



**CITY OF LAMBERTVILLE  
WORK SESSION  
7:00 P.M. THURSDAY, OCTOBER 5, 2023  
PHILLIP L. PITTORE JUSTICE CENTER  
25 SOUTH UNION STREET  
\*\*\*MEETING AGENDA\*\*\***

**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 Deputy Clerk to read the statement of compliance with the Open Public Meetings Act into the record.

The Deputy 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 Hunterdon County Democrat, the Trenton Times, members on the listserv, department heads, and the City Engineer.

The meeting agenda provides for action items known 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**

Present: Councilwoman Kominsky, Councilwoman Lambert, Councilman Lide, Council President Stegman, 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 in a Moment of Silence in honor of Breast Cancer Awareness, Dyslexia Month, and Cybersecurity Awareness Month.

**PUBLIC PARTICIPATION**

Mayor Nowick opened the public participation session and asked members of the public to step to the podium to make their remarks.

Judy Gleason, of Lambertville: Ms. Gleason reminded everyone that on October 17th there will be a public session for people to share their experiences about Ida. She also expressed concern about the upcoming bridge closure and encouraged the Governing Body to do more.

Jessica Saltstein, of Lambertville: Ms. Saltstein echoed Ms. Gleason's concern about the bridge and how the closure will affect the CBD. She also mentioned the N Union Street parking lot and the parking challenges in the CBD.

Patrick Bader, owner of Peace Pie, in Lambertville: Mr. Bader echoed the concerns of other speakers about parking in the CBD and the effects of the bridge closure. He encouraged the City to come up with ways to support the business community through this challenging time.

Josh Lincote, of Lambertville, thanked the Governing Body for sending the letter to the DRJTBC, and he encouraged them to do more to support the business community.

Note: there are eight people on Zoom.

Mayor Nowick asked for a motion to close the public participation session. 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 mentioned that he has been in communication with the DRJTBC and that their latest RFP accounts for not one but two shuttles, and extended hours of service. He feels that the advocacy from Council and the public has made a difference.

Councilwoman Kominsky noted that she finds the bridge commission response to be inadequate and that they should be able to do more to support the towns on either side of the river. The Council echoed support for more communication with the bridge commission, and more pressure on them to further support the businesses and pedestrians. Mayor Nowick offered to invite a representative from the bridge commission to attend a council meeting before the project begins, and Councilwoman Kominsky offered to draft another letter to the commission. Councilman Lide encouraged the public to continue to reach out.

Mayor Nowick stated that the Governing Body did our best with the parking lot on N Union Street. When school is closed, the signage is adjusted to allow for public parking. He acknowledged that using the lot for the school was a big ask.

## **RESOLUTIONS**

Mayor Nowick read the following resolutions into the record by title.

RESOLUTION NUMBER 146-2023: *A Resolution to Authorize the Use of Public Rights of Way by JCP&L for the Installation of Certain Overhead and Ground Level Facilities Along the Easterly Side of Clinton Street*

*A Resolution to Authorize the Use of Public Rights of Way by JCP&L for the Installation of Certain Overhead and Ground Level Facilities Along the Easterly Side of Clinton Street*

WHEREAS, Jersey Central Power & Light ("JCP&L") has requested permission to install and improve certain overhead and ground level facilities within the public right of way on the easterly side of Clinton Street; and

WHEREAS, the description of the impacted is as follows: from the westerly direction from existing pole NJ71L located along the easterly sideline of Clinton Street thence entering the public right of way traveling a distance of 40' +/- to a new JCP&L pole then traveling overhead with the necessary anchors and guys for the support of said pole; and

WHEREAS, *N.J.S.A. 48:3-19* provides that "the consent of the municipality shall be obtained for the use by a person of the poles of 'another person unless each person has a lawful right to maintain poles in such street, highway or other public place;" and

WHEREAS, JCP&L shall adhere to all applicable federal, State, and local laws in connection with its use of the public right-of-way; and

WHEREAS, it is in the best interests of the City and its residents to grant consent to JCP&L as aforementioned.

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, hereby provides consent to install the facilities, as set forth herein, and the Mayor, City Clerk and/or City Attorney are authorized to execute any documents necessary to grant JCP&L consent to install the necessary facilities within the public right of way.

City of Lambertville  
Work Session  
7:00 p.m. Thursday, October 5, 2023  
Phillip L. Pittore Justice Center, 25 South Union Street  
\*\*\*MEETING MINUTES\*\*\*  
Page Number 3

ADOPTED: October 5, 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.

***RESOLUTION NUMBER 147-2023: A Resolution of The City Of Lambertville, County Of Hunterdon, New Jersey Authorizing A Professional Services Agreement With T&M Associates For LSRP Services For The Cavallo Park Green Acres Project***

A Resolution of The City Of Lambertville, County Of Hunterdon, New Jersey Authorizing A Professional Services Agreement With T&M Associates For LSRP Services For The Cavallo Park Green Acres Project

WHEREAS, the City of Lambertville (the “City”) has the need to perform certain activities, including preliminary assessments, site investigations, remedial investigations, and remedial actions, at Cavallo Park in connection with its receipt of grant funding from the Green Acres Program; and

WHEREAS, the New Jersey Site Remediation Reform Act of 2009, N.J.S.A. 58:10 C-1 et seq., established a program for the licensing of any environmental professional meeting the statutorily established criteria as a Licensed Site Remediation Professional (“LSRP”); and

WHEREAS, the City has evaluated a proposal from T&M Associates for such services; and

WHEREAS, the City desires to award a professional services agreement to T&M Associates for LSRP services, in accordance with the terms set forth in its proposal, dated September 29, 2023, at a cost not to exceed \$8,400.00; and

WHEREAS, funds are or will be available for this purpose.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. That the City hereby approves a professional services agreement with T&M Associates for LSRP services, at a cost not to exceed \$8,400.00, in accordance with the terms of its proposal, dated September 29, 2023.
3. That an approved and executed copy of the agreement between the City and T&M Associates, and a copy of this resolution be placed on file in the Office of the Clerk and be available for public inspection in accordance with the law.

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.

**CORRESPONDENCE**

PORCHFEST: The City received a request from Tim Kelly to close Coryell Street from North Union to George Street from 1 – 5 pm on Saturday, October 7, 2023 for Porchfest.

Councilwoman Kominsky made a motion to approve the request for the road closure. Councilwoman Lambert seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

City of Lambertville  
Work Session  
7:00 p.m. Thursday, October 5, 2023  
Phillip L. Pittore Justice Center, 25 South Union Street  
\*\*\*MEETING MINUTES\*\*\*  
Page Number 4

**HALLOWEEN PARADE:** The City received a request from Bronwyn Bird for road closure during the Halloween Parade beginning at Mary Sheridan Park, turning right onto North Union Street, right on Perry Street, crossing to Ely Park on Sunday, October 29, 2023, beginning at 3:00 p.m.

Councilman Lide made the motion to approve the road closures for the Halloween Parade. Council President Stegman seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

## **ANNOUNCEMENTS**

Mayor Nowick read the announcements into the record.

**POST HURRICANE IDA COMMUNITY SESSION:** Tuesday, October 17, 2023: Hurricane Ida Discussion, Phillip L. Pittore Justice Center, 7 p.m. led by Dave Burd and Judy Gleason.

**PET PARADE:** Saturday, October 21, 2023, registration is at Mary Sheridan Park. York Street between North Union and North Main Street will be closed beginning at 10:30 am through to 3 p.m. Rain date is October 28<sup>th</sup>.

**HALLOWEEN PARADE:** Sunday, October 29, 2023, 3:00 p.m. starting at Mary Sheridan Park.

## **MAYOR'S UPDATES**

Mayor Nowick led a discussion about the following topics:

### **Wells Fargo Bank**

Mayor Nowick mentioned that Council has expressed concern over the potential loss of parking if the building sells. The City Budget Consultant and Council President Stegman put together pro-forma that examined scenarios involving the City purchasing the bank property. Council President Stegman explained that there is a possibility that someone could buy the bank and cancel the City's lease on the nineteen parking spaces. Two feasible options: the City purchasing the property and holding it, using it for City business. Second option, purchase the property and lease the building to a tenant.

Currently, the property generates approximately \$32k parking revenue plus \$5800 annually in property taxes. The tax revenue would disappear if the City owned the property, but parking is a larger concern.

How much would buying the building affect property taxes for residents?

- City owned with no tenant – the average tax bill would increase by \$36/year for the first 3 years, and \$69/year thereafter.
- City owned with tenant – the average tax bill would decrease by \$47/year for the first 3 years, and \$21/year thereafter.

Council discussed concerns about parking, but generally agreed that purchasing, maintaining, and managing another building may not be a responsible or feasible choice for the City.

Councilwoman Lambert echoed concern about making a purchase without a referendum, and the

number of properties that we already own. She commented the only way this would work is if we sold a property we already own to offset this.

Council President Stegman asked if there would be a possibility of putting a referendum on the November 7 ballot. The City Attorney and City Clerk explained that the ordinance in support of putting the issue on the ballot would have had to have been passed in July. A special election is possible, but expensive.

### **Short Term Rentals**

Mayor Nowick announced that the ordinance will be ready for introduction at the next meeting. We have talked about the reasons for this ordinance: safety, property values, and tourism. Since there are existing Short-Term Rentals in the City, we will continue to allow them, and the current Short-Term Rentals in good standing will be grandfathered into the new ordinance.

So, what does this mean for new Short-Term Rentals (STRs) going forward? Are there restrictions we would consider for new STRs after the ordinance is passed? The City Attorney offered that if there is going to be a cap put into place, there must be strong rationale behind it that is defensible in court. Mayor Nowick mentioned that some factors that may go into the cap are management, both from the Clerk's office for licensing and the PD for enforcement. We may only have the capacity to manage a certain number of STRs, and that seems like a reasonable argument. The City Attorney agreed that the cost of municipal resources is a reasonable reason to have a cap, but there would have to be a defensible formula to justify the number.

Councilwoman Kominsky explained that she is more concerned about safety, inspections, and registration of STRs, and making sure that owners are accountable. Our regulations may also need to be more strongly enforced in cases when violations occur.

Mayor Nowick mentioned the possibility of a requirement for STR properties to be owner occupied. The owners then would be nearby in case of emergency. The City Attorney explained that there is precedent for that approach. He stated that basically the ordinance needs to include a way to slow the growth of STRs in the City.

Councilwoman Lambert expressed concern about grandfathering the existing STRs, and stressed the importance of encouraging property owners to live here in the City to retain the character of this place we all love. We do not want to lose sight of what makes us thrive as a community. People want neighbors. She asked the City Attorney if STRs can be restricted geographically, to a certain number per block? He answered that it would then become a zoning issue with zoning requirements that would restrict STRs geographically, which would be a separate issue from the initial licensing. Mayor Nowick mentioned that he had considered zones with the City Attorney, and it would be nearly impossible in the City to do it fairly or at all.

Councilman Lide asked about why other municipalities allow grandfathering? The City Attorney explained that it seems like a 'do no harm' approach – not trying to take anything away from current STR owners, just trying to regulate them going forward.

Councilwoman Lambert echoed Councilwoman Kominsky's concern about enforcement and holding owners accountable. Owners who cause issues should be warned, warned again, and then served with financial violations. But how many hours per month would that cost for staff work? How much does that cost per year per property?

Mayor Nowick stated that as far as violations go, it will be three and you are out. It is a strict approach with high accountability. What we are still wrestling with is how do we limit the number? Restricting this to owner-occupied could be a nice way to move forward – it would be less arbitrary, and we can make a strong argument for better quality of life.

Councilman Lide mentioned that there should be a more severe penalty for not registering, including being disallowed to operate for a period. The City Attorney mentioned that the violations begin at \$100 and increase up to \$2,000.

Mayor Nowick explained the police would have the full registry of contacts for emergencies, just like they do for any commercial building. Lt Brown explained that knock box keys are available to access the building in an emergency for commercial buildings. We also will have minimum insurance requirements, basic community info like trash days, and flood information.

Councilwoman Kominsky and Councilman Lide asked about people who split their time between homes, like half the time in Florida and half in Lambertville? The City Attorney explained the difference between owner-occupied and primary residence. Owner-occupied equates to the owner living presently on the property. Primary residence is a property where the owner spends the majority of their year.

Council President Stegman mentioned properties in HOA's. Mayor Nowick explained that the HOA restrictions would trump the City ordinance if they were more restrictive.

Mayor Nowick asked if a portion of the STR fee could be dedicated to the City Affordable Housing Fund. The City Attorney agreed to find out and follow up.

## **PUBLIC PARTICIPATION**

Mayor Nowick opened the public participation session and asked members of the public to step to the podium to make their remarks.

Josh Lincote, of Lambertville: Mr. Lincote spoke to the need for more bridge shuttles, especially during peak weekend hours during the upcoming project. He also encouraged the Governing Body to reach out to the bridge commission to learn why the pedestrian bridge cannot be opened this time but for previous projects it has been opened.

Dave Burd, of Lambertville: Mr. Burd asked if there has been a review of the lease on the Wells Fargo parking spaces – is there anything in there that would protect the city from losing the spaces?

Patrick Bader, owner of Peace Pie in Lambertville: Mr. Bader presented that there could have been shuttles for the teachers to take them to and from school when it is necessary. He encouraged Council to give parking in the CBD more attention.

Judy Gleason, of Lambertville: Ms. Gleason commented that the process for grandfathering existing short-term rentals seems undefined. She mentioned, regarding the Wells Fargo, that we are still trying to sell what we bought last time, and referendums are a lot of work and costly.

Mayor Nowick explained that the parking lease (at Wells Fargo) has been reviewed, and it's frankly surprising that the agreement lasted as long as it has.

City of Lambertville  
Work Session  
7:00 p.m. Thursday, October 5, 2023  
Phillip L. Pittore Justice Center, 25 South Union Street  
\*\*\*MEETING MINUTES\*\*\*  
Page Number 7

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

## **ADJOURNMENT**

Mayor Nowick asked for a motion to adjourn the meeting at 8:51 p.m. Councilwoman Lambert 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.

Respectfully submitted,

Lindsay Hansche  
CMR, Deputy Clerk