



City of Lambertville
Regularly Scheduled Council Meeting
March 17, 2022, 7:00 P.M.
Phillip L. Pittore Justice Center, 25 South Union
Street, Lambertville
AGENDA

STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

Mayor Nowick 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 into the record: *This meeting is being held in compliance with the Open Public Meetings Act with the meeting notice provided to the Hunterdon County Democrat, the Trenton Times, various individuals on the list serve, department heads and the City Engineer and City Attorney.*

This meeting will be recorded and streamed live using the Zoom Meeting Platform.

The meeting agenda offers the planned action items of the Governing Body to the extent known at the time of publication.

ROLL CALL

The City Clerk called the roll as follows:

Present: Councilwoman Lambert, Councilman Sanders, Councilman Stegman, Council President Taylor (participated via Zoom), Mayor Nowick

Also Present: William Opel – City Attorney, Cynthia Ege – City Clerk, Michael Humphrey – Deputy Clerk, Michael Drulis – Budget Consultant, and Emily Goldman – City Planner.

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

Mayor Nowick led the public in the Pledge of Allegiance and moment of silence.

APPROVAL OF THE MEETING MINUTES

Mayor Nowick asked for a motion to approve the following minutes: February 17, 2022 Voting Session Minutes, March 1, 2022 Work Session Minutes, March 1, 2022 Closed Session Minutes, and March 7, 2022 Special Session Minutes. 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.

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.

Mayor Nowick asked for a motion to approve the resolutions listed on the consent agenda, numbers 58-2022 through 62-2022.

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RESOLUTION NUMBER 58-2022: A Resolution to Award the Landscaping Bid Received for City Properties Received from Pura Vida Ventures LLC in the Amount of \$28,920.00.

City Buildings: \$2,660.00

City Parks: \$26,660.00

RESOLUTION NUMBER 58-2022

A Resolution to Award the Landscaping Bid Received for City Properties Received from Pura Vida Ventures LLC in the Amount of \$28,920.00.

WHEREAS, the City of Lambertville advertised for proposals for landscaping services for the 2022 calendar year on February 4, 2022 in the Trenton Times; and

WHEREAS, the bid opening was on Friday, February 25, 2022 and the City of Lambertville received one proposal from Pura Vida Ventures LLC located in Yardley, PA in the amount of \$28,920.00, and

WHEREAS, the Certified Municipal Finance Officer has certified that funds are available in the Open Space Trust Fund, Buildings and Grounds, and in an Ordinance to Fund Maintenance of the Closson Property; and

WHEREAS, the City Attorney has reviewed the proposals and has determined they are responsive and responsible; and

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 proposals received from Pura Vida Ventures LLC located in Yardley, PA in an amount not to exceed \$28,920.00 is hereby authorized.

BE IT FURTHER RESOLVED that the Mayor, City Attorney and City Clerk are hereby authorized to sign the contract with Pura Vida Ventures LLC for the 2022 calendar year.

RESOLUTION NUMBER 59-2022: A Resolution to Authorize the Refund of a Garbage Permit to Erin Auletta, 80 York Street, in the amount of \$69.00.

RESOLUTION NUMBER 59-2022

A Resolution to Authorize the Refund of a Garbage Permit to Erin Auletta, 80 York Street, in the amount of \$69.00.

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey that the refund to Erin Auletta of 80 York Street in the amount of \$69.00 for bulk garbage permit is hereby authorized.

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RESOLUTION NUMBER 60-2022: A Resolution to Authorize the Lien Redemption for Block 1016, Lot 2, 149 George Street, in the Amount of \$1,303.40 Plus a Premium in the Amount of \$3,900.00

A Resolution Authorizing the Redemption of a Tax Lien for Block 1016, Lot 2 In the Amount of \$1,303.40, Plus a Premium in the Amount of \$3,900.00

WHEREAS, Tax Lien Certificate 21-00002 issued on Block 1016 Lot 2 was sold to FIG CUST

FIGNJ19LLC & SEC PTY PO BOX 54226, New Orleans, LA 70154 on 12/14/2021 and

WHEREAS, payment has been received by the Tax Collector for redemption of the tax lien

from a Mortgage company.

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville,

in the County of Hunterdon, in the State of New Jersey that the check is hereby authorized to

FIG CUST FIGNJ19LLC & SEC PTY PO BOX 54226, New Orleans, LA 70154 for tax lien

certificate #21-00002 in the amount of: \$1,303.40

In addition, the city is holding a premium in the amount of \$3,900.00

and upon redemption this is due back to the lienholder.

2 checks for the lienholder –

Check 1= \$1,303.40

Check 2= for premium= \$3,900.00

RESOLUTION NUMBER 61-2022: A Resolution to Amend the Contract with Suburban Consulting Engineers, Inc. for the following Hurricane Ida Repair to the Waterways (Swan and Ely Creek) Funding through a Grant from the USDA, for Phase 1 and 2 of the Proposal in the amount of \$48,600.00

RESOLUTION NUMBER 61-2022

A Resolution to Amend the Contract with Suburban Consulting Engineers, Inc. for the following Hurricane Ida Repairs: USDA in the amount of \$48,600.00, phase 1 and 2

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey that the contract with Suburban Consulting Engineers, Inc. is hereby amended to include the proposal for the repairs to the waterways for the grant from the USDA in an amount not to exceed \$48,600.00 for phase 1 and 2 of the proposal in the amount of \$170,500.00 funded as follows:

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Phase 1 and 2 funded through Ordinance Number 2021-31 in an amount of \$48,600.00;

RESOLUTION NUMBER 62-2022: *A Resolution to Award or Reject the Proposals Received for the Arnett Avenue Stormwater Conveyance System Emergency Repair.*

A Resolution to Reject the Proposals Received for the Arnett Avenue Stormwater Conveyance System Emergency Repair

WHEREAS, the City of Lambertville received proposals for the Arnett Avenue Stormwater Conveyance System Emergency Repair on Friday, March 11, 2022, and

WHEREAS, the City Engineers has determined that the bids received exceeded the amount budgeted and recommends the governing body reject the bids received.

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 bids received on March 11, 2022 for the Arnett Avenue Stormwater Conveyance System Emergency Repair are hereby rejected because they exceed the funds budgeted.

ADOPTED: March 17, 2022

Mayor Notice commented that the City will add the mowing schedule to the website. We can also add it to Facebook. We will do the best we can but it may not always be perfect.

Councilwoman Lambert 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.

RESOLUTIONS – OTHER

RESOLUTION NUMBER 63-2022: *A Resolution of the City of Lambertville, County of Hunterdon, Designating Block 1004, Lot 3 (Village Apartments) As an Area in Need of Redevelopment, Pursuant to N.J.S.A. 40A:12A-6*

Mayor Nowick read the resolution into the record by title and asked for a motion to adopt Resolution Number 63-2022.

CITY OF LAMBERTVILLE
RESOLUTION NUMBER 63-2022

**A RESOLUTION OF THE CITY OF LAMBERTVILLE,
COUNTY OF HUNTERDON, DESIGNATING BLOCK 1004, LOT
3 (VILLAGE APARTMENTS) AS AN AREA IN NEED OF
REDEVELOPMENT, PURSUANT TO N.J.S.A. 40A:12A-6**

WHEREAS, the Governing Body of the City of Lambertville (the “Governing Body”) seeks to undertake a redevelopment effort within the City; and

WHEREAS, N.J.S.A. 40A:12A-6 authorizes the governing body of any municipality, by Resolution, to have its Planning Board (the “Board”) conduct a

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preliminary investigation to determine whether any area of the municipality is a redevelopment area pursuant to the criteria contained in N.J.S.A. 40A:12A-5; and

WHEREAS, on October 28, 2021, the Governing Body adopted resolution Number 144-2021, which directed the Board to conduct such an investigation regarding **BLOCK 1004, LOT 3** (the “Study Area”), as described and delineated on the official Tax Map of the City of Lambertville; and

WHEREAS, City Planner Emily Goldman, PP, AICP (the “Planner”) prepared a map of the Study Area and conducted an investigation to determine whether the Study Area qualified as an “area in need of redevelopment” in conformance with statutory criteria and the City’s efforts toward redevelopment, pursuant to the Master Plan; and

WHEREAS, the Planner prepared a preliminary investigation report entitled, “Preliminary Investigation of Area in Need of Redevelopment (Condemnation) for Village Apartments Tract,” dated January 31, 2022, concerning the determination of the Study Area as an area in need of redevelopment (the “Report”); and

WHEREAS, the Local Housing and Redevelopment Law, N.J.S.A. 40A:12A-1, et seq. requires the Board to conduct a public hearing prior to making its determination whether the Study Area should be designated as a condemnation area in need of redevelopment, at which hearing the Board shall hear all persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment; and

WHEREAS, on March 2, 2022, the Board reviewed the Report, heard testimony from the Planner, conducted a public hearing during which members of the general public were given an opportunity to present their own evidence and/or to cross-examine the Planner, and to address questions to the Board and its representatives, concerning the potential designation of the Study Area as an area in need of redevelopment; and

WHEREAS, the Planner concluded in the Report and testified to the Board on March 2, 2022 that the Study Area satisfies the statutory criterion (a) due to persistent substandard and unsafe building conditions referenced in a series of notices of violation issued by the City Construction Office and the Department of Community Affairs and criterion (d) due to persistent negative site conditions that exhibit faulty design, obsolescence and dilapidation for a redevelopment area designation, pursuant to N.J.S.A. 40A:12A-5; and

WHEREAS, after the conclusion of the public hearing described above, the Board adopted a resolution accepting and adopting the recommendation contained in the Report, and recommended that the Study Area be declared a condemnation area in need of redevelopment pursuant to N.J.S.A. 40A:12A-5, for the reasons set forth in the Report, and memorialized the actions taken by the Board by resolution on March 2, 2022; and

WHEREAS, the Governing Body now desires to accept the recommendations of the Board and declare the Study Area as a condemnation area in need of redevelopment pursuant to N.J.S.A. 40A:12A-6(b), which designation authorizes the City to exercise the power of eminent domain to acquire property within the Study Area; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7(f), the Governing Body further directs the Board to prepare a redevelopment plan for the Study Area, and to take any action necessary to effectuate its review of same so that a recommendation may be made to the Governing Body; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Lambertville, County of Hunterdon, that:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

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Section 2. Based on the Report and the recommendation of the Board, the Study Area satisfies the criterion for designation as an area in need of redevelopment.

Section 3. The Study Area is further hereby designated as a “Condemnation Redevelopment Area,” as referenced in the Local Housing and Redevelopment Law, N.J.S.A. 40A:12A-1, et seq.

Section 4. The Governing Body directs the Board to prepare a redevelopment plan for the Study Area, and to take any action necessary to effectuate its review of same so that a recommendation may be made to the Governing Body.

Section 5. The Governing Body hereby directs the City Clerk to transmit a certified copy of this resolution forthwith to the Commissioner of the Department of Community Affairs for review.

Section 6. This resolution shall take effect in accordance with applicable law.

ADOPTED at a meeting of the Governing Body of the City of Lambertville, Hunterdon County, on March 17, 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 53-2022: A Resolution to Authorize the Person to Person Transfer of Alcoholic Beverage Control License Number 1017-33-005-008, from Inn of the Hawke, Masset Group, Inc. to TJ’s of Hopewell, Inc., for 74 South Union Street, with the Closing Date of March 17, 2022.

This action is being held to the April 5, 2022 session.

BILLS LIST

Mayor Nowick asked for a motion to approve the bills list as submitted, amended. Councilman Sanders 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.

ORDINANCES FIRST READING/INTRODUCTION

ORDINANCE NUMBER 04-2022: An Ordinance to Amend the Lambertville City Code 2014, Chapter 7, Police Regulations to Include the Traffic Regulations Implemented by the State of NJ for Route 29.

Mayor Nowick read the ordinance into the record by title and asked for a motion to introduce on first reading Ordinance Number 04-2022.

CITY OF LAMBERTVILLE

ORDINANCE 04-2022

WHEREAS, the City of Lambertville (the “City”) is a municipal corporation of the State of New Jersey; and

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WHEREAS, the City’s roadways are critical to the health and safety of the City’s residents, as well as the economic health and success of the City; and

WHEREAS, the State of New Jersey Department of Transportation Bureau of Traffic Engineering (the “**NJDOT**”), after consultation with the Lambertville Police Department, has recommended the implementation of various traffic and pedestrian safety regulations on or around certain areas of Route 29 in the City, including, but not limited to, prohibition on stopping or standing, parking restrictions, and turning prohibitions in certain designated areas, as set forth in full in the letter from the NJDOT to the City, dated December 3, 2021, and on file with the City Clerk (the “**Regulations**”); and

WHEREAS, the goal of the Regulations is to promote pedestrian safety and the expeditious movement of traffic along Route 29 in the City; and

WHEREAS, in order to establish these Regulations in the City so as to ensure the safety of pedestrians and the expeditious movement of traffic within the City, the Governing Body, pursuant to Resolution 27-2022, adopted January 20, 2022, hereby supported the Regulations and requested the NJDOT promulgate a Traffic Regulation Order to establish the Regulations; and

WHEREAS, to ensure proper notice to the residents of the City with respect to enforcement of the Regulations, the Governing Body desires to amend Chapter 7 of the City Code of Ordinances (the “**Code**”), Traffic, to include the following:

7-___ NO STOPPING OR STANDING – NEW JERSEY ROUTE 29

No Stopping or Standing at all times along the northbound (easterly) side:

A. Beginning at the southerly West Amwell-Lambertville City corporate line extending to a point 780 feet northerly therefrom (180 feet north of the end of the concrete median on the northerly side of the median opening at milepost 18.15).

B. Between a point 380 feet north of the end of the concrete median on the northerly side of the median opening at milepost 18.15 extending to a point 450 feet north of the northerly curb line of Weeden Street.

C. Between a point 200 feet north of the prolongation of the northerly curb line of Feeder Street extending to point 130 feet northerly therefrom.

D. Beginning at the northerly curb line of Route NJ 179 (Bridge Street) north to the northerly City of Lambertville-West Amwell corporate line.

No Stopping or Standing at all times along the southbound (westerly) side:

A. Beginning at the southerly curb line of Mt. Hope Street extending to the northerly curb line of Feeder Street.

B. Between a point 660 feet south of the southerly curb line of Feeder Street extending to a point 410 feet south of the prolongation of the southerly curb line of Weeden Street.

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C. Between a point 570 feet south of the prolongation of the southerly curb line of Weeden Street extending to the southerly City of Lambertville-West Amwell Township Corporate Line.

7-4.4 PARKING PROHIBITED CERTAIN HOURS

No parking (street cleaning) along the southbound (westerly) side from 8 AM to 10 AM, Wednesdays:

A. Between Cherry Street and Route NJ 179 (Bridge Street).

7-4.5 PARKING TIME LIMITED ON CERTAIN STREETS

Four-Hour (Metered) Time Limit Parking along the southbound (westerly) side, Monday-Saturday 9 AM to 9 PM:

A. Beginning at the southerly curb line of York Street to a point 205 feet southerly therefrom.

B. Beginning at a point 245 feet south of the southerly curb line of York Street extending southerly to a point 250 feet south of the southerly curb line of Church Street.

Four-Hour (Metered) Time Limit Parking along the southbound (westerly) side, Sundays 1 PM to 9PM:

A. Beginning at the southerly curb line of York Street to a point 205 feet southerly therefrom.

B. Beginning at a point 245 feet south of the southerly curb line of York Street extending southerly to a point 250 feet south of the southerly curb line of Church Street.

Two-hour Time Limit Parking along the southbound (westerly) side, at all times:

A. Beginning at a point 410 feet south of the prolongation of the southerly curb line of Weeden Street extending to a point 160 feet southerly therefrom.

7-4.7 PARKING RESTRICTED FOR USE BY HANDICAPPED PERSONS

Along southbound (westerly) side:

A. Beginning at a point 150 feet south of the southerly curb line of Elm Street and extending to a point 22 feet southerly therefrom. (pursuant to NJSA 39:4-197.5).

B. Beginning at a point 55 feet south of the southerly curb line of Delevan Street and extending to a point 22 feet southerly therefrom. (pursuant to NJSA 39:4-197.5).

7-8 LOADING ZONES

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No Parking (Loading Zone) along the southbound (westerly) side:

A. Between a point 205 feet south of the southerly curb line of York Street and extending 42 feet southerly therefrom.

7-11 TURN PROHIBITIONS

Left Lane for Left Turns Only:

A. From Route NJ 29 northbound to Mt. Hope Street between the centerline of Mt. Hope Street and a point 300 feet southerly therefrom (approximate milepost 18.60).

B. From Route NJ 29 southbound to Weeden Street, between the center line of Weeden Street and a point 200 feet northerly therefrom. (approximate milepost 18.30).

Left Lane for U-turns Only:

A. From Route NJ 29 northbound at Weeden Street, between the center line of Weeden Street and a point 200 feet southerly therefrom. (approximate milepost 18.30)

B. From Route NJ 29 southbound at milepost 18.15, between the center of the median opening and a point 170 feet northerly therefrom. (approximate milepost 18.15)

7-11.2 U-TURN PROHIBITION

No U-Turns for Vehicles over 4 Tons in both direction of traffic:

A. Between the southerly West Amwell Township-Lambertville City corporate line and Route NJ 179 (Bridge Street) (approximate mileposts 18.07 to 18.89)

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

Section 1. The foregoing recitals are hereby incorporated by reference as if fully repeated herein.

Section 2. The Governing Body hereby amends Chapter 7 of the Code to incorporate the Regulations endorsed pursuant to Resolution 27-2022, a copy of which is on file with the City Clerk.

Section 3. The City Clerk is hereby instructed to forward a certified copy of this Ordinance to the NJDOT Bureau of Traffic Engineering.

Section 4. If any section, paragraph, subdivision, clause, sentence, phrase or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

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Section 5. If any provision of the Code is in conflict with or inconsistent with the provisions of this Ordinance, it shall be rescinded upon approval hereof.

Section 6. A copy of this Ordinance shall be available for public inspection at the offices of the City Clerk.

Section 7. This Ordinance shall take effect after twenty (20) days of its final passage by the Governing Body, upon approval by the Mayor and publication as required by law.

INTRODUCTION AND FIRST READING: March 17, 2022

PUBLIC HEARING AND SECOND READING: April 21, 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.

ORDINANCE NUMBER 05-2022: An Ordinance to Amend the Lambertville City Code 2014, Chapter 12, Public Works Department, Section 2.9 Weeds, Shrubbery Clippings, Limbs, Branches and other Garden Waste; Collection to be Made by Public Works.

Mayor Nowick read the ordinance into the record by title and he asked for a motion to introduce on first reading Ordinance Number 05-2022.

ORDINANCE NUMBER 05-2022

An Ordinance to Amend the Lambertville City Code 2014, Chapter 12, Public Works Department, Section 2.9 Weeds, Shrubbery Clippings, Limbs, Branches and other Garden Waste; Collection to be Made by Public Works.

An Ordinance to Amend the Lambertville City Code 2014, Chapter 12, Public Works Department, Section 2.9 Weeds, Shrubbery Clippings, Limbs, Branches and other Garden Waste; Collection to be Made by Public Works

12-2.9 Weeds, Shrubbery Clippings, Limbs, Branches and other Garden Waste; Collection to be made by Public Works

A: Beginning October 1 and ending December 31 of each year, leaves shall be placed in compostable/biodegradable bags and shall provide the public with notice of such requirement.

B: All weeds and similar growth clippings shall be placed in a container so that they may be easily emptied in the collector's vehicle.

C: Hedge and shrubbery clippings, tree trimmings and garden waste will be collective if tied in bundles not to exceed four feet in length and not to exceed two feet in diameter. The total volume placed at the curb for one day's pickup will not exceed 10 bundles and must be placed so that they will not spill out in the gutter, street or on sidewalks.

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D: The city will not remove and/or chip trees.

The Convenience Center located within the Department of Public Works will be open on a scheduled basis for residents of Lambertville to drop off leaves, shrubbery clippings, tree trimmings and garden waste. The schedule will be updated annually and posted to the city's website and the bulletin board at city hall.

12.2.10 Grass Clippings: The City of Lambertville does not collect grass clippings.

INTRODUCED FOR FIRST READING: March 17, 2022

PUBLIC HEARING AND SECOND READING: APRIL 21, 2022

Councilwoman Lambert 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.

ORDINANCE NUMBER 06-2022: A Bond Ordinance Providing for Watershed Protection Improvements in the Area of Swan Creek and Ely Creek (Upper York Street) in and by the City of Lambertville, in the County of Hunterdon, New Jersey, Appropriating \$1,790,000.00 Therefor and Authorizing the Issuance of \$48,570 Bonds or Notes of the City to Finance Part of the Cost Thereof.

Mayor Nowick read the ordinance into the record by title. He informed the members of the public that this is to fund the debris cleanup of waterways (Swan Creek and Ely Creek) 75% of it will be funded through a grant from the USDA. He asked for a motion to introduce on first reading Ordinance Number 06-2022.

ORDINANCE NUMBER 06-2022
BOND ORDINANCE PROVIDING FOR
WATERSHED PROTECTION IMPROVEMENTS
IN THE AREA OF SWAN CREEK AND ELY
CREEK (UPPER YORK STREET) IN AND BY
THE CITY OF LAMBERTVILLE, IN THE
COUNTY OF HUNTERDON, NEW JERSEY,
APPROPRIATING \$1,790,000 THEREFOR
AND AUTHORIZING THE ISSUANCE OF
\$48,570 BONDS OR NOTES OF THE CITY TO
FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the City of Lambertville, in the County of Hunterdon, New Jersey (the "City") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$1,790,000, including a grant in the amount of \$1,739,000 received from the United States Department of Agriculture (the "USDA Grant") and also including the sum of \$2,430 as the down payment required by the Local Bond Law.

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The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment and the USDA Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$48,570 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is various watershed protection improvements in the area of Swan Creek and Ely Creek (Upper York Street) in the City, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The City hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the City may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property especially benefited thereby.

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(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$48,570, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$182,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The City hereby declares the intent of the City to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant money received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the City is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City and to execute such disclosure document on behalf of the City. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the City and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all the taxable property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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Councilman Sanders 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.

ORDINANCES SECOND READING/PUBLIC HEARING

ORDINANCE NUMBER 02-2022: *An Ordinance to Amend the Lambertville City Code, 2014, Chapter 7, Traffic, Section 7-4, To Amend the Hours for the Street Sweeper to be Consistent Throughout the City.*

Mayor Nowick read the ordinance into the record by title. This ordinance will amend Chapter 7 so that the street sweeper will run from 8 am to 10 am on designated days in the City.

ORDINANCE NUMBER 02-2022

An Ordinance to Amend the Lambertville City Code, 2014, Chapter 7, Section 7-4.4
 Parking Prohibited Certain Hours

§ 7-4.4 Parking Prohibited Certain Hours.

[Ord. #88-25, § 5; Ord. #90-02, § 1; Ord. #94-16, § 3, Ord. #97-20, § 1; 1990 Code § 7-4.4.]

WHEREAS, In full compliance with the Clean Communities Grant, the city of Lambertville prohibits parking during certain hours for the purpose of running the street sweeper;

WHEREAS, the street sweeper, overseen by the Department of Public Works, has many values that improve quality of life for the residents and wildlife in our city; and helps to protect the Delaware River, and

WHEREAS, the public works department has requested that the city review this policy to increase the prohibition of parking and to make all hours the same throughout the city.

NOW THEREFORE BE IT RESOLVED by the governing body of the city of Lambertville that the prohibited hours for parking in section 7-4.4, Parking Prohibited Certain Hours is here by changed to read:

Hours: 8:00 am to 10:00 am on all streets listed in section 7-4.4 for the purpose of running the street sweeper and keeping the city's streets free from debris.

Parking of motor vehicles on the streets on the days and between the hours set forth in this subsection is prohibited.

Name of Street	Side	Hours	Location
MONDAY			
Buttonwood Street	North	8:00 a.m. to 10:00 a.m.	Entire length

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Name of Street	Side	Hours	Location
MONDAY			
[Ord. No. 2003-15]			
Cherry Street [Ord. No. 2003-15]	North	8:00 a.m. to 10:00 a.m.	Entire length
Delaware Avenue [Ord. No. 2003-15]	North	8:00 a.m. to 10:00 a.m.	Entire length
Delevan Street [Ord. No. 2003-15]	North	8:00 a.m. to 10:00 a.m.	Entire length
Elm Street [Ord. No. 2003-15]	North	8:00 a.m. to 10:00 a.m.	Entire length
Jefferson Street [Ord. No. 2003-15]	North	8:00 a.m. to 10:00 a.m.	Entire length
North Union Street [Ord. No. 2003-15]	West	8:00 a.m. to 10:00 a.m.	North side from York Street to Cherry Street
Perry Street [Ord. No. 2003-15]	North	8:00 a.m. to 10:00 a.m.	Entire length
TUESDAY			
Buttonwood Street [Ord. No. 2003-15]	South	8:00 a.m. to 10:00 a.m.	Entire length
Cherry Street	South	8:00 a.m. to 10:00 a.m.	Entire length

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Name of Street	Side	Hours	Location
MONDAY			
[Ord. No. 2003-15]			
Delaware Avenue [Ord. No. 2003-15]	South	8:00 a.m. to 10:00 a.m.	Entire length
Delevan Street [Ord. No. 2003-15]	South	8:00 a.m. to 10:00 a.m.	Entire length
Elm Street [Ord. No. 2003-15]	South	8:00 a.m. to 10:00 a.m.	Entire length
Jefferson Street [Ord. No. 2003-15]	South	8:00 a.m. to 10:00 a.m.	Entire length
North Union Street [Ord. No. 2003-15]	East	8:00 a.m. to 10:00 a.m.	North side of York Street to the northerly terminus
Perry Street [Ord. No. 2003-15]	South	8:00 a.m. to 10:00 a.m.	Entire length

Name of Street	Side	Hours	Location
WEDNESDAY			
Church Street [Ord. No. 2004-09]	North	8:00 a.m. to 10:00 a.m.	Entire length
Commerce Street/Station Court [Ord. No. 2004-09]	Both	8:00 a.m. to 10:00 a.m.	Entire length
Coryell Street [Ord. No. 2004-09]	North	8:00 a.m. to 10:00 a.m.	Entire length

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Name of Street	Side	Hours	Location
WEDNESDAY			
Ferry Street [Ord. No. 2004-09]	North	8:00 a.m. to 10:00 a.m.	Entire length
Lilly Street	North	8:00 a.m. to 10:00 a.m.	Entire length
Mt. Hope Street [Ord. No. 2004-09]	North	8:00 a.m. to 10:00 a.m.	Entire length from the DRCC to S. Main Street.
Swan Street [Ord. No. 2004-09]	North	8:00 a.m. to 10:00 a.m.	From South Union Street to Highway #165 north side
York Street [Ord. No. 2004-09]	North	8:00 a.m. to 10:00 a.m.	Entire length, DRCC Canal to Route 179
Name of Street	Side	Hours	Location
THURSDAY			
Church Street [Ord. No. 2004-09]	South	8:00 a.m. to 10:00 a.m.	Entire length
Coryell Street [Ord. No. 2004-09]	South	8:00 a.m. to 10:00 a.m.	Entire length
Ferry Street [Ord. No. 2004-09]	South	8:00 a.m. to 10:00 a.m.	Entire length
Lambert Lane [Ord. No. 2004-09]	Both	8:00 a.m. to 10:00 a.m.	Entire length
Lilly Street	South	8:00 a.m. to 10:00 a.m.	Entire length
Mt. Hope Street [Ord. No. 2004-09]	South	8:00 a.m. to 10:00 a.m.	Entire length from DRCC to Main Street
North Franklin Street [Ord. No. 2004-09]	West	8:00 a.m. to 10:00 a.m.	Entire length
North Union Street [Ord. No. 2004-09]	West	8:00 a.m. to 10:00 a.m.	From York Street to the southerly terminus

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Name of Street	Side	Hours	Location
WEDNESDAY			
South Union Street [Ord. No. 2004-09]	West	8:00 a.m. to 10:00 a.m.	From York Street to the southerly terminus
Swan Street [Ord. No. 2004-09]	South	8:00 a.m. to 10:00 a.m.	From South Union Street to Highway #29 south side
Wilson Street [Ord. No. 2004-09]	Both	8:00 a.m. to 10:00 a.m.	Entire length
York Street [Ord. No. 2004-09]	South	8:00 a.m. to 10:00 a.m.	Entire length

Name of Street	Side	Hours	Location
FRIDAY			
Arnett Avenue [Ord. No. 2003-15]	Both	8:00 a.m. to 10:00 a.m.	Entire length
Clinton Street [Ord. No. 2003-15]	Both	8:00 a.m. to 10:00 a.m.	Entire length
George Street [Ord. No. 2003-15; Ord. No. 2004-09]	Both	8:00 a.m. to 10:00 a.m.	Elm Street to York Street
North Franklin Street	East	8:00 a.m. to 10:00 a.m.	Entire length
North Union Street	East	8:00 a.m. to 10:00 a.m.	South side of York Street to the southerly terminus
South Union Street	East	8:00 a.m. to 10:00 a.m.	South side of York Street to the southerly terminus
Studdiford Street	Both	8:00 a.m. to 10:00 a.m.	Entire length

INTRODUCTION AND FIRST READING: February 17, 2022

PUBLIC HEARING AND SECOND READING: March 17, 2022

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Mayor Nowick opened the public hearing for Ordinance Number 02-2022. Mayor Nowick noted that the City hired Paul Cronce, the former director of public works to handle the street sweeping this year.

Mayor Nowick asked for Council questions or comments.

Councilwoman Lambert asked if it was accurate that both sides of Studdiford Street would be completed. Mayor Nowick confirmed with a yes.

Mayor Nowick asked members of the public who wanted to ask questions or make comments to step up to the podium, state their name and address for the record, and then their question or comment.

Judy Gleason asked if the city changed the normal day schedule. She asked if people wait for the sweeper to go by and move their cars back, if the cars are going to be ticketed if they are there between 8 and 10 and the sweeper doesn't come back? How will that work?

Mayor Nowick commented that the police are not in favor of people pulling right in because the street sweeper often comes back to complete a second sweep. We will put this on Facebook, Lambertville Matters, and it is a policy question we can decide on.

Mayor Nowick asked for a motion to close the public hearing for Ordinance Number 02-2022. Councilwoman Lambert 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.

Mayor Nowick asked for a motion to adopt on second reading Ordinance Number 02-2022. Councilman Sanders 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.

ORDINANCE NUMBER 03-2022: An Ordinance to Amend the Lambertville City Code, 2014, Chapter II – Administrative Code, Section 2-3.10, i. Addressing Council, 2. Changing the time for remarks and questions from five minutes to three minutes.

Mayor Nowick read the ordinance into the record by title.

An Ordinance to Amend the Lambertville City Code, 2014, Chapter II – Administrative Code, Section 2-3.10, i. Addressing Council, 2. Changing the time for remarks and questions from five minutes to three minutes.

NOW THEREFORE BE IT RESOLVED by the governing body of the city of Lambertville that Chapter II, Administrative Code, of the Lambertville City Code, 2014, section 2-3.10, letter i., is hereby amended to read:

Except upon consent of the Council, each person addressing the Council pursuant to this section shall be required to limit his remarks to three minutes and shall at no time engage in any personally offensive or abusive remarks. The chair shall call any speaker to order who violates any provision of this rule.

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INTRODUCTION AND FIRST READING: March 1, 2022

PUBLIC HEARING AND SECOND READING: March 17, 2022

Mayor Nowick opened the public hearing for Ordinance Number 02-2022.

Mayor Nowick asked for Council questions or comments. There being no council questions or comments, Mayor Nowick asked members of the public who wanted to ask questions or make comments to step up to the podium, state their name and address for the record, and then their question or comment. There being no public comment, Mayor Nowick asked for a motion to close the public hearing for Ordinance Number 03-2022. Councilman Sanders 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.

Mayor Nowick asked for a motion to adopt on final reading Ordinance Number 03-2022. Councilman Sanders 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.

DISCUSSION ITEMS

RAINBOW CROSSWALKS: Mayor Nowick led the public in a discussion regarding the request from New Hope Celebrates for rainbow crosswalks in the city.

Mayor Nowick commented that Matt Hanson of New Hope Celebrates asked the city to install a permanent four sided rainbow crosswalk for a 10 year period of time. The Mayor has had a brief conversation about this, given the complexities, we may end up having the council to meet with Matt and representatives from New Hope Celebrates for a recommendation to the governing body.

The governing body was in favor of the request and the following is a list of comments and concerns raised:

- Concern for the longevity of the request. We are being asked to consider something for 10 years. This is a long time to have something in place without public comment and buy-in. Public input is important and a concern.
- Design
 - Fading, 10 years may be too long, other ideas?
 - chalk
 - Stone Inlay on crosswalks – how do you handle this?
- location
 - STATE HIGHWAY: NJDOT doesn't allow paintings within crosswalks on State roads or on any part of it.
 - OTHER LOCATIONS: We would need to talk about North Union Street, Church, Coryell or York Street. Could also be on South Union and Ferry. Location, longevity, designs, all considerations.
- Policy Question or Precedent Setting?

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Mayor Nowick proposed that he and Councilwoman Lambert meet with Matt Hanson and representatives of New Hope Celebrates to review the request and make a recommendation to council at the April 5 meeting.

CORRESPONDENCE

Mayor Nowick read the correspondence into the record.

Board of County Commissioners: Proposed increase in Municipal Solid Waste Tipping Fees from \$81 per ton to \$88 per ton.

ANNOUNCEMENTS

Mayor Nowick read the announcements into the record.

STREET SWEEPER resumes on April 4, 2022!

CREEK CLEAN-UP DAY – Save the date! April 2, Members from Parks and Recreation Commission and the Environmental Commission will sponsor a Creek Clean-Up Day beginning at 12 Noon at the following locations: Alexauken Creek, Swan Creek, and Ely Creek/Park in the Gazebo.

Rain date is April 3!

DRCC: Towpath repairs will commence March 31 between Elm Street and the parking lot at the Holcombe Jimison Farm. The Bridge will not be open for 2-3 years.

PUBLIC PARTICIPATION

Mayor Nowick asked members of the public who wanted to ask questions or make comments to step up to the podium, state their name and address for the record, and then their question or comment.

Paul Stevens commented about the request for rainbow crosswalks, it's not the rainbow but the idea of being able to paint crosswalks. He expressed concern about free speech, deciding what is right and what's wrong could create an issue. When you start passing judgment it takes us down a scary road.

Judy Gleason asked for clarification on the ordinance adopted for the weeds, shrubbery, etc. When it says beginning October 1, November 30th, what about garden waste, compostable do they pick them up? Mayor Nowick responded that residents take their stuff to the convenience center and it is monitored. She also agreed with Paul Steven's comments regarding crosswalks because there is a lot riding on city government related stuff.

Audrey Byrnes: thank you to our mayor for fixing the cross light on Bridge Street. She asked about the technology at the Justice Center and why it isn't always used for applications to the Planning Board so everyone can see what we are talking about. She also commented about the request for the crosswalk and said when she first heard about it she thought it was for the pride parade, and she thought it was temporary. She said

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that getting into a permanent painting for 10 years is tricky. Could it be addressed as a temporary chalk event?

Mayor Nowick thanked her for alerting him to the crosswalk button and thanks to DOT for fixing it. Thanks for your suggestion for the blue and yellow lights, he said he worked with the director of public works to change it but the application doesn't allow for two colors. He thanked her for her ideas and said he will talk to the planning board chair and he feels it's an idea worth merit. The City Planner, Emily Goldman commented that currently, it is up to the applicant if they want to bring their computer and use it. We can discuss internally. Other towns require applicants for electronic submission. We can discuss and figure it out. Councilman Sanders commented that we have used it in council meetings. It was used for the development of the cannabis ordinance but it takes planning and staffing.

Councilwoman Lambert asked if anybody was working at the convenience center to check licenses? Mayor Nowick commented that they do because they have checked his identification.

The Deputy Clerk reported that there were 7 people logged into the Zoom Meeting.

There being no further comment in person or on Zoom, Mayor Nowick asked for a motion to close the public comment period. Councilman Sanders made the motion, Councilman Stegman seconded the motion and an affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

CLOSED SESSION: Closed Session of the Governing Body of the March 17, 2022 Lambertville City Council Meeting to discuss Issues related to Potential Contracts pursuant to N.J.S.A. 10:4-12(b)(7).

Mayor Nowick asked for a motion to go into closed session at 7:58 p.m. to discuss issues related to potential contracts pursuant to N.J.S.A. 10:4-12(b)(7).

RESOLUTION

“Authorizing a Closed Session at the March 17, 2022 Lambertville City Council Meeting to Discuss Personnel and Pending Litigation”

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 March 17, 2022, held in person at the Phillip L. Pittore Justice Center, to discuss attorney/client issues related to potential contracts pursuant to N.J.S.A. 10:4-12(b)(7).

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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: March 17, 2022

Councilman Sanders 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.

Mayor Nowick and City Council re-convened in regular session at 9:38 p.m. with a motion made by Councilman Sanders and seconded by Councilwoman Lambert. An affirmative voice/roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

ADJOURNMENT

The meeting adjourned at 9:38 p.m. with a motion made by Councilman Sanders and Councilwoman Lambert 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
CMR, RMC, City Clerk