



**CITY OF LAMBERTVILLE
WORK SESSION
6:30 P.M. THURSDAY, JUNE 6, 2024, 2024
PHILLIP L. PITTORE JUSTICE CENTER
25 SOUTH UNION STREET
MEETING AGENDA**

- I. STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT
- II. ROLL CALL
- III. CLOSED SESSION to discuss attorney/client matters related to 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 6:30 pm and will reconvene in open session at 7:00 pm.*

IV. PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE

The Moment of Silence is in remembrance of David Earl Trout, a long-time resident of Lambertville who previously served as the Civil Defense & OEM Coordinator and as the Emergency Dispatcher for the City. He was also a member of the Lambertville-New Hope Ambulance & Rescue Squad, the Columbia Fire Company # 4 and the Fleetwing Hook & Ladder # 3. Mr. Trout is being remembered for his kindness and for his dedication to our community.

V. PUBLIC PARTICIPATION

VI. 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.

- a. RESOLUTION NUMBER 89-2024: *A Resolution to Authorize the Amendment to Resolution Number 26-2024, To Increase the Not to Exceed Amount of the Contract with Gilmore Associates to \$241,850.00.*

RESOLUTION NUMBER 89-2024

A Resolution to Amend the Contract with Gilmore Associates for the Design, Inspection and Testing, Assistance with Bid Documents, and for the Coordination of the Transition of Records

WHEREAS, the City of Lambertville awarded a contract to Gilmore Associates to serve as the City Engineer on January 1, 2023, and they were reappointed in 2024 with a not to exceed amount of \$100,000.00, that was amended on April 18, 2024, to include the survey required by DRCC for Ely Park in the amount of \$21,850.00; and

WHEREAS, the grant with NJDOT was submitted by the former engineer of record, Suburban Consulting Engineers, for road projects; and

WHEREAS, NJDOT approved the City's request for an extension on October 19, 2023; and

WHEREAS, due to inflation, the cost projected for the projects were reviewed and amended with the submittal of the Engineer's Cost Estimate on March 14.

WHEREAS, Gilmore Associates has submitted a cost proposal for the design, inspection and testing, assistance with bid documents, and for the coordination of the transition of records for the road projects, Stormwater Management assistance, Sidewalk Bid and assistance with Holcombe Park, in an amount not to exceed \$120,000.00.

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 contract with Gilmore Associates to fund the following projects:

Coordination efforts between engineers for the grant application; design, testing, assistance with Bid Documents and for the coordination of transition of records for the 2022 MA-00586 and 2023 MA Lambertville City Swan Street, Studdiford Street and Coryell Road Improvements, including sidewalks, curbing, roadwork and engineering, in an amount, not to exceed \$108,254.05, funded through Bond Ordinance Number 18-2023, adopted in June of 2023, and grants received from the State of New Jersey Department of Transportation.

2023 Stormwater Management funded through the Tier A Grant from NJDEP, in the amount of \$1,239.00;

Assistance with the preparation of the Sidewalk Bid in the amount of \$7,927.27, funded through general engineering,

Holcombe Park assistance with Green Acres Application, funded through general engineering,

Total project not to exceed \$120,000.00.

BE IT FURTHER RESOLVED that the total contract for the 2024 calendar year's not to exceed amount is \$241,850.00.

b. RESOLUTION NUMBER 90-2024: A Resolution to Award the Contractor for the Bids Received for the Storm Sewer Maintenance Project Funded Through Contractor's Escrow, Bond Ordinance Number 04-2024, and Bond Ordinance Number 13-2022.

WHEREAS, the City of Lambertville through the fair and open process, advertised for proposals for the 2024 Storm Sewer Maintenance project, and

WHEREAS, on May 9, 2024, three sealed bids were received and opened in public for the 2024 Storm Sewer Maintenance Project, and

WHEREAS, the City received four bids, however, the bid received from Frank Galbraith & Son was rejected because it was received after the publicized bid opening time.

WHEREAS, the following bids were received and have been reviewed by the City Engineer and the City Attorney:

Messercola Excavating Co., Inc, total: \$67,935.00

Waters & Bugbee, total: \$98,685.00

Earle Asphalt Company, total: \$139,613.13

WHEREAS, the Certified Municipal Finance Officer and QPA has reviewed the bids received and has certified funds are available to fund the project in the following accounts: Bid Proposal B (Delevan Storm Sewer Pipe): Contractor Escrow, \$3,200.00

and Bond Ordinance Number 04-2024, \$27,415.00; Bid Proposal A: Ida Repair Bond 13-2022, \$37,320.00; and

WHEREAS, the City Engineer has reviewed the bids received and is recommending the award of a contract to Messercola Excavating Co., Inc. in an amount not to exceed \$67,935.00; and

WHEREAS, the City Attorney reviewed the proposals received and certified that the bid received from Messercola Excavating Co., Inc., is responsive and responsible.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that the bid received from Messercola Excavating Co., Inc. in the amount of \$67,935.00 for the Storm Sewer Maintenance Project is hereby awarded.

BE IT FURTHER RESOLVED that the Mayor, City Attorney, and City Clerk are hereby authorized to execute the contract with Messercola Excavating Co., Inc.

- c. RESOLUTION NUMBER 91-2024: *A Resolution to Amend Resolution Number 19-2024, to Increase the Not to Exceed Amount of the Contract with Malamut to Serve as the Municipal Bond Attorney in the Amount of \$5,472.25, Increasing the NTE to \$16,222.25.*

WHEREAS, the City of Lambertville awarded a contract to Malamut & Co to serve as the Municipal Bond Attorney at the January 1, 2024, session with a not to exceed amount of \$10,750.00; and

WHEREAS, the scope of services was amended to include assistance with the City's debt management.

NOW THEREFORE BE IT RESOLVED that the contract with Malamut & Company for services related to bonding and debt, is hereby increased by \$15,472.25 with a total not to exceed amount of \$16,222.25 for the 2024 calendar year is hereby authorized.

- d. RESOLUTION NUMBER 92-2024: *A Resolution to Approve the Three-Month Extension of the Valet Parking Through August 30, 2024.*

RESOLUTION NUMBER 92-2024

A Resolution to Authorize the Extension of the Time Period for Valet Parking on North Union Street, East of Church Street to August 31, 2024

WHEREAS, the Governing Body of the City of Lambertville adopted Resolution Number 201-2022 on November 17, 2022, authorizing the three-month trial period for Valet Parking on North Union Street, that was amended on March 21, 2024, extending the authorization through May 26, 2024, and

WHEREAS, the owners of Under the Moon, LLC are managing this program, however the services will be available to the public; and

WHEREAS, if at any time, either party decides that the valet services are not in the best interest of the city or the owners of Under the Moon, LLC, either party will end the service with 10 days' notice.

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 request for valet services in front of Under the Moon, LLC is hereby authorized subject to the following conditions:

1. The program will end August 31, 2024.
2. Under the Moon, LLC will manage the program and will maintain records for submittal to the city monthly.
3. Hours of Operation are restricted to the following days and times with a maximum of three metered parking spaces:
 - o Friday Night beginning at 5:00 p.m. – 10:00 p.m.
 - o Saturday beginning at 11:00 a.m. to 10:00 p.m.
 - o Sunday 1:00 p.m. through 6:00 p.m.
4. Under the Moon, LLC agrees to pre-pay for the use of the parking spaces with \$252.00 due per month, for two meters, based on 4 weekends per month, due the first of each month.
5. Valet's may be required to take a pre-approved route for traveling to and from Lambertville Station.
6. There will be no parking in the emergency access agreement that runs on the eastern side of the parking lot.
7. Valet company will provide a State of New Jersey Business Registration, a Certificate of Good Standing with the State of New Jersey, or register as a foreign company, and provide the City with their Certificate of Insurance with the limits that include liability insurance and workers compensation.

BE IT FURTHER RESOLVED that the Mayor, City Attorney, and City Clerk are hereby authorized to sign the Memorandum of Understanding with the owners of Under the Moon, LLC.

- e. RESOLUTION NUMBER 93-2024: Resolution to Authorize the Supplier Agreement with IDT Energy for the Hunterdon Area Energy Cooperative

WHEREAS, the City of Lambertville is a member of the Hunterdon Area Energy Cooperative for the Provision of Electricity Generation Supply Services for Residential Government Energy Aggregation; and

WHEREAS, the HAEC has been actively bidding for energy suppliers and on May 22, 2024, conducted an energy auction with IDT Energy, Inc., as a successful bidder, and

WHEREAS, Commercial Utility Consultants, Inc., has reviewed the bids and is recommending an award to IDT Energy, for a 15-month term starting on September 2024 at the following prices:

\$0.1119/kWh for the standard program option (no additional renewable energy)

\$0.1176/kWh for the 100% Green program option (resident must opt-in to this option in order to receive the additional renewable energy)

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 and City Clerk are hereby authorized to sign the contract with IDT Energy, Inc.

- f. RESOLUTION NUMBER 94-2024: *A Resolution to Adopt the NJ Cyber JIF Incident Response Plan, Framework, and Technology Policy, and to Authorize the City Clerk to Submit the NJ Cyber JIF 3rd Party Security Questionnaire to the City's Insurance Company*

WHEREAS, the City of Lambertville is a member of the Public Alliance Insurance Cooperative; and

WHEREAS, PAIC is a member of the Municipal Excess Liability Fund; and

WHEREAS, the Municipal Excess Liability Fund is offering insurance to members who qualify for cybersecurity; and

WHEREAS, the City has completed the Third-Party Security Questionnaire as required by the insurance company and we qualify for the Intermediate Level of coverage.

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 NJ Cyber JIF Incident Response Plan, Framework and Technology Police are hereby adopted.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized submit the NJ Cyber JIF 3rd Party Questionnaire, completed by the City's Technology Company.

VII. ORDINANCES – FIRST READING

- a. ORDINANCE NUMBER 12-2024: *An Ordinance Authorizing the Extension of the Lease Agreement Between the City of Lambertville and Fisherman's Mark for the use of a Portion of the Property Owned by the City and Located at 260 North Main Street (Block 1002, Lot 41).*

City of Lambertville

ORDINANCE NUMBER 12-2024

An Ordinance Authorizing the Extension of the Lease Agreement Between the City of Lambertville and Fisherman's Mark for use of a Portion of the Property Owned by the City and Located at 260 N. Main Street (Block 1002, Lot 41).

WHEREAS, the City of Lambertville (the "**City**"), a municipal corporation of the State of New Jersey, with offices located at 18 York Street, Lambertville New Jersey 08530, owns the property shown on the City Tax Maps as Block 1002, Lot 41, commonly known as 260 N. Main Street (the "**Property**"); and

WHEREAS, Fisherman's Mark ("**Fisherman's Mark**") requested to lease a portion of the Property for use as a food pantry (the "**Leased Premises**"); and

WHEREAS, Fisherman's Mark is a New Jersey nonprofit corporation organization based in the City, and in accordance with its mission statement, provides programs to vulnerable populations that promote stability, health and education, while also providing responsive services such as food and affordable childcare services; and

WHEREAS, Fisherman's Mark provides a store-like environment to give City residents food to prepare meals that are affordable and healthy choices; and

WHEREAS, the Leased Premises at the Property are not currently being used by the City; and

WHEREAS, the continued use of the Leased Premises at the Property will allow Fisherman's Mark to continue to provide essential services for City residents in need; and

WHEREAS, the City may lease the Leased Premises to Fisherman's Mark by ordinance, pursuant to N.J.S.A. 40A:12-1 et. seq. of the Local Lands and Buildings Law; and

WHEREAS, on December 16, 2021, pursuant to Ordinance 26-2021, the City approved a lease agreement with Fisherman’s Mark for use of the Leased Premises, for a term of one (1) year, effective January 1, 2022 (the “**Lease Agreement**”), which, in part, requires Fisherman’s Mark, as tenant, to pay to the City, as landlord, the amount of \$1,000.00 per month for the use of the Leased Premises; and

WHEREAS, on October 20, 2022, pursuant to Ordinance 26-2022, the City approved an extension of the Lease Agreement for six (6) months, with all other provisions of the Lease Agreement remaining unchanged; and

WHEREAS, on April 20, 2023, pursuant to Ordinance 06-2023, the City approved an extension of the Lease Agreement for an additional six (6) months, with all other provisions of the Lease Agreement remaining unchanged; and

WHEREAS, on December 21, 2023, pursuant to Ordinance 36-2023, the City approved an extension of the Lease Agreement for an additional six (6) months, with all other provisions of the Lease Agreement remaining unchanged; and

WHEREAS, the City and Fisherman’s Mark desire to further extend the term of the Lease Agreement for six (6) additional months, with all other provisions of said Lease Agreement remaining unchanged.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the City of Lambertville, as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Governing Body approves the extension of the Lease Agreement with Fisherman’s Mark for use of the Leased Premises, for a period of six (6) months, with all other terms of the Lease Agreement, a copy of which is on file with the City Clerk, and the terms of which are incorporated herein, remaining unchanged.
3. The Mayor is authorized to execute any documents necessary to effectuate the extension of the Lease Agreement described herein.
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.
5. The City Clerk is hereby directed to publish this Ordinance as required by applicable law and make the same available for public inspection.
6. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.

INTRODUCTION AND FIRST READING: June 6, 2024
PUBLIC HEARING AND SECOND READING: June 20, 2024

VIII. DISCUSSION
a. GRANTS

City of Lambertville
Work Session
6:30 p.m. Thursday, June 6, 2024
Phillip L. Pittore Justice Center, 25 South Union Street
MEETING AGENDA
Page Number 7

- b. CAPITAL SPENDING
- c. CANNABIS ORDINANCE REVISION DISCUSSION
- d. ORDINANCE NUMBER 06-2024: *An Ordinance to Amend the Land Use Ordinances, Section Z-1500, Stormwater Management, Specific to the Provisions for Stormwater Control of the City of Lambertville*

IX. ANNOUNCEMENTS

- a. CPF REQUEST: The City of Lambertville's application was not included applications recommended by Congressman Kean's Office for the Community Project Funding (CPG) for 2025.
- b. CONVENIENCE CENTER HOURS
 - i. Saturdays, June 1 and June 15, from 9 am to noon
 - ii. Wednesday, June 26, from 3 – 5 pm

X. PUBLIC PARTICIPATION

XI. ADJOURNMENT