



City of Lambertville
REGULARLY SCHEDULED SESSION
TUESDAY, APRIL 7, 2020, 7:00 PM
PHILLIP L. PITTORE JUSTICE CENTER
AGENDA

Please use this link to obtain information for meeting participation:

<http://lambertvillenj.org/virtualmeetings>

Agenda Amended 04-06-2020.

I. STATEMENT OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

The April 7, 2020 Regularly Scheduled Voting session is being held in compliance with the Open Public Meetings Act, accordance with N.J.S.A. 10:4-6 and 10:4-8(b), Open Public Meetings Act, and P.L. 2020, c.11, this meeting will be streamed live through ZOOM. The annual meeting notice was advertised in the Trenton Times, provided to the Times and the Hunterdon County Democrat, to Department Heads and various individuals on the list serve. The meeting agenda was posted on the city's website on Friday, April 3, 2020.

II. ROLL CALL

Attendees: Councilman Sanders, Councilwoman Taylor, Councilwoman Urbish, Council President Asaro, Mayor Fahl.

Other Attendees: William Opel – City Attorney, Alex Torpey – Business Administrator, Cindy Ege – City Clerk and Tina Majeski – Deputy Clerk.

III. PLEDGE OF ALLEGIANCE

IV. MOMENT OF SILENCE

V. CITY ATTORNEY STATEMENT REGARDING COUNCIL SESSIONS

VI. APPROVAL OF MINUTES

- a. 02/04/2020 Work Session Minutes
- b. 02/20/2020 Voting Session Minutes
- c. 03/02/2020 Work Session Minutes
- d. 03/11/2020 Work Session Minutes

VII. PROCLAMATIONS

VIII. 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 51-2020:** *A Resolution to Amend the Amount of Refund in Resolution Number 45-2020 to read \$3,188.76.*

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey that the refund to Rachel Cyzner for escrow posted for an application before Zoning Board of Adjustment for the property known as block 1042, lots 19

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and 20 on the Tax Map of the City of Lambertville, with a mailing address of 39 Bridge Street in the amount of \$3,188.76 is hereby authorized.

ADOPTED: April 7, 2020

- b. **RESOLUTION NUMBER 52-2020: A Resolution to Authorize the Dedication by Rider for Accumulated Absences for the City of Lambertville.**
-

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is subject to reasonably accurate estimates in advance; and

WHEREAS, NJAC 5:30-15 provides for receipt of funds by the municipality to provide for the operating costs to administer this act; and,

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Accumulated Absences Liability Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

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

1. The Governing Body does hereby request permission of the Director of the Division of Local

Government Services to pay expenditures of the Accumulated Absences Liability Trust Fund created in accordance with the provisions of NJAC 5:30-15 as per N.J.S.A. 40A:4-39

2. The Clerk of the City of Lambertville, Hunterdon County is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

ADOPTED: April 7, 2020

- c. **RESOLUTION NUMBER 53-2020: A Resolution to Authorize the Dedication by Rider for Snow Removal for the City of Lambertville.**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is subject to reasonably accurate estimates in advance; and

WHEREAS, PL2001, c.24 & NJS 40A:4-62.1 provides for receipt of excess snow removal funds by the municipality to provide for the operating costs to administer this act; and,

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Snow Removal Reserve Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

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

1. The Governing Body does hereby request permission of the Director of the Division of Local

Government Services to pay expenditures of the Snow Removal Reserve Trust / PL2001, c.24 & NJS 40A:4-62.1.

2. The Clerk of the City of Lambertville, Hunterdon County is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

ADOPTED: April 7, 2020

- d. RESOLUTION NUMBER 54-2020: A Resolution to Authorize the Refund of Escrow for 16 Wilson Street to Barbara Fordyce and Bob Dahl in the Amount of \$859.08.

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey that the refund to Barbara Fordyce and Bob Dahl for escrow posted for an application before Planning Board for the property known as block 1051, lot 16.01 on the Tax Map of the City of Lambertville, with a mailing address of 16 Wilson Street in the amount of \$859.08 is hereby authorized.

ADOPTED: April 7, 2020

- e. RESOLUTION NUMBER 55-2020: A Resolution to Authorize the Refund of Escrow for 184 York Street to James McHenry in the amount of \$915.38.

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey that the refund to James McHenry for escrow posted for an application before Planning Board for the property known as block 1002, lot 78 on the Tax Map of the City of Lambertville, with a mailing address of 184 York Street in the amount of \$915.38 is hereby authorized.

ADOPTED: April 7, 2020

- f. RESOLUTION NUMBER 56-2020: A Resolution to Authorize the Refund of Escrow for 9 Douglas Street to Kevin Romano in the amount of \$1,810.00.

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey that the refund to Kevin Romano for escrow posted for an application before Planning Board for the property known as block 1068, lot 1 on the Tax Map of the City of Lambertville, with a mailing address of 9 Douglas Street in the amount of \$1,810.00 is hereby authorized.

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- g. RESOLUTION NUMBER 57-2020: A Resolution to Authorize the Refund of Tax Overpayment for Block 1062, Lot 4, 105 Douglas Street to CoreLogic in the Amount of \$1,613.68.

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey that the refund to CoreLogic for an overpayment of First Quarter Taxes for the property known as block 1062, lot 4 on the Tax Map of the City of Lambertville, with a mailing address of 105 Douglas Street in the amount of \$1,613.68 is hereby authorized.

ADOPTED: April 7, 2020

- h. RESOLUTION NUMBER 58-2020: A Resolution to Authorize the Refund of a Tax Overpayment for Block 1016, Lot 18, 25 Perry Street to CoreLogic in the Amount of \$2,192.09.

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey that the refund to CoreLogic for an overpayment of First Quarter Taxes for the property known as block 1016, lot 18 on the Tax Map of the City of Lambertville, with a mailing address of 25 Perry Street in the amount of \$2,192.00 is hereby authorized.

ADOPTED: April 7, 2020

- i. RESOLUTION NUMBER 59-2020: A Resolution to Authorize the Mayor, City Attorney and City Clerk to Sign the License Agreement for 95 Clinton Street, Granting Relief to Cure a 50-Year-Old Problem with the Fence, Pool, and Landscaping in the City's Right of Way.

WHEREAS, Richard and Johanna Cushing ("Cushing") are the owners of property located at 95 Clinton Street, Lambertville, NJ ("Property"); and

~~— **WHEREAS**, Cushing has advised the City of Lambertville ("City") that there are certain improvements to the Property which eneroach onto the City right of way along Perry Street, which have existed for many years and existed when Cushing purchased the Property over 20 years ago and which existed when the prior owner purchased the Property ("Eneroachment"); and;~~

~~— **WHEREAS**, the area where the Eneroachment exists is at the end of the dead end of Clinton Street and there are no sewer or water lines in the area; a large stormwater drainage pipe already exists in the travel portion of Clinton Street which is not subject to the Eneroachment; no houses front on Perry Street in the area; the City did not pave the area when it improved Perry and Clinton Streets; and neither vehicle or pedestrian traffic have been interfered with as a result of the Eneroachment; and~~

~~**WHEREAS**, the City is not aware of any potential for the Eneroachment to interfere with public safety health or welfare; and~~

~~**WHEREAS**, the Eneroachment has existed for a long period of time without creating any interference with the public safety health and welfare; and~~

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~~WHEREAS, Cushing, his heirs and assigns have an interest in managing and maintaining the Eneeroachment; and~~

~~—WHEREAS, Cushing has requested permission from the City to maintain and manage the Eneeroachment, all pursuant to the terms and conditions of a License Agreement, a copy of which is attached; and~~

~~—WHEREAS, the City wishes to grant a license under the terms and conditions set forth in the License Agreement in order that Cushing, his heirs and assigns, may continue to use and enjoy the Property and the Eneeroachment, subject to the right of the City to use the Eneeroachment property if needed for public safety health and welfare.~~

~~—NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Lambertville, Hunterdon County, New Jersey that the Mayor and Clerk are authorized to execute the License Agreement in the form attached hereto.~~

~~ADOPTED: April 7, 2020~~

Rescheduled to the April 23, 2020 Session.

- j. RESOLUTION NUMBER 60-2020: A Resolution to Authorize the Sale of the 2009 Ford Crown Victoria Through Public Auction.

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 sale of the 2009 Crown Victoria through Public Auction, VIN# ending in 4537, housed at the Police Department, 349 North Main Street in the City of Lambertville is hereby authorized.

ADOPTED: April 7, 2020

- k. RESOLUTION NUMBER 61-2020: A Resolution to Authorize the Refund of a Tax Overpayment for Block 1057, Lot 1.84, 15 Hillside Court, to Roger Thompson in the Amount of \$4,165.80.

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey that the refund to Roger Thompson for an overpayment of First Quarter Taxes for the property known as block 1057, lot 1.84 on the Tax Map of the City of Lambertville, with a mailing address of 15 Hillside Court in the amount of \$4,165.80 is hereby authorized.

ADOPTED: April 7, 2020

- l. RESOLUTION NUMBER 62-2020: A Resolution Authorizing the redemption of a Tax Lien for Block 1046, Lot 9 In the Amount of \$24,802.99, Plus a Premium in the Amount of \$2,000

WHEREAS, Tax Lien Certificate 18-00004 issued on Block 1046 Lot 9 was assigned to NAR Solutions Inc. 5106 California St. Omaha, NE 68132 on 06/21/2018 but originally sold to FWDSL on 10-20-16.

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WHEREAS, payment has been received by the Tax Collector for redemption of the tax lien from the 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 NAR Solutions Inc, 5106 California St, Omaha, NE 68132 for the redemption of tax lien certificate #16-00005 in the amount of: \$24,686.42

In addition, the City is holding a premium in the amount of \$2,000.00

and upon redemption this is due back to the lienholder.

2 checks for the lienholder –

Check 1= \$24,802.99

Check 2= for premium= \$2,000.00

Adopted: April 7, 2020

m. RESOLUTION NUMBER 63-2020: A Resolution Authorizing the City of Lambertville's Participation in the Hunterdon County Education Services Cooperative.

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 Educational Services Commission of New Jersey, hereinafter referred to as the "Lead Agency " has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on (DATE OF ACTION) the governing body of the (CONTRACTING UNIT), County of (COUNTY OF LOCATION), State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

TITLE

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the (CONTRACTING UNIT)

AUTHORITY

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the (CHIEF EXECUTIVE OFFICER) is 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.

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EFFECTIVE DATE: April 7, 2020

This resolution shall take effect immediately upon passage.

- n. RESOLUTION NUMBER 64-2020: A Resolution to Reassert Opposition to the PennEast Pipeline and to urge the New Jersey Department of Environmental Protection to Deny Any and All Permits for the PennEast Pipeline Project.

WHEREAS, AGL Resources, NJR Pipeline Company, South Jersey Industries, UGI Energy Services and Public Service Electric and Gas are proposing to construct the PennEast Pipeline, a new 36-inch-diameter natural gas pipeline that would originate in Luzerne County, Pennsylvania, cross the Delaware River north of Milford, then parallel the Delaware River through western Hunterdon County, including through Hopewell, West Amwell and Delaware Township in New Jersey at points only a few yards away from the Lambertville City border;

WHEREAS, the development of this and other unneeded pipelines is inconsistent with the climate goals of the Paris Agreement;

WHEREAS, New Jersey cannot achieve the State's goals of achieving 100 percent clean energy by 2050 as required by state law, without transitioning away from gas and other fossil fuels;

WHEREAS, the New Jersey Rate Counsel [found](#) no public need for the PennEast pipeline noting that the project was "unfair to ratepayers" and concluded that the project is driven by its investors opportunity to earn a 14 percent rate of return;

WHEREAS, on October 21, 2014, the Governing Body of the City of Lambertville by [Resolution 126-2014](#), was an early leader among New Jersey municipalities and announced its opposition to the PennEast pipeline and announced its support of the September 9, 2014 petition of the Delaware Riverkeeper Network to the Delaware River Basin Commission (DRBC) asking that the DRBC exercise its jurisdiction of the proposed PennEast Pipeline project to prevent a disastrous impact to and degradation of the water quality in the Delaware Basin;

WHEREAS, by [Resolution 51-2018](#) (where the City formally requested that the Federal Energy Regulatory Commission hold a rehearing for the approval of the PennEast pipeline project because the necessary approvals from the New Jersey Department of Environmental Protection (DEP), DRBC or the United State Army Core of Engineers have not been received) and by [Resolution 52-2018](#) (where the City formally requested that DEP revert the Freshwater Wetlands Rules back to the former high standards they used to follow in order to maintain and preserve waterways in our state) the Governing Body of the City of Lambertville continued to demonstrate its concern about the PennEast Pipeline;

WHEREAS, by Resolution 97-2017, the City of Lambertville resolved to adopt the elements of the Paris Accord, to reduce greenhouse gases, join together with municipalities, counties and States, to reaffirm the City's commitment to studying and preparing for the impacts of climate change;

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WHEREAS, the Governing Body of the City of Lambertville created a PennEast Pipeline Committee, comprised of environmental activists, members of the Environmental Commission, and a representative from the Governing body to ensure that all of the City's efforts to fight the PennEast Pipeline are well-coordinated, effective and focused;

WHEREAS, since the Governing Body of the City of Lambertville first acted in 2014 to formally voice its opposition to the PennEast Pipeline over five years have passed and a majority of the members of the Governing Body has changed in composition with two new Councilpersons and a new Mayor; and

WHEREAS, despite the passage of time and the change in membership of the Governing Body of the City of Lambertville, there has been no diminution in the resolve of the Governing Body in its opposition to the PennEast Pipeline.

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:

- 1- Lambertville reasserts its opposition to the proposed PennEast Pipeline.
- 2- Lambertville urges the New Jersey Department of Environmental Protection to continue to deny any and all permits for the PennEast Pipeline project.
- 3- This resolution shall be distributed to:
 - a. The Hunterdon County Board of Chosen Freeholders
 - b. Senators Menendez and Booker
 - c. Congressman Tom Malinowski
 - d. State Senator Shirley Turner
 - e. Assemblyman Anthony Verrelli and Assemblywoman Verlina Reynolds-Jackson
 - f. DEP Commissioner Catherine R. McCabe
 - g. Delaware River Basin Commissioners

Adopted: April 7, 2020

- o. RESOLUTION NUMBER 65-2020: A Resolution to Authorize the Mayor, City Attorney and City Clerk to execute the Contract with Lt. Brown January 1, 2019 through December 31, 2021.*

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 Mayor Fahl, the City

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Attorney and City Clerk are hereby authorized to execute the contract with Lt. Robert Brown, as follows:

Base	Base	Base	
	1/2019	1/2020	1/2021
\$106,678.7	\$116,678.73	\$124,678.73	\$127,172.30

The contract shall be retro to January 2, 2019 and end December 31, 2021.

ADOPTED: April 7, 2020

IX. APPROVAL OF THE BILLS LIST AND THE AMENDED BILLS LIST

X. ORDINANCES ON HOLD:

a. FIRST READING

Ordinance Number 02-2020: *An Ordinance to Amend the Lambertville City Code, 2014, Chapter VII, Traffic, Section 4.7 Parking Restricted for Use by Handicapped Persons, Adding Two Handicapped Parking Spaces: West Side of 39 Clinton Street and the West Side of 135 North Union Street.*

Delayed to the April 23, 2020 Voting Session

b. SECOND READING/PUBLIC HEARING DELAYED UNTIL APRIL 23.

Ordinance Number 01-2020: AN ORDINANCE OF THE CITY OF LAMBERTVILLE, COUNTY OF HUNTERDON, STATE OF NEW JERSEY AMENDING THE REDEVELOPMENT PLAN FOR THE LAMBERTVILLE HIGH SCHOOL REDEVELOPMENT AREA, 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.

Delayed to the April 23, 2020 Voting Session

XI. CORRESPONDENCE

- a. NJ TRANSIT: Updates on Station Improvements
- b. KNIGHTS OF COLUMBUS: Request to collect donations on weekends of May 2 and May 3 between the hours of 9 am and 5 pm at two intersections (Union Street and Bridge Street) in the City.
- c. STATE OF NEW JERSEY: Resolution Numbers 78 and 79, Urges counties and municipalities to create 2020 Census Complete County Committees.

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XII. ANNOUNCEMENTS

- a. OPENING FOR UCC SUBCODE INSPECTOR. Please go to lambertvillenj.org for more information
- b. JUSTICE CENTER PARKING: Parking Space Number 16 is available for lease at the Phillip L. Pittore Justice Center. The fee is \$55 per month. If interested, call Kristina Majeski at 609-397-0110, ext. 12.
- c. DOG AND CAT LICENSES: Dog and Cat Licenses are due by February 28th. You need to provide the City with proof of rabies.
- d. LANDLORD REGISTRATION: The process of registering your rental unit has been changed. Please wait to receive instructions from Frank D'Amore, the Fire Official, before mailing in your renewal. Thank you!
- e. BUSINESS ROUND TABLES scheduled for March 14, 2020 and March 31, 2020 have been postponed due to low registration numbers.
- f. CENSUS UPDATE: Please continue to visit the City of Lambertville's website at www.lambertvillenj.org for updates on the Census.

XIII. PUBLIC PARTICIPATION/PUBLIC CONCERN

- a. COMMENTS RELATED TO COVID19
- b. COMMENTS OTHER

XIV. ADJOURNMENT

C: Department Heads, City Attorney, City Engineer, Posting on the bulletin board at City Hall, the website (www.lambertvillenj.org) and notice was sent to the Democrat, the Trenton Times and various individuals on the list serve.