



CITY OF LAMBERTVILLE

VOTING SESSION MEETING

JUNE 24, 2021, 7:00 P.M.

PHILLIP L. PITTORE JUSTICE CENTER, 25 SOUTH UNION STREET

PARKING LOT

AGENDA

AMENDED 06-24-2021

Please note: that due a conflict with scheduling and the requirement of noticing for the Green Acres Enabling Resolution (14 days prior to the meeting), the Governing Body will meet in the parking lot at the Justice Center. For that reason, people who lease parking spaces will not be able to move their cars between the hours of 5 – 9 pm.

I. STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

This meeting is being held in compliance with the Open Public Meetings Act with the annual notice advertised in the January 11, 2021 Trenton Times, notice was provided to the Hunterdon County Democrat and the Trenton Times, members on the list serve, to department heads, the City Attorney and City Engineer, and the meeting agenda was posted on the Bulletin Board at City Hall, and to the City's website at www.lambertvillenj.org.

The meeting agenda provides for action items at the extent known at the time of publication.

This meeting will be recorded.

Please be advised, the Phillip L. Pittore Justice Center is ADA compliant and equipped with devices to allow the hearing impaired to better listen to the commentary. Contact the City Clerk for additional information by phone to 609-397-0110, ext. 11 or via email to cityclerk@lambertvillenj.org.

II. ROLL CALL

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

III. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

Pledge of Allegiance and a moment of silence in honor of those serving in the United States Armed Forces and for those serving on the front lines of COVID.

IV. GREEN ACRES ENABLING RESOLUTION

RESOLUTION NUMBER 92-2021: *A Resolution to Adopt the Green Acres Enabling Resolution for Funding of the Closson Property Acquisition.*

Public hearing for the application to Green Acres for the funding of the Closson Property Acquisition.

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RESOLUTION NUMBER 92-2021

GREEN ACRES ENABLING RESOLUTION

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition, development, and stewardship of lands for outdoor recreation and conservation purposes; and

WHEREAS, the City of Lambertville desires to further the public interest by obtaining funding in the amount of \$1,500,000.00 in the form of a \$1,500,000.00 matching grant from the State to fund the following project(s) Closson Property Acquisition, 260 North Main Street, Lambertville at a cost of \$2,937,000.00.

NOW, THEREFORE, the governing body/board resolves that Julia Fahl or the successor to the office of Mayor is hereby authorized to:

- (a) make application for such a grant,
- (b) provide additional application information and furnish such documents as may be required, and
- (c) act as the authorized correspondent of the above-named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above-named project;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey

1. That the Mayor of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as Closson Property;
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$1,500,000.00;
3. That, in the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

OPEN THE PUBLIC HEARING

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COUNCIL QUESTIONS

PUBLIC QUESTIONS

MOTION TO CLOSE THE PUBLIC HEARING

MOTION TO ADOPT RESOLUTION NUMBER 92-2021

V. 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.*

RESOLUTION NUMBER 95-2021: *A Resolution to Approve the Alcoholic Beverage Control Licenses for the 2021-2022 Term*

RESOLUTION NUMBER 95-2021

A Resolution to Approve the Alcoholic Beverage Control Licenses for the 2021-2022 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
Taverna 54 LLC	1017-33-003-004	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

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Swan Hotel The	1017-33-009-002	Plenary Retail Consumption License
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 2021-2022 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 2021-2022 licenses to the proper holder prior to the effective date of July 1, 2021.

ADOPTED: June 24, 2021

RESOLUTION NUMBER 96-2021: A Resolution to Authorize the ABC Renewal of a Pocket License held by Steve Williamson for the 2021-2022 term.

RESOLUTION NUMBER 96-2021

A Resolution to Approve the Alcoholic Beverage Control Licenses for the License Held by Stephen Williamson for the 2021-2022 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 2021-2022 license term; and

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 2021 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: June 24, 2021

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RESOLUTION NUMBER 98-2021: A Resolution Authorizing the Award of a Non-Fair and Open Contract for the Studies Required for the Relocation of the Police Department to HMR Architects in an Amount Not to Exceed \$18,250.00

RESOLUTION NUMBER 98-2020

A Resolution Authorizing the Award of a Non-Fair and Open Contract for the Studies Required for the Relocation of the Police Department to HMR Architects in an Amount Not to Exceed \$18,250.00

WHEREAS, the City of Lambertville has a need to acquire professional services for the acquisition of the Closson property as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and,

WHEREAS, the Purchasing Agent has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, Venders have submitted a proposal February 22, 2021 indicating they will provide professional services; and

WHEREAS, the Vendors noted below have certified that they have not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of these contracts in the one-year period preceding December 8, 2020 to any of candidate committee, joint candidates committee or political party committee representing any of the currently serving members of the Governing Body of the City of Lambertville.

WHEREAS, the Certified Municipal Finance Officer has certified that funds will be available in Ordinance Number 06-2018, once authorized;

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Lambertville authorizes the City Clerk to enter into a contract with the following professionals with not to exceed amounts as indicated when the funds become available:

HMR Architects, LLC not to exceed \$18,250.00, funded through Ordinance Number 06-2018, (AN ORDINANCE OF THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, REAPPROPRIATING CERTAIN MONIES FROM PREVIOUSLY ADOPTED BOND ORDINANCES AND PROVIDING FOR CAPITAL IMPROVEMENTS TO CITY BUILDINGS OF AND FOR THE CITY, APPROPRIATING \$653,896 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$400,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE CITY TO FINANCE THE SAME).

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution. and,

BE IT FURTHER RESOLVED that the City of Lambertville will provide the public notice in the next edition of the Trenton Times.

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ADOPTED: June 24, 2021

RESOLUTION NUMBER 99-2021: *A Resolution Approving a Settlement Agreement Release with Alex Torpey.*

RESOLUTION NUMBER 99-2021

A Resolution Approving a Settlement Agreement and Release with Alex Torpey.

WHEREAS, the City of Lambertville and certain agents and employees (together, the “City”) are defendants in a lawsuit filed in the Superior Court of New Jersey, Hunterdon County on September 10, 2020, bearing Docket Number HTN-L-000331-20 (the “**Lawsuit**”), with said Lawsuit being filed by plaintiff Alex Torpey (the “**Plaintiff**,” and together with the City, the “**Parties**”); and

WHEREAS, Plaintiff, in the Lawsuit, asserted certain claims arising out of Plaintiff’s employment with the City; and

WHEREAS, the City filed an Answer denying all liability in connection with the Lawsuit; and

WHEREAS, the City does not and shall not admit liability in the Lawsuit or otherwise, but is desirous of avoiding the cost and expense of further litigation; and

WHEREAS, the Parties have negotiated settlement terms to fully and finally resolve all claims among them, including, but not limited to, all claims in the Lawsuit in consideration of payment in the amount of \$75,000.00, inclusive of all fees and costs subject thereto, which amount would be paid by Summit Risk Services, the City’s third-party insurance claim administrator through its membership with the Public Alliance Insurance Coverage Fund, in exchange for Plaintiff’s release of all claims against the City and dismissal of the Lawsuit with prejudice (the “**Settlement Agreement**”); and

WHEREAS, the Governing Body desires to approve the Settlement Agreement reached by the Parties in the form on file with the City Clerk; and

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

1. The recitals are hereby incorporated as if restated herein in full.
2. The Settlement Agreement is hereby approved and accepted. The Mayor, along with any other necessary personnel, is authorized and directed to execute the Settlement Agreement consistent with the terms contained therein.
3. This Resolution shall take effect immediately.

- VI. **BILLS LIST**
- VII. **ORDINANCES – FIRST READING - None**
- VIII. **ORDINANCES – SECOND READING**

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PLEASE NOTE: The public hearings for the following Ordinances *may* be carried to the July 6, 2021 Session due to a scheduling conflict.

ORDINANCE NUMBER 14-2021: *An Ordinance to Amend the Lambertville City Code, 2014, Chapter VII, Section 4.7, Parking Restricted for Use by Handicapped Persons, to add a Handicapped Parking Space in Front of 43 Elm Street (south side) and at the Dead End of Swan Street by the Water Company for 40 South Union Street.*

ORDINANCE NUMBER 14-2021

An Ordinance to Amend the Lambertville City Code 2014, Chapter 7, Section 4-7, Parking Restricted for Use by Handicapped Persons to Add Handicapped Parking in Front of 43 Elm Street. And by the Dead End of Swan Street

NOW THEREFORE BE IT RESOLVED that the application for a handicapped parking space filed by:

Kenneth Nanni on 43 Elm Street, between Union and Main Street, on the south side of the street in front of 43 Elm Street; and

Michael Camerman, 40 South Union Street, at the dead end of Swan Street by the Water Company.

INTRODUCED: May 20, 2021

PUBLIC HEARING AND ADOPTION: June 24, 2021

ORDINANCE NUMBER 15-2021: *An Ordinance to Amend the Zoning Map, 2015.*

ORDINANCE NUMBER 15-2021

An Ordinance to Amend Zone Line Change and the Zoning Map of the City of Lambertville for Properties Known as Block 1042, Lots 25 and 26

WHEREAS, in 2010, pursuant to Resolution 6-2010, the Planning Board approved a minor subdivision (boundary line adjustment) for the subject lots creating the “flag pole” from Bridge Street to the remainder of lot 26, and

WHEREAS, on June 16, 2015, the City adopted an ordinance to rezone the properties fronting on Bridge Street and Ferry Street to remove the split zoning so that all of the properties fronting on Bridge Street were in the CBD district and all of the properties fronting on Ferry Street were in the R-2 district, and

WHEREAS, the “flag pole” fronting on Bridge Street was zoned R-2 since the majority of lot 26 and the principal use of lot 26 had frontage along Ferry Street, and

WHEREAS, on December 16, 2020, pursuant to 1-2021, the Planning Board approved a minor subdivision (boundary line adjustment) approval to reconfigure lots 25 and 26 such that the “flag pole” was added back to lot 25 and the new common lot line between lots 25 and 26 were adjusted, and

WHEREAS, the minor subdivision approval resulted in two split zoned lots, and

WHEREAS, Condition 7 of the Planning Board approval requires the applicant to apply for a zoning map amendment to remove the split zoning from both lots 25 and 26 as a result of the minor subdivision approval, and

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WHEREAS, the applicant submitted an application to rezone lot 25, fronting on Bridge Street, to be entirely within the CBD district and lot 26, fronting on Ferry Street, to be entirely within the R-2 district, and

WHEREAS, the Governing Body introduced the rezoning ordinance on May 20, 2021, and

WHEREAS, the Planning Board members and board professionals recommended the properties in question be rezoned to remove the split zoning on both lots, and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY

OF LAMBERTVILLE, in the County of Hunterdon and the State of New Jersey, that the "Zoning Ordinance", of the Code of the City of Lambertville (2014) (hereinafter "Code") is hereby amended and supplemented as follows:

SECTION 1. Amend Subsection 301, "Zoning Map", of the Code of the City of Lambertville (2014) to read as follows:

§301 ZONING MAP

A. The boundaries of these districts are hereby established as shown on the map entitled "Zoning Map of the City of Lambertville", dated May 14, 2021 and as it may be amended pursuant to law.

Editor's Note: The Zoning Map may be found at the end of this Zoning Ordinance.

B. Zoning Map Amendments.

1.No Change

2.No Change

3.No Change

4.No Change

5.Police Station Redevelopment Zone: An Ordinance to Amend the Zoning Map of the City of Lambertville to create the Police Station Redevelopment Area that creates a realistic opportunity for housing that is affordable to very-low, low-, and moderate income households. The Police Station Redevelopment Zone contains Block 1003, Lot 3.

6.Vaughn Rezoning: An Ordinance to rezone Block 1042, Lots 25 and 26 to remove the split zoning on both lots such that Lot 25, in its entirety, will be within the CBD zone and Lot 26, in its entirety, will be within the R-2 zone.

SECTION 2. This Ordinance shall take effect upon final adoption, publication and the filing of a copy of said Ordinance with the Hunterdon County Planning Board, all in accordance with the law.

SECTION 3. This Ordinance shall take effect upon final adoption, publication and the filing of a copy of said Ordinance with the Hunterdon County Planning Board, all in accordance with the law.

INTRODUCED: May 20, 2021

PUBLIC HEARING AND FINAL ADOPTION: June 24, 2021

IX. COUNCIL UPDATES

COUNCILWOMAN LAMBERT: Parks and Recreation; Board and Commission Appointments,

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COUNCILMAN SANDERS: Marijuana Committee Update

COUNCILMAN STEGMAN: Hunterdon County Economic Development Grant Update

COUNCIL PRESIDENT TAYLOR:

MAYOR FAHL: Green Acres Grant Application Update.

X. ANNOUNCEMENTS

PUBLIC RESTROOMS: The Phillip L. Pittore Justice Center, located at 25 South Union Street will be open to the public beginning Thursday, July 1, 2021 to 8 p.m.

CONVENIENCE CENTER HOURS FOR JULY 2021:

Wednesday, July 7, 2021 from 3 – 5 pm;

Saturday, July 10, 2021 from 9 am to 12 noon

Wednesday, July 14, 2021

Please bring your photo id!

SPARKLE WEEK

TUESDAY PICK-UP: Tuesday, August 3, 2021

WEDNESDAY PICK-UP: Wednesday, August 4, 2021

THURSDAY PICK-UP: Thursday, August 12, 2021

FRIDAY PICK-UP: Friday, August 13, 2021

XI. PUBLIC COMMENT

XII. ADJOURNMENT