



**CITY OF LAMBERTVILLE
VOTING SESSION
7:00 P.M. THURSDAY, AUGUST 17, 2023
PHILLIP L. PITTORE JUSTICE CENTER
25 SOUTH UNION STREET
MEETING MINUTES**

STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

Mayor Nowick called the meeting to order at 7:00 p.m. and he asked the City Clerk to read the statement of compliance with the Open Public Meetings Act into the record.

The City Clerk read the following statement into the record: This meeting is being held in compliance with the Open Public Meetings Act with the meeting notice provided to the Trenton Times, the Hunterdon County Democrat, members on the listserv, department heads, and the City Engineer. The meeting agenda was posted to the bulletin board at City Hall and to the city's website at www.lambertvillenj.org.

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

This meeting is being streamed live and recorded using the Zoom Meeting Platform.

ROLL CALL

The City Clerk called the roll as follows:

Present: Councilwoman Kominsky, Councilman Lide, Council President Stegman, Mayor Nowick.

Absent: Councilwoman Lambert

Also present: William Opel – City Attorney, Cynthia Ege – City Clerk, Lindsay Hansche – Deputy Clerk.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE

Mayor Nowick led the public in the Pledge of Allegiance and a Moment of Silence in recognition of the Police Department

LIFE SAVING RECOGNITION AWARDS FOR THE POLICE DEPARTMENT

Mayor Nowick asked Lt. Brown to join him at the dais to acknowledge Patrolman Kevin Berehiko, Parking Enforcement Officer Vecchio, and Sgt. Gramlich for life saving events that occurred on June 29, 2023 and March 28, 2023. Lt. Brown presented the officers with the award medal. The Mayor commended everyone for a job well done.

APPROVAL OF MINUTES

Mayor Nowick asked for a motion to approve the following minutes: June 22, 2023 Regularly Scheduled Session Minutes and July 20, 2023 Regularly Scheduled Session Minutes.

CITY OF LAMBERTVILLE VOTING SESSION

7:00 PM, THURSDAY, AUGUST 17, 2023

PHILLIP L. PITTORE JUSTICE CENTER 25 SOUTH UNION STREET

Councilman Lide made the motion and Councilwoman Kominsky seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

ADMINISTRATIVE REPORTS

Mayor Nowick asked for a motion to approve the following administrative reports: Clerk's Report, Construction Office (Lambertville and Frenchtown), Court Report, Fire Official, Police Department, Public Works Department, and Tax Collector.

Council President Stegman made the motion and Councilwoman Kominsky seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

PUBLIC PARTICIPATION

Mayor Nowick opened the meeting up for public participation.

The City Clerk noted that there are six people on Zoom.

Judy Gleason of Lambertville: Ms. Gleason asked about the different fees for parking. Her questions were answered by the City Clerk.

There being no further questions or comments, Mayor Nowick asked for a motion to close the public participation session. Council President Stegman made the motion and Councilwoman Kominsky seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

PROCLAMATION

Mayor Nowick asked John Whelan to join him at the dais while he read the proclamation into the record.

PROCLAMATION

WHEREAS, John Whelan is a resident of the City of Lambertville and a student of New Hope-Solebury High School; and

WHEREAS, John is the son of Elizabeth, the grandson of Samuel and Donna Ollio, and the older brother to Anthony, and

WHEREAS, John's love of his family is one of his best attributes and he has earned a special place in the hearts of his co-workers at City Hall, and

WHEREAS, John is an "A" student who is earning volunteer hours for his application for the National Honor Society; and

WHEREAS, he is an accomplished pianist, plays the violin, and is an avid fan of baseball; and

WHEREAS, Mr. Whelan has been earning his volunteer hours by digitizing records in the Clerk's Office where he has become an integral part of the team, working on landlord registrations, and learning the importance of asking questions.

CITY OF LAMBERTVILLE VOTING SESSION

7:00 PM, THURSDAY, AUGUST 17, 2023

PHILLIP L. PITTORE JUSTICE CENTER 25 SOUTH UNION 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 John Whelan is hereby recognized for his volunteer hours spent in the Clerk's Office during the summer of 2023; and

BE IT FURTHER RESOLVED that John is wished much success with earning the achievement status of National Honor Society; and

BE IT FURTHER RESOLVED that, Saturday, August 26, 2023 is John Whelan Day in the City of Lambertville, and

BE IT FURTHER RESOLVED that the City of Lambertville wishes Mr. Whelan much success with all of his future endeavors and respectfully requests that he stop in for an update every once in a while.

Mayor Nowick asked for a motion to adopt the proclamation to honor Mr. Whelan.

Councilwoman Kominsky made the motion and Councilman Lide seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

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.

Mayor Nowick asked for a motion to adopt Resolution Numbers 116-2023 through 126-2023.

RESOLUTION NUMBER 116-2023: A Resolution to Authorize the Refund of A Cash Performance Bond to Church Street III in the Amount of \$12,956.40

RESOLUTION NUMBER 116-2023

A Resolution to Authorize the Refund of a Cash Performance Bond to Church Street III in the Amount of \$12,956.40

WHEREAS, Church Street III made an application to the Planning Board for a Planned Three Union Development on Church Street at the intersection of Church and North Franklin; and

WHEREAS, the application was approved; and

WHEREAS, the property owners were required to post escrow and a performance bond; and

WHEREAS, the performance bond was last decreased on August 19, 2021 and the City retained \$12,956.40 as a Cash Performance Guarantee; and

WHEREAS, the City Engineer reviewed the roadway improvements which includes the road, the curbing and the sidewalk and on July 19, 2023 he issued a letter authorizing the release of the Cash Performance Guarantee; and

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 reimbursement of the Cash Performance Guarantee in the amount of \$12,956.40 is hereby authorized.

CITY OF LAMBERTVILLE VOTING SESSION
7:00 PM, THURSDAY, AUGUST 17, 2023
PHILLIP L. PITTORE JUSTICE CENTER 25 SOUTH UNION STREET

RESOLUTION NUMBER 117-2023: *A Resolution to Authorize the Contract with JCP&L for the Holiday Lights, In An Amount Not to Exceed \$2,000.00*

RESOLUTION NUMBER 117-2023

A Resolution to Authorize the Contract with JCP&L for the Holiday Lights, in An Amount Not to Exceed \$2,000.00

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 City Clerk is hereby authorized to file the paperwork with Jersey Central Power & Light for the tariff for the Holiday Lights in an amount not to exceed \$2,000.00.

RESOLUTION NUMBER 118-2023: *A Resolution to Authorize the Closure of York Street Between North Union and North Main, and to Authorize No Parking on Both Sides of York Street from George Street to the Kalmia Club on October 21, 2023, With a Rain Date of October 28, 2023 for the Animal Alliance's 19th Annual Pet Parade.*

RESOLUTION NUMBER 118-2023

A Resolution to Authorize the Closure of York Street Between North Union and North Main, and to Authorize No Parking on Both Sides of York Street from George Street to the Kalmia Club on October 21, 2023, With a Rain Date of October 28, 2023 for the Animal Alliance's 19th Annual Pet Parade.

WHEREAS, Animal Alliance has sponsored an annual pet parade for 19 years in the City of Lambertville; and

WHEREAS, on June 5, 2023, they requested approval for the following road closures and no parking:

ROAD CLOSURE: *York Street Between North Union and North Main, and*

NO PARKING: *Both Sides of York Street from George Street to the Kalmia Club*

WHEREAS, the Parks and Recreation Commission approved the use of Mary Sheridan Park on October 21, 2023, With a Rain Date of October 28, 2023 for the Animal Alliance's 19th Annual Pet Parade.

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 request is approved:

Road Closure of York Street between North Union and North Main Street beginning at 10:30 am and ending at 3 pm;

No parking on both sides of York Street beginning at George Street and running west to the end of Mary Sheridan Park on the North and South Side of York Street.

RESOLUTION NUMBER 119-2023: *A Resolution to Authorize the Refunds for Escrow Balances, Bulk Garbage, Marriage License Fees*

RESOLUTION NUMBER 119-2023

CITY OF LAMBERTVILLE VOTING SESSION
7:00 PM, THURSDAY, AUGUST 17, 2023
PHILLIP L. PITTORE JUSTICE CENTER 25 SOUTH UNION STREET

A Resolution to Authorize Refunds for Escrow Balances, Bulk Garbage and Marriage License Fees

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

Kelly Sullivan, Escrow Balance for 27 York Street in the amount of \$1,104.00

Ingrid Ollquist, Bulk Garbage, 356 Rocktown Lambertville Road in the amount of \$50.00

Molly O'Mara, marriage application fee, in the amount of \$28.00

Sarah Block, escrow balance in the amount of \$436.20

RESOLUTION NUMBER 120-2023: *A Resolution to Award the Bid for the 2023 Police Interceptor Utility AWD Base to Witmoyer Auto Group, Mount Joy, PA, in an Amount Not to Exceed \$42,395.00 With a Delivery Date on or Before October 1, 2023.*

RESOLUTION NUMBER 120-2023

A Resolution to Award the Bid for the 2023 Police Interceptor Utility AWD Base to Witmoyer Auto Group, Mount Joy, PA, in an Amount Not to Exceed \$42,395.00 With a Delivery Date on or Before October 1, 2023.

WHEREAS, the City of Lambertville advertised for the procurement of a 2023 Police Interceptor Utility AWD Base in the July 6, 2023 edition of the Trenton Times; and

WHEREAS, the City of Lambertville received one bid which was publicly opened and read aloud at 10 am on Thursday, July 27, 2023 at City Hall, located at 18 York Street in the City; and

WHEREAS, Whitmoyer Auto Group from Mount Joy, PA with a bid proposal in the amount of \$42,395.00, responded to the request for proposals; and

WHEREAS, the City Attorney has determined that the bid received was responsive and responsible; 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 bid for a 2023 Police Interceptor Utility AWD Base received from Witmoyer Auto Group in and amount not to exceed \$42,395.00 is hereby authorized.

RESOLUTION NUMBER 121-2023: *A Resolution to Authorize the Lien Redemption for Block 1083, Lot 12 Qual – C0002, in the Amount of \$2,312.23 Plus a Premium in the Amount of \$3,900.00*

RESOLUTION NUMBER 121-2023

A Resolution Authorizing the Redemption of a Tax Lien for Block 1083, Lot 12 Qual -C0002- In the Amount of \$2,312.23 Plus a Premium in the Amount of \$3,900.00

**CITY OF LAMBERTVILLE VOTING SESSION
7:00 PM, THURSDAY, AUGUST 17, 2023
PHILLIP L. PITTORE JUSTICE CENTER 25 SOUTH UNION STREET**

WHEREAS, Tax Lien Certificate 21-00008 issued on Block 1083 Lot 12 *Qual -C0002-* was sold to FIG CUST FIGNJ19LLC & SEC PTY PO BOX 669507 Dallas, TX 75266-9507 on 12/14/21 and

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

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 FIG CUST FIGNJ19LLC & SEC PTY PO BOX 669507 Dallas, TX 75266-9507 for tax lien certificate 21-00008 in the amount of \$2,312.23

In addition, the city is holding a premium in the amount of \$3,900.00

and upon redemption this is due back to the lienholder.

2 checks for the lienholder –

Check 1= \$2,312.23

Check 2= for premium= \$3,900.00

RESOLUTION NUMBER 122-2023: *A Resolution to Authorize Signatories on the Emergency Fund Account*

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 signatories are approved for the bank accounts established:

Emergency Fund Account: Helen T. Kuhl - Public Assistance Director, Cynthia Ege - City Clerk, Andrew J. Nowick - Mayor

RESOLUTION NUMBER 123-2023: *A Resolution to Authorize the Acceptance of a Leadership Role in the South Hunterdon Municipal Alliance Grant*

RESOLUTION NUMBER 123-2023

A Resolution to Accept the South Hunterdon Municipal Alliance Prevention Account

WHEREAS, the South Hunterdon Municipal Alliance is a group comprised of community members, school personnel, and others interested in the goal of substance prevention education for the South Hunterdon community, established in 1989; and,

WHEREAS, the South Hunterdon Municipal Alliance established a prevention account to offer additional prevention programming based on need from the South Hunterdon community; funds have been accumulated through the Municipal Alliance to aid in the mission to prevent alcoholism and drug abuse and to promote and enhance prevention programming; and

WHEREAS, the purpose of the “prevention account” is to create and implement substance prevention programming and support substance prevention efforts in Hunterdon County through the distribution of funds to South Hunterdon Municipal Alliance; and

THEREFORE BE IT RESOLVED, that the City of Lambertville hereby accepts the South Hunterdon Municipal Alliance “prevention account” in the amount of \$22,497.92, to be used for the sole purpose of supporting prevention programming organized by the South Hunterdon Municipal

CITY OF LAMBERTVILLE VOTING SESSION
7:00 PM, THURSDAY, AUGUST 17, 2023
PHILLIP L. PITTORE JUSTICE CENTER 25 SOUTH UNION STREET

Alliance for the South Hunterdon community for the period of September 1, 2023 through September 1, 2024.

RESOLUTION NUMBER 124-2023: *A Salary & Wage Resolution to Authorize the Retroactive Increase for Cynthia McBride in the Amount of \$135.22*

RESOLUTION NUMBER 124-2023

WHEREAS, Resolution Number 92-2023 adopted June 15, 2023 authorized the 2% increase for employees of the City of Lambertville; and

WHEREAS, Cynthia McBride resigned her position as the Tax Collector with the City of Lambertville in May of 2023 and was missed on the resolution list.

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 retroactive pay for Cynthia McBride in the amount of \$135.22 is hereby authorized.

RESOLUTION NUMBER 125-2023: *A Resolution to Authorize the Lien Redemption for Block 1049, Lot 1 in the Amount of \$70,239.35, Plus a Premium in the Amount of \$30,900.00*

RESOLUTION NUMBER 125-2023

A Resolution to Authorize the Redemption of a Tax Lien for Block 1049, Lot 1 In the Amount of \$70,239.35 and the Premium in the Amount of \$30,900.00

WHEREAS, Tax Lien Certificate 20-00011 issued on Block 1049 Lot 1 was sold to Bala Partners LLC PO BOX 303 Pottersville, NJ 07979 on 10/19/20 and

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

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 Bala Partners LLC PO BOX 303 Pottersville, NJ 07979 for tax lien certificate 20-00011 in the amount of \$70,239.35

In addition, the city is holding a premium in the amount of \$30,900.00 and upon redemption this is due back to the lienholder.

2 checks for the lienholder –

Check 1= \$70,239.35

Check 2= for premium= \$30,900.00

RESOLUTION NUMBER 126-2023: *A Resolution to Appoint Triad as the City's Administrative Agent for COAH in an Amount Not to Exceed \$1,500.00*

RESOLUTION NUMBER 126-2023

A Resolution to Confirm the Appointment of Triad as the City's Administrative Agent for COAH in an Amount Not to Exceed \$1,500.00

WHEREAS, the City of Lambertville Third Round Housing Element and Fair Share Plan requires the hiring of an Administrative Agent to oversee the Housing Element; and

WHEREAS, the Accessory Apartment Agreement governing the affordable unit at 26 South Main Street specifically provides that Triad shall serve as the City's Administrative Agent, and

**CITY OF LAMBERTVILLE VOTING SESSION
7:00 PM, THURSDAY, AUGUST 17, 2023
PHILLIP L. PITTORE JUSTICE CENTER 25 SOUTH UNION STREET**

WHEREAS, 26 South Main Street is in the process of being sold with a closing date of Friday, August 18, 2023.

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 appointment of Triad as the Administrative Agent for the Housing Element of the City of Lambertville is hereby ratified and confirmed, with fees associated with income qualifications and marketing of properties borne by the property owner, in an amount not to exceed \$1,500.00, specifically for services in connection with the transfer of the accessory apartment at 26 South Main Street.

Councilwoman Kominsky made the motion and Councilman Lide seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

End of Consent Agenda

APPROVAL OF THE BILLS LIST

Mayor Nowick asked for a motion to approve the Bills List.

Councilwoman Kominski made the motion to approve the Bills List. Councilman Lide seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

ORDINANCES – FIRST READING

ORDINANCE NUMBER 27-2023: *An Ordinance to Amend the Lambertville City Code, 2014, Section 3-16.9c1, Municipal Officers; Procedures; Departments, Boards and Commissions, Section 16, Shade Tree Commission, Article C1, to Permit Three Methods of Notice to Applicants.*

Mayor Nowick read the Ordinance into the record by title.

ORDINANCE NUMBER 27-2023

An Ordinance to Amend the Lambertville City Code, 2014, Chapter 3, Municipal Officers; Procedures; Departments, Boards and Commissions, Section 16, Shade Tree Commission, Article C 1

CHAPTER 3. MUNICIPAL OFFICERS; PROCEDURES; DEPARTMENTS, BOARDS AND COMMISSIONS

ARTICLE IV. BOARDS, COMMITTEES, COMMISSIONS

3-16. SHADE TREE COMMISSION

3-16.9 C 1. SHADE TREE ACTION REQUEST PROCEDURES

a. Commission Determination

1. The Commission shall review each Shade Tree Auction Request Form and shall grant or deny said request within ninety (90) business days of first review. If the request is granted, the Commission shall state in a Letter of Determination the type of species of Shade Tree to be planted or removed, cut, trimmed or pruned

CITY OF LAMBERTVILLE VOTING SESSION

7:00 PM, THURSDAY, AUGUST 17, 2023

PHILLIP L. PITTORE JUSTICE CENTER 25 SOUTH UNION STREET

or other action involving a Shade Tree and may set forth specifications and conditions for doing the same. It shall then be unlawful to take any action contrary to any and all specifications set forth in the Letter of Determination. Applicants will be notified of the Commission's determination in one of the following means: 1: electronic mail; 2: electronic notice through the City's software program; or 3: in writing through the mail.

INTRODUCTION AND FIRST READING: August 17, 2023

PUBLIC HEARING AND SECOND READING: September 21, 2023

Mayor Nowick asked for a motion to introduce Ordinance Number 27-2023 on first reading with a public hearing scheduled for September 21, 2023.

Councilman Lide made the motion and Council President Stegman seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

ORDINANCE NUMBER 28-2023: *An Ordinance of the City of Lambertville, Amending the Lambertville Zoning Ordinance, Article XV Stormwater Management*

Mayor Nowick read the ordinance into the record by title. He explained to the members of the public that this Ordinance is to update the City's Stormwater Management Ordinance to include elements as required by NJDEP.

NOTE: This Ordinance needs to go to the Planning Board for review and recommendation.

ORDINANCE NUMBER 28-2023

An Ordinance of the City of Lambertville, Amending the Lambertville Zoning Ordinance, Article XV Stormwater Management

§ Z-1500.1 Scope and Purpose.

- A. Policy Statement
 - 2. Add "green infrastructure" prior to "water quality, quantity, and groundwater recharge."
- C. Applicability
 - 1.a. Change to "Non-residential major developments and redevelopment projects; and"
 - 1.b. Add "and redevelopment projects" after "residential major developments"
 - 4. The following shall be added as a new section: "Applicability of § [Z-1500](#) to major developments shall comply with last amended N.J.A.C. 7:8-1.6, incorporated herein by reference."

§ Z-1500.3 General Standards

- A. Design and Performance Standards for Stormwater Management Measures:
 - 2. The following language shall be added to the end of this section: "Design and performance standards for stormwater management measures shall comply with last amended N.J.A.C. 7:8-5, incorporated herein by reference."

§ Z-1500.8 Solids and Floatable Materials Control Standards.

**CITY OF LAMBERTVILLE VOTING SESSION
7:00 PM, THURSDAY, AUGUST 17, 2023
PHILLIP L. PITTORE JUSTICE CENTER 25 SOUTH UNION STREET**

A.1.b. The following language shall be added to the end of this section: “Note that the Residential Site Improvement Standards at N.J.A.C. 5:21 include requirements for bicycle safe grates.”

§ Z-1500.9 Safety Standards for Stormwater Management Basins.

A. The following language shall be added to the end of this section: “Safety standards for stormwater management measures shall comply with last amended N.J.A.C. 7:8-6, incorporated herein by reference.”

§ Z-1500.10 Requirements for a Site Development Stormwater Plan.

C.6.b. The following language shall be added after “depend on the hydrologic properties of soils”:
“or require certain separation from the seasonal high water table,”.

§ Z-1500.11 Maintenance and Repair.

B.11. This shall be a new section of the Ordinance containing the following language:
“Maintenance for stormwater management measures shall comply with last amended N.J.A.C. 7:8-5.8, incorporated herein by reference.”

§ Z-1500.14 Severability.

This section of the Ordinance shall be replaced with the following language: “Each section, subsection, sentence, clause and phrase of this § [Z-1500](#) is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this § [Z-1500](#) to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this § [Z-1500](#).”

INTRODUCED FOR FIRST READING: August 17, 2023

PUBLIC HEARING AND SECOND READING: September 21, 2023

Mayor Nowick asked for a motion to introduce on first reading Ordinance Number 28-2023 with a public hearing scheduled for September 21, 2023.

Councilwoman Kominsky made the motion and Councilman Lide seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

ORDINANCES – SECOND READING

ORDINANCE NUMBER 23-2023: *An Ordinance of the City of Lambertville, County of Hunterdon, New Jersey Establishing Procedures to Adopt Personnel Practices and Authorizing the Mayor to Implement Said Practices With All Officials, Appointees, Employees, Prospective Employees, Volunteers, and Independent Contractors of the City*

Mayor Nowick read the Ordinance into the record by title. He informed the members of the public present that this ordinance is to update the language in the City’s Personnel Handbook and Policies and Procedures Manual and it also includes a Volunteer Handbook, all as recommended by the City’s insurance company (PAIC).

ORDINANCE NUMBER 23-2023

CITY OF LAMBERTVILLE VOTING SESSION
7:00 PM, THURSDAY, AUGUST 17, 2023
PHILLIP L. PITTORE JUSTICE CENTER 25 SOUTH UNION STREET

An Ordinance of the City of Lambertville, County of Hunterdon, New Jersey Establishing Procedures to Adopt Personnel and Volunteer Policies and Practices and Authorizing the Mayor to Implement Said Practices With All Officials, Appointees, Employees, Prospective Employees, Volunteers, and Independent Contractors of the City

NOW THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of Lambertville, County of Hunterdon, State of New Jersey that:

Section 1. The City of Lambertville (the “**City**”) shall by ordinance establish titles for public employment by the City and salary ranges for City employees. Said titles shall conform to the New Jersey Civil Service Act and regulations promulgated by the New Jersey State Department of Personnel.

Section 2. The City shall by resolution adopt and amend from time to time personnel and volunteer policies and procedures including rules concerning the hiring and termination of employees, terms and conditions of employment, and regulations required to comply with applicable Federal and State employment related law. The personnel and volunteer policies and procedures adopted pursuant to said resolution(s) shall be applicable to all officials, appointees, employees, prospective employees, volunteers and independent contractors of the City.

Section 3. Pursuant to the Lambertville Municipal Code (the “**Code**”), Chapter 2, the Mayor shall be responsible for implementing and enforcing the personnel and volunteer practices adopted by ordinance or resolution authorized pursuant to this section. If there is a conflict between said personnel and volunteer practices and any duly adopted and lawful collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, the practices adopted pursuant to this ordinance shall prevail.

Section 4. to the extent inconsistent with the provisions set forth herein, Section 3-10 of the Code is hereby repealed.

Section 5. This ordinance shall take effect immediately upon passage and publication as required by law.

INTRODUCTION AND FIRST READING: July 20, 2023

PUBLIC HEARING AND SECOND READING: August 17, 2023

Mayor Nowick opened the public hearing for Ordinance Number 23-2023 and he asked for public comment. There being no public comment, Mayor Nowick asked for a motion to close the public hearing for Ordinance Number 23-2023. Councilman Lide made the motion and Councilwoman Kominsky seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Mayor Nowick asked for a motion to adopt Ordinance Number 23-2023 on second reading granting final approval. Councilwoman Kominsky made the motion and Council President Stegman seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

ORDINANCE NUMBER 25-2023: *An Ordinance to Amend the Lambertville City Code, 2014, Chapter 10, Section 1.6, Waiver of Construction Permit Fees.*

**CITY OF LAMBERTVILLE VOTING SESSION
7:00 PM, THURSDAY, AUGUST 17, 2023
PHILLIP L. PITTORE JUSTICE CENTER 25 SOUTH UNION STREET**

Mayor Nowick read Ordinance Number 25-2023 into the record by title. He informed the members of the public present that this Ordinance is to authorize the waiver of construction permit fees for property owners who are impacted by a natural disaster.

ORDINANCE NUMBER 25-2023

An Ordinance To Amend The Lambertville City Code, 2014, Chapter 10, Section 1.6, Waiver Of Construction Permit Fees

§ 10-1.6 Waiver of Construction Permit Fees.

- a. The Mayor and Council shall have the authority to waive construction permit fees for residents and businesses when impacted by a natural disaster such as a flood or pandemic.
- b. Construction permit fees shall be waived by the Construction Office where residents and businesses decide to undertake mitigation efforts to reduce potential damage due to flooding, which efforts shall include any of the following: elevating the first floor of a structure to two (2) feet above the base flood elevation (BFE), filling a basement and adding flood vents to a structure, elevating mechanical equipment to a minimum of two (2) feet above the BFE, flood-proofing a commercial building, relocating a structure to outside of the floodplain and/or demolishing a structure.

INTRODUCTION AND FIRST READING: July 20, 2023

PUBLIC HEARING AND SECOND READING: August 17, 2023

Mayor Nowick opened the public hearing and asked for public comments. There being no public comments, Mayor Nowick asked for a motion to close the public hearing for Ordinance Number 25-2023. Councilwoman Kominsky made the motion and Councilman Lide seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. **MOTION CARRIED.**

Mayor Nowick asked for a motion to adopt Ordinance Number 25-2023 on second reading granting final approval. Councilwoman Kominsky made the motion and Council President Stegman seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. **MOTION CARRIED.**

ORDINANCE NUMBER 26-2023: Storm Sewer Inlet Protection Standards

Mayor Nowick read the Ordinance into the record by title. He informed the members of the public that this Ordinance will assist the City with the application for our Tier A permit with NJDEP.

ORDINANCE 26-2023

WHEREAS, the City of Lambertville (the "City") is a municipal corporation of the State of New Jersey; and

WHEREAS, the City desires to regulate, in a manner consistent with the interests, and to insure the protection and safety of the citizens, of the City, the use of storm sewer inlet protection to intercept and retain sediment at active construction sites, so as to prevent the entrance of sediment into the storm sewer system; and

CITY OF LAMBERTVILLE VOTING SESSION

7:00 PM, THURSDAY, AUGUST 17, 2023

PHILLIP L. PITTORE JUSTICE CENTER 25 SOUTH UNION STREET

WHEREAS, the primary benefit to water quality is the removal of sediment from stormwater runoff prior to entering the storm sewer system, while other floatable debris, such as vegetative matter and litter, may also be filtered out of the runoff; and

WHEREAS, to ensure proper notice to the residents of the City with respect to enforcement of the Regulations, the Governing Body desires to amend Chapter 10 of the City Code of Ordinances (the "Code"), Building and Housing, to include the following new Section 10-9:

10-9 STORM SEWER INLET PROTECTION STANDARDS

§ 10-9.1 Declaration of Intent.

The Mayor and Council hereby declare the intent to regulate, in a manner consistent with the interests and to insure the protection and safety of the citizens of the City, the use of storm sewer inlet protection to intercept and retain sediment at active construction sites, so as to prevent the entrance of sediment into the storm sewer system. The primary benefit to water quality is the removal of sediment from stormwater runoff prior to entering the storm sewer system. Other floatable debris, such as vegetative matter and litter may also be filtered out of the runoff.

§ 10-9.2 Compliance Required.

Storm sewer inlet protection is required for any construction or major landscaping activities on any street, highway, public lane, alley, sidewalk or other public place in the City that could result in debris or sediment entering a storm sewer inlet within 100' of the work site when the construction activity occurs on the street side of the work site.

§ 10-9.3 Definitions.

As used in this chapter:

CONSTRUCTION

Any work requiring issuance of a permit, pursuant to the New Jersey Uniform Construction Code, Chapter 23 of Title 5 of the New Jersey Administrative Code (N.J.A.C. 5:23-1 et seq.), that provides the authorization to begin work subject to the conditions and requirements established under the provisions set forth therein.

ENFORCEMENT OFFICER

Shall mean the Construction Code Official of the City of Lambertville.

MAJOR LANDSCAPING ACTIVITIES

Shall mean any activity that includes the complete removal of all vegetation on the street side of the property, or the soil disturbance of 500 square feet or more.

STORM SEWER INLET PROTECTION

Shall mean a temporary barrier and settling facility installed at a storm sewer inlet.

§ 10-9.4 Applicability and Design Criteria.

CITY OF LAMBERTVILLE VOTING SESSION

7:00 PM, THURSDAY, AUGUST 17, 2023

PHILLIP L. PITTORE JUSTICE CENTER 25 SOUTH UNION STREET

- a. Storm sewer inlet protection is required where:
 1. A storm sewer or the outlet channel of a storm sewer requires protection from sediment and debris based on its location within 100' of a construction or major landscaping work site when the proposed activity occurs on the street side of said work site; or
 2. Traffic will not destroy or cause ongoing maintenance of the storm sewer inlet protection; or
 3. The storm sewer inlet protection will not create a traffic hazard; or
 4. The storm sewer inlet protection will not create a flooding hazard.
- b. The following applies to all methods of storm sewer inlet protection:
 1. Must slow the storm water, provide the coarse sediment particles a chance to settle, and provide an area to retain the particles that have settled.
 2. In all cases, inlet protection must not completely close off the inlet. Provision must be made to allow stormwater to overflow or bypass the filter.
 3. The protection device must be designed to capture or filter runoff from the 1 year, 24-hour storm event and shall safely convey higher flows directly into the storm sewer system.
 4. Other methods that accomplish the purpose of storm sewer inlet protection may be used if approved by the Construction Official.
- c. This section shall not be construed to prohibit construction and landscaping activities on private property, except for those meeting the definitions stated herein that are planned in close proximity to a sidewalk, street, or other public place such that it may cause entrance of sediment into the storm sewer system.

§ 10-9.5 Application for Permit.

An application for a permit pursuant to subsection 10-9.4 shall be made on forms approved and made available by the Construction Official. Such application shall include, but not be limited to, the following information:

- a. The name and address of the applicant;
- b. A description or diagram of the location where the applicant proposes to place the storm sewer inlet protection. A signed sealed engineers drawing may be required for certain construction projects, as determined by the Construction Official;
- c. A description of the storm sewer inlet protection which the applicant proposes to install in the storm sewer inlet;
- d. The length of time the applicant plans to install the storm sewer inlet protection on the site.

§ 10-9.6 Fee.

A minimum fee of \$50.00 is required before any permit is issued pursuant to this section. The Construction Office shall approve the subsequent renewals and an additional minimum fee of \$25.00 shall be due and payable upon issuance of all renewals.

CITY OF LAMBERTVILLE VOTING SESSION

7:00 PM, THURSDAY, AUGUST 17, 2023

PHILLIP L. PITTORE JUSTICE CENTER 25 SOUTH UNION STREET

§ 10-9.7 Insurance.

Each application for a permit authorized under this section shall be accompanied by a policy or certificate of insurance, including the applicant and the City as named insured and evidencing general liability coverage to protect the public from bodily injury or property damage sustained as a result of the regulated activity. Such policy or certificate shall contain limits of at least \$100,000 for public property damage and shall provide at least 30 days' notice of cancellation to be afforded to the Construction Official.

§ 10-9.8 Permit Term; Expiration.

- a. No permit shall be granted by the Construction Official for a term longer than required for the project. This time frame shall be determined by the Construction Official upon the initial issuance of the permit. Initial fees and renewal fees to be as stated in this chapter up to the term required for the project.
- b. Upon the expiration of the permit or any renewals thereof, the applicant shall remove, or cause to be removed, the storm sewer inlet protection.

§ 10-9.9 Revocation of Permit.

a. Any permit granted pursuant to the provisions of this section may be revoked by the Construction Official if:

1. The permit holder has made any false statements in his application for a permit; or
2. The permit fails to conform to the provisions of this section; or
3. In the opinion of the Construction Official, the work necessitating the storm sewer inlet protection is not proceeding in a normal fashion.

b. A decision by the Construction Official to revoke any permit issued pursuant to the provisions of this section shall be submitted in writing to the permit holder by registered or certified mail. Such decision shall state clearly the grounds for the revocation.

c. The permit holder may appeal the revocation to the Mayor and Council. An appeal must be filed by the permit holder with the City Clerk within seven days after the notice of revocation was mailed to him. Such appeal must state in writing the grounds for the appeal. The Mayor and Council shall then set a time and place for the hearing and notify the permit holder in writing at least five days in advance of the hearing by mailing a notice to his last known address. The decision and order of the Mayor and City Council shall be final and conclusive.

d. The City reserves the right to install storm sewer inlet protection if any applicant fails to do so appropriately, with the applicant bearing the cost of the storm sewer inlet protection installation.

§ 10-9.10 Violation and Penalties.

Any person violating the terms of this section shall, upon conviction in Municipal Court, be liable to the penalty in Chapter 1, Section 1-5. A person shall be guilty of a separate offense for each day he fails to comply with an order of the Construction Official validly issued.

CITY OF LAMBERTVILLE VOTING SESSION

7:00 PM, THURSDAY, AUGUST 17, 2023

PHILLIP L. PITTORE JUSTICE CENTER 25 SOUTH UNION STREET

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

Section 1. The foregoing recitals are hereby incorporated by reference as if fully repeated herein.

Section 2. The Governing Body hereby amends Chapter 10 of the Code to incorporate the foregoing regulations to be set forth in Section 10-9.

Section 3. If any section, paragraph, subdivision, clause, sentence, phrase or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

Section 4. If any provision of the Code is in conflict with or inconsistent with the provisions of this Ordinance, it shall be rescinded upon approval hereof.

Section 5. A copy of this Ordinance shall be available for public inspection at the offices of the City Clerk.

Section 6. This Ordinance shall take effect after twenty (20) days of its final passage by the Governing Body, upon approval by the Mayor and publication as required by law.

Mayor Nowick opened the public hearing for Ordinance Number 26-2023 and he asked for public comments. There being no public comment, Mayor Nowick asked for a motion to close the public hearing for Ordinance Number 26-2023. Councilwoman Kominsky made the motion and Council President Stegman seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Mayor Nowick asked for a motion to adopt on second reading granting final approval for Ordinance Number 26-2023. Councilwoman Kominsky made the motion and Councilman Lide seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

BOARD APPOINTMENTS

Lambertville Free Public Library: Mayor Nowick nominated Walter Jimenez to fill an unexpired term, ending 12/31/23, on the Lambertville Free Public Library Board.

Councilman Lide made the motion to confirm Mayor Nowick's nomination and Council President Stegman seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

CORRESPONDENCE

Mayor Nowick read the correspondence into the record by title.

ANIMAL ALLIANCE: Request for road closures on Saturday, October 21, 2023 for the 19th Annual Pet Parade. They also request no parking on both sides of York Street in front of Mary Sheridan Park.

NJ TRANSIT: Intent to apply for Federal Fiscal Year 2023 federal financial assistance.

ELIZABETHTOWN GAS: Notice of filings (3).

CITY OF LAMBERTVILLE VOTING SESSION

7:00 PM, THURSDAY, AUGUST 17, 2023

PHILLIP L. PITTORE JUSTICE CENTER 25 SOUTH UNION STREET

PARKS AND RECREATION COMMISSION: Request for a portable potty at Cavallo Park

MAYOR'S UPDATES

Mayor Nowick gave an update on the following projects:

SHORT TERM RENTALS: There will be a portion of the September 7 work session dedicated to this topic in which the public will be able to discuss and give feedback, with a goal of introducing the Ordinance at the second September session.

USDA GRANT UPDATE: The USDA informed us that they will turn over the engineering to the City to hire an engineer of choice. We will need to bond for the full amount of the grant, then complete the plans and the goal is to have the project completed in the summer of 2024.

POST IDA COMMUNITY SESSION: Judy Gleason and David Burd completed a survey about the effects of Hurricane Ida. One of the things discussed/recommended is a community session about Ida. The session will occur in October to present the survey results and will be open to the community. Judy, Dave, and the Mayor will plan the date.

CERTIFIED LOCAL GOVERNMENT ORDINANCE: The State wants 30 days to review the Ordinance for a Certified Local Government. Mayor Nowick recognized Lisa, the City Engineer, and the City Attorney, for their input. The plan to introduce the Ordinance in September. Once we have the CLG status, there will be grant opportunities to fund the list.

ROAD PROJECTS 2023 AND 2024: Two projects are pending: North Franklin Street has to be awarded by October of this year. Veolia needs to lay a new water line, and we are working with them to coordinate efforts so that the water line is installed before we repave the road. The second project is Studdiford and Swan Streets and we plan to install curbing on both sides of Studdiford. The goal is to have both projects completed by the end of the year weather permitting. More likely, the work will be done in the Spring of 2024.

ANNOUNCEMENTS

Mayor Nowick read the announcements into the record.

CONVENIENCE CENTER HOURS: Saturdays 9/2 and 9/16 from 9am - Noon,
Wednesday, 9/20 from 3pm to 5pm

LABOR DAY: All City Offices will be closed on Monday, September 4, for Labor Day.

PUBLIC PARTICIPATION

Mayor Nowick opened the meeting for public participation. There being no public comment, Mayor Nowick asked for a motion to close the public participation session. Councilwoman Kominsky made the motion and Councilman Lide seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

ADJOURNMENT

CITY OF LAMBERTVILLE VOTING SESSION

7:00 PM, THURSDAY, AUGUST 17, 2023

PHILLIP L. PITTORE JUSTICE CENTER 25 SOUTH UNION STREET

Mayor Nowick asked for a motion to adjourn the August 17, 2023 meeting at 7:30 p.m. Council President Stegman made the motion and Councilman Lide seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Respectfully submitted,

Cynthia L. Ege
CMR, RMC, City Clerk