



City of Lambertville
REGULARLY SCHEDULED SESSION
THURSDAY, SEPTEMBER 24, 2020, 6:00 PM
VIRTUAL MEETING USING ZOOM
AGENDA – amended 09-22-2020

Please use this link to obtain information for meeting participation:
<http://lambertvillenj.org/virtualmeetings>

I. STATEMENT OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

This meeting is being held in compliance with the Open Public Meetings Act with the Annual Notice advertised in Trenton Times, provided to the Hunterdon County Democrat and Trenton Times, the posting of the meeting agenda on the Bulletin Board at City Hall, on the City's website at www.lambertvillenj.org, on the exterior door of the Elevator Entrance at City Hall, and to department heads and the listserv.

Instructions on how to participate in the meeting were emailed through the City's listserv, provided on a call-in message at City Hall, posted on the City's website at www.lambertvillenj.org and will be read into the record at the beginning of the meeting and again during Public Participation.

This session will be recorded using Zoom. The recording will be posted to the City's website.

II. CLOSED SESSION: *A Resolution to go into Closed Session to discuss Litigation Involving the City, Pursuant to N.J.S.A. 40:4-12(b)(7)*

RESOLUTION

"Authorizing a Closed Session at the September 24, 2020 Lambertville City Council Meeting to Discuss Litigation Involving the City, Pursuant to N.J.S.A. 40:4-12(b)(7)"

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, N.J.S.A. 10:4-12 provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by resolution; and

WHEREAS, it is necessary for the City to discuss, in a session not open to the public, attorney-client privileged issues related to anticipated litigation involving the City, pursuant to N.J.S.A. 10:4-12(b) (7).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Lambertville that a closed session shall be held on September 24, 2020, via Zoom, to discuss litigation involving the City, pursuant to N.J.S.A. 40:4-12(b)(7).

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:

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

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

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III. PARTICIPATION USING ZOOM VIA PHONE AND THE WEBINAR

IV. ROLL CALL

Councilman Sanders, Councilwoman Taylor, Councilwoman Urbish, Council President Asaro, Mayor Fahl

V. PLEDGE OF ALLEGIANCE

VI. MOMENT OF SILENCE

- a. Those serving in the United States Arms Forces in Country and Abroad;
- b. Those serving on the front lines of COVID19

VII. CITY ATTORNEY STATEMENT REGARDING COUNCIL SESSIONS

Based on the public health emergency caused by the COVID-19 virus, the State of New Jersey and the City of Lambertville have taken necessary action to ensure the continued regular operation of government.

Pursuant to the Open Public Meetings Act, formal action by the Governing Body must be taken in public, at a meeting that is adequately noticed to invite public participation and maximum transparency. **Such requirements are not set aside during times of emergency, and therefore the City and its Governing Body MUST proceed with conducting these necessary meetings, in accordance with State law, and in a manner that ensures optimum transparency.**

Despite recent amendments to OPMA providing for electronic notice of any meeting, the City will continue to provide the standard statutory notice for its meetings by posting such notice in City Hall and publishing notice with The Trenton Times and Hunterdon County Democrat.

We would like to note the following, as the City has formulated a specific plan as to how to proceed with Governing Body meetings for the foreseeable future:

The OPMA, as amended, authorizes governing bodies to conduct public meetings through use of streaming services and other online meeting platforms. The City will utilize Zoom video conferencing, which also provides a dial-in feature if residents would prefer to participate by phone rather than video, as well as teleconferencing for those who wish to connect by phone only.

The City will continue to rely on the procedures currently in place for public comments directed to City officials during all meetings. **There will be no change to the City's public comment policy for virtual meetings.**

The City, at all times, will act within the requirements of the OPMA for meetings conducted during this public health emergency so that the City government can continue to provide services to the community, and the public can continue to participate and provide comments, without interruption.

VIII. PUBLIC COMMENT

PARTICIPATION BY COMPUTER: If you are currently utilizing a computer to participate, you would click the "Raise Hand" button on the bottom of the screen. This will place you in a queue that I can see

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for when it is time to take public comments. People are sorted in the order they raised their hands. When I call on you, a message will pop-up asking if you want to unmute yourself. If you choose to move forward and place a public comment or question, choose to unmute, if you have changed your mind then choose to deny.

PARTICIPATION BY PHONE: If you are dialing in on your phone

DISPLAY OF YOUR PHONE NUMBER: To avoid having your phone number displayed on the screen, first dial *67, then the meeting phone number followed by the meeting identification number. Your phone number will not be displayed.

RAISE YOUR HAND: dial *9 to be placed in the queue. When called on, the system will ask you to confirm being un-muted to proceed.

You will be asked to state your full name and address into the record, then please feel free to make your comment or ask a question. You will remain unmuted while the governing body responds. Please make sure there is no background noise such as the T.V. on, music or loud chatter.

When public comments are finished, participants will be placed back on mute for the duration of the meeting.

Members of the Governing Body will raise their hand to make a comment or ask a question.

IX. MEETING MINUTES

- a. August 20, 2020 Open Session
- b. August 20, 2020 Closed Session
- c. September 1, 2020 Work Session

X. BILLS LIST

XI. PROCLAMATIONS

XII. RESOLUTIONS

Draft reports, contracts and other documentation in draft form will be provided to the members of the public if they are adopted by the Governing Body.

CONSENT AGENDA:

1. **RESOLUTION NUMBER 108-2020:** *A Resolution to Cancel Bond Ordinances*

RESOLUTION NUMBER 108-2020

**RESOLUTION AUTHORIZING THE CANCELLATION OF UNEXPENDED IMPROVEMENT
AUTHORIZATION BALANCES**

WHEREAS, certain General Capital Fund improvement authorization balances remain unexpended for projects which have been completed, and

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WHEREAS, it is necessary to formally cancel said balances, so that the unexpended balances may be credited to Capital Fund Balance and unused debt authorizations may be canceled; and

WHEREAS, the City desires to cancel the unexpended improvement authorizations,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lambertville that the following balances be canceled:

<u>ORD #</u>	<u>ORDINANCE DESCRIPTION</u>	<u>FUNDED</u>	<u>UNFUNDED</u>
2007-06	IMPROVEMENT TO VARIOUS STREETS	\$ 620.76	\$ -
2008-20	IMPLEMENTATION OF BICYCLE/PEDESTRIAN SAFETY IMPROVEMENTS	\$ 18,168.14	\$ -
2012-12	VARIOUS CAPITAL IMPROVEMENTS	\$ 9,235.30	\$ -
2015-08	REDESIGN OF CITY WEBSITE - ACQUISITION OF EQUIPMENT	\$ 1,042.00	\$ -
2016-20	NORTH UNION ST PARK UPGRADES	\$ 89,522.60	\$ -
2016-26	ENGINEERING FEES FOR CRS UPDATES	\$ 1,822.75	\$ -
2017-01	ACQUISITION OF FIRE PREVENTION SOFTWARE	\$ 118.73	\$ -
2017-21	IMPROVEMENTS AND REPAIRS TO CITY PARKS	\$ 231.64	\$ -
2018-02	ACQUISITION OF EQUIPMENT	\$ -	\$ 49.71
2018-07	SUPPLEMENT ORD 2016-01 - ENGINEERING FEES - FLOOD GATES	\$ -	\$ 12,409.82
2018-11	ACQUISITION AND INSTALLATION OF FENCING FOR ELY PARK	\$ -	\$ 9,465.46
2018-18	ENGINEERING SERVICES RELATED TO PUBLIC INFRASTRUCTURE	\$ 206.84	\$ 19,000.00
2018-19	ACQUISITION OF REFURBISHED GARBAGE TRUCK	\$ -	\$ 24,488.03
2018-20	IMPROVEMENTS TO CITY PARKS	\$ -	\$ 1,330.19
2019-01	REPAIRS TO HEAVY EQUIPMENT	\$ 583.15	\$ -
	TOTAL	\$ 121,551.91	\$ 66,743.21

ADOPTED: September 24, 2020

2. RESOLUTION NUMBER 109-2020: A Resolution to Cancel the Contract with Ascend Construction Management, Inc. Awarded on October 16, 2018 for the Painting of the Library.

RESOLUTION NUMBER 109-2020
A Resolution to Cancel the Contract with Ascend Construction Management, Inc. Awarded on October 16, 2018 for the Painting of the Library

WHEREAS, the Governing Body of the City of Lambertville authorized the contract with Ascend Construction Management, Inc. on October 16, 2018 in the amount of \$109,000.00 to paint the Lambertville Free Public Library located at 6 Lilly Street; and

WHEREAS, the contract did not include lead abatement; and

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WHEREAS, the proposal for the change order to complete lead abatement exceeded the 20% as outlined in the Local Public Contracts Law; and

WHEREAS, bidding for the project failed to produce a bid that was responsive and responsible.

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 contract awarded in Resolution Number 161-2018 to Ascend Construction Management, Inc. in the amount of \$109,000.00 to paint the Lambertville Free Public Library is hereby canceled.

ADOPTED: September 24, 2020

3. RESOLUTION NUMBER 110-2020: *A Resolution to Authorize the Refund of First and Second Quarter Tax Payments to Corelogic for Block 1002.04 Lot 4, 265 Holcombe Way in the Amount of \$5,860.92 Due to A Disabled Veteran Exemption.*

RESOLUTION NUMBER 110-2020

A Resolution to Authorize the Refund of First and Second Quarter Tax Payments to Corelogic for Block 1002.04 Lot 4, 265 Holcombe Way in the Amount of \$5,860.92 Due to A Disabled Veteran Exemption

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey that the refund of first and second quarter tax payments to Corelogic for Block 1002.04, Lot 4, 265 Holcombe Way in the amount of \$5,860.92 due to a disabled veteran exemption, certified by the Tax Assessor.

ADOPTED: September 24, 2020

4. RESOLUTION NUMBER 111-2020: *A Resolution to Authorize the Refund of an Over Payment of Third Quarter taxes for Block 1002.02 Lot to Corelogic in An Amount Not to Exceed \$5860.92*

RESOLUTION NUMBER 111-2020

A Resolution to Authorize the Refund of First and Second Quarter Tax Payments to Young Life, Texas Nonprofit Corp Due to a Total Exemption in the Amount of \$11,159.77

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NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey that the refund of first and second quarter tax payments to Young Life, Texas Nonprofit Corp., 111 North Union Street, Lambertville for Block 1020, Lot 3, 111 North Union Street in the amount of \$11,159.77 due to total exemption.

ADOPTED: September 24, 2020

5. RESOLUTION NUMBER 112-2020: *A Resolution to Authorize the City Clerk to File the Alcoholic Beverage Control Licenses for the 2020/2021 Term with the State of New Jersey.*

RESOLUTION NUMBER 112-2020

A Resolution to Approve the Alcoholic Beverage Control Licenses for the 2020-2021 Terms

WHEREAS, application has been received from the following establishments for renewal of the Alcoholic Beverage License currently held by them for premises located in the City of Lambertville, New Jersey:

Establishment	License Number	Type
Boat House Inc. The	1017-32-006-003	Plenary Retail Consumption License with Broad Package Privilege
Lambertville Lodge 1070 BPO Elks	1017-31-015-001	Club License
De Annas of Lambertville LLC	1017-33-003-003	Plenary Retail Consumption License
ETZ Food Inc. DBA Bell's Tavern	1017-33-002-006	Plenary Retail Consumption License
LV House LLC DBA Lambertville House	1017-33-008-009	Plenary Retail Consumption License
Masset Group Inc. DBA Inn of the Hawke	1017-33-005-008	Plenary Retail Consumption License
Mitchell's Café Inc.	1017-33-004-004	Plenary Retail Consumption License
Swan Hotel The	1017-33-009-002	Plenary Retail Consumption License

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Targa Investments DBA Lambertville Station, Inn at the Lambertville Station	1017-33-007-004	Plenary Retail Consumption License
Toscanni Post 120 American Legion	1017-31-012-001	Club License
Irish Diplomat LLC DBA Walker's Wine & Spirits, Inc.	1017-44-010-007	Plenary Retail Distribution License
Wonderful World of Wines LLC	1017-44-011-005	Plenary Retail Distribution License

WHEREAS, the City Clerk has received the Alcoholic Beverage Retail License Clearance Certificate for each entity, and

WHEREAS, the Clerk received authorization from the Police Department to issue and has not received a written objection to the renewal of these licenses from the members of the public.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lambertville, County of Hunterdon, State of New Jersey, that the above licenses be renewed for the 2020-2021 license year upon completion of the requirements as outlined by the Attorney General's Office and the City Clerk is hereby directed to upload a certified copy of this Resolution to the State of New Jersey, Division of Alcoholic Beverage Control, Department of Law and Public Safety, for processing.

BE IT FURTHER RESOLVED that the City Clerk be authorized to issue the 2020-2021 licenses to the proper holder prior to the effective date of July 1, 2020.

ADOPTED: September 24, 2020

6. **RESOLUTION NUMBER 113-2020: A Resolution to Authorize the Renewal of the Alcoholic Beverage Control Pocket License for Stephen Williamson.**

RESOLUTION NUMBER 113-2020

A Resolution to Approve the Alcoholic Beverage Control Licenses for the License Held by Stephen Williamson for the 2020-2021 Term

WHEREAS, a copy of the verified petition for a special ruling was filed by Stephen Williamson for license number 1017-33-001-005 with the City Clerk on September 19, 2020; and

WHEREAS, Stephen Williamson filed the paperwork asking for special ruling for the verified petition from the State of New Jersey, Department of Law and Public Safety, Division of Alcoholic Beverage Control on September 19, 2020 for the 2020-2021 and 2021-2020 license term; and

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WHEREAS, Stephen Williamson paid appropriate fees to the State of New Jersey and to the City of Lambertville and received the necessary Tax Clearance Certificate for the 2020 license term.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that the Alcoholic Beverage Control License, Number 1017-33-001-005 issued to Stephen Williamson is hereby authorized.

ADOPTED: September 24, 2020

7. RESOLUTION NUMBER 114-2020: A Resolution to Authorize the Purchase of a *2021 Police Interceptor Utility, All Wheel Drive Vehicle and Equipment in an Amount Not to Exceed \$46,362.00 Off State Contract, Contract Number 20-Fleet-01189 from Winner Ford of Cherry Hill*

RESOLUTION NUMBER 114-2020

A Resolution to Authorize the Purchase of a 2021 Police Interceptor Utility, All Wheel Drive Vehicle and Equipment in an Amount Not to Exceed \$46,362.00 Off State Contract, Contract Number 20-Fleet-01189 from Winner Ford of Cherry Hill

WHEREAS, Bond Ordinance Number xx-2020 was authorized on September 13, 2020; and

WHEREAS, Winner Ford of Cherry Hill was awarded State Contract Number 20-Fleet-01189 for the sale of the following:

Police Interceptor Utility All Wheel Drive Vehicles - \$29,763.00

Additional equipment as per the quote at a rate of \$4,561.00; and

Emergency Equipment as per the quote at a rate of \$12,038.00

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 purchase of a 2021 Police Interceptor Utility, All Wheel Drive Vehicle and Equipment in an Amount Not to Exceed \$46,362.00 Off State Contract, Contract Number 20-Fleet-01189 from Winner Ford of Cherry Hill.

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8. RESOLUTION NUMBER 115-2020: *A Resolution to Amend the 2020 Salary & Wage Resolution for Public Works Employees.*

RESOLUTION NUMBER 115-2020
A Resolution to Authorize the Amendment to the Salary & Wage Resolution for Employees of Public Works, Retroactive to January 1, 2020

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 salaries for employees of the Public Works Department are here by amended to read as follows:

David Kerr – annual salary of \$49,027.20

Robbin Worthington – annual salary of \$49,027.20

John Ott – annual salary of \$27,520.00

BE IT FURTHER RESOLVED that the pay rate is retroactive to January 1, 2020.

ADOPTED: September 24, 2020

END OF CONSENT ATENDA

RESOLUTION NUMBER 116-2020: *A Resolution to Authorize the Shared Services Agreement with the Town of Clinton (lead agency) for an Interim Business Administrator for 10 Hours Per Week at a Monthly Fee of \$4,500.00.*

RESOLUTION NUMBER 116-2020
A Resolution to Authorize the Shared Services Agreement with the Town of Clinton (lead agency) for an Interim Business Administrator for 10 Hours Per Week at a Monthly Fee of \$4,500.00

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 shared services agreement with the Town of Clinton serving as the lead agency for the interim Business Administrator for 10 hours per week at a monthly rate of \$4,500.00.

BE IT FURTHER RESOLVED that the Mayor, City Attorney and City Clerk are hereby authorized to execute the agreement.

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ADOPTED: September 24, 2020

RESOLUTION NUMBER 117-2020: A Resolution to Authorize the Shared Services Agreement with the Borough of Flemington for the Use of a Business Administrator.

RESOLUTION NUMBER 117-2020

A Resolution to Authorize the Shared Services Agreement with the Borough of Flemington for the Position of Business Administrator for 15 Hours Per Week at an Annual Fee of \$70,000 With the City of Lambertville Serving as the Lead Agency

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 shared services agreement with the Borough of Flemington for the position of Business Administrator for 15 hours per week at an annual fee of \$70,000.00 with the City of Lambertville serving as the lead agency.

BE IT FURTHER RESOLVED that the Mayor, City Attorney and City Clerk are hereby authorized to execute the agreement.

ADOPTED: September 24, 2020

RESOLUTION NUMBER 118-2020: A Resolution to Adopt the Accessory Apartment Manual prepared by Triad Associates for Affordable Housing as required in the Settlement Agreement with Fair Share Housing.

RESOLUTION NUMBER 118-2020

A Resolution to Adopt the Accessory Apartment Manual prepared by Triad Associates for Affordable Housing as required in the Settlement Agreement with Fair Share Housing

WHEREAS, the City of Lambertville currently has accessory apartments in the City; and

WHEREAS, the preparation and acceptance of an Accessory Apartment Manual was a condition of the Conditional Judgment of Repose and must be adopted by the Governing Body by October 11, 2020 to stay in compliance with the order.

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

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Accessory Apartment Manual prepared by Triad Associates for Affordable Housing, is hereby adopted.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to file an adopted copy of the manual with Fair Share Housing.

ADOPTED: September 24, 2020

- XIII. ORDINANCES – FIRST READING - None
- XIV. ORDINANCES – SECOND READING/PUBLIC HEARING - None
- XV. BOARDS AND COMMISSIONS
- XVI. COUNCIL MEMBER UPDATES
 - a. RECREATION COMMISSION’S COMMUNITY CLEAN-UP OF PARKS – Mayor Fahl
 - b. HALLOWEEN UPDATE – Mayor Fahl
 - c. HUMAN RIGHTS COUNCIL UPDATE – Council President Asaro
 - d. CENSUS – Councilman Sanders
Cut and paste this link in your browser:
<https://2020census.gov/?msclkid=d5669b5e0b1d1fd97e13c5343c771c39>
 - e. BUSINESS DISTRICT: Councilwoman Urbish
- XVII. CORRESPONDENCE
- XVIII. ANNOUNCEMENTS
 - a. CONVENIENCE CENTER HOURS: For additional information, please visit the city’s website at: <https://lambertvillenj.org/newsfeed-pages/389-the-city-of-lambertville-convenience-center>

October Hours are as follows:
 - i. Saturday, October 3, 2020 from 9 am to noon;
 - ii. Saturday, October 17, 2020 from 9 to noon;
 - iii. Wednesday, October 21, 2020 from 3 to 5 pm;
 - iv. Wednesday, October 28, 2020 from 3 to 5 pm
- XIX. PUBLIC PARTICIPATION/PUBLIC CONCERN

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Members of the Governing Body will raise their hand to make a comment or ask a question.

XX. ADJOURNMENT

C: Department Heads, City Attorney, City Engineer, Posting on the bulletin board at City Hall, the exterior glass doors by the elevator room at City Hall, on the exterior glass door of the Justice Center, the website (www.lambertvillenj.org) and notice was sent to the Democrat, the Trenton Times, various individuals on the list serve, Delaware River Towns Chamber of Commerce listserv, and the Bucks County Herald.