



**City of Lambertville
Meeting Agenda
April 18, 2024, 6:00 p.m.
Phillip L. Pittore Justice Center
25 South Union Street**

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 meeting schedule advertised in the January 10, 2024, edition of the Trenton Times, the meeting agenda was posted on the Bulletin Board at City Hall and the City's website, and the meeting notice was sent to the members on the Listserv and Department Heads and the City Engineer on Monday March 18, 2024.

The meeting agenda offers planned action items known at the time of publication and is subject to change.

II. ROLL CALL

Councilwoman Kominsky, Councilman Lide, Councilman Stegman, Council President Lambert, and Mayor Nowick

III. CLOSED SESSION to discuss attorney/client matters 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 pm and will reconvene in open session at 7:00 pm.*

IV. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

V. PUBLIC PARTICIPATION

VI. APPROVAL OF MINUTES

- a. February 15, 2024, Meeting Minutes
- b. March 7, 2024, Meeting Minutes
- c. March 21, 2024, Meeting Minutes – Open Session
- d. March 21, 2024, Meeting Minutes – Closed Session
- e. April 4, 2024, Meeting Minutes

VII. 2024 BUDGET DISCUSSION

- a. Mayor and Council Commentary
- b. Public Participation

VIII. APPROVAL OF ADMINISTRATIVE REPORTS

- a. Clerk's Office, Construction Office, Fire Official, Municipal Court, Public Works Department, Police Department, Tax Collector.

IX. PROCLAMATIONS

a. Arbor Day

Proclamation

Whereas, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

Whereas, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

Whereas, Arbor Day is now observed throughout the nation and the world, and

Whereas, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and

Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

Whereas, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal.

Now, Therefore, the Governing Body of the City of Lambertville, hereby proclaims April 26, 2024, as Arbor Day in the City of Lambertville, and all citizens are urged to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

Further, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Dated this 18th day of April, 2024

X. 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.

i. Resolution Number 67-2024: *A Resolution to Authorize the Refunds for the Month of March*

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 refunds are hereby authorized:

1. Anna Hamilton, refund of parking permit, \$144.00
2. Georg Hambach, refund of landlord rental, \$250.00

ii. Resolution Number 68-2024: *A Resolution to Amend Resolution Number 35-2023, Resolution Number 87-2023 and Resolution Number 142-2023,*

A Resolution of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, Conditionally Designating K. Hovnanian Homes, LLC As the Redeveloper of Property Identified as the Lambertville High School Redevelopment Area, Block 1073, Lots 1, 3, 5, 6, 7, 8, 9, 10, 11, 32, 33 and 33.01, Block 1091, Lots 1 and 1.01, Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40a:12a-1, Et Seq.

WHEREAS, the City of Lambertville, a public body corporate and politic of the State of New Jersey (the “**City**”), is authorized pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* (the “**Redevelopment Law**”) to determine whether certain parcels of land within the City constitute an area in need of redevelopment; and

WHEREAS, in accordance with the Redevelopment Law, on June 19, 2018, the Governing Body of the City (the “**Governing Body**”) designated the area known as the Lambertville High School Redevelopment Area and identified as Block 1073, Lots 1, 3, 5, 6, 7, 8, 9, 10, 11, 32, 33, and 33.01, Block 1090, Lots 4 and 5, and Block 1091, Lots 1 and 1.01 on City of Lambertville Tax Maps including rights of way (the “**LHS Redevelopment Area**”), as an area in need of redevelopment; and

WHEREAS, on November 26, 2018, the Governing Body adopted Ordinance No. 22-2018, which approved a redevelopment plan to provide specific provisions for the redevelopment of the LHS Redevelopment Area (the “**Original LHS Redevelopment Plan**”); and

WHEREAS, on April 23, 2020, the Governing Body adopted Ordinance 01-2020, which approved certain additional revisions to the Original LHS Redevelopment Plan (the “**Amended LHS Redevelopment Plan**,” and together with the Original LHS Redevelopment Plan, the “**Redevelopment Plan**”); and

WHEREAS, K. Hovnanian Homes, LLC (the “**Conditional Redeveloper**”) submitted a proposal to the City, dated March 2022, along with a project concept plan, dated July 18, 2022 (the “**Proposal**”) for the potential redevelopment of the LHS Redevelopment Area (hereinafter referred to as the “**Property**”); and

WHEREAS, in accordance with the Redevelopment Plan, and as set forth in the Proposal, the Conditional Redeveloper proposes to develop, finance and construct on the Property two hundred (200) town homes, forty (40) of which will be reserved for affordable housing, along with associated amenities and improvements related thereto (collectively, the “**Project**”); and

WHEREAS, on August 18, 2022, pursuant to Resolution Number 159-2022, the City designated Conditional Redeveloper as conditional redeveloper of the Property for a period commencing upon the adoption of the resolution and ending ninety (90) days from that date or the date of the first meeting of the Governing Body following the ninetieth day of the date of adoption, whichever was later, to allow the City and Conditional Redeveloper the opportunity to pursue pre-development activities to implement the Project, including negotiation of a redevelopment agreement and other related actions (the “**Pre-Development Activities**”), and authorized the execution of a Funding Agreement to provide for the funding of an escrow account and procedures for the payment therefrom of moneys to pay the City’s costs and expenses incurred in undertaking the Pre-

Development Activities, which escrow account Conditional Redeveloper has established with the City; and

WHEREAS, on February 2, 2023, the Governing Body adopted Resolution Number 35-2023, which extended the conditional designation of the Conditional Redeveloper one hundred-twenty (120) days, or the date of the next Governing Body meeting following that date; and

WHEREAS, on June 1, 2023, the Governing Body adopted Resolution Number 87-2023, which further extended the conditional designation of the Conditional Redeveloper one hundred-twenty (120) days, or the date of the next Governing Body meeting following that date; and

WHEREAS, on September 21, 2023, the Governing Body adopted Resolution Number 142-2023, which further extended the conditional designation of the Conditional Redeveloper one hundred-twenty (120) days, or the date of the next Governing Body meeting following that date; and

WHEREAS, on January 1, 2024, the Governing Body adopted Resolution Number 23-2024, which further extended the conditional designation of the Conditional Redeveloper one hundred-twenty (120) days, or the date of the next Governing Body meeting following that date; and

WHEREAS, in furtherance of the Project, Redeveloper has formed K. Hovnanian at Academy Hill Urban Renewal, LLC (hereinafter, the “**Conditional Redeveloper**”) to continue the Pre-Development Activities and ultimately undertake the Project; and

WHEREAS, because the Project contemplates a significant affordable housing component, Conditional Redeveloper will collaborate with The Michaels Organization (“**Michaels**,” and together with the Conditional Redeveloper, the “**Conditional Redevelopers**”), an experienced affordable housing developer, to develop and construct the aforementioned affordable housing component of the Project; and

WHEREAS, in furtherance of the continuation of Pre-Development Activities, the Governing Body deems it necessary to continue the designation of Conditional Redeveloper, and to also now designate Michaels, as conditional redevelopers of the Property, for a period of one hundred (120) days from the effective date of this resolution or the date of the next Governing Body meeting following the one hundred twentieth day from the effective date of this resolution, whichever is later.

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.

Section 2. The Mayor is hereby authorized, if necessary, to execute any amendment to the Funding Agreement with the Conditional Redevelopers to memorialize the terms contained herein, in a form acceptable to the City in consultation with counsel.

Section 3. The instant designation of the Conditional Redevelopers, with regard to the proposed redevelopment of the Property is effective for a period of time being the later of: i) one hundred twenty (120) days

from the effective date of this resolution or ii) the date of the next Governing Body meeting following the one hundred twentieth day from the effective date of this resolution.

Section 4. If, by the expiration of the conditional designation period, the City, the Conditional Redeveloper, and Michaels have not executed a mutually acceptable redevelopment agreement or redevelopment agreements, as needed, the designations of each of the Conditional Redevelopers of the Property shall automatically expire without any need for any further action of the Governing Body, provided, however, that the City and the Conditional Redevelopers may negotiate an extension of such designation upon terms mutually acceptable to both parties.

Section 5. The Mayor is hereby authorized to take all actions and to execute any and all documents necessary to effectuate this Resolution, in consultation with counsel.

Section 6. This Resolution shall take effect immediately.

ADOPTED at a meeting of the Governing Body of the City of Lambertville, Hunterdon County, on April 18, 2024.

iii. Resolution Number 69-2024: A Resolution to Re-Establish a Green Team

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

WHEREAS, the governing body of the City of Lambertville wishes to build a model of government which benefits its residents with green community initiatives which are environmentally and economically sound, easy to replicate, and affordable to implement; and

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

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

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

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

- facilitate the successful completion of the requirements for re-certification of Sustainable Jersey.
- educate and encourage all city employees, residents, and businesses to participate in green initiatives.

- collaborate with public and private green committees to ensure the replication of best practices and to ensure a coordinated effort within the City of Lambertville.

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

ADOPTED: April 18, 2024

- iv. Resolution Number 70-2024: *A Resolution to Authorize the Tax Collector to Cancel the Taxes Due for Block 1059, Lot 11, 2 Curley Lane, Due to a Tax Exemption*

A Resolution to Authorize the Tax Collector to Cancel the first and second 2024 quarter taxes for Block 1059, Lot 11, 2 Curley Lane, Due to a Tax Exemption.

WHEREAS, Block 1059, Lot 11, 2 Curley Lane was acquired through the State of New Jersey, DEP's Blue Acres funding and the property is tax exempt.

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 Tax Collector is hereby authorized to cancel the first and second quarter 2024 quarter taxes for block 1059, lot 11, 2 Curley Lane.

ADOPTED: April 18, 2024

- v. Resolution Number 71-2024: *A Resolution to Amend Resolution Number 117-2023, Authorizing the Fee to JCP&L for the Annual Holiday Lights from \$2,000.00 to \$2,769.66.*

WHEREAS, the Governing Body authorized the contract with Jersey Central Power & Light for the holiday lighting by adopting Resolution Number 117-2023, in the amount of \$2,000.00; and

WHEREAS, the Finance Department received the invoice from JCP&L, and it is higher than the amount authorized.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville, in the County of Hunterdon, that not to exceed amount in Resolution Number 117-2023 is hereby amended to \$2,769.66.

ADOPTED: April 18, 2024

- vi. Resolution Number 72-2024: *A Resolution Authorizing the Redemption of a Tax Lien for Block 1008, Lot 18, in the Amount of \$5,674.89*

A Resolution Authorizing the Redemption of a Tax Lien for Block 1088, Lot 18 In the Amount of \$5,674.89

WHEREAS, Tax Lien Certificate 19-00016 issued on Block 1088 Lot 18 was sold to JING YANG, 628 N Butrick St, Waukegan, IL 60085 on 8/15/2019 and

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

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 JING YANG, 628 N Butrick St, Waukegan, IL 60085 for the redemption of tax lien certificate #19-00016 in the amount of: \$5,674.89

In addition, the City is holding a premium in the amount of \$1,300.00, and upon redemption this is due back to the lienholder.

Two checks for the lienholder –

Check 1= \$4374.89

Check 2= for premium= \$1300.00

- vii. Resolution Number 73-2024: *A Resolution to Amend Resolution Number 19-2024, Authorizing the Amendment of the Contract with Princeton Hydro from \$16,200.00 to \$82,000.00 for the Lambertville Firehouse Stormwater Management*

WHEREAS, the Governing Body awarded a contract to Princeton Hydro to serve as the Engineer for Stormwater Management on January 1, 2024, through Resolution Number 19-2024 in the amount of \$5,000.00; and

WHEREAS, the contract was amended through Resolution Number 60-2024 for environmental permitting services for Ely Creek channel cleaning in the amount of \$11,200.00; and

WHEREAS, the proposal received from Princeton Hydro for the Lambertville Firehouse Stormwater Management, block 1002, lots 26.02 and 26.05, is for engineering design and environmental permitting services for the stabilization of the erosional gully upslope of the firehouse located at 230 North Main Street and is in the amount of \$65,800.00, funded through a Federal Appropriation in the application titled Music Mountain Stormwater Management Project.

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 amendment to the contract with Princeton Hydro for engineering services for the Lambertville Firehouse in the amount of \$65,800.00, bringing the total not to exceed amount for the contract to \$82,000.00 for 2024, is hereby authorized.

- viii. Resolution Number 74-2024: *A Resolution to Authorize the Contract with Recovery Solutions and Title L.L.C. d.b.a. Recovery Title Solutions for the Submission of Documentation to NJ MVC for the Clearance of Titles*

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 Mayor is hereby authorized to sign the Authorization Agreement with Recovery Solutions and Title L.L.C. for services connected to the processing of documents with the New Jersey Motor Vehicle Commission for the purpose of disposing of abandoned vehicles resulting from police-initiated tows within our municipality/agency.

- ix. Resolution Number 75-2024: A Resolution to Amend Resolution Number 26-2024, to Change the Not to Exceed Amount Awarded to Gilmore & Associates, from \$100,000.00 to \$121,825.00 for the Completion of a Survey at Ely Field for the Upgrades to the Parking Lot in Front of the Playground.

WHEREAS, the Governing Body of the City of Lambertville authorized a contract with Gilmore & Associates, to serve as the City Engineer on January 1, 2024, with the following projects designated:

General Engineering: \$15,000.00

Planning Board Engineer: \$750.00

ZBOA Engineer: \$750.00

Escrow as Needed: \$83,500.00

WHEREAS, the Governing Body requested and received a proposal from Gilmore & Associates, the City Engineer, for the completion of a survey of Ely Park for the submission to the D&R Canal Commission for permitting purposes, in an amount not to exceed \$21,825.00.

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 not to exceed amount for the contract with Gilmore & Associates, has been increased from \$100,000.00 to \$121,825.00, for the completion of the survey for Ely Park.

ADOPTED: April 18, 2024

End of Consent Agenda

XI. **BILLS LIST (February and April)**

XII. **ORDINANCES – FIRST READING**

XIII. **ORDINANCES – SECOND READING**

- a. Ordinance Number 05-2024: An Ordinance to Amend the Salary Range for the Officials and Employees of the City of Lambertville, County of Hunterdon, State of New Jersey

BE IT ORDAINED by the Mayor and Council of the City of Lambertville, County of Hunterdon, State of New Jersey as follows:

SECTION ONE: The following shall be the range of compensation for the officials and employees of the City of Lambertville not covered by separate bargaining units:

Court Administrator	\$26,000 - \$75,000
Bookkeeper/Deputy Treasurer	\$20,000 - \$65,000
Construction Code Official	\$17,000 - \$105,000
Construction Control Person/TACO	\$18,000 - \$40,500
Public Works Director	\$55,000 - \$76,500 – Full Time
Public Works Class B: Labor	Minimum Wage - \$25.00 per hour – PT

(CDL Driver/less than 10 years' experience) \$35,000.00 – \$45,000.00 – Full Time
Public Works Class C: Operator \$15.00 - \$30.00 per hour – Part Time
(less than 5 years' experience) \$27,000.00 - \$38,000 – Full Time
(with CDL license) \$27,000.00 - \$43,500 – Full Time

This ordinance shall be retroactive to January 1, 2024.

INTRODUCED: March 21, 2024

ADOPTED: April 18, 2024

- b. Ordinance Number 06-2024: *An Ordinance to Amend the Stormwater Control Ordinance.*

NOTE: Under review by the County Planning Board and the City Engineer. The Planning Board did not meet on April 3.

Posted with the meeting agenda due to its length.

XIV. CORRESPONDENCE

- a. ELIZABETHTOWN GAS COMPANY: *Notice of Public Hearing for the Infrastructure Investment Program (“IIP”) and Associated Recovery Mechanism, Pursuant to N.J.S.A. 48:2-21 and N.J.A.C. 14:3-2A, BPU Docket No. GR23120882*

XV. BOARD APPOINTMENTS

- a. GREEN TEAM:

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

XVI. MAYOR’S UPDATES/ONGOING PROJECTS

XVII. ANNOUNCEMENTS

- a. Convenience Center Hours:
 - i. Saturday, May 4, 2024, and May 18, 2024, from 9 am to 12 noon.
 - ii. Wednesday, May 15, 2024, from 3 – 5 pm

XVIII. PUBLIC PARTICIPATION

XIX. ADJOURNMENT