



City of Lambertville
Regularly Scheduled Council Meeting
Thursday, November 1, 2022, 6:30 P.M.
Phillip L. Pittore Justice Center, 25 South Union
Street, Lambertville
AGENDA

- I. STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT
The meeting agenda provides for all action items known at the time of publication and is subject to change.
- II. ROLL CALL
Councilwoman Lambert, Councilman Sanders, Councilman Stegman, Council President Taylor, Mayor Nowick
- III. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE
- IV. CLOSED SESSION: Closed Session of the Governing Body of the November 1, 2022 Lambertville City Council Meeting to discuss Issues related to Potential Contracts pursuant to N.J.S.A. 10:4-12(b)(7).

PLEASE NOTE: the governing body will go into closed session at 6:30 pm and will reconvene in Open Session at 7:00 pm.

RESOLUTION

“Authorizing a Closed Session at the November 1, 2022 Lambertville City Council Meeting to Discuss Issues Related to Potential Contracts Pursuant to N.J.S.A. 10:4-12(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, 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 November 1, in-person at the Phillip L. Pittore Justice Center located at 25 South Union Street in the City to discuss issues related to potential contracts pursuant to N.J.S.A. 10:4-12(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: November 1, 2022

Mayor Nowick 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 Nowick 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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V. BILLS LIST

VI. RESOLUTIONS

RESOLUTION NUMBER 172-2022: A Resolution to Authorize the CMFO and Municipal Clerk to File the 2022 Best Practice Inventory

RESOLUTION NUMBER 172-2022

A Resolution to Authorize the City Clerk to Submit the Best Practice Inventory to the State of New Jersey

WHEREAS, the City Clerk, the Certified Municipal Finance Officer and the City Planner reviewed the Best Practice Inventory for the State of New Jersey; and

WHEREAS, the City discussed the Best Practice Inventory at the regularly scheduled session of October 20, 2022 and the city has achieved a score of 34.

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 City Clerk and CMFO are hereby authorized to submit and certify the Best Practice Inventory to the State of New Jersey.

ADOPTED: November 1, 2022

RESOLUTION NUMBER 182-2022: A Resolution Authorizing The Lambertville Historical Society's Grant From The New Jersey Historic Trust: Discover New Jersey History Heritage Tourism Grant Program

RESOLUTION NUMBER 182-2022

New Jersey Historic Trust Discover New Jersey History Heritage Tourism Grant Program

Project Number: 17438619

**Project Name: Historic
Interpretive Signs Organization
Name: Lambertville Historical
Society**

The governing body of the City of Lambertville authorized the grant application filed by the Lambertville Historical Society who desires to further historic preservation through a grant from the Discover New Jersey History Heritage Tourism Grant Program, New Jersey Historic Trust, State of New Jersey in the amount of \$4 411 for the following project Historic Interpretive Signs.

Therefore, the governing body authorizes Andrew J. Nowick to execute a grant agreement with the State in an amount up to that awarded for the proposed project, and to seal the grant agreement.

Be it further RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors

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in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith.

RESOLUTION NUMBER 183-2022: *Authorizing the Grant Agreement between the City of Lambertville and the State of New Jersey by and for the Department of Environmental Protection Grant Identifier.*

GRANT AGREEMENT BETWEEN CITY OF LAMBERTVILLE AND THE STATE OF NEW JERSEY BY AND FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION GRANT IDENTIFIER: GOVERNING BODY RESOLUTION The governing body of THE City of Lambertville desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$37,000 to fund the following project: 2022 NJUCF Stewardship Grant-Resiliency Planning. Therefore, the governing body resolves that Andrew J. Nowick or the successor to the office of Mayor is authorized (a) to make application for such a grant, (b) if awarded, to execute (print title of authorized official) a grant agreement with the State for a grant in an amount not less than 00.00 and not more than \$37,000.00 , and (c) to execute any amendments thereto any amendments thereto which do not increase the Grantee's obligations. *The Mayor and Council authorizes and hereby agrees to (print name of Grantee's governing body, e.g., board of chosen freeholders) match 20%% of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. Up to 100% of the match will be made up of in kind services (if allowed by grant program requirements and the agreement).* The Grantee agrees to comply with all applicable Federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

RESOLUTION NUMBER 184-2022: *A Resolution Authorizing the City of Lambertville to Accept the Subgrant Award of the Federal Fiscal Year 2022 of Emergency Management Performance Grant and Emergency Management Agency Assistance*

RESOLUTION NUMBER 184-2022

Resolution Authorizing the City of Lambertville to Accept the Subgrant Award of the Federal Fiscal Year 2022 of Emergency Management Performance Grant and Emergency Management Agency Assistance

WHEREAS, the City of Lambertville Office of Emergency Management has been awarded State Homeland Security Grant Program Sub-grant ANF#97.042, Subgrant Award #FY22-EMPG-EMAA-1017 from the New Jersey Department of Law and Public Safety, Office of Attorney General. The subgrant, consisting of \$10,000.00 Federal Award is for the purpose of enhancing the City's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

WHEREAS, the City of Lambertville will use these fund to enhance your Emergency Management Program and that the funds will be used for Emergency Management purposes; and

WHEREAS, the award period if from July 1, 2022 to June 30, 2023; and

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WHEREAS, the subgrant award incorporates all conditions and representations contained or made in application and notice of award; and

WHEREAS, the City of Lambertville Office of Emergency Management designated by the New Jersey State Police, Office of Emergency Management, has submitted an Application for Subgrant Award that has been required by the said New Jersey State Office of Emergency Management.

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:

1. That the Council accepts the award of the FFY22 Emergency Management Performance Grant Program (EMPG), Emergency Management Agency Assistance Subgrant (EMAA) in the amount of up to \$10,000.00 Federal Funds from the New Jersey State Police, Office of Emergency Management.
2. That the Chief Financial Officer and Director of Emergency Management are authorized to sign the appropriate subgrant award documents.
3. That copies of this resolution shall be forwarded to the New Jersey State Police, Office of Emergency Management, the City Business Administrator, the Chief Financial Officer and the County Division of Emergency Management and Office of Treasury.

VII. ORDINANCES – SECOND READING

ORDINANCE NUMBER 31-2022: *Ordinance Of The City Of The City Of Lambertville Granting Permission To Jersey Central Power & Light Company To Place Certain Overhead Facilities On Existing Utility Poles Owned And/or Occupied With Existing Permission By Jersey Central Power & Light Company And Located Within The City Of Lambertville Right-Of-Way On Ferry Street*

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WHEREAS, the City of Lambertville (the “City”) received correspondence from the property owner of 39 Ferry Street, LLC (the “Owner”), designated as Block 1045, Lot 4 on the tax maps of the City and more commonly known as 39 Ferry Street (the “Property”), on behalf of Jersey Central Power & Light Company (“JCP&L”), requesting that the City grant permission to JCP&L to attach certain utility line facilities to certain existing poles located in the City right-of- way near and adjacent to the Property to provide electric service to Owner; and

WHEREAS, JCP&L desires to attach 1/0 ACSR primary, 1/0 TPX secondary, overhead transformer and related equipment (“New Lines”) to three (3) existing poles owned and/or occupied with existing permission by JCP&L; and

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WHEREAS, the three (3) existing poles, which are owned and/or occupied with existing permission by JCP&L, are currently identified as BT70033L, NJ245L, and BT70034L] and are located on Ferry Street in the City (“Existing Poles”); and

WHEREAS, the Owner has requested permission from the City for JCP&L to attach its New Lines to the Existing Poles because the Owner has requested electric service from JCP&L and JCP&L requires the Owner to obtain City approval as a condition of providing electric service in accordance with JCP&L’s Tariffs; and

WHEREAS, the Owner’s request has been reviewed by the City’s relevant professionals and the Owner has confirmed, to the best of the Owner’s knowledge, the following:

- (1) the New Lines are being requested for JCP&L’s use, as a public utility, for the provision of electric service;
- (2) the installation of the New Lines by JCP&L, which will include approximately 37 feet of lines, but no less than no less than 18.5 feet, will meet the requirements of the City Code of Ordinances;
- (3) as installed, the New Lines will not interfere with other JCP&L’s facilities as currently located on the Existing Poles; (4) as installed, the New Wires will not cause interference with other existing JCP&L signals; and (5) the alternates to such placement, which include installing underground wires, are not available here based on existing facilities and Board of Public Utilities voltage requirements.

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

Section 1. Grant of Permission.

The Governing Body hereby grants permission and consents to the non-exclusive use of the City’s right-of-way for the installing, operating, maintaining, improving, renewing, inspecting, replacing, repairing, relocating, improving, and removing the New Lines across, along the Existing Poles the New Lines. The Governing Body hereby further grants permission and consents to JCP&L the right to trim, remove, clear, keep clear, and otherwise control any or all trees or vegetation that may interfere or threaten with construction, operation, maintenance, or repair of the New Lines.

Section 2. Condition of Grant of Public Street Rights-of-Way.

The non-exclusive grant provided to JCP&L by the City shall in no way prevent or prohibit the City from using any of its roads, streets or other public properties or affect its jurisdiction over them or any part of them, and the City shall retain power to make all necessary changes, relocations, repairs, maintenance, establishment, improvement, and/or dedication of same as the City may deem fit, including the dedication, establishment, maintenance, and improvement of all new rights-of-ways, thoroughfares and other public properties of every type and description.

Section 3. Location of Facilities.

The New Lines to be attached to the Existing Poles in the public right-of-way along Ferry Street in the City and shall be attached at no cost to the City.

Section 4. Work in the Rights-of-Way.

All work involved in attaching the New Lines by JCP&L, shall be in conformance with all applicable laws, ordinances, rules, regulations and requirements.

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Section 5. Payment of Reasonable Costs.

The Owner shall compensate the City for its reasonable costs, not to exceed \$2,500.00, incurred for its professional, legal and engineering work and review and other reasonable costs and services rendered by the City in connection with the Owner's request, pursuant to N.J.S.A. 54:30A-124.

Section 6. This Ordinance shall take effect in accordance with all applicable laws.

INTRODUCED FOR FIRST READING: October 20, 2022

SECOND READING AND PUBLIC HEARING: November 1, 2022

VIII. 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.*

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:

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

ORDINANCE NUMBER XX-2022: *An Ordinance to Amend the Lambertville City*

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

IX. APPOINTMENT TO BOARDS/COMMISSIONS

a. Library

i. Vacant: Term Expiring 12/31/2023

ii. Kathleen Jones Harris to a Term Expiring 12/31/2025

X. DISCUSSION ITEMS

- a. Closson Property: RFEI for the Farm Market**
- b. Closson Property RFP - Planner**
- c. November 12, 2022 Site Visit**
- d. Food Waste/Third Can RFP**
- e. D&R Canal Project**
- f. Valet Parking**
- g. Update on Various Construction Projects**

XI. PUBLIC PARTICIPATION

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XII. ADJOURNMENT