



City of Lambertville
Regularly Scheduled Council Meeting
July 21, 2022, 7:00 P.M.
Phillip L. Pittore Justice Center
25 South Union Street, Lambertville
AGENDA

1) 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 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.

2) ROLL CALL

Councilwoman Lambert, Councilman Sanders, Councilman Stegman, Council President Taylor, Mayor Nowick

3) PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

4) APPROVAL OF THE MEETING MINUTES

- a) June 2, 2022, 2022 Work Session Meeting Minutes
- b) June 16, 2022 Voting Session Minutes

5) PROCLAMATIONS – none.

6) 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 117-2022: *A Resolution to Appoint Francesco Taddeo to Serve as the Municipal Court Judge for the City of Lambertville at an Annual Salary of \$15,000.00, Beginning July 6, 2022 and Ending February 27, 2025.*

RESOLUTION NUMBER 117-2022

A Resolution Appointing Francesco Taddeo as the Municipal Court Judge for the City of Lambertville at an Annual Salary of \$15,000.00 (prorated for 2022), Beginning 07-06-2022 and Ending 02/27/2025

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 Francesco Taddeo is hereby reappointed to serve as the Municipal Court Judge to fill an unexpired term beginning July 6, 2022 and ending February 27, 2025, at an annual salary of \$15,000.00 which will be prorated for the 2022 calendar year.

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ADOPTED: July 21, 2022

- b) RESOLUTION NUMBER 118-2022: *A Resolution to Authorize the Following Refunds of Escrow: Pasquale Pittore in the Amount of \$79.17*

RESOLUTION NUMBER 118-2022

A Resolution to Authorize the Refund of a n Escrow to Pasquale Pittore in the Amount of \$79.17

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 refund for escrow to Pasquale Pittore in the amount of \$79.17 is hereby authorized.

ADOPTED: June 16, 2022

- c) RESOLUTION NUMBER 119-2022: *A Resolution to Appoint Robert Brown to Serve as the LGBTQ+ Liaison to Law Enforcement; Roni Todd-Marino to Serve as LGBTQ+ Liaison to the City Executive*

RESOLUTION NUMBER 119-2022

A Resolution to Appoint Robert Brown to Serve as the LGBTQ+ Liaison to Law Enforcement and Roni Todd-Marino to Serve as LGBTQ+ Liaison

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 appointments are hereby authorized:

Robert Brown to serve as LGBTQ+ Liaison to Law Enforcement

Roni Todd-Marino to serve as LGBTQ+ Liaison

ADOPTED: June 16, 2022

- d) RESOLUTION NUMBER 120-2022: *A Resolution to Authorize the Veterans Deduction for Paul Kancylarz in the Amount of \$250.00 for Block 1002, Lot 49 for the 2021 Calendar Year*

RESOLUTION NUMBER 120-2022

A Resolution to Authorize the Refund of the Veterans Deduction for Paul Kancylarz in the amount of \$250.00 for Block 1002, Lot 49 for the 2021 Calendar Year

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 refund for the following Veterans Deduction for Paul Kancylarz in the amount of \$250.00 for Block 1002, Lot 49 for the 2021 Calendar Year is hereby authorized.

ADOPTED: June 16, 2022

- e) RESOLUTION NUMBER 121-2022: *A Resolution to Authorize the Refunds for Construction Permit to Gerry Rihl of 3 Liberty View Court in the Amount of \$80.00; Louis Farrell of 60 Kingwood Avenue in Frenchtown in the Amount of \$80.00; and For Summer Camp to Janet Grove in the Amount of \$140.00*

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RESOLUTION NUMBER 121-2022

A Resolution to Authorize the Refund of Construction Permit fees to Gerry Rihl of 3 Liberty View Court in the Amount of \$80.00 and Louis Farrell of 60 Kingwood Avenue in Frenchtown in the Amount of \$80.00, and For Summer Camp to Janet Grove in the Amount of \$140.00

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 refund for construction permit fees to Gerry Rihl of 3 Liberty View Court in the amount of \$80.00 and Louis Farrell of 60 Kingwood Avenue in Frenchtown in the amount of \$80.00; and for Summer Camp to Janet Grove in the amount of \$140.00, are hereby approved.

ADOPTED: June 16, 2022

- f) RESOLUTION NUMBER 122-2022: *A Resolution to Authorize Change Order II for the Arnett Avenue Culvert on the North Main Street Side in an Amount Not to Exceed: \$59,790.00*

RESOLUTION NUMBER 122-2022

A Resolution to Amend Resolution Number 77-2022, Awarding a Contract to Samson Concrete & Masonry LLC for the Upper Arnett Avenue Stormwater Conveyance System Emergency Repairs, Authorizing Change Order II in An Amount Not to Exceed \$53,790.00

WHEREAS, the City of Lambertville solicited for bids for the Upper Arnett Avenue Stormwater Conveyance System Emergency Repairs and Friday, April 1, 2022, and

Whereas, on June 16, 2022, the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey awarded the contract for the Upper Arnett avenue Stormwater Conveyance System Emergency Repairs to Samson Concrete & Masonry in the amount of \$269,500.00, plus \$30,000 for the alternate bid.

WHEREAS, the city engineer has certified that additional work was required due to the manual removal of dirt and debris from the culvert.

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 change order number 2 for the Upper Arnett Avenue Stormwater Conveyance System Emergency Repairs in the amount of \$53,790.00 is hereby authorized.

BE IT FURTHER RESOLVED, that this change order exceeds the 20% limitations and the City Clerk will need to certify this in the 2023 budget cycle;

BE IT FURTHER RESOLVED that the city engineer and the city attorney have reviewed this request and feel this is an emergency situation;

BE IT FURTHER RESOLVED by the Mayor, City Attorney and City Clerk are hereby authorized to execute the contracts for the project.

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- g) RESOLUTION NUMBER 123-2022: *A Resolution to Authorize the Discharge of Mortgage for 42 Buttonwood Street in the Name of Robert and Joyce Tettermer in the Amount of \$11,395.00 for the CBDG/Small Communities Grant*

RESOLUTION NUMBER 123-2022

A Resolution to Authorize the Discharge of Mortgage for 42 Buttonwood Street for Robert & Joyce Tettermer in the Amount of \$11,395.00

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 discharge of mortgage for Robert and Joyce Tettermer for 42 Buttonwood Street in the amount of \$11,395.00 is hereby authorized.

ADOPTED: July 21, 2022

- h) RESOLUTION NUMBER 124-2022: *A Resolution to Join the Cranford Police Cooperative Pricing System*

RESOLUTION NUMBER 124-2022

A Resolution Authorizing The City of Lambertville To Enter Into A Cooperative Pricing Agreement with Cranford Police Cooperative Pricing System (ID# 47-CPCPS)

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Cranford Police Cooperative Pricing System (ID # 47-CPCPS), hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

NOW THEREFORE BE IT RESOLVED, on July 21, 2022 by the governing body of the City of Lambertville, County of Hunterdon, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

AUTHORITY

Pursuant to the provisions of *N. J.S.A. 40A:11-11(5)*, the Mayor and City Clerk are hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the, *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

ADOPTED: July 21, 2022

- i) RESOLUTION NUMBER 125-2022: *A Resolution to Authorize the Purchase of a 2022 Ford Explorer from Koch 33 in An Amount Not to Exceed \$35,748.00 Through the*

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Cranford Police Cooperative Pricing System Funded Through Bond Ordinance Number 13-2022

RESOLUTION NUMBER 125-2022

A Resolution to Authorize the Purchase of a 2022 Ford Explorer through the Cranford Police Cooperative Pricing System in An Amount Not to Exceed \$35,748.00

WHEREAS, the City of Lambertville's police department has requested approval to replace the 2015 Ford Explorer totaled in 2021, and

WHEREAS, the purchase was funded through Ordinance Number 13-2022; and

WHEREAS, the Certified Municipal Finance Officer has certified that funds are available.

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 purchase of a 2022 Ford Explorer from Koch 33, through the Cranford Police Cooperative Pricing System in an amount not to exceed \$35,748.00 is hereby authorized.

ADOPTED: July 21, 2022

- j) RESOLUTION NUMBER 126-2022: A Resolution to Join Sourcewell, A National Cooperative

RESOLUTION NUMBER 126-2022

**RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE
CONTRACT VENDORS FOR CONTRACTING UNITS
PURSUANT TO N.J.S.A. 40A:11-12a**

Whereas, the City of Lambertville, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

Whereas, the City of Lambertville has the need on a timely basis to purchase goods or services utilizing State contracts; and

Whereas, the City of Lambertville intends to enter into contracts with the attached Referenced State Contract Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

Now, Therefore, Be It Resolved, that the governing body of the City of Lambertville authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on the attached list, pursuant to all conditions of the individual State contracts; and

Be It Further Resolved, that the governing body of the City of Lambertville pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to

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placing the order, and a certification of availability of funds is made by the Chief Finance Officer;
and

Be It Further Resolved, that the duration of the contracts between the City of Lambertville and Sourcewell shall be from July 21, 2022 to July 20, 2023.

ADOPTED: July 21, 2022

- k) RESOLUTION NUMBER 127-2022: A Resolution to Authorize the Purchase of a Leach 2RIII 32 Yd HD Rear Loader Mounted to International HV613 Chassis Provided by Bucks County International Inc., in An Amount Not to Exceed \$260,054.03 Funded Through Bond Ordinance Number 13-2022

RESOLUTION NUMBER 127-2022

Resolution Authorizing The Purchase Of A Leach 2r(((32 Yard Hd Rear Loader Mounted To International Hv613 Chassis Provided By Bucks County International Inc., In An Amount Not To Exceed \$260,054.03 Funded Through Ordinance Number 13-2022, Purchased Through Sourcewell, A National Cooperative

WHEREAS, the City of Lambertville is a member of Sourcewell, a national cooperative who has publicly advertised and solicited for the purchase of equipment and office supplies; and

WHEREAS, Sourcewell has procured contracts with Bucks County International Inc., for the purchase of garbage trucks for municipal governments; and

WHEREAS, the Certified Municipal Finance Officer has certified funds are available in Bond Ordinance Number 13-2022.

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 purchase of a Leach 2RIII 32 YD HD Rear Leader Mounted to International GV613 Chassis from Bucks County International Inc., in an amount not to exceed \$260,054.03 is hereby authorized.

ADOPTED: July 21, 2022

- l) RESOLUTION NUMBER 128-2022: A Resolution to Amend Resolution Number 108-2021, to Authorize Change Order 1 for the Contract with the Musial Group for the Facilities Study Awarded in July of 2021 in the Amount of \$3,200.00 for Additional Work Required

RESOLUTION NUMBER 128-2021

A Resolution to Amend Resolution Number 108-2021, to Authorize Change Order 1 for the Contract with the Musial Group for the Facilities Study Awarded in July of 2021, in the Amount of \$3,200.00 for Additional Work Required

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

WHEREAS, the City Attorney has reviewed the proposal documents and has certified they are responsive and responsible; and

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

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Lambertville authorizes Change Order 1 for the Facilities Study with the Musial Group, P.A. in an amount not to exceed \$3,200.00.

BE IT FURTHER RESOLVED THAT the Mayor and City Clerk are hereby authorized to amend the contract with Musial Group, P.A. in an amount not to exceed \$42,823.00 (original contract \$39,623.00, plus change order 1 in the amount of \$3,200.00).

m) RESOLUTION NUMBER 129-2022: A Salary & Wage Resolution for 2022

RESOLUTION NUMBER 129-2022

Establishing the 2022 Salary and Wages for Officials and Employees of the City of Lambertville

WHEREAS, Ordinance 19-2021, amended by Ordinance 23-2022, established salary ranges for officials and employees of the City of Lambertville; and

WHEREAS, the 2022 calendar year budget included a 2% raise for non-union employees who have been working for the City of Lambertville consistently for more than 1 year; and

WHEREAS, the 2022 calendar year budget was formally adopted by the Mayor and Council of the City of Lambertville in the County of Hunterdon on Thursday, June 17, 2022; and

WHEREAS, it is necessary to establish specific salary for specific positions;

NOW THEREFORE BE IT RESOLVED that the following salaries are established:

<u>Employee Name</u>	<u>2022 pay rate</u>
COUNCIL MEMBERS:	
Steven Stegman	Stipend \$ 1,100.00
Julia Taylor (Council President)	Stipend \$ 3,200.00
STAFF:	
Lindsay Hansche, Deputy Clerk & Technology Specialist (prorated)	Salary \$ 55,000.00
Cynthia L. Ege, City Clerk	Salary \$ 84,561.83
Cynthia L Ege, OEM Deputy Coordinator	Salary \$ 5,000.00
Susan Bacorn, Deputy Treasurer	Salary \$ 52,373.87
Susan Bacorn, PACO/Tax Assistant	Salary \$ 5,100.00
Christie Ehret, CMFO	Salary \$ 24,530.00
Christie Ehret, QPA (when certified)	Salary \$ 2,500.00
TAX OFFICE:	
Cynthia McBride, Tax Collector	Salary \$ 17,578.15

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Richard Carmosino, Tax Assessor Salary \$ 35,827.08

CONSTRUCTION:

Tim Dieterman, Plumbing Subcode, Salary \$ 15,221.21
 Crystal Lawton, Planning Board Secretary Salary \$ 8,116.59
 Crystal Lawton, Zoning Board Secretary Salary \$ 4,100.05
 Crystal Lawton, TACO Salary \$ 35,433.43
 Crystal Lawton, Historical Secretary Salary \$ 3,000.00 (prorated)
 Kenneth Rogers, Construction/Zoning Official Salary \$ 95,000.00 (prorated)
 Keith Steele Salary \$ 12,012.51
 Susan Schlessinger, Fire Official Salary \$ 25.00 per hour

POLICE CIVILIAN:

Raymond Genito, Class II Special FT Salary \$35,360.00
 Tara Barlow, Matron/PT Hourly \$13.77
 Vernon Barlow, Crossing Guard Hourly \$14.66
 Kelly Kascik, Police Secretary/FT Salary \$42,000.00
 Michael Vecchio, Parking Enforcement/FT Salary \$38,980.44
 Stephen Balaity, Parking Enforcement/PT Hourly \$15.61
 Bradley Kaner, Parking Enforcement/PT Hourly \$15.00
 Michael Dendis Class III (set by the School District) Hourly \$26.92

PUBLIC WORKS:

Paul Cronce Hourly \$20.00
 Brittany Kerr Salary \$31,200.00
 Jessie Kerr Salary \$31,200.00
 David Kerr Salary \$47,369.32
 John Ott Salary \$31,824.00
 John Ott IV Salary \$30,160.00
 Lester Myers, Jr. Salary \$69,186.60
 Robbin Worthington Salary \$48,594.08

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BE IT FURTHER RESOLVED that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval, with a copy of the letter awarding the Grant.

- o) RESOLUTION NUMBER 131-2022: A Resolution Requesting the Insertion of a Special Item of Revenue in the Budget of Any County or Municipality Pursuant to N.J.S.A. 40A:4-87 for Clean Communities Grant in the Amount of \$10,454.69

RESOLUTION NUMBER 131

**RESOLUTION REQUESTING THE INSERTION OF A SPECIAL ITEM OF REVENUE
IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S.A.
40A:4-87 (Chapter 159 P.L. 1948)**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of local Finance may approve the insertion of any special item if revenue in the budget of any County or Municipality when such item have been made available by Law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount.

WHEREAS, the Chief Financial Officer has certified that the City has received a grant in the amount of \$10,454.69 for Clean Communities Grant.

NOW THEREFORE, BE IT RESOLVED that the City of Lambertville hereby requests the Director of Division of Local Finance to approve the insertion of an item of revenue in the 2018 CY Budget in the amount of \$10,454.69 which item is now available as revenue from the receipt of the Clean Communities Grant.

BE IT FURTHER RESOLVED that a like sum of \$10,454.69 is hereby appropriated under the caption of:

OPERATIONS "EXCLUDED FROM CAP"

Clean Communities Grant \$10,454.69

BE IT FURTHER RESOLVED that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval, with a copy of the letter awarding the Grant.

ADOPTED: July 21, 2022

- p) RESOLUTION NUMBER 132-2022: A Resolution Requesting the Insertion of a Special Item of Revenue in the Budget of Any County or Municipality Pursuant to N.J.S.A. 40A:4-87 for Body Worn Cameras in the Amount of \$26,494.00

RESOLUTION NUMBER 132-2022

**RESOLUTION REQUESTING THE INSERTION OF A SPECIAL ITEM OF REVENUE
IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S.A.
40A:4-87 (Chapter 159 P.L. 1948)**

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WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of local Finance may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item have been made available by Law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount.

WHEREAS, the Chief Financial Officer has certified that the City has received a grant in the amount of **\$26,494.00 for Body Worn Cameras**.

NOW THEREFORE, BE IT RESOLVED that the City of Lambertville hereby requests the Director of Division of Local Finance to approve the insertion of an item of revenue in the 2019 CY Budget in the amount of **\$26,494.00** which item is now available as revenue from the receipt of the **Body Worn Cameras**.

BE IT FURTHER RESOLVED that a like sum of **\$26,494.00** is hereby appropriated under the caption of:

OPERATIONS "EXCLUDED FROM CAP"

Body Worn Cameras \$26,494.00

BE IT FURTHER RESOLVED that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval, with a copy of the letter awarding the Grant.

ADOPTED:

- q) **RESOLUTION NUMBER 133-2022**: *A Resolution to Authorize the Contract with Parkmobile to Accept Mobile and Pay-by-Phone Payment for the Use of Parking Meters*

RESOLUTION NUMBER 133-2022

A Resolution to Authorize the Contract with Parkmobile to Accept Mobile and Pay-by-Phone Payment for the Use of Parking Meters.

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, City Attorney and City Clerk are hereby authorized to sign the contract with Parkmobile to enable customers of the City to pay meter fees using their mobile device.

BE IT FURTHER RESOLVED that the contract will be for a three year term and the on-demand user fee of \$.60 will be paid by the consumer.

ADOPTED: July 21, 2022

- r) **RESOLUTION NUMBER 134-2022**: *A Resolution to Authorize the Lien Redemption for Block 1048, Lot 60 in the Amount of \$1,922.14*

RESOLUTION 134-2022

A Resolution Authorizing the Redemption of a Tax Lien for Block 1048, Lot 66 In the Amount of \$1,922.14

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WHEREAS, Tax Lien Certificate 21-00003 issued on Block 1048, Lot 60 was sold to Good House LLC, 18601 FM 1431 STE 104 #2048, Jonestown, TX 78645 on 12/14/2021 and

WHEREAS, payment has been received by the Tax Collector for redemption of the tax lien from property 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 Good House LLC, 18601 FM 1431 STE 104 #2048, Jonestown, TX 78645 for tax lien certificate #21-00003 in the amount of: 1,922.14

ADOPTED: July 21, 2022

- s) RESOLUTION NUMBER 135-2022: *A Resolution to Authorize the Lien Redemption for Block 1048, Kit 61 in the Amount of \$4,245.56*

RESOLUTION 135-2022

A Resolution Authorizing the Redemption of a Tax Lien for Block 1048, Lot 61 In the Amount of \$4,245.56

WHEREAS, Tax Lien Certificate 21-00004 issued on Block 1048 Lot 61 was sold to Good House LLC, 18601 FM 1431 STE 104 #2048, Jonestown, TX 78645 on 12/14/2021 and

WHEREAS, payment has been received by the Tax Collector for redemption of the tax lien from property 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 Good House LLC, 18601 FM 1431 STE 104 #2048, Jonestown, TX 78645 for tax lien certificate #21-00004 in the amount of: 4,245.56

ADOPTED: July 21, 2022

- t) RESOLUTION NUMBER 136-2022: *A Resolution to Authorize the Lien Redemption for Block 1048, Lot 62 in the Amount of \$1,394.81*

RESOLUTION 136-2022

A Resolution Authorizing the Redemption of a Tax Lien for Block 1048, Lot 62 In the Amount of \$1,394.81

WHEREAS, Tax Lien Certificate 21-00005 issued on Block 1048, Lot 62 was sold to Good House LLC, 18601 FM 1431 STE 104 #2048, Jonestown, TX 78645 on 12/14/2021 and

WHEREAS, payment has been received by the Tax Collector for redemption of the tax lien from property 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 Good House LLC, 18601 FM 1431 STE 104 #2048, Jonestown, TX 78645 for tax lien certificate #21-00005 in the amount of: \$1,394.81

ADOPTED: July 21, 2022

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- u) RESOLUTION NUMBER 137-2022: *A Resolution to Cancel 2022 Property Taxes for 260 North Main, Block 1002, Lot 41.*

RESOLUTION NUMBER 137-2022

A Resolution to Cancel 2022 Property Taxes for 260 North Main, Block 1002, Lot 41

WHEREAS, the Tax Collector noted an error in the 2022 tax book for block 1002, lot 41, 260 North Main Street, and

WHEREAS, 260 North Main Street was purchased by the City of Lambertville in May of 2021, and

WHEREAS, the code of the property was not changed to a nonprofit status; and

WHEREAS, a result of that, the City will need to cancel the taxes due on the property via resolution.

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 2022 property taxes due for block 1002, lot 41, also known as 260 North Main Street are hereby canceled.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to submit a copy of this resolution to each of the following entities: County of Hunterdon Tax Board, South Hunterdon School District, and the Lambertville Board of Fire Commissioners.

ADOPTED: July 21, 2022

- v) RESOLUTION NUMBER 138-2022: *A Resolution to Authorize the Mayor, City Attorney and City Clerk to Sign the Access Agreement for Block 1002, Lot 42 (Ely Field) to South Hunterdon Regional School District*

RESOLUTION NUMBER 138-2022

A Resolution to Authorize the Mayor, City Attorney and City Clerk to Sign the Access Agreement for Block 1002, Lot 42 (Ely Field) to South Hunterdon Regional School District

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, City Attorney and City Clerk are hereby authorized to sign the access agreement with the South Hunterdon Regional School District, for Block 1002, Lot 43 (Ely Field).

ADOPTED: July 21, 2022

- w) RESOLUTION NUMBER 139-2022: *A Resolution to Amend Resolution Number 19-2022, Amending the Contract with Suburban Consulting Engineers, Inc. to a Not to Exceed Amount of \$7,500.00 (\$2,500 increase)*

RESOLUTION NUMBER 139-2022

A Resolution to Amend Resolution Number 19-2022, Amending the Contract with Suburban Consulting Engineers, Inc. to a Not to Exceed Amount of \$7,500.00 (\$2,500 increase)

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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 Resolution Number 19-2022 is hereby amended as follows:

Suburban Consulting Engineers, Inc., to serve as City Engineer, Alternate Planning Board Engineer, and Alternate Zoning Board Engineer with a contract rate not to exceed \$7,500.00 per year for an appointment beginning January 1, 2022 and ending December 31, 2022.

ADOPTED: July 21, 2022

- x) RESOLUTION NUMBER 140-2022: *A Resolution to Hire Susan Schlesinger to Serve as Fire Official at an Hourly Rate of \$25 per hours, 16 hours per Week.*

RESOLUTION NUMBER 140-2022

A Resolution to Authorize the Hire of the Fire Official at an Hourly Rate Not to Exceed \$25 Per Hour, 16 Hours Per Week.

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 Susan Schlesinger is hereby hired to serve as the Fire Official for the City of Lambertville at an hourly rate of \$25 per hour with a not to exceed of 16 hours per week.

ADOPTED: July 21, 22022

- y) RESOLUTION NUMBER 141-2022: *A Resolution to Authorize the 2023 Road Projects Grant for Swan Street and Studdiford Street.*

Resolution No. 141-2022

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the MA-2023-Improvements to Swan Street, Studdiford Street C-00572 application for the Improvements to Swan Street, Studdiford Street project.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Lambertville formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that Mayor Julia Fahl and the City Clerk are hereby authorized to submit an electronic grant application identified as MA-2023-Improvements to Swan Street, Studdiford Street C-00572 to the New Jersey Department of Transportation on behalf of City of Lambertville.

BE IT FURTHER RESOLVED that Mayor Andrew J. Nowick and the City Clerk are hereby authorized to sign the grant agreement on behalf of City of Lambertville and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

13) **BILLS LIST**

14) **ORDINANCES FIRST READING/INTRODUCTION**

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- a. ORDINANCE NUMBER 20-2022: *An Ordinance to Amend Ordinance Number 19-2021, The Salary Range for the Officials and Employees of the City of Lambertville, County of Hunterdon, State of New Jersey*

City of Lambertville
ORDINANCE NUMBER 20-2022

“AN ORDINANCE TO AMEND ORDINANCE NUMBER 19-2021, 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 - \$57,000
Construction Code Official	\$17,000 - \$100,700
Public Works Director	\$25.00 - \$55.00 per hour – Part Time
Public Works Director	\$55,000 - \$73,340 – Full Time
OEM Coordinator, Deputy Coordinator	\$5,000 - \$10,000 – part-time

This ordinance shall be retroactive to January 1, 2022.

INTRODUCED: July 21, 2022

ADOPTED: September 18, 2021

- b. ORDINANCE NUMBER 21-2022: *An Ordinance to Amend the Lambertville City Code, 2014, Chapter 17, Cable Television, To Expand the Functions and Change the Name to Read: Broadband, Cable and Telephone Advisory Committee*

ORDINANCE NUMBER 21-2022

An Ordinance to Amend the Lambertville City Code, 2014, Chapter 17, Cable Television, Article II, Cable Television Advisory Committee to Expand Its Functions and Change the Name to Read: Broadband, Cable and Telephone Services Advisory Committee

(a) Article II
Advisory Committee

- (i) 17 Cable Television, Changed to Read: Broadband, Cable and Telephone Services Advisory Committee
- i. The function of the Committee shall be to:
 - ii. Explore potential ways to bring competition to Lambertville for broadband, cable and telephone services and reporting to the Governing Body its findings;
 - iii. Review and assist residents regarding complaints and questions related to service quality

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and terms and conditions of service for broadband, cable and telephone services and the availability of assistance and other programs for Lambertville residents;

- iv. Education of residents regarding the regulation of broadband, cable and telephone services; and
- v. Provide assistance to the Mayor and Governing Body regarding the issues related to broadband, cable and telephone services and serving as liaison to the industry and regulatory bodies as requested by Mayor and Governing Body.
- vi. INTRODUCTION AND FIRST READING: July 21, 2022
- vii. PUBLIC HEARING AND SECOND READING: August 18, 2022

- c. ORDINANCE NUMBER 22-2022: *An Ordinance to Amend the Lambertville City Code, 2014, Chapter 8, Municipal Parking Areas and Metered Parking, Article II, Parking Meters to Increase the Hourly Rate from \$1.25 per Hour to \$1.50 Per Hour*

ORDINANCE NUMBER 22-2022

An Ordinance to Amend the Lambertville City Code, 2014, Article II, Parking Meters, Increasing the Time from \$1.25 Per Hour to \$1.50 Per Hour

§ 8-16 INSTALLATION OF PARKING METERS.

§ 8-16.1 City to Install.

[Ord. #88-25, § 5; Ord. #96-27, § 2; Ord. #2001-34, § 3; Ord. #08-2011; 1990 Code § 8-16.1; amended 5-16-2019 by Ord. No. 09-2019]

The City shall install parking meters in the parking meter zones as provided in this article immediately adjacent to each designated parking space. The meters are digital and will accept any combination of nickels, dimes and quarters. A vehicle may lawfully park in such parking meter zones for a period of 10 minutes for a fee of \$0.30, 30 minutes for a fee of \$0.90, or one hour for a fee of \$1.50 and may also pay using a mobile or pay-by-phone application. All fees associated with using a mobile or pay-by-phone application will be paid by the user.

§ 8-18 DEPOSIT OF COINS AND TIME LIMITS.

§ 8-18.1 Deposit of Coins Required.

[Ord. #88-25, § 5; Ord. #91-07, § 2; Ord. #96-27, § 3; Ord. 2001-34, § 4; 1990 Code § 8-18.1]

No person shall park a vehicle in any parking space in a parking zone alongside of and next to which a parking meter has been installed during the restricted and regulated time applicable to the parking meter zone in which the meter is located unless a coin or coins of United States currency of the appropriate denomination shall have been deposited therein,

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or shall have been previously deposited therein for an unexpired interval of time and the meter has been placed in operation.

The provisions of this section shall not apply to municipally registered vehicles.

For a fee of \$12 per day payable to the City of Lambertville, contractors regularly engaged in the maintenance field or vehicles involved for moving household goods may secure a sign to be secured to the meter allowing them to park in a metered space for that day.
[Amended 5-16-2019 by Ord. No. 09-2019]

INTRODUCTION AND FIRST READING: July 21, 2022

PUBLIC HEARING AND SECOND READING: August 18, 2022

15) ORDINANCES CURRENTLY IN DRAFT FORM:

- m) ORDINANCE NUMBER XX-2022: *An Ordinance to Amend the Lambertville City Code, 2014, Chapter BH2. Public Health Nuisance Code, Section BH@-5 to Include Livestock*
- n) ORDINANCE NUMBER XX-2022: *An Ordinance to Amend the Lambertville City Code, 2014, Addition Provisions for Film and Media. This ordinance is currently in draft form and needs some additional edits*
- o) ORDINANCE NUMBER XX-2022: *An Ordinance Authorizing and Encouraging Electric Vehicle Supply/Service (EVSE) & Make Ready Parking Spaces*
- p) ORDINANCE NUMBER XX-2022: *An Ordinance to Revise the Vacant Property Ordinance (NJ Statute Changes, Adoption of Abandoned Houses)*

16) ORDINANCES SECOND READING/PUBLIC HEARING

- a) ORDINANCE NUMBER 17-2022: *An Ordinance Amending Certain Sections, As Specified Below, of the City of Lambertville Land Development Review Ordinance, Article XII Affordable Housing, Section LDR-1200, "Affordable Housing Ordinance," to Address the Requirements of the Fair Housing Act and the Uniform Housing Affordability Controls (UHAC) Regarding Compliance with the City's Affordable Housing Obligations*

Ordinance Number 17-2022
Amendments to the Affordable Housing Ordinance
City of Lambertville, Hunterdon County

AN ORDINANCE AMENDING CERTAIN SECTIONS, AS SPECIFIED BELOW, OF THE CITY OF LAMBERTVILLE LAND DEVELOPMENT REVIEW ORDINANCE, ARTICLE XII AFFORDABLE HOUSING, SECTION LDR-1200, "AFFORDABLE HOUSING ORDINANCE," TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC) REGARDING COMPLIANCE WITH THE CITY'S AFFORDABLE HOUSING OBLIGATIONS

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WHEREAS the State of New Jersey has a longstanding and well-established commitment to maximizing the opportunities for the development of housing affordable for very-low-, low-, and moderate-income households; and

WHEREAS the provision of “safe, decent and attractive housing that [very-low-, low-, and moderate-income households] can afford serves the community’s interest in achieving an integrated, just and free society and promotes the general welfare of all citizens.” De Simone v. Greater Englewood Hous. Corp., 56 N.J. 428, 441 (1970); and

WHEREAS notably, in the Mount Laurel decisions, the New Jersey Supreme Court held that the State’s Constitution makes it “plain beyond dispute that proper provision for adequate housing of all categories of people is certainly an absolute essential in promotion of the general welfare required in all local land use regulations.” S. Burlington Cty. NAACP v. Mount Laurel, 67 N.J. 151, 179 (1975) (Mount Laurel I); and

WHEREAS the Court thus found that “each ... municipality [must] affirmatively ... plan and provide, by its land use regulations, the reasonable opportunity for an appropriate variety and choice of housing, including, of course, low and moderate cost housing, to meet the needs, desires and resources of all categories of people who may desire to live within its boundaries.” Ibid.; and

WHEREAS since then, New Jersey’s courts have consistently recognized that “[t]he public policy of this State has long been that persons with low and moderate incomes are entitled to affordable housing ... ‘There cannot be the slightest doubt that shelter, along with food, are the most basic human needs.’” Homes of Hope, Inc. v. Eastampton Tp. Land Use Planning Bd., 409 N.J. Super. 330, 337 (App. Div. 2009) (quoting Mount Laurel I, 67 N.J. at 178); and

WHEREAS the New Jersey Legislature itself affirmed this commitment when it enacted the Fair Housing Act of 1985, which established that it is in the State’s interest “to maximize the number of low and moderate units by creating new affordable housing and by rehabilitating existing, but substandard, housing in the State.” N.J.S.A. 52:27D-302; and

WHEREAS accordingly, the New Jersey Supreme Court has determined that “[a]ffordable housing is a goal that is no longer merely implicit in the notion of the general welfare. It has been expressly recognized as a governmental end and codified under the FHA.” Holmdel Builders Ass’n v. Holmdel. 121 N.J. 550, 567 (1990).

NOW THEREFORE BE IT ORDAINED by the Council of the City of Lambertville, Hunterdon County, New Jersey, that the following Sections of Chapter LDR Land Development Review, Article XII Affordable Housing, Section LDR-1200 Affordable Housing Ordinance are hereby amended as specified below, in order to address the City of Lambertville’s constitutional obligation to provide for its fair share of very low-, low- and moderate-income housing, as directed by the Superior Court and consistent with N.J.A.C. 5:93-1, et seq., as amended and supplemented, N.J.A.C. 5:80-26.1, et seq., as amended and supplemented, and the New Jersey Fair Housing Act of 1985. This Ordinance is intended to provide assurances that very low-, low- and moderate-income units (“affordable units”) are created with controls on affordability over time and that very low-, low- and moderate-income households shall occupy those units.

SECTION 1: SECTION LDR-1200.6. shall be amended to read as follows (additions in **bold** and deletions in ~~strikethrough~~):

Section LDR-1200.6 City-wide Mandatory Set-Aside

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1. Purpose. The purpose of this mandatory affordable housing set-aside ordinance is two-fold:
 - a. One, ensure that multi-family residential development or combined multi-family residential/non-residential development, providing a minimum of five (5) new housing units at a density of six (6) or more units per acre that results from a rezoning, variance, redevelopment plan, rehabilitation plan, or other zoning or land use incentive produces affordable housing at an appropriate set-aside rate of twenty percent (20%), consistent with applicable law; and
 - b. Two, ensure consistent with the New Jersey Supreme Court's directives in Mount Laurel II, that opportunities for affordable housing are captured as land becomes available for development and redevelopment (including as a result of private acquisition or assembly of a tract, fires and the resulting demolition of structures, and redevelopment, either public or private) within the boundaries of the City, which has an unmet need obligation, see S. Burlington Cty. NAACP v. Mount Laurel, 92 N.J. 158, 248 n.21 (1983) (Mount Laurel II) and the Court's decision with regards to the initial Fairness and Compliance Hearing held before the Court on September 13, 2018 and the Consent Order Approving Amended Settlement and Agreement and Conditional Judgment of Mount Laurel Compliance and Repose entered June 23, 2020, in In the Matter of the City of Lambertville, County of Hunterdon, Docket No. HNT-L-311-15.
2. Applicability of Mandatory Affordable Housing Set-Aside. This mandatory affordable housing set-aside ordinance shall apply as follows:
 - a. A minimum affordable housing set-aside of 20% shall be required to be included within a development, except as noted herein, throughout the entirety of the municipality when a multi-family residential, or combined multi-family residential/non-residential development, providing a minimum of five (5) new housing units at a density of six (6) or more units per acre, is created through:
 - (i) a municipal rezoning permitting multi-family housing where not previously permitted; or
 - (ii) the granting of a "D" variance pursuant to NJS 40:55D-70.d (e.g., use variance, density variance); or
 - (iii) a new or amended redevelopment plan or rehabilitation plan.
 - b. Within the lands **bound** between the Delaware River **to the west**, **the municipal boundary to the south**, and **the lands to the east bound by eastern right-of-way of N.J.S.H. Route 29, the eastern right-of-way of Route 165, the eastern right-of-way of N.J.S.H. Route 179, Washington Street between N.J.S.H. Route 179 and York Street, the eastern right-of-way of North Franklin Street, the southern lot line of Block 1002, Lot 43 (Ely Field), the eastern right-of-way of North Main Street (N.J.S.H. Route 29), and the municipal boundary to the north**, and also including the tax lots between North Franklin Street and where York Street intersects with Washington Street (Block 1002, Lots 58 through 63), and the tax lots immediately east of North Franklin Street between York Street and Block

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1002, Lot 43 (Ely Field) (Block 1002, Lots 45.01, 45.02, and 46 through 57), any residential development, except as noted herein, providing a minimum of five (5) new housing units at a density of six (6) or more units per acre that requires site plan or subdivision approval shall provide a minimum affordable housing set-aside of 20%, to be included within the development.

- (i) A developer subject to this mandatory affordable housing set-aside ordinance may request, and the approving authority at its discretion may grant, additional incentives for the production of affordable housing, including but not limited to increased density, an increase in the maximum permitted number of dwelling units within a building, and/or a reduction in the off-street parking spaces otherwise required.
- 3. Exemptions. This mandatory affordable housing set-aside ordinance shall not apply to sites already zoned for inclusionary residential development with an affordable housing set-aside or for which an inclusionary residential redevelopment plan has been adopted consistent with the City's Court-approved Housing Plan Element and Fair Share Plan, adopted in accordance with the settlement agreement with Fair Share Housing Center, which sites shall comply with the applicable adopted zoning.
- 4. Other Terms Applicable. The following terms shall apply to Lambertville's mandatory affordable housing set-aside ordinance:
 - a. All subdivision and site plan approvals of qualifying developments identified in §1200-6.2.a and §1200-6.2.b shall be conditioned upon compliance with the provisions of this mandatory affordable housing set-aside ordinance.
 - b. No subdivision shall be permitted or approved for the purpose of avoiding compliance with this requirement. A developer may not, for example, subdivide a project into two lots and then plan each of them to produce a number of units just below the threshold.
 - c. In the event the number of affordable housing units to be provided includes a fraction, the number shall be rounded up if the fractional amount is 0.5 or greater and rounded down if the fractional amount is less than 0.5. The developer shall provide a payment in lieu of constructing affordable units for the fraction of a unit less than 0.5.
 - d. All affordable units created shall fully comply with Chapter LDR Land Development Review, Article XII Affordable Housing, Sections LDR-1200.7 through LDR-1200.25.
 - e. This requirement shall not give any developer the right to any such rezoning, variance, redevelopment designation or redevelopment or rehabilitation plan approval, or any other such relief, or establish any obligation on the part of the City to grant such rezoning, variance, redevelopment designation, redevelopment or rehabilitation plan approval, or other such or further relief.
 - f. No developer may make a payment in lieu of constructing affordable units on site, except for fractional units as noted in Paragraph c, above.

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SECTION 2: A copy of this ordinance shall be referred to the Lambertville Planning Board following its introduction for review pursuant to N.J.S.A. 40A:55D-26A.

SECTION 3: If any article, section, paragraph, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect and shall be deemed valid and effective.

SECTION 4: In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the City of Lambertville, the provisions hereof shall be determined to govern and those inconsistent provisions shall be repealed to the extent of such inconsistency.

SECTION 5: This ordinance shall take effect upon its passage and publication, filing with the Hunterdon County Planning Board, and as otherwise provided for by law.

SECTION 6. The provisions of this Ordinance shall be applicable within the entire City of Lambertville upon final adoption and shall become a part of the Lambertville Code once completed and adopted.

FIRST READING AND INTRODUCTION: June 16, 2022

SECOND READING AND PUBLIC HEARING: July 21, 2022

- b) ORDINANCE NUMBER 18-2022: *An Ordinance Amending Certain Sections, As Specified Below, of the City of Lambertville Zoning Ordinance to Encourage Economic Development and Investment in the Central Business District Zone*

ORDINANCE NUMBER 18-2022
Amendments to the Zoning Ordinance
City of Lambertville, Hunterdon County

AN ORDINANCE AMENDING CERTAIN SECTIONS, AS SPECIFIED BELOW, OF THE CITY OF LAMBERTVILLE ZONING ORDINANCE TO ENCOURAGE ECONOMIC DEVELOPMENT AND INVESTMENT IN THE CENTRAL BUSINESS DISTRICT ZONE

WHEREAS, the City should think about diversifying the permitted uses within its commercial districts so that consumers on all levels – residents, daytime employees and visitors – have a number of options to fulfill their needs; and

WHEREAS, parking requirements were also identified as a finite resource within the City and often the reason applications for new businesses end up in front of a Board; and

WHEREAS, the City Council wants to revise the parking requirements within the commercial zones to help promote economic development; and

WHEREAS, the City Council authorized the City Planner to prepare ordinance amendments based on the feedback received at the roundtables and information received from City officials; and

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the City of Lambertville that the Zoning Ordinance of the City of Lambertville shall be amended as shown as follows:

SECTION 1. Article IV “Zoning”, Section Z-406.3 “Conditional Uses” within the Central Business District (CBD) of the Zoning Ordinance is hereby amended as shown with new text **bold underlined** and text for deletion in ~~strikeout~~:

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The following conditional uses may be permitted in the Central Business District:

- A. Apartment use conforming to the criteria of §406.8 and §517.
- B. Structured parking conforming to the criteria of §406.9 and §517.
- C. Taverns and bars conforming to the criteria of §406.10 and §517.
- D. Conversion of second floor and higher floors to non-residential use provided that the gross floor area of the building shall be not less than 1,800 square feet and the criteria of §517 are met.
- E. Cannabis retailer conforming to the criteria of §406.13 and §517.

[Added 7/22/21, Ordinance # 16-2021].

F. Accessory apartments confirming to the criteria of §406.14.

SECTION 2. Article IV “Zoning”, Section Z-406.7 “Off-Street Parking and Loading Requirements” within the Central Business District (CBD) of the Zoning Ordinance is hereby amended as shown with new text **bold underlined** and text for deletion in ~~strikeout~~:

§ Z-406.7 Off Street Parking and Loading Requirements.

- A. Residential Uses. Each dwelling unit shall be provided a minimum number of parking spaces according to the provisions of the Residential Site Improvement Standards (RSIS), N.J.A.C. 5:21.
- B. Non-residential Uses. New non-residential use shall be required to provide off-street parking spaces in accordance with the Schedule of Required Off-Street Parking Facilities, § Z-406.7~~ED~~, when the following occurs:
 - 1. The proposed use involves the construction of new buildings or additions exceeding one-third of the gross square footage of the existing building.
 - 2. Public assembly spaces exceeding 75 seats.
 - 3. The change of use results in a net increase of fifteen (15) or more parking spaces.
- C. **Change in Use. Change of use applications for residential, non-residential, or a combination of the two that result in a net increase of fifteen (15) or more parking spaces shall be required to provide off-street parking spaces for those spaces in excess of the net increase of fifteen (15) spaces that would be generated by the change of use.**
- ~~ED~~. Schedule of Required Off-Street Parking Facilities. The following parking schedule shall be used to calculate the required number of parking spaces per use, as necessary. Unless otherwise noted, the calculation shall be based upon the gross square footage of the floor area of the use. Where the calculation results in a fraction of a space, the required number of parking spaces shall be rounded to the next highest whole number. Where more than one permitted use is allowed within

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the district, the requirement for parking spaces shall be the sum of the individual uses computed separately.

4. Retail and personal sales and service: one space per 300 square feet.
5. General and professional offices, excepting medical and dental offices: one space per 300 square feet.
6. Medical and dental offices: one space per 250 square feet.
7. Restaurants and luncheonettes: one space per three seats.
8. Taverns and bars: one space per two seats. Where individual seats are not provided, each 24 inches of counter shall constitute one seat.
9. Funeral homes shall provide at least six spaces for each viewing room.
10. Hotels, motels and inns: one space per room.
11. Artist galleries and antique stores, excepting cooperative spaces: one space per 600 square feet.
12. Cooperatives: three spaces per exhibit area.
13. Religious use, excepting residential: one space for each five seats. Where individual seats are not provided, each 21 inches of bench or pew shall be considered one seat.
14. Public Assembly: one space for each five seats.
15. Theatre: one space for each three seats.
16. Commercial recreation, indoor: one space for each 400 square feet, excepting bowling alleys which shall provide four spaces per lane.
17. Commercial recreation, outdoor: Sufficient space shall be provided to prevent parking in fire lanes or parking aisles as reasonably determined by the approving authority.
18. Other uses not specifically identified: one space per 300 square feet.

DE. Required Loading.

19. Each business or service establishment shall have access to a loading and unloading space within 300 feet of the premises. An adequate guarantee shall be provided that establishes a right to the loading and unloading use, unless such space is provided by a public entity.
20. Business or service establishments occupying a lot of 15,000 square feet or larger shall provide off-street loading and unloading space on the premises. Each off-street loading area shall be a minimum of 12 feet by 35 feet. The loading area shall be so arranged to avoid impairment to the circulation system of parking spaces, parking aisles, points of ingress and egress, and streets.

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EF. The design standards of § 509 shall apply to all off-street parking and loading areas.

FG. Location of Parking. Required off-street parking may be supplied off-tract provided the following criteria are met:

21. The off-tract parking shall not provide required parking for any other use.
22. An adequate guaranty that establishes a right to the use of the off-tract parking shall be provided.
23. The off-tract parking is located within the following distances from the premises in question:
 - a. Senior citizen residential use: 150 feet.
 - b. Other residential use: 300 feet.
 - c. Non-residential use: 600 feet.

SECTION 3. Article IV “Zoning”, Section Z-406.14 of the City Code shall be created to identify the standards for the Accessory Apartment conditional use within the Central Business District. Section Z-406.14, “Conditions of Accessory Apartment” in Chapter Z, “Zoning” of the City Code is hereby created to read as follows:

§Z-406.14 Conditions for Accessory Apartments

- A. The apartment shall be occupied only by a low and moderate income household as defined by N.J.A.C. 5:93-1.3.
- B. The apartment shall conform to the requirements for maximum rent level in N.J.A.C. 5:93-5.9(a)3.
- C. The apartment shall be affirmatively marketed in accordance with N.J.A.C. 5:93-11.
- D. Controls on the affordability of the accessory apartment shall remain in effect for a minimum of ten (10) years in accordance with N.J.A.C. 5:93-5.9(e), as may be amended or superseded.
- E. No accessory apartment shall be permitted within a basement or a cellar as defined in Article II, §Z-201. An accessory apartment shall be permitted on the first floor of a building; however, the habitable room area, as defined in §Z-201, for said unit shall not occupy more than 50% of the first floor area as measured from the rear wall of the building, exclusive of common hallways providing access to said unit. No portion of the habitable room area shall be permitted within the front areas of the first floor as measured from the front wall of the building, that being the wall facing a public street within the CBD Zone.
- F. Only one (1) accessory apartment per lot shall be permitted.

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G. Each accessory unit shall comply with the minimum unit size requirements for Neighborhood Preservation Balanced Housing Program (N.J.A.C. 5:43 et seq.)

H. Each accessory apartment shall have direct access to the exterior of the building.

SECTION 4: Referral to Planning Board. Following introduction and prior to adoption, the Clerk shall cause a copy of this ordinance to be referred to the City of Lambertville Planning Board for review pursuant to *N.J.S.A. 40:55D-26*.

SECTION 5: Repealer. All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed.

SECTION 6: Severability. If any section, paragraph, subsection, clause or provision of this ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be valid and enforceable.

SECTION 7: Effective Date. This ordinance shall take effect twenty days from the date of its adoption and upon filing with the Hunterdon County Planning Board, as required pursuant to *N.J.S.A. 40:69A-181* and *N.J.S.A. 40:55D-16*.

FIRST READING AND INTRODUCTION: June 16, 2022

Referred to Planning Board: July 6, 2022

Second Reading and PUBLIC HEARING: July 21-2022

- c) ORDINANCE NUMBER 19-2022: *An Ordinance Of The City Of Lambertville In Hunterdon County, New Jersey Amending Chapter 16 Of The City Code Entitled "Cannabis" And Amending The Land Use Regulations To Permit The Operation Of Class 5 Cannabis Retailer License Without Consumption Area And Prohibit Classes 1, 2, 3, 4 And 6 Of Cannabis Licensed Establishments Within The City And Amending Chapter 15 To Establish A Cannabis Transfer Tax; Amending And Restricting Two Of The Four Licenses To Microbusinesses*

ORDINANCE NO. 19-2022

AN ORDINANCE OF THE CITY OF LAMBERTVILLE IN HUNTERDON COUNTY, NEW JERSEY AMENDING CHAPTER 16 OF THE CITY CODE ENTITLED "CANNABIS" AND AMENDING THE LAND USE REGULATIONS TO PERMIT THE OPERATION OF CLASS 5 CANNABIS RETAILER LICENSE WITHOUT CONSUMPTION AREA AND PROHIBIT CLASSES 1, 2, 3, 4 AND 6 OF CANNABIS LICENSED ESTABLISHMENTS WITHIN THE CITY AND AMENDING CHAPTER 15 TO ESTABLISH A CANNABIS TRANSFER TAX; AMENDING AND RESTRICTING TWO OF THE FOUR LICENSES TO MICROBUSINESSES

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WHEREAS, the City of Lambertville, through a public process, introduced and adopted Ordinance Number 16-2021 that allows for retail sale of Cannabis; and

WHEREAS, the governing body of the City of Lambertville is amending the Ordinance as follows:

§16-12 Maximum Number of Permits.

- A. Number. The maximum number of permits in the City for Class 5 Cannabis Retailer licensed under CREAMMA, shall be four (4).
- B. Preference. The City has a ~~preference~~ requirement for two (2) of the four (4) Class 5 Cannabis Retailer licenses to be issued to microbusinesses.
- C. A Permittee or entity may not hold more than one cannabis retailer permit within the City.
- D. Location of Permits.

Class 5 Cannabis Retailer(s) shall comply with the City's Zoning Ordinance and shall be allowed in the following districts:

- 1. Two (2) Class 5 Cannabis Retailer permits shall be allowed to operate in the CBD Central Business District.
- 2. One (1) Class 5 Cannabis Retailer permit shall be allowed to operate in the C-2 Service Commercial District.
- 3. One (1) Class 5 Cannabis Retailer permit shall be allowed to operate in the C-3 General Commercial District.

First Reading and Introduction: June 16, 2021

Referred to Planning Board: July 6, 2022

Second Reading and Public Hearing: July 21, 2022

17) DISCUSSION ITEMS

- a) City Hall Porch Grant
- b) Facilities Report
- c) Lambertville Historical Society House Tour
- d) D&R Canal Watch Project
- e) Board Appointments
 - i) Parks & Recreation Commission
 - (1) Barry Middleberg to replace Penny Cooper Brach, term expiring 12-31-2023
 - (2) Alternate I position is open

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ii) Zoning Board of Adjustment

(1) William Neely to serve as Member of the ZBOA, with a term expiring 12-31-22

(2) Kevin Brady to serve as Alternate II with a term expiring 12-31-23

18) CORRESPONDENCE

- a) New Jersey Transit Corporation, Request for Federal Financial Assistance
- b) State of New Jersey Transportation Alternatives Set-Aside Program Request for Applications
- c) State of New Jersey, DOT, Response to Route 179 Inquiry for Hancock Street
- d) Eastern Technical Service Center: Notice of tipping fee increase for municipal solid waste at the County of Hunterdon Transfer Station.

19) ANNOUNCEMENTS

- a) 150 SWAN STREET UPDATE: The sale by auction/sealed bids is scheduled for Thursday, August 4, 2022 at 1:00 p.m.. Interested bidders should contact the city clerk for the packet.
- b) SWAN CREEK WATERWAY AND QUARRY STREET PROJECT: This was a joint project bid through an Interlocal Agreement with the Township of West Amwell. The bid opening was held on July 14, 2022 and we received 0 responses.
- c) ELY CREEK WATERWAY AND UPPER YORK STREET PROJECT: The bid date has been extended to July 28, 2022.
- d) CONVENIENCE CENTER HOURS
 - Saturday, August 6, 2022 from 9 am to noon
 - Wednesday, August 17, 2022 from 3 - 5 pm
 - Saturday, August 20 from 9 am to noon
- e) ELECTRONICS RECYCLING: Saturday, November 19, 2022 from 10 am to 1 pm at the American Legion, 320 North Union Street in Lambertville. Electronics only – no microwaves.

20) PUBLIC PARTICIPATION

21) CLOSED SESSION: Closed Session of the Governing Body of the November 30, 2021 Lambertville City Council Meeting to discuss Issues related to Potential Contracts pursuant to N.J.S.A. 10:4-12(b)(7).

RESOLUTION

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“Authorizing a Closed Session at the July 21, 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 July 21, 2022, 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: July 21, 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.

22) ADJOURNMENT