVED that the Green Team will consist of no more than 13 members who will serve a three year term.

ADOPTED: October 6, 2022

Council President Taylor made the motion and Councilwoman Lambert seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

PRESENTATION ON STORMWATER UTILITIES

Mayor Nowick introduced Brianne Callahan from New Jersey Futures and James Thompson from the New Jersey League of Conservation Voters to the members of the Governing Body and the members of the public. Ms. Callahan and Mr. Thompson gave the attached presentation (marked as Attachment 1). Discussion ensued. Brianne and James answered questions related to the creation of a Stormwater Utility.

Mayor Nowick noted that the City is applying for the grant opportunity offered by NJDEP (Deadline Tuesday 11/1/2022).

Comments/Questions included:

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- The Stormwater Utility would follow the threshold guidelines and restrictions already established by the DEP and not go lower.
- A critical goal will be to engage stakeholders early on because for some business or property owners the amount/fee is going to be higher.
- Overall, the creation of a Stormwater Utility is better for the community.
- (Grant) funding is dependent on the needs identified in the DEP RFEI.
- User fees lessen your usage of the stormwater system by having rain barrels, etc.
- This is an educational opportunity and there is a risk of doing nothing.
- The value in having a stormwater utility presents opportunities to make sure there is the least amount of flooding.
- Funding is also available from New Jersey League of Conservation Voters for the feasibility study to create a Stormwater Utility. Mayor Nowick noted that if the City does not get the grant from the State of New Jersey Department of Environmental Protection, we will file an application with New Jersey League of Conservation Voters.

AMENDMENT TO THE AUGUST 18, 2022 MINUTES

Mayor Nowick informed the members of the Governing Body that he was contacted by John Hencheck who asked that his statement in the August 18, 2022 minutes be amended. Mayor Nowick asked for a motion to confirm this amendment.

Councilwoman Lambert made a motion to amend the August 18, 2022 minutes, to strike the following statement from Mr. Hencheck's comments in the minutes: *I have the highest concentration of arsenic in my well in the State of NJ.*

Councilman Stegman seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

APPOINTMENT TO BOARDS/COMMISSIONS

Mayor Nowick read the following vacancies into the record: Library has two seats available. He asked that anyone interested submit their email or letter of interest to Councilwoman Lambert for consideration of appointment.

DISCUSSION ITEMS

CLOSSON PROPERTY RFEI FOR THE FARM MARKET: Mayor Nowick reminded the public about the RFEI that is currently out. Questions must be received by 4pm on Friday, October 21st and the responses will be posted by October 25. Site visits are available by appointment. Submissions are due on November 4 by 4pm.

VALET PARKING: Mayor Nowick informed the Governing Body about his conversation with Eric of Under the Moon. Eric had proposed the following idea:

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- The Valet Stand will be set up on Under the Moon property, and the restaurant will pay for the metered spaces and oversee the (third party) valet company.
- He offered that the valets would be available not only for Under the Moon, but for customers of all CBD businesses.
- Under the Moon will have no financial recompense to manage valets, pay for the parking spaces, or staff the service (three valet drivers).
- Valet drivers would move cars from Under the Moon to the Lambertville Station, who is leasing them 50 parking spaces that will accommodate 75 cars.
- Under the Moon will charge a flat fee of \$20 for valet service.
- There would be signage on meters, and the city would ~~enforce it during~~ enforce it during valet hours.
- Under the Moon is happy to work with the city for a three month trial period.

Members of the governing body felt they didn't have enough information to be able to get answers to all of the logistical questions. Discussion ensued.

Mayor Nowick asked every Council Member to write down questions and forward them to him and he will obtain answers to discuss at the next meeting. He may ask Eric from Under the Moon to attend the meeting. The deadline for questions was set for Wednesday, 10/12/2022.

TRIP HAZARDS : Mayor Nowick reported that there are trip hazards throughout the downtown community, specifically the low fences with sharp points that surround street trees. This has caused injuries to the public. We will write letters to property owners who have trip hazards and they will be asked to remove fences and trip hazards.

PROPOSED SETBACK ORDINANCE: Mayor Nowick reported that Councilman Stegman is working on this. We are looking at setback changes to the Zoning Ordinances that include porches, etc. Councilman Stegman commented that a resident/property owner can always ask for relief to an ordinance which could be granted through the Zoning Board of Adjustment.

SAFE (HUNTERDON COUNTY): October is Domestic Violence Awareness Month. SAFE in Hunterdon offers services and assistance to victims of domestic violence.

UPDATE ON VARIOUS CONSTRUCTION PROJECTS

Library Porch: The City has received the signed contract from Charles Mann Construction, and we anticipate that construction will begin soon.

Earle Construction: The repairs on various roads and catch basins is scheduled to begin on October 13, and the contractor expects to be done by Thanksgiving. Construction updates will be posted on the city's website. The timeline is subject to change depending on weather. The project will take five to six weeks to complete.

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Kyle Conti: The team is hard at work in the creeks, pulling debris out like mad, and completing stream grading between the canal and South Union Street. They will be all around the City for the next couple of months working in Swan and Ely Creeks. We need one additional key access agreement to complete the project. So far residents are pleased and excited about the project.

Joint Project with West Amwell: The City is waiting on the date for start.

NJDOT has initiated a project concurrent with our work on the bridge on South Main Street. This is a major structural repair of that bridge and it will take several months to complete.

ORDINANCES – FIRST READING

ORDINANCE NUMBER 28-2022: *An Ordinance to Amend the Lambertville City Code, 2014, Chapter 3, Section 3-17, Human Rights Council.*

Mayor Nowick read the Ordinance into the record by title. He recognized Councilwoman Lambert for her contributions to this amendment. Mayor Nowick asked for a motion to introduce on first reading Ordinance Number 28-2022 with the public hearing scheduled for October 20, 2022.

ORDINANCE NUMBER 28-2022

An Ordinance to Amend the Lambertville City Code, 2014, Chapter 3, Section 17.4, Human Rights Council, Appointments, Compensation, Terms, Vacancies

§ 3-17.4 Council Established; Appointment; Compensation; Terms; Vacancies.

[Amended 5-16-2019 by Ord. No. 11-2019]

The City of Lambertville Human Rights Council (LHRC) will consist of a total of 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.

a.

Public Sector Members:

1. : The Mayor of the City of Lambertville, or his or her representative, to run concurrent with the Mayor's three-year term;

2. : The President of the Lambertville City Council, or his/her representative, for a one-year term;

3. : The Police Director or Officer-in-Charge 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.

b. : Private Sector Members:

There shall be five members from the private sector appointed to serve on the Human Rights Council. They shall be appointed by the Mayor with the advice and consent of the Governing Body.

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One member may be a non-resident of the municipality to be appointed annually. One member may be a student of the South Hunterdon Regional School District. The student representative will serve for a 12-month period beginning with the start of the academic calendar year.

- 1) A resident of the City of Lambertville for a 2-year term;
- 2) A resident of the City of Lambertville for a 3-year term;
- 3) A resident of the City of Lambertville for a 5-year term;
- 4) A non-resident of the City of Lambertville for a 1-year term;
- 5) A student from the South Hunterdon Regional School District for a 1-year term

All members of the LHRC shall serve without compensation.

One (1) of said members shall be appointed by the Mayor as Chairperson. Additional Officers shall be elected by the majority of the membership at the annual reorganization meeting.

The City of Lambertville Human Relations Council (LHRC) may have such other officers, as it deems necessary.

INTRODUCTION AND FIRST READING: October 06, 2022

PUBLIC HEARING AND SECOND READING: October 20, 2022

Councilwoman Lambert reviewed the Ordinance changes with the Governing Body and members of the public.

Council President 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.

ORDINANCES CURRENTLY IN DRAFT FORM:

ORDINANCE NUMBER XX-2022: *An Ordinance to Revise the Lambertville City Code, 2014, Chapter XX, Flood Damage Prevention, Incorporating the Mandated Higher State Standards Found in the Flood Hazard Area Control Act. See 08-19-2022 Letter from NJDEP.*

The Construction Official is working on this revision.

ORDINANCE NUMBER XX-2022: *An Ordinance to Amend the Lambertville City Code, 2014, Chapter 10, Section 10-7 Rental of Housing Units (certificate of insurance from all owners of rental properties)*

Amendments include:

CERTIFICATE OF INSURANCE: In accordance with Senate, No. 1368, Business Owners and Rental Unit Owners to maintain certain liability insurance policies. The owner of a multi-family home of four or fewer units, one of which is owner occupied, shall annually register the certificate insurance demonstrating compliance with section 1 of P.L. 2022, c.92.

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Replacing Housing Officer with Zoning Officer and Fire Official (where applicable).

Addition of Lead Paint Certifications.

ORDINANCE NUMBER XX-2022: *An Ordinance to Amend the Lambertville City Code, 2014, Addition Provisions for Film and Media.*

Councilman Sanders and Councilman Stegman are working on this Ordinance.

ORDINANCE NUMBER XX-2022: *An Ordinance to Amend the Lambertville City Code, 2014, Metered Parking Spaces, to Reserve Three Spaces in the Bank Parking Lot for Visitors to the Bank.*

At the bank's request, the City is amending our Ordinance to permit Wells Fargo and ~~its~~'s successors to bag three meters for their customers.

ORDINANCE NUMBER XX-2022: *An Ordinance to Amend the Lambertville City Code, 2014, Board of Health Food Licenses to Permit the Issuance of Cottage Food Permit.*

Zoning Ordinance: will need to define where they are permissible;

Cottage Food Licenses are issued by the State of New Jersey. The City can regulate where they go and require the applicant to obtain~~applicant obtain~~ a Zoning Permit.

ORDINANCE NUMBER XX-2022: *An Ordinance to Amend the Lambertville City Zoning Ordinances, Application Fees and Escrow Deposits*

The Secretary to the Boards and the Deputy Treasurer are working on the revision.

PUBLIC PARTICIPATION

Mayor Nowick asked for public comment and he reminded the members of the public of the code of conduct.

Lisa Getz thanked the Governing Body for the job they are doing. She commented on valet parking, and said she lives across from The Hawke, who has started doing valet parking. It's intense there, busy, and is causing some more traffic and stuff. The Hawke is putting some cones around. She said she doesn't want to discourage business but she felt that the volume density has an effect, and other restaurants will want it.

Mayor Nowick thanked Ms. Getz ~~for letting~~~~for about letting~~ us know about The Hawke. If they are putting cones out, this is not allowed. We want to make sure that the residents are not incommoded.

Zoom: 5 attendees

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The Deputy Clerk noted that no hands were raised for public comment.

Mayor Nowick asked for a motion to close the public comment section of the meeting. Councilman Stegman made the motion and Council President Taylor seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

ADJOURNMENT

Mayor Nowick asked for a motion to adjourn at 8:53 p.m. Councilman Stegman made the motion and Council President Taylor seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Respectfully submitted,

Cynthia L. Ege, City Clerk