



**CITY OF LAMBERTVILLE  
WORK SESSION  
7:00 P.M. THURSDAY, SEPTEMBER 7, 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 having noticed the Trenton Times and the Hunterdon County Democrat, members on the list serve, and the posting of the meeting agenda to the bulletin board at City Hall and on the website at [www.lambertvillenj.org](http://www.lambertvillenj.org).

The meeting agenda provides action items known at the time of publishing and is subject to change.

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

**ROLL CALL**

The City Clerk called the roll as follows:

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

Also present: 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 he asked everyone to remain standing for a moment of silence in remembrance of what community meant to you two years ago today.

**PUBLIC PARTICIPATION** (Resolution and Non-Agenda items)

Mayor Nowick opened the meeting up for public participation and he further explained that the rules for public participation will be relaxed during the discussion period of the meeting.

Six people on Zoom.

Josh and Eileen Cope commented about the new sign at the North Union Street Parking lot noting they are receiving questions and they don't know if it is safe or not safe to park in the parking lot and it doesn't say anything about holidays. They expressed concern over the closure of the free bridge and for communications. They asked for the City's assistance in communicating to the DRJTBC that additional shuttles are needed to offset the number of people that need to shuttle back and forth for five months.

Amy Coss commented that she agreed with Mr. and Mrs. Cope and expressed concern over only having one shuttle during the renovation of the Free Bridge. She asked that the Governing Body put some pressure on DRTJBC to run the shuttle more and do an advertising campaign. She also

expressed concern for the sale of the bank and asked the City to purchase the property to preserve parking.

Mayor Nowick responded to the comments about the North Union Street Parking Lot and said the City has a second sign that is under the other sign to inform the public when the parking lot is open. The Police Department will change the sign the first thing in the morning. Regarding the purchase of the bank property, the City leases the 19 spaces and it dates back to 1992 and could be cancelled with 90 day notice. The City has 340 parking meters in the CBD. We are talking about a loss of \$20,000 in revenue of that lot. The City is digging out. Have no interested in purchasing the lot and subdividing. We are digging out. Bridge commission, I did in fact follow up with Jodi with the Chamber, Lisa Voorhees and ride share program, Jodi has had a number of conversation, pressed with a second shuttle. Handicapped shuttle is too big to go over the bridge. Communication, we do our best to communicate as broadly as possible. Communication is very important but we don't cover it all of the time. Suggested to the chamber that someone attends our meetings. Will be meeting with the chamber October 12, here and can have conversations about communications. Church, business, LGBTQ and the seniors, sometimes overlap, which is the basis for our decision to lease parking lot to school. Convenience and for enforcement, 19 spaces in one lot made sense.

Councilwoman Kominsky asked that the City consider formalizing the request to the DRJTBC Commissioners, and that the governing body send a letter to the commission chair. Council was supportive of a letter to the DRTBC to formalizing the request for a second shuttle.

Councilwoman Lambert asked if the bridge commission can organize ride shares to increase availability of rides in the community. Mayor Nowick said the Bridge Commission will do a loop to drop off at the supermarket. Mayor Nowick commented that maybe only one shuttle needs to be ADA compliant? He will add to the letter.

#### Zoom Participants

Margaret Carmeli thanked everyone for efforts to pursue the certification of the city for the historic designation. She asked if commercial properties are included in the city's work scope or will they be; how and when will that scope be memorialized; the status of the agency process; and if commercial properties excluded in draft ordinance; how specific, whether there is a property owner citizen work group and will one be established? And she also if the communications with DEP could be discussed this evening.

Bart Thurber commented that he wanted to reiterate what has come up in many occasions, a comprehensive parking study. We have been talking so many times about piece meal, 19 spaces on N Union, 340 in CBD. Members from commercial and residential having a holistic conversation as we build and develop the town.

Mayor Nowick asked for a motion to close this public participation session. 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.

Mayor Nowick responded to the questions. He said the CLG ordinances are still at the state. They are working with Lisa Easton and will be ready in another month or so. There will be no public input into the SHPOs draft ordinance. Public Comment will come when we introduce the ordinance. We aren't sure if commercial properties will be in the ordinance, may be if they meet the historic definition. We are about a year away to create those properties. The flow chart is being worked on, and is almost done. The City is creating a trifold brochure that will be printed and given to properties in the flood plain.

Mayor Nowick responded to Mr. Thurber's comment and said he was happy to discuss it with council in 2024 but it is not in the 2023 budget.

## **PROCLAMATIONS**

### **PROSTATE CANCER AWARENESS MONTH**

Mayor Nowick read the proclamations into the record by title.

OFFICE OF THE MAYOR  
STATE OF NEW JERSEY  
CITY OF LAMBERTVILLE

#### PROCLAMATION

Proclaiming the month of September 2023 as Prostate Cancer Awareness Month.

Whereas, This year, approximately 288,300 men will be diagnosed with prostate cancer in the United States alone – one man every 2 minutes, and roughly 34,700 will die this year from the disease, about 3,500 more than 2020 – which is one man every 15 minutes; and

Whereas, In New Jersey, an estimated 9,460 new cases of prostate cancer will be diagnosed and an estimated 730 deaths will occur in 2023; and

Whereas, Men with relatives – father, brother, son – with a history of prostate cancer are twice as likely to develop the disease; and

Whereas, Prostate cancer is the most commonly diagnosed cancer in American Men and the third leading cause of cancer death behind lung and colon cancer; and

Whereas, 1 in 8 men are diagnosed with prostate cancer in their lifetime and 1 in 6 African American men will develop prostate cancer in their lifetime. Overall, African American men are 1.7 times more likely to be diagnosed with - and 2.1 times more likely to die from - prostate cancer than white men; and

Whereas, Veterans who were exposed to herbicides like Agent Orange are at increased risk for developing prostate cancer, and are more likely to have an aggressive form of the disease; and

Whereas, Education regarding prostate cancer and early detection strategies is critical to saving lives, preserving, and protecting our families. As well as the economic and social burden of prostate cancer is huge on families; and

Whereas, If caught early prostate cancer has a five-year survival rate of nearly 100%. However, for late stage prostate cancer the five-year survival rate is 31%; and

Whereas, Many more men will be diagnosed in 2023 at a later stage because of delayed screenings and treatment due to Covid-19 and

Whereas, All men are at risk for prostate cancer and we encourage the citizens of THE City of Lambertville to increase the importance of prostate awareness and screenings.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Lambertville, in the County of Hunterdon hereby proclaims the month of September 2023 to be PROSTATE CANCER AWARENESS MONTH in Lambertville.

### **MICROVILLUS INCLUSION DISEASE**

**Whereas**, in the United States, there are approximately 10,000 rare diseases and conditions, (each affecting fewer than 200,000 Americans) in the United States, according to the National Institutes of Health (NIH); Microvillus Inclusion Disease (MVID) affects less than 100 worldwide; and

**Whereas**, while each of these individual rare diseases may affect small numbers of people, rare diseases as a group whole affect about an estimated 25-30 million Americans; and

**Whereas** MVID is a serious and debilitating condition that has a significant impact on the lives of those affected; and

**Whereas**, while although the Food and Drug Administration (FDA) has approved more than 620 drugs and biologics have been approved for the treatment of over 1,000 rare diseases according to the Food and Drug Administration (FDA), 90% of rare diseases including MVID do not have an FDA approved treatment, including MVID; and

**Whereas**, individuals and families affected by MVID, and other rare diseases often experience problems such as delays in obtaining an accurate diagnosis, difficulty finding a health care provider with expertise in their condition, and a lack limited access to treatments or ancillary services; and

**Whereas**, residents of **Lambertville, NJ** are among those affected by rare diseases because nearly one in ten Americans have rare diseases; and

**Whereas** Avery's Hope is working on organizing a nationwide observance of Microvillus Inclusion Disease on September 16th;

**Therefore**, be it resolved that September 16, 2023, and all years, will be observed as Microvillus Inclusion Disease Awareness Day in Lambertville, NJ.

Mayor Nowick asked for a motion to adopt both proclamations. Councilwoman Lambert 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**

RESOLUTION NUMBER 127-2023: *A Resolution to Authorize the Memorandum of Understanding with the Greater Lambertville Area Chamber of Commerce for the Turkey Trot, November 23, 2023 from 8:30 am to 9:30 am. Registration opens at 7:00 am.*

Mayor Nowick read the resolution into the record by title and he asked for a motion to adopt the resolution as presented.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of NJ, that the Mayor, City Clerk, and City Attorney are hereby authorized to sign the

Memorandum of Understanding the with Greater Lambertville Area Chamber of Commerce for the annual Turkey Trot to be held on Thursday, November 23, 2023 beginning at 7:00 a.m.

**ROAD CLOSURES 8 am to 11:00 am**

1. Bridge Street, North Main Street to the Bridge
2. Station Court, Bridge Street to the LMUA
3. Lambert Lane, Bridge Street to Coryell Street
4. Coryell Street, Lambert Lane to North Union Street
5. North Union Street, Bridge Street to Delaware Avenue
6. South Union Street, Ferry Street to Bridge Street
7. Delaware Avenue, North Union to George Street,
8. George Street from Delaware Avenue to Coryell Street

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.

**ANNOUNCEMENTS**

October 17, at the PPJC, public session to discuss remnants of Hurricane Ida. Space for people to come in and have a conversation, sharing a memory or an observation of what you feel we could do better.

Grant from NFWF to enhance the open space at Holcombe Park. Eliminate flood waters, improve wildlife, engage and education community. \$320,000 matching grant. Application is on the website – Holcombe Park.

**DISCUSSION**

*Staffing*

Mayor Nowick informed the members of the public that he wanted to discuss staffing issues at the Police Department, and the hiring of a Business Administrator.

Mayor for two years, grown to have an appreciation of what our needs are, resources are, what needs improvement. Two items: Potential addition of an officer in the police department and hiring of a Business Administrator. Down two officers. Campaign promise, had an administrator

for a period of time. It was short lived. Promised I wouldn't considerate for the first two years. How much work and complex, I am going to push hard for an administrator. I have committed to doing this full time, but we need to improve services to residents. Unless council has any questions, we will kick the can down the road to October or November.

### Short Term Rentals

Mayor Nowick started an interactive discussion regarding Short Term Rentals and the introduction of an Ordinance at the September 21<sup>st</sup> session to regulate them.

Breaking protocol a few minutes. Organic conversation tonight. Lay out what we know and then open to council, and then to the public for discussion.

FACTS: Mayor Nowick gave the following facts regarding short term rentals.

Air BnB: 7 million properties worldwide. 2 million in the US. NJ estimates is between 25,000 and 50,000, wide spread. Everybody is familiar with short term rental model, huge impact, transformative for people who travel. Appreciate in my own life. The experience in Lambertville is a hot topic with residents who are concerned about affordability, affordable housing, quality of life issues. Mayor Nowick said he attended seminars devoted to short term rental model. One of the things I've learned, in New Jersey, each municipality has to decide what the best approach is. What works in Asbury Park won't work in Jersey City. There are a number of difference between municipalities and variations throughout New Jersey.

Lambertville has 1774 units connected to LMUA, 1800 housing units and hundreds of long term rentals. We don't have the exact number, however, in 2022 we had 400. We reviewed the short term rental, Air BNB, RBO, Verbo, went through all of the lists, and tried to identified each property in the City. At the moment, we have 35 properties and of the 35, 21 properties are registered in the City. The City requires short term rentals to make sure they are registered with the State of New Jersey and paying hotel tax. The 3% hotel tax goes to the State and then the State of NJ sends back the City's portion. The State of New Jersey doesn't break the tax down by category, we just get the lump sum. Five or six of the properties are owner occupied. The City will grandfather everyone in good standing.

Council Comments:

Legal issues: Arbitrary capricious and reasonable standards: the City will grandfather everyone who is compliant (registered) by the time of introduction of the ordinance;

Other bans:

- Time limit: rent 90 days a year and that might discourage some owners
- Housing Inventory, Rents are high, short term rentals don't do anything to lower that.
- Socio economic and what that translate to in terms of people who are struggling to afford rentals.
- Loss of neighbors and one of the things that has made Lambertville is it's sense of community and everybody knows everybody. Don't want to lose sense of community.

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Work Session

7:00 p.m. Thursday, September 7, 2023

Phillip L. Pittore Justice Center, 25 South Union Street

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- Other side, I see a need for short term rentals and there is an aspect that they add value to the business community. Air BnBs adds a lot to tourism community.
- Owner occupied, way for them to live in their homes. Find a balance and welcome input from the public.
- Grandfathering in the existing AIR BNBS who have followed the law. Encourage those who have air BnBs to register because they may not be grandfathered in if they don't register.
- Law on the books requires registration, we need to make sure there is enough fire alarms.
- Fee for Affordable Housing Trust Fund
- Vibrant community, balancing act.
- How do we handle complaints about guests; the walls are thin and whose responsibility to sound proof of anybody's? adjacent are they responsible? There has to be accountability since these people are approved if they don't maintain their property.
- There are other municipalities who adopted Ordinances. The one we referred to is Jersey City. The landlord registration process requires lead base paint certification, and fire safety.
- Other things we might want to consider:
  - No advertising on the building
  - Comply with city ordinances
  - contact 24 hours
  - occupancy load
- Making sure information is available; taking out the trash, nuisance issues; what if the house floods?
- Quality of Life issues for surrounding property owners.

## PUBLIC

Jim McHenry, 150 S Main, affordability is the only thing I want to make a point about. Two categories: owner occupied, and those who are not. He said he owns a have a three bedroom, and they have rented to wedding parties, people convalescing going to Capital Health, Corporate Speaking Program across the street. He said it's a different market and it wouldn't work if it was owner occupied. If we can't do it anymore, he would rent the property for \$3,000 per month and he didn't feel it would help with affordable housing.

Judy Lutz, 41 Delevan, she did some research and believes we have 68 rentals in town. They are places that people don't get to live. She felt there was a legal exposure, and she referenced Red Bank, and Florence Italy, and stated that it is driving up the cost of rent. For people who own Air BnB, they could rent to a long term tenant like the house was rented before. No one will go broke because people have a cap on it. She said there is nothing about rent control and no housing security for anyone who rents. Mayor Nowick responded that they are complicated legal questions and he is not sure we can impose rent control or other protections.

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Tim Kelly, 189 George Street, understands where she is coming from, but it is a free market, believe in homeowner rights. He is a real estate broker and feels guidelines are important, it shouldn't take away rights. The older homes have no insulation; they hear us, we hear them. The owner addressed our concerns, they are not neighbors, we would love to have our old neighbors back, but I am not going to buy it to make that happen. I do believe the guidelines are important. We have guidelines as homeowners, those are the things we need to be careful about. The old row houses, if too many people are in the house and there is a fire. One other thing, some towns are accepting one year trial period to see how it goes. He agrees with giving people the ability to be grandfathered.

Allison Farrell, 274 N Union, came to Lambertville in 2011 as a renter, purchased her home in 2016. September 1, 2021, the house flooded in Hurricane Ida. We got back into the house in the fall of 2022. In the spring of 2023, our twin became a full time Air BNB. She said she no longer has a neighbor. It's a revolving door, and nobody has done anything terrible. You might leave your cigarettes outside. The property owner is an hour and half away. Long term, whose going to shovel the sidewalk? Who will look out for kids on bikes? The tenants pay rent and attend Shad Fest but are they going to be a part of Shad Fest? The Jersey City Ordinance has some time limits: 30 day rental, 90 days maximum a years; 104 days of weekends. Also honestly sad, feeling of this great community and now we feel it's gone.

Devon Reimer, 150 S Main, question is about limiting the number of nights. She bought the house 13 years ago as an investment. The intent was to live there, but they couldn't afford to do all of the renovations at one time. They lived there for 7 years, and became part of this community. They have let people stay free of charge. One was a house that was infested with rodents, they couldn't afford to rent the Air BNB. Then the next people lived on York Street, and their house was wrecked by Ida. We consider it our vacation home, we come and stay here, we have Jim's birthday party there every year. I would be so sad if this went away. I would sell the house, it's part of my income, and is instrumental for my retirement. Restricting the number of nights, how is that beneficial? What if I let your volunteers needed a place to stay, does that count? What is the 90 days about? Councilwoman Lambert commented that it would be a tool or mechanism to manage, runaway growth or speculation, because when I read about it, it was a tool to keep the number of units within a reasonable amount. Different type of owners, some who look to contribute back. I don't think it's – more to try and prevent over speculation.

Devon Reimer further commented that the guestbook makes her so happy. The property gets more love than it ever has. The guests are so appreciative. The neighbors call and ask if their friends can stay they, someone filmed a movie there. She said she is begging the Council to let her keep doing it. It is so much fun to hear about the people. She has had funeral guests, Bachelorette parties. She helps them plan it; they go to the spa, go to the Swan, introduce them to the chef. A beautiful place to be.

Kat Kelly commented that grandfather is fantastic. But, in the future, you are thinking of moving forward, one of the things that is an issue is the units that are not owner occupied. The property owners are an hour and a half away. They are not residents, not in our community, there is a

party wall. Maybe don't allow new people to buy it for an Air BnBs with a party wall. Maybe we keep the owners more local and limit their distance. Mayor Nowick responded that it is hard to do. If we say we are starting fresh, beyond everyone here, we get to make the rules about new applications, this is where we can be as strict as we want. This is where you get to say, only owner occupied or if it is a primary residence. They will need to be on sight, different way we can move forward and more restrictive.

Jeromy Dongelli commented that he has a unit that is owner occupied. Limiting the time would only exacerbate for pricing our real estate. You will then only have wealthy land owners that can afford to sit on it, profit margin much thinner. For the most part, a lot of the issues are already legal ramifications in place, noise, nuisance, domestic fight, and those legal ramifications don't change. The same could apply to long term renters who are bad neighbors. He felt there should be some regulation, a review, to make sure they are safe, escape routes, fire detectors, agree that as members of this community, we should want to do our part to help keep housing affordable, whether that is a service charge or a portion of the annual fee into the fund. They put a lot of money into these properties. Every renter receives long list of all of the amazing things about this town. He encourage renters to be a part of the community. We are far better stewards of our community instead of allowing land developers driving out our community.

Matthew Shuster commented that he previously rented Dongelli's property. Three weeks ago, we just got back from vacation, and the adjoining unit was rented to a family with two adults, and four children under 6 years old, who ran through the house entire week. If it's a twin home maybe they aren't allowed to rent? Whose going to pay to insult the house? I lost everything in Ida. I can't afford another house right now. He loves Air BnBs, doesn't affect my life when I stay in Idaho, but when my neighbor's house is rented, dogs, kids, directly affects my life, that's when I had problems.

Stephanie Simmons, 72 Delaware Avenue, she owns an Air BnB single family home on Clinton, and mix use on 52 N Union Street. Husband and I do more than our fair share to pay taxes, and she finds it hurtful, the reality is that we contribute through our Air BnBs. There is nothing more wonderful seeing the review, thank you for the chocolates purchased from Le Chocolate Box, recommendations to the local restaurants. She has wonderful neighbors, but many never shop in town or go out to eat but we have guests who spend money in town. Homeowners who don't volunteer for anything, then some who spend money here. Whether you are a short term rental, long term rental, long term rental is not easy to evict someone. You can also have homeowners who don't scope poop from front lawn. We are saying if we didn't have Air BNBs then we would have all these wonderful homes, but not a solution for quality of life. Keep hearing limiting rental, issue and trying to solving something that doesn't match up. We have a parking issue in our town but we would never say half businesses can be open these days and the other on those days – doesn't make sense. She felt we were attaching lack of qualities to Air BNB rentals that we would not attach to a long term rental.

Councilman Lide asked if your whole street was Air BnB, do you think you would be successful? It's a balance issue.

Paul Stevens: I was one of the people living next to an out of town landlord. Luckily he has a great neighbor now. One of the big issues was safety. The property was listed as 6 occupancy and it would probably be a safe house for two people. It is important that they meet the same guidelines as long term rental, because then you wouldn't have a neighbor with four little kids and two adults. Also keep in mind quality of life, they are actually safety issues. People aren't shoveling their sidewalks because they don't live in town. Same thing when they put their garbage out in plastic bags when they don't live in town, wildlife gets into the garbage.

Cindy Shoemaker she owns an Air BnB, grew up in Lambertville, 4 generations one block. She volunteers when asked, improved property 100%, created two off street parking spaces; filed the lead base paint certification early. It's a two bedroom house, and she limits it to four people. She has rules, quiet time, and has never had any complaints. She loves it too. She is a realtor as well, people come here, spend a lot of money, go to New Hope, Lambertville, bars, shops, helps community for sure. I shovel my sidewalks, and put my trash out. She lives in Stockton, her office is across the street. The property flooded in Ida, she is a part of the community, they stuck together, helped each other. I do agree it should be capped because there is a balance. The Party Wall situation can be an issue, I haven't had a problem. You could have a long term tenant and a dog that barked a lot. I don't allow dogs.

Tim Kelly, evolve, Air BNB and Vrbo, do research, if you want to own a property, market it, evolve rated Lambertville at the highest level for people to rent here. This is the highest rated you will get.

Holly Havens, 53 N Union: I moved to Lambertville in 96, was a lobbyist in Trenton. She has invested over 2 million dollars in properties in Lambertville. I renovated a property that was a doctor's office. There was a 20 year rental on first and second floor. She only rents out on a weekend. A friend was evicted and he stays there when I don't have anyone. She has friends of friends who stay there and she doesn't charge them. It's a benefit. She is registered, the unit doesn't have a kitchen, it has a kitchenette.

Mayor Nowick asked for a motion to close the public hearing session of the meeting. Councilman Lide made the motion and Councilwoman Lambert seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Mayor Nowick thanked everyone for their input, for their time, we are very grateful for your input.

#### ADJOURNMENT

Mayor Nowick asked for a motion to adjourn at 8:58 p.m. Councilman Lide made the motion and Councilwoman Lambert seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Respectfully submitted,

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Cynthia L. Ege  
CMR, RMC, City Clerk