



**CITY OF LAMBERTVILLE
VOTING SESSION
6:00 P.M. THURSDAY, OCTOBER 19, 2023
PHILLIP L. PITTORE JUSTICE CENTER
25 SOUTH UNION STREET
MEETING AGENDA**

I. STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

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

II. ROLL CALL

III. CLOSED SESSION: *Closed Session of the Governing Body of the October 19, 2023, Lambertville City Council Meeting to discuss Issues related to Potential Contracts and Employment, pursuant to N.J.S.A. 10:4-12(b)(7)(8).*

PLEASE NOTE: *the Governing Body will go into Closed Session at 6:00 p.m. and Reconvene In Open Session at 7:00 p.m.*

RESOLUTION

“Authorizing a Closed Session at the October 19, 2023, Lambertville City Council Meeting to Discuss Matters Related to Potential Contracts and Employment, Pursuant to N.J.S.A. 10:4-12(b)(7)(8)”

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 October 19, 2023, in person at the Phillip L. Pittore Justice Center located at 25 South Union Street in the City, to discuss matters related to potential contracts and employment, pursuant to N.J.S.A. 10:4-12(b)(7)(8).

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: October 19, 2023

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.

IV. PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE

V. APPROVAL OF MINUTES

September 21, 2023, Regularly Scheduled Session Minutes

September 21, 2023, Closed Session Minutes

October 5, 2023, Work Session Minutes

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VI. ADMINISTRATIVE REPORTS

Clerk's Report, Construction Office (Lambertville and Frenchtown), Court Report, Fire Official, Police Department, Public Works Department, and Tax Collector

VII. PUBLIC PARTICIPATION

VIII. DRIVEWAY APPLICATION

- a. Kristin Adair Matthews, 15 Swan Street, Block 1050, Lot 1, Application is to install a driveway on the South Union Street side of the property.

IX. 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.

RESOLUTION NUMBER 148-2023: A Resolution to Authorize Various Refunds

RESOLUTION NUMBER 148-2023

A Resolution Authorizing Refunds

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that the following refunds are authorized:

Church Street Three, LLC, escrow in the amount of \$411.75

Valerie Vieth, overpayment for street opening permit, in the amount of \$100.00

Nitasha Yajnik for a street opening permit filed in error, in the amount of \$100.00.

Tracy Wright for an overpayment of landlord registration fees in the amount of \$60.00

LMUA for Jeffrey Tittel's sewer payment in the amount of \$397.95

Barry Middleberg, reimbursement for a speaker in the amount of \$250.00

Filomena Hengst, reimbursement for a facility use deposit in the amount of \$250.00.

ADOPTED: October 19, 2023

RESOLUTION NUMBER 149-2023: A Resolution to Oppose HR 3372

RESOLUTION NUMBER 148-2023

A Resolution Opposing H.R. 3372, Which Would Establish a 10-Year Pilot Program for States to Test 91,000 Pound Trucks

WHEREAS, H.R. 3372 was introduced in the House of Representatives on May 16, 2023, and would create a program for states to "test" 91,000-pound trucks on their roads; and

WHEREAS, this increase to 91,000 pounds represents a nearly 14% increase over the current large rigs which are approximately 80,000 pounds in weight; and

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WHEREAS, a 2023 joint study prepared by the National Association of Counties and National Association of County Engineers found that 72,000 local bridges across the country can't safely handle 91,000-pound trucks and that it would cost \$61 billion to replace them; and

WHEREAS, according to the USDOT, even with a 6th axle distributing the load, 91,000-pound trucks would only pay for about 55% of their damage to roads and bridges; and

WHEREAS, since Congress last raised truck weights, the number of trucks registered in the U.S. and the miles they drive have increased by 91%; and

WHEREAS, Hunterdon County is home to numerous small and historic bridges that currently cannot handle existing heavy trucks that are on roadways; and

WHEREAS, existing truck traffic presents numerous challenges to Hunterdon County's 26 municipalities including its numerous small historic downtowns.

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 H.R. 3372 has potential to cause additional damage to the infrastructure, including bridges and roadways in Historic Lambertville, and because of this, the Governing Body opposes H.R. 3372.

BE IT FURTHER RESOLVED that the City Clerk will forward a copy of this resolution to U.S. Representative Thomas Kean, U.S. Senators Robert Menendez, and Cory Booker; and

BE IT FURTHER RESOLVED that the City Clerk will forward a copy of this resolution to the Clerk of the Board of County Commissioners.

ADOPTED: October 19, 2023

RESOLUTION NUMBER 150-2023: A Resolution Request the Insertion of a Special Item of Revenue in the 2023 Budget for the National Federation and Wildlife Grant in the Amount of \$322,184.00.

RESOLUTION – 150-2023

**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 **\$322,184.00; National Fish & Wildlife Foundation (NFWF) Delaware River Program Grant. - Closson Site Restoration**

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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 2023 CY Budget in the amount of **\$322,184.00** which item is now available as revenue from the receipt of the **National Fish & Wildlife Foundation (NFWF) Delaware River Program Grant. - Closson Site Restoration**

BE IT FURTHER RESOLVED that a like sum of **\$322,184.00** is hereby appropriated under the caption of:

OPERATIONS "EXCLUDED FROM CAP"

NFWF – CLOSSON SITE RESTORATION **\$322,184.00**

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.

RESOLUTION NUMBER 151-2023: A Resolution to Reject the Bids for the City Hall Rewire Project Because the Scope of the Project Has Changed

WHEREAS, the City of Lambertville advertised for bids on July 21, 2023, for the Assessment of the Current Wiring System and Rewiring of City Hall to Include Computers, Phones and Electric (where necessary); and

WHEREAS, the City received two bids in response to our request for proposals and they include:

Commercial Technology Contractors Inc. in the amount of \$27,853.00

New Jersey Business Systems, Inc. in the amount of \$64,800.00

WHEREAS, after reviewing the bids received, the City of Lambertville felt it was important to change the scope of the project to remove electricity from the bid specifications and to define the plans for the phone system before we rebid the project.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey that the bids received for the Assessment of the Current Wiring System and Rewire of City Hall are hereby rejected because the City has changed the scope of the project.

ADOPTED: October 19, 2023

RESOLUTION NUMBER 152-2023: 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 (Chapter 159 P.L. 1948) for the Drive Sober Grant in the Amount of \$420.00

RESOLUTION – 152-2023

**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

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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 **\$420.00; Drive Sober Labor Day Crackdown 2023 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 2023 CY Budget in the amount of **\$420.00** which item is now available as revenue from the receipt of the **Drive Sober Labor Day Crackdown 2023 Grant**

BE IT FURTHER RESOLVED that a like sum of **\$420.00** is hereby appropriated under the caption of:

OPERATIONS "EXCLUDED FROM CAP"

Stay Sober Grant \$420.00

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.

RESOLUTION NUMBER 153-2023: A Resolution to Authorize the Contract with Princeton Hydro for Assistance with the NFWF Grant Compliance in an Amount Not to Exceed \$34,400.00

WHEREAS, the Governing Body awarded a contract to Princeton Hydro through the Fair and Open Process on January 1, 2023, to serve as a Special Engineer for Stormwater Management; and

WHEREAS, the City of Lambertville is the recipient of a grant from the National Fish and Wildlife Federation in the amount of \$322,184, and

WHEREAS, the grant requires field activities, regulatory approvals which require assistance from licensed professionals.

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 execute a contract with Princeton Hydro in the amount of \$34,400.00, plus in-kind donations to assist with managing the grant.

BE IT FURTHER RESOLVED that this grant would increase the not-to-exceed amount of the contract with Princeton Hydro from \$68,400.00 to \$102,800.00.

20-2023 for services in the amount of \$5,000.00

141-2023 for Stormwater Utility Feasibility Study in the amount of \$63,400.00

153-2023 for NFWF Grant Compliance in the amount of \$34,400.00

RESOLUTION NUMBER 154-2023: A Resolution to Authorize the Mayor, City Attorney and City Clerk to Sign the Memorandum of Understanding for The County of Hunterdon's Program Titled Arrive Together, A Program to Enhance and Support Response to Certain Behavioral Health Crisis Calls

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WHEREAS, Hunterdon Healthcare and various police departments in Hunterdon County have established a program to enhance and support response to certain behavioral health crisis calls titled “Arrive Together;” and

WHEREAS, the establishment of this partnership will enhance and support law enforcement with the response to certain behavioral health crisis calls; and

WHEREAS, the policy of the State is to provide for public mental health system that delivers treatment consistent with a person’s clinical condition that includes screening services for crisis intervention, evaluation, and referral services, offer clinically appropriate alternatives to inpatient care, and when necessary, and to provide a means for involuntary commitment to treatment for persons with mental illness.

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 Memorandum of Understanding with the various Police Departments of Hunterdon County and Hunterdon Healthcare for the Arrive Together, establishing joint participation in the Arrive Together Program to enhance and support response to certain behavioral health crisis calls.

RESOLUTION NUMBER 155-2023: A Resolution to Approve the Stormwater Pollution Plan as Part of the Stormwater Management Plan

WHEREAS, the City of Lambertville amended the Stormwater Management Plan, Zoning Ordinance Z-1500, added on April 17, 2006, by Ordinance Number 2006-09, amended on September 15, 2015, by Ordinance Number 23-2051, and amended on May 20, 2021, by Ordinance Number 08-2021; and

WHEREAS, as part of this Ordinance, the City is required to adopt a Stormwater Pollution Prevention Plan; and

WHEREAS, the Public Works Director, the City Engineer, City Attorney, City Clerk, and the Mayor all worked on the Stormwater Pollution Prevention Plan to include information specific to the City of Lambertville.

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 Stormwater Pollution Prevention Plan dated October 19, 2023, is hereby adopted.

RESOLUTION NUMBER 156-2023: A Resolution in Support of Assembly Bill No. 975 and Senate Bill Number 2643 Requiring Commercial Motor Vehicles Operating Upon the Public Highways of this State, To Be Equipped with a Commercial Grade Navigation System.

WHEREAS, Assembly Bill Number 975 and Senate Bill Number 2643 sponsored by Assembly Minority Leader John DiMao and Senator Doug Steinhardt, requires commercial motor vehicles to be equipped with certain global positioning systems that provides information about upcoming highway infrastructure with low vertical clearance and weight restrictions and dynamic route directions that account for commercial motor vehicle restrictions; and

WHEREAS, the legislation defines a commercial motor vehicle as a select group of vehicles with a gross weight rating of 26,0001 pounds or more; and

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WHEREAS, commercial motor vehicles have restricted routes of travel that are not readily displayed on civilian navigation systems that are sometimes used by operators of commercial motor vehicles; and

WHEREAS, because of limited information on civilian navigation systems, commercial motor vehicle operators often unintentionally end up on restricted weight roadways or are stopped along their route by a restricted weight bridge; and

WHEREAS, Hunterdon County has sustained damages to roadways and bridges because of overweight trucks traveling on them; and

WHEREAS, most incidents are not reported, and the taxpayers of Hunterdon County are burdened with paying the cost for the repairs; and

WHEREAS, this legislation is important to Hunterdon County, as well as the City of Lambertville, for the protection of our historic bridges and undersized roads that were not built to accommodate commercial motor vehicles, causing damage to bridges and disruption of traffic flow.

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, is supportive of Assembly Bill Number 975 and Senate Bill Number 2643.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to send this resolution to Senator Shirley Turner, Assemblywoman Verlina Reynolds-Jackson, and Assemblyman Verrelli.

RESOLUTION NUMBER 157-2023: A Resolution to Amend Resolution Number 107-2023, Authorizing the Contract with Rich Tree Services Off State Contract, To Include Tree Removal at Holcombe Park in the Amount of \$6,000.00, Increasing the Not To Exceed Amount from \$25,000.00 to \$31,000.00

WHEREAS, the City of Lambertville authorized a contract with Rich Tree Service for the removal of trees, awarded through State Contract Pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29 in an amount not to exceed \$25,000.00; and

WHEREAS, there is a need to add the removal of dead or dying trees at Holcombe Park; and

WHEREAS, Rich Tree Service estimates the amount for the project will cost \$6,000.00.

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 increase in contract with Rich Tree Services in the amount of \$6,000.00 awarded through State Contract, is hereby authorized.

BE IT FURTHER RESOLVED that the total not to exceed amount of the contract will increase from \$25,000.00 to \$31,000.00.

ADOPTED: October 19, 2023

RESOLUTION NUMBER 158-2023: A Resolution to Award or Reject the Bids Received for the Sidewalk Replacement Project.

Waiting on Attorney and Engineer Review

RESOLUTION NUMBER 159-2023: A Resolution to Accept the Donation of shrubs and trees on the Jean Street entrance to the Lambertville Nature Trail from the Sourland Conservancy.

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WHEREAS, the Sourland Conservancy is donating shrubs and trees for the border of the Jean Street entrance to the Lambertville Nature Trail; and

WHEREAS, the Sourland Conservancy's mission encompasses the protection, promotion, and preservation of the Sourland Mountain region, of which Lambertville is a part; and

WHEREAS, the Sourland Conservancy has taken on the task of forest restoration with the goal of improving biodiversity, ecosystem health, and human well-being; and

WHEREAS, the Sourland Conservancy is partnering with the Lambertville Parks and Recreation Commission to plant a shrub/tree border with deer protection at the new Jean Street entrance to the Lambertville Nature trail; and to erect fencing to exclude deer in steep slope areas of the trail to promote natural regeneration of the forest understory without the need for planting.

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 City of Lambertville accepts the donation of shrubs and trees to the Lambertville Nature Trail project.

BE IT FURTHER RESOLVED that the Governing Body expresses their sincere appreciation of this donation which will help to mitigate the effects of climate change including reducing stormwater runoff, the need for mowing at the Jean Street Nature Trail entrance, and will improve habitat for birds, butterflies, bees, and other wildlife.

ADOPTED: October 19, 2023

End of Consent Agenda

RESOLUTION NUMBER 160-2023: A Resolution to Authorize the Submittal of the 2023 Best Practice Inventory with a Score of 38.5, and No Aid Withheld

WHEREAS, the members of the Governing Body reviewed the Best Practice Inventory, 2023 Survey at the regularly scheduled session held on Thursday, October 19, 2023.

WHEREAS, the City's score is 38.5, and State Aid will not be withheld.

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 City Clerk and the Certified Municipal Finance Officer are hereby authorized to submit the 2023 Best Practice Inventory.

ADOPTED: October 19, 2023

X. APPROVAL OF THE BILLS LIST

XI. ORDINANCES – FIRST READING

- a. **ORDINANCE NUMBER 30-2023: An Ordinance to Repeal Ordinance Number 02-2021, An Ordinance of the City of Lambertville, County of Hunterdon, State of New Jersey Establishing Regulations for the Award of Public Contracts to Political Contributors, Pursuant to P.L. 2023, c. 30, the Elections Transparency Act, Repealing N.J.S.A. 40A:11-51.**

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WHEREAS, Ordinance Number 02-2021 was adopted on March 18, 2021, by the Governing Body of the City of Lambertville, in the County of Hunterdon, State of New Jersey; and

WHEREAS, P.L. 2003, c. 30, known as the "Elections Transparency Act" repealed N.J.S.A. 40A:11-51, the statute that originally authorized local pay-to-play restrictions.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville, in the County of Hunterdon, State of New Jersey, that Ordinance Number 02-2021 is hereby repealed.

INTRODUCED FOR FIRST READING: October 19, 2023

PUBLIC HEARING AND SECOND READING: November 16, 2023

- b. ORDINANCE NUMBER 31-2023: *An Ordinance to Authorize an Easement with the Lambertville Municipal Utility Authority for the North Union Street Park*

The attorney is reviewing the Ordinance.

- c. ORDINANCE NUMBER 32-2023: *An Ordinance to Amend the Lambertville City Code, 2014, Chapter 5, General Licensing To Include Provisions to Manage Short-Term Rentals*

The attorney is reviewing the Ordinance.

XII. ORDINANCES – SECOND READING

ORDINANCE NUMBER 29-2023: *An Ordinance to Amend the Lambertville City Code, 2015, Chapter 7, Section 7-4.8, to Include a Handicapped Parking Space in Front of 111 North Main Street in the City.*

ORDINANCE NUMBER 29-2023

Amending the Lambertville City Code, 2014, Chapter 7, Handicapped Parking, Section 7-4.8 to Include a Handicapped Parking Space in Front of 111 North Main Street.

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 Lambertville City Code, 2014, Chapter 7, Handicapped Parking, Section 7-4.8, is amended to include the following: West side of North Main Street, in front of 111 North Main Street

INTRODUCTION AND FIRST READING: September 21, 2023

PUBLIC HEARING AND SECOND READING: October 19, 2023

XIII. CORRESPONDENCE

- a. NJDOT Notice of Fiscal Year 2024 Local Freight Impact Fund Applications for projects with 10% large truck volume within the project limits (Traffic Study Required).

XVII. XVIII. ANNOUNCEMENTS

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DRJTBC Update

HALLOWEEN PARADE is scheduled for Sunday, October 29, 2023, at 3:00 p.m.

BUDGET HEARINGS: Thursday, November 9, 2023

CONVENIENCE CENTER HOURS

Saturday, November 4 and 18, 9 am to 12 noon

Wednesday, November 15, 3 – 5 pm

IXX. PUBLIC PARTICIPATION

XX. CLOSED SESSION: *If needed, the Governing Body **may** go into a Second Closed Session at the Governing Body of the October 19, 2023, Lambertville City Council Meeting to discuss Issues related to Potential Contracts and Employment, pursuant to N.J.S.A. 10:4-12(b)(7)(8).*

RESOLUTION

“Authorizing a Closed Session at the October 19, 2023, Lambertville City Council Meeting to Discuss Matters Related to Potential Contracts and Employment, Pursuant to N.J.S.A. 10:4-12(b)(7)(8)”

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 October 19, 2023, in person at the Phillip L. Pittore Justice Center located at 25 South Union Street in the City, to discuss matters related to potential contracts and employment, pursuant to N.J.S.A. 10:4-12(b)(7)(8).

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: October 19, 2023

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.

XXI. ADJOURNMENT