



**City of Lambertville**  
**REGULARLY SCHEDULED SESSION**  
**THURSDAY, DECEMBER 19, 2019, 7:00 PM**  
**PHILLIP L. PITTORE JUSTICE CENTER**  
**MINUTES**

**STATEMENT OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT**

Mayor Fahl called the meeting to order at 7:00 p.m. and 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.

Adequate notice of the December 19, 2019 Voting Session of the Governing Body of the City of Lambertville was provided to the Trenton Times, the Hunterdon County Democrat, to various people on the list serve and by posting the meeting agenda on the Bulletin Board at City Hall and on the website ([www.lambertvillenj.org](http://www.lambertvillenj.org)).

**ROLL CALL**

The City Clerk called the roll as follows:

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

Absent: None.

**PLEDGE OF ALLEGIANCE**

Mayor Fahl led the public in the Pledge of Allegiance.

**MOMENT OF SILENCE**

The City Clerk led the public in a moment of silence in honor of those serving in the United States Armed Forces.

**OATH OF OFFICE: MADELINE URBISH TO FILL AN UNEXPIRED TERM ON CITY COUNCIL ENDING ON 12/31/2020.**

Mayor Fahl administered the Oath of Office to Madeline Urbish. Members of the Governing Body and public congratulated Mrs. Urbish on her appointment.

**APPROVAL OF MINUTES**

Council President Asaro asked for a motion to approve the following sets of minutes: 11-26-19 Voting Session Minutes, 11-26-19 Closed Session Minutes and 12-06-19 Work Session Minutes. Councilman Sanders made the motion and Councilwoman Taylor seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present with Councilwoman Urbish abstaining. MOTION CARRIED.

**PROCLAMATIONS**

Shelley Corrado

*Proclamation*

WHEREAS, Shelley Corrado began her employment with the City of Lambertville on October 21, 2003 in the Construction Office; and

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WHEREAS, shortly thereafter, she moved to the Finance Office and provided assistance to the Certified Municipal Finance Officer; and

WHEREAS, in 2009, Shelley worked in the Police Office in the mornings and in the Clerk's Office in the afternoon; and

WHEREAS, on September 20, 2008 she became a Certified Municipal Registrar and accepted applications for marriage licenses, birth records and death records; and

WHEREAS, with the retirement of Marie Rossiter, Shelley became a full-time employee in the Clerk's Office where she issued parking permits, managed landlord registrations, served as the Deputy Registrar and provided assistance to the Municipal Clerk.

WHEREAS, on December 31, 2019, Shelley will retire from the City of Lambertville and will begin a new career at Quick Chek, serving the public in a different way.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville, in the County of Hunterdon, that Shelley Corrado is hereby congratulated on the completion of 16 years of service and

BE IT FURTHER RESOLVED that She is congratulated on her retirement from local government and wished much success with all of her future endeavors.

ADOPTED: December 19, 2019

Mayor Fahl invited Shelley to join her at the dais. She informed the members of the Governing Body that Shelley Corrado, an employee working in the Clerk's Office is retiring on December 31, 2019. She wished Shelley much success with all of her future endeavors.

Mayor Fahl asked for a motion to adopt the proclamation congratulating Shelley Corrado for her years of service and her retirement. Council President Asaro made the motion and Mayor Fahl 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 Fahl informed the members of the public present that this is the last meeting of the year and we have a lot of housekeeping and general upkeep with transfers to approve. She recognized the Business Administrator and the Deputy Treasurer for their work on making sure we are in good financial standing. She commented that we are looking forward to fewer transfers in the upcoming year.

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Council President Asaro informed the members of the public present that the following resolutions are on the consent agenda: Resolution Numbers 169-2019 through 182-2019, minus numbers 176-2019, 178-2019 and 180-2019 which are on hold until the transfers are made and it is determined that we have funds available to pay them.

**RESOLUTION NUMBER 169-2019:** *A Resolution to Authorize the Memorandum of Understanding with the Delaware River Towns Chamber of Commerce for 2020 Shad Festival.*

**RESOLUTION NUMBER 169-2019**

***A Resolution to Authorize the City Attorney, Mayor and City Clerk to Sign the Memorandum of Agreement with the Delaware River Towns Chamber of Commerce for the 39<sup>th</sup> Annual Shad Festival***

**WHEREAS,** The Delaware River Towns Chamber of Commerce would like to hold their annual Shad Festival on April 25 and 26, 2020; and

**WHEREAS,** The City of Lambertville would like to accommodate their request and has formalized the agreement in a Memorandum of Understanding that covers the cost of police and public works services and the road closures.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Lambertville that City Attorney, Mayor and City Clerk are hereby authorized to sign the Memorandum of Agreement with the Delaware River Towns Chamber of Commerce for the annual Shad Festival scheduled for April 25 and 26, 2020.

ADOPTED: December 19, 2019

**RESOLUTION NUMBER 170-2019:** *A Resolution to Authorize Change Order #1 for the Clinton Street Phase II Project, Decreasing the Contract by \$46.62.*

**RESOLUTION NUMBER 170-2019**

***A Resolution to Authorize the Business Administrator to Sign Change Order 1 for the Clinton Street Phase II Project, Reducing the Contract Amount by \$46.62***

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Lambertville that Business Administrator is hereby authorized to sign Change Order 1 for the Clinton Street Phase II project, by \$46.62.

ADOPTED: December 19, 2019

**RESOLUTION NUMBER 171-2019:** *A Resolution Requesting the Insertion of a Special Item of Revenue in the Budget of Any County or Municipality Pursuant to N.J.S.A. 40A:4-87 (Chapter 159 P.L. 1948) for the Body Armor Grant in the Amount of \$1,339.35.*

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**RESOLUTION NUMBER 171-2019**

**RESOLUTION REQUESTING THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S.A. 40A:4-87 (Chapter 159 P.L. 1948)**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of local Finance may approve the insertion of any special item if revenue in the budget of any County or Municipality when such item have been made available by Law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for equal amount.

**WHEREAS**, the Chief Financial Officer has certified that the City has received a grant in the amount of **\$1,339.35 for Body Armor.**

**NOW THEREFORE, BE IT RESOLVED** that the City of Lambertville hereby requests the Director of Division of Local Finance to approve the insertion of an item of revenue in the 2019 CY Budget in the amount of **\$1,339.35** which item is now available as revenue from the receipt of the **Body Armor.**

**BE IT FURTHER RESOLVED** that a like sum of **\$1,339.35** is hereby appropriated under the caption of:

**OPERATIONS "EXCLUDED FROM CAP"**

Body Armor            \$1,339.35

**BE IT FURTHER RESOLVED** that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval, with a copy of the letter awarding the Grant.

ADOPTED:            December 19, 2019

***RESOLUTION NUMBER 172-2019: A Resolution Requesting the Insertion of a Special Item of Revenue in the Budget of Any County or Municipality Pursuant to N.J.S.A. 40A:4-87 (Chapter 159 P.L. 1948) from the NJ Historic Trust for the AH Holcombe House (City Hall) in the amount of \$76,119.00.***

**RESOLUTION NUMBER 172-2019**

**RESOLUTION REQUESTING THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S.A. 40A:4-87 (Chapter 159 P.L. 1948)**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Finance may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item have been made available by Law and the amount thereof was not determined at the time of the adoption of the budget, and

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**WHEREAS**, said Director may also approve the insertion of an item of appropriation for equal amount.

**WHEREAS**, the Chief Financial Officer has certified that the City has received a grant in the amount of \$76,119.00 for NJ Historic Trust for the A.H. Holcombe House.

**NOW THEREFORE, BE IT RESOLVED** that the City of Lambertville hereby requests the Director of Division of Local Finance to approve the insertion of an item of revenue in the 2019 CY Budget in the amount of \$76,119.00 which item is now available as revenue from the receipt of the NJ Historic Trust for the A.H. Holcombe House.

**BE IT FURTHER RESOLVED** that a like sum of \$76,119.00 is hereby appropriated under the caption of:

OPERATIONS "EXCLUDED FROM CAP"

NJ Historic Trust for A.H. Holcombe House

**BE IT FURTHER RESOLVED** that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval, with a copy of the letter awarding the Grant.

ADOPTED: December 19, 2019

***RESOLUTION NUMBER 173-2019: A Resolution Requesting the Insertion of a Special Item of Revenue in the Budget of Any County or Municipality Pursuant to N.J.S.A. 40A:4-87 (Chapter 159 P.L. 1948) for the Click it or Ticket Grant in the amount of \$1,200.00.***

**RESOLUTION NO. 173-2019**

**RESOLUTION REQUESTING THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S.A. 40A:4-87 (Chapter 159 P.L. 1948)**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Finance may approve the insertion of any special item if revenue in the budget of any County or Municipality when such item have been made available by Law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for equal amount.

**WHEREAS**, the Chief Financial Officer has certified that the City has received a grant in the amount of \$1,200.00 – Click It or Ticket Grant.

**NOW THEREFORE, BE IT RESOLVED** that the City of Lambertville hereby requests the Director of Division of Local Finance to approve the insertion of an item of revenue in the 2019 CY Budget in the amount of \$1,200.00 which item is now available as revenue from the receipt of the Click It or Ticket Grant.

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**BE IT FURTHER RESOLVED** that a like sum of \$1,200.00 is hereby appropriated under the caption of:

OPERATIONS "EXCLUDED FROM CAP"

Click It or Ticket Grant      \$1,200.00

**BE IT FURTHER RESOLVED** that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval, with a copy of the letter awarding the Grant.

ADOPTED: December 19, 2019

***RESOLUTION NUMBER 174-2019: A Resolution to Make Budget Transfers Between Appropriations in the 2019 General Fund Budget***

**RESOLUTION NUMBER 174-2019**

*A Resolution to Make Budget Transfers Between Appropriations in the 2019 General Fund Budget*

WHEREAS, certain 2019 Budget Appropriation balances are expected to be insufficient for the remainder of the year.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, in accordance with N.J.S.A. 40A:4-58, the Treasurer is hereby authorized to make transfers between appropriations in the 2019 Budget for the City of Lambertville as follows:

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT TITLE</b>	<b>AMOUNT FROM</b>	<b>AMOUNT TO</b>
9-01-20-100-101	Admin S&W	150.00	
9-01-20-110-200	Mayor and Council OE		338.00
9-01-20-120-200	Clerk OE		5,000.00
9-01-20-130-100	Finance S&W		27.00
9-01-20-130-200	Finance OE		30.50
9-01-20-145-200	Tax Collector OE	300.00	
9-01-20-150-200	Tax Assessor OE		3,204.00
9-01-20-151-228	Tax Map	2,000.00	
9-01-20-155-227	City Attorney		16,000.00
9-01-21-180-200	Planning OE	250.00	
9-01-21-181-200	Master Plan OE	400.00	
9-01-21-185-100	Zoning S&W	300.00	
9-01-22-195-100	Construction S&W	650.00	
9-01-22-195-101	Frenchtown S&W	47,300.00	
9-01-22-195-301	Frenchtown OE	7,500.00	
9-01-22-196-233	Fire OE	100.00	
9-01-23-220-299	Group Insurance Active	4,700.00	
9-01-23-220-301	Group Insurance Waivers	56.50	

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9-01-25-240-101	Police S&W		18,305.00
9-01-25-275-200	Prosecutor		3,007.00
9-01-26-290-101	DPW S&W	600.00	
9-01-26-290-102	DPW S&W OT	500.00	
9-01-26-290-250	DPW OE		1,500.00
9-01-26-305-101	Solid Waste S&W		25.00
9-01-26-305-200	Solid Waste OE		12,000.00
9-01-26-310-200	Buildings and Grounds OE		2,520.00
9-01-27-340-200	Dog		4,450.00
9-01-31-465-271	Street Lighting		1,000.00
9-01-36-472-298	Social Security	2,000.00	
9-01-43-490-100	Court S&W	600.00	
<b>TOTALS:</b>		<b>67,406.50</b>	<b>67,406.50</b>

**ADOPTED:** December 19, 2019

**RESOLUTION NUMBER 175-2019:** *A Resolution for the Membership in the Joint Insurance Fund for a Three-Year Term Beginning January 1, 2020 and ending December 31, 2023.*

**RESOLUTION NUMBER 175-2019**

**RESOLUTION FOR RENEWAL OF MEMBERSHIP**

**WHEREAS**, the City of Lambertville hereafter referred to as "**Public Entity**" is a member of the Public Alliance Insurance Coverage Fund, hereinafter referred to as "**Fund**"; and

**WHEREAS**, said renewal membership terminates as of January 1, 2020 at 12:01 a.m. standard time, unless earlier renewed by agreement between the **Public Entity** and the **Fund**; and

**WHEREAS**, the **Public Entity** is afforded the following types of coverages:

- ⊖ Workers' Compensation
- ⊖ Package (property, boiler & machinery, crime, auto & general liability, including Police Professional)
- ⊖ Public Officials Liability
- ⊖ Excess Liability
- ⊖ Auto & General Liability (including Police Professional)
- ⊖ Public Officials Liability
- ⊖ Environmental Impairment Liability

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WHEREAS, the **Public Entity** desires to renew said membership.

NOW THEREFORE, BE IT RESOLVED as follows:

1. The **Public Entity** agrees to renew its membership in the **Fund** for a period of three years beginning January 1, 2020, and ending January 1, 2023 at 12:01 a.m. eastern standard time, and to be subject to the coverages, operating procedures, bylaws, and other organizational and operational documents of the **Fund** presently existing or as from time to time amended by the **Fund** and/or the Department of Banking and Insurance.
2. The **Public Entity** agrees that as a member of the Public Alliance Insurance Coverage Fund the **Public Entity** must purchase all types of coverages offered by the **Fund** which are applicable to the **Public Entity**.
3. The **Public Entity** hereby appoints Cynthia Ege as the **Public Entity's** Fund Commissioner and is authorized to execute the renewal Indemnity and Trust Agreement thereby evidencing annexed hereto and made a part hereof and to deliver same to the **Fund** the **Public Entity's** renewal of its membership.

This Resolution agreed to the 19th day of December, 2019, by a vote of:

\_\_\_ Affirmative

\_\_\_ Abstain

\_\_\_ Negative

\_\_\_ Absent

By: \_\_\_\_\_

~~RESOLUTION NUMBER 176-2019: A Resolution to Authorize the Increase in the Contract with Waste Management for Garbage and the Third Can Refuse for the 2019 Calendar Year in an Amount Not to Exceed \$130,000.00.~~

**~~RESOLUTION 176-2019~~**

~~A Resolution to Amend Resolution Number 26-2019, and 165-2019, Authorizing an Increase in the Contract with Waste Management for Garbage and Solid Waste Disposal and the Recycling of Food Waste~~

**~~NOW THEREFORE BE IT RESOLVED~~**, that governing body of the City of Lambertville in the County of Hunterdon, State of New Jersey, do hereby authorize the increase in the contract with Waste Management for garbage/solid waste disposal for a term of one year beginning January 1, 2019 and ending December 31, 2019 as follows:

Waste Management of New Jersey, at an annual rate not to exceed \$130,000.00;  
(an increase of \$12,000.00).

**~~ADOPTED~~**: December 19, 2019



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RESOLUTION NUMBER 177-2019: A Resolution to Authorize the Redemption of a Tax Lien for Block 1077, Lot 24, 81 Coryell Street in the Amount of \$54,797.06.

**RESOLUTION 177-2019**

*A Resolution Authorizing the Redemption of a Tax Lien for Block 1077, Lot 24 In the Amount of \$54,797.06*

**WHEREAS**, Tax Lien Certificate 15-00010 issued on Block 1077 Lot 24 was sold to US BANK CUST BV001 TRST & CRDTRS, 50 South 16<sup>th</sup> Street, Suite 2050, Philadelphia, PA 19102 on 12/13/2019 and

**WHEREAS**, payment has been received by the Tax Collector for redemption of the tax lien from a Bonnie Bishop, mortgage holder/interested party.

**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 US BANK CUST BV001 TRST & CRDTRS, 50 South 16<sup>th</sup> Street, Suite 2050, Philadelphia, PA 19102 for the redemption of tax lien certificate #15-00010 in the amount of: \$54,797.06

In addition, the City is holding a premium in the amount of \$25,800.00

and upon redemption this is due back to the lienholder.

2 checks for the lienholder –

Check 1= \$54,797.06

Check 2= for premium= \$25,800.00

ADOPTED: December 19, 2019

~~RESOLUTION NUMBER 178-2019: A Resolution to Authorize the Increase in the Contract with Hunt and Faherty to Service as Prosecutor for the 2019 Calendar Year at a Not to Exceed Rate \$39,185.17~~

**RESOLUTION NUMBER 178-2019**

~~*“Authorizing the Increase in the Contract for Professional Service for City Prosecutor in an Amount Not to Exceed \$338,185.17”*~~

**NOW, THEREFORE, BE IT RESOLVED** that the Council Members of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey hereby confirms the nomination made by Mayor Fahl for a term beginning January 1, 2019 and ending December 31, 2019 for the City Prosecutor is here by amended to read:

~~Municipal Prosecutor and Assistant Prosecutor:~~ Philip J. Faherty III & Sean Faherty of Hunt and Faherty, Attorneys to serve as Municipal Court Prosecutor and Assistant Prosecutor with a contract rate not to exceed \$39,185.17 term: January 1, 2019 through December 31, 2019;

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~~BE IT FURTHER RESOLVED~~ that these contracts are being awarded as described through the Fair and Open Process, "a process that provides for public solicitation of proposals OR qualifications," as defined under the N.J.S.A. 49:44-20.4.

~~ADOPTED:~~ December 19, 2019

RESOLUTION NUMBER 179-2019: A Resolution to Authorize the Refund of Construction Permit Fee for the Borough of Frenchtown in the Amount of \$175.00 to Melissa Kull for 27 Fifth Street.

**RESOLUTION NUMBER 179-2019**

*A Resolution to Authorize the Refund of Construction Permit Fee for the Borough of Frenchtown in the Amount of \$175.00 to Melissa Kull for 27 Fifth Street*

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Lambertville that the refund of the fee for construction permit number 19-11099 for block 25, lot 9 to Melissa Kull, 27 Fifth Street, for the Borough of Frenchtown is hereby authorized.

ADOPTED: December 19, 2019

~~RESOLUTION NUMBER 180-2019: A Resolution to Amend Resolution Number 27-2019 for the Contract Amount with St. Hubert's for Animal Control Services for the 2019 Calendar Year with a Not to Exceed Amount of \$15,624.00.~~

**~~RESOLUTION 180-2019~~**

~~*A Resolution to Authorize the Contract for Animal Control Services with St. Hubert's Animal Welfare Center with A Contract Rate Not to Exceed \$ Beginning January 1, 2019 and Ending December 31, 2019*~~

~~**NOW THEREFORE BE IT RESOLVED**, that governing body of the City of Lambertville in the County of Hunterdon, State of New Jersey, do hereby authorize the Mayor and City Clerk to sign the following contract for animal control services for a two-year term beginning January 1, 2018 and ending December 31, 2019 at a contract rate not to exceed \$15,624.00 for 2019.~~

~~ADOPTED:~~ December 19, 2019

RESOLUTION NUMBER 181-2019: A Resolution to Rescind Resolution Number 167-2019, Professional Services Contract with Brian Clicos of DiFrancesco Firm to Serve as Alternate Prosecutor in an Amount Not to Exceed \$1,000 for the 2019 Calendar Year.

RESOLUTION NUMBER 181-2019

*A Resolution to Rescind Resolution Number 167-2019, Professional Services Contract with Brian Clicos of DiFrancesco Firm to Serve as Alternate Prosecutor, in An Amount Not to Exceed \$1,000, for the 2019 Calendar Year.*

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**NOW THEREFORE BE IT RESOLVED**, that governing body of the City of Lambertville in the County of Hunterdon, State of New Jersey, rescinds Resolution Number 167-2019, authorizing the contract with Brian Clicos of DiFrancesco Firm to serve as Alternate Prosecutor for the 2019 calendar year in an amount not to exceed \$1,000.00, because the services are not needed in 2019.

**ADOPTED:** December 19, 2019

**RESOLUTION NUMBER 182-2019:** *A Resolution to Authorize the Business Administrator to Execute the Contract with the ACME Screening Room for the Film Series at the Justice Center, Awarded October 17, 2019 through Resolution Number 142-2019.*

**RESOLUTION NUMBER 182-2019**

*A Resolution to Authorize the Business Administrator to Execute the Contract with the ACME Screening Room for the Film Series at the Justice Center, Awarded October 17, 2019 through Resolution Number 142-2019*

**NOW THEREFORE BE IT RESOLVED**, that governing body of the City of Lambertville in the County of Hunterdon, State of New Jersey, that the Business Administrator, Alex Torpey, is hereby authorized to execute the contract with the ACME Screening Room as authorized through Resolution Number 142-2019 on October 17, 2019.

**ADOPTED:** December 19, 2019

Council President Asaro asked for a motion to approve the resolutions listed on the consent agenda, numbers 169-2019 through 182-2019, minus 176-2019, 178-2019 and 180-2019. Mayor Fahl made the motion and Council President Asaro seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present with Councilwoman Urbish abstaining. MOTION CARRIED.

**APPROVAL OF THE BILLS LIST**

Council President Asaro asked for a motion to approve the Bills List and the amended Bills List. Councilman Sanders made the motion and Councilwoman Taylor seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present with Councilwoman Urbish abstaining. MOTION CARRIED.

**IX. ORDINANCES – FIRST READING**

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**ORDINANCES – SECOND READING**

ORDINANCE NUMBER 28-2019: An Ordinance of the City of Lambertville, Amending Chapter X, Section 10-7 of the City Code Entitled “Rental of Housing Units” and Chapter XI Entitled “Fire Prevention”

Council President Asaro read the Ordinance into the record by title. She informed the members of the public present that this ordinance is to amend the Fire Prevention and Landlord Registration Ordinances and make the system easier for property owners and safer for renters.

**ORDINANCE NUMBER 28-2019**

**AN ORDINANCE OF THE CITY OF LAMBERTVILLE AMENDING CHAPTER X,  
SECTION 10-7 OF THE CITY CODE ENTITLED “RENTAL OF HOUSING UNITS”  
AND CHAPTER XI ENTITLED “FIRE PREVENTION”**

**WHEREAS**, the City Council of the City of Lambertville (the “City Council”) is responsible for promulgating regulations to protect the health, safety and general welfare of its residents and property owners; and

**WHEREAS**, City Council recognizes that frequent continuous noncompliance of Chapter X, Section 10-7 and Chapter XI of the City Code leads to the creation of a blighted effect on residential neighborhoods throughout the community negatively impacts the health, safety, and welfare of the residents and property owners of the City of Lambertville; and

**WHEREAS**, the City Council has determined that in order to protect the public health, safety and welfare of residents and property owners it is necessary to amend the existing provisions of the City Code to permit for a more efficient process of abating violations of Chapter X, Section 10-7 and Chapter XI, particularly when recurring violations at the same property location continue to appear; and

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Lambertville, in the County of Hunterdon, State of New Jersey that Chapter XI of the City Code be and is hereby amended as follows:

**SECTION I: AMENDED SECTIONS.** Chapter XI of the City Code of the City of Lambertville entitled “Fire Prevention” shall be amended and supplemented as follows:

- 1) §11-1.2 “Agency Designation and Duties” shall be amended as follows:
  - a. The local enforcing agency shall be the Bureau of Fire Prevention which is hereby created in the City. The agency shall have at least one (1) paid fire official and shall enforce the New Jersey Uniform Fire Safety Act and the codes and regulations adopted under it in all buildings, structures and premises within the established boundaries of the City as required by law, and all codes and regulations in this any other applicable chapter of municipal code.

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- 2) §11-1.3 “Organization” shall be amended as follows:

The local enforcing agency established by subsection 11-1.2 of this section shall be a part of the City and shall be under the direct supervision and control of the Fire Official who shall report to the Business Administrator and Mayor.

- 3) §11-1.5 “Life Hazard Uses” shall be retitled as “Life Hazard Uses (LHU)” and amended as follows:

The local enforcing agency established by subsection 11-1.2 of this section shall carry out the periodic inspections of life hazard uses, as defined under N.J.S.A. 52:27D-196 of the Uniform Fire Safety Act, N.J.S.A. 52:27D-192 et seq. and as required by the Uniform Fire Code on behalf of the Commissioner of Community Affairs. Permits for the required inspections shall be as mandated and set forth in the Uniform Fire Safety Act and N.J.A.C. 5:70-1.1 et seq. (1990 Code §11-1.5; Ord. No. 2005-07).

- 4) §11-1.6 “Non-Life Hazard Uses” shall be amended as follows:

- a. In addition to the regulations required by the Uniform Fire Safety Act, N.J.S.A. 52:72D-192 et seq., the following non-life hazard uses shall register with the Bureau of Fire Prevention and pay annual fees pursuant to the “Non-LHU Fee Structure.”

3. §11-1.6(a)(3) shall be deleted in its entirety.

4. §11-1.6(a)(4) shall be deleted in its entirety.

5. §11-1.6(a)(5) shall be deleted in its entirety.

- b. §11-1.6(b) shall be deleted in its entirety

- c. §11-1.6(c) shall be deleted in its entirety.

- e. Inspections of Non-Life Hazard Units.

1. Definitions. Unless expressly defined under this subsection, any and all terms relevant to this section shall be the same as those definitions as set forth in the Hotel and Multiple Dwelling Law, N.J.S.A. 55:13A-3, and such definitions are specifically incorporated into this section by reference herein. Additionally, the following terms shall be defined as follows:

- a. “Residential Rental Unit” shall mean any one- or two-family dwelling unit that includes or provides for the rental of any space or room within the dwelling unit or on the property of the dwelling unit, in exchange for consideration, for any period of time, by a non-immediate family member.

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2. Inspections. Each Non-Life Hazard Unit shall be inspected at least once during each twenty-four-month period by a City of Lambertville Fire Official or Fire Inspector for the purpose of determining the extent that the Non-Life Hazard Unit complies with the City's fire and safety codes or State UFC. All such premises or buildings shall be subject to such inspection and registration, regardless of any other state or municipal inspections which may be conducted of such premises.

3. Inspection fee. The owner of each Non-Life Hazard Unit shall pay a fee for inspection of the subject premises.

a. Multi-family. The fees are hereby established at \$100 for the inspection of the common areas in premises with more than three dwelling units and \$10 per unit of dwelling space for all premises.

b. Residential Rental Unit. The fees are hereby established at \$50 annually for the inspection of each premises.

c. All other Non-LHU fees are as follows:

For each occasion that an owner fails to provide access after receipt of

<b>NON-LHU FEE STRUCTURE</b>	
<b>UCC Code Type</b>	<b>2020 Annual Fee</b>
<b>Business Use Group</b>	
under 2,500 square feet	\$55.00
2,500-4,000 square feet	\$105.00
5,000-9,999 square feet	\$130.00
10,000 square feet and over	\$155.00
<b>Factory Use Group</b>	
under 5,000 square feet	\$105.00
2,500 and over square feet	\$130.00
<b>Mercantile Use Group</b>	
M-1 under 6,000 square feet	\$80.00
M-2 6,000-11,000 square feet	\$155.00
<b>Storage Use Group</b>	
S-1 under 2,500 square feet	\$55.00
S-2 2,500 square feet and over	\$105.00
<b>Utilities Use Group</b>	
U-1 under 2,500 square feet	\$105.00
U-2 2,500 square feet and over	\$205.00

two notices, a fee of \$75 shall be imposed in addition to the inspection fee.

4. Persons authorized to conduct inspections. The inspection shall be conducted by a municipal official authorized by the City and certified as a Fire Official or Fire Inspector. Such official may be accompanied by any other City official necessary to conduct adequate fire and safety inspections. Such inspections will be performed under the direction of the Fire Official, Business Administrator, and Mayor.

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5. Powers of Inspectors. The inspectors under this section are hereby granted all the powers necessary and appropriate to carry out and execute the purposes of this section, including, but not limited to the power to:

- (c) Compel the owner of any Non-Life Hazard Unit to produce any and all files, books, documents or other objects which are necessary in order to carry out the purposes of this section.

- 5) §11-1.11 “Certificate of Smoke Detector and Carbon Monoxide Detector Compliance” shall be amended as follows:

The fee for a Certificate of Smoke Detector and Carbon Monoxide compliance as required by N.J.A.C. 5:70-2.3 shall be sixty-five (\$65.00) dollars. (1990 Code §11-1.11; Ord. No. 2003-08 §2; Ord. No. 2005-07; Ord. No. 03-2012).

- 6) §11-5 shall be titled “Annual Landlord Registration Addendum (ALRA)” and codified as follows:

The owner of any Life Hazard Unit or Non-Life Hazard Unit in the City of Lambertville that is offered for rental, whether in whole or in part, shall file with the Fire Official an ALRA, which, when possible, shall be integrated by the City into any existing annual filing requirements.

1. The ALRA shall be filed annually by January 1<sup>st</sup> and any ALRA received after February 1<sup>st</sup> shall be considered late and subject to applicable late fees.

2. All ALRAs must be filed electronically pursuant to instructions that the City will distribute annually to all Landlords. The City has absolute and sole discretion to determine whether a filed ALRA is complete. If the City notifies a Landlord that additional information or resubmission is required, the Landlord must respond to the City’s notice within five (5) business days, otherwise late fees may be assessed

Chapter X of the City Code of the City of Lambertville entitled “Rental of Housing Units” shall be amended and supplemented as follows:

- 1) The phrase “Landlord Registration Statement” shall be replaced with “Annual Landlord Registration Addendum (ALRA), in accordance with Chapter XI of the City Code” throughout Chapter X, §10-7 of the City Code.
- 2) §10-7.2 “Landlord’s Registration Statement Required” shall be retitled as “Annual Landlord Registration Addendum (ALRA) Required.”
- 3) §10-7.4 “Landlord Registration Statement Required” shall be retitled as “Annual Landlord Registration Addendum (ALRA) Required.”

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**SECTION II: SEVERABILITY.** In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reasons, then the City Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the City to meet the goals of the Ordinance.

**SECTION III: EFFECTIVE DATE.** This Ordinance shall take effect upon final passage and publication in accordance with the law.

Mayor Fahl opened the public hearing on Ordinance Number 28-2019 and she thanked the Business Administrator, Councilwoman Taylor and the Fire Official for their work on this new ordinance. Mayor Fahl asked for Council comments. There being no Council comments, Mayor Fahl asked for public comments.

There being no public comments, Mayor Fahl asked for a motion to close the public hearing for Ordinance Number 28-2019. Councilman Sanders made the motion to close the public hearing and Council President Asaro seconded the motion. An affirmative voice vote was taken in favor of the motion to close the public hearing with Councilwoman Urbish abstaining. MOTION CARRIED.

Mayor Fahl asked for a motion to adopt on second reading Ordinance Number 28-2019. Councilman Sanders made the motion and Councilwoman Taylor seconded the motion. An affirmative voice vote was taken in favor of the motion to adopt on second reading Ordinance Number 28-2019 with Councilwoman Urbish asbstaing. MOTION CARRIED.

**ORDINANCE NUMBER 29-2019:** *An Ordinance of the City of Lambertville, 2014, Chapter V, General Licensing, Section 6, Bingo and Raffles, to Permit the City Clerk to Submit Qualified Applications to the State of New Jersey, Legalized Games of Chance Control Commission for Bingo and Raffles.*

Council President Asaro read the ordinance into the record by title. She informed the members of the public present that this Ordinance will make it easier for nonprofit organizations when filing their raffle and bingo applications with the City for submittal to the State of New Jersey's Legalized Games of Chance Control Commission.

**ORDINANCE NUMBER 29-2019**

*An Ordinance of the City of Lambertville, 2014, Chapter V, General Licensing, Section 6, Bingo and Raffles, to Permit the City Clerk to Submit Qualified Applications to the State of New Jersey, Legalized Games of Chance Control Commission for Bingo and Raffles*

BE IT RESOLVED BY THE Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey that Chapter V, General Licensing, Section 6, Bingo and Raffles is hereby amended to read:

5-6.1 License Required.



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It shall be unlawful for any person whether as principal or agent, clerk or employee, either for himself or any other person, or for anybody corporate or as an officer of any corporation, or otherwise, to conduct bingo or raffle games without obtain a license from the City Clerk as required by N.J.S.A. 5:8-1 et seq. or any other State law.

FIRST READING AND INTRODUCTION: November 26, 2019

SECOND READING AND ADOPTION: December 19, 2019

Council President Asaro opened the public hearing for Ordinance Number 29-2019 and asked for Council Comments. There being no Council comments, Council President Asaro asked for public comments. Mayor Fahl asked for a motion to close the public hearing on Ordinance Number 29-2019. Councilwoman Taylor made the motion to close the public hearing and Councilman Sanders seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present with Councilwoman Urbish abstaining. MOTION CARRIED.

Council President Asaro asked for a motion to adopt on second reading Ordinance Number 29-2019. Mayor Fahl made the motion and Councilwoman Taylor seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present with Councilwoman Urbish abstaining. MOTION CARRIED.

**ADMINISTRATIVE REPORT – Business Administrator**

**Update on the 2020 Budget Process**

The Business Administrator reviewed packet number 5 with the members of the Governing Body and Public.

Mayor Fahl commented that the City is relying too much on nontax revenue and that creates trust issues between the staff and the public.

Michael Heffler, 504 Titus Road commented that the thing that jumps out is the debt service. Mayor Fahl commented that this was discussed in the previous meetings, the fund for debt service was populated by the city borrowing for capital projects, spending under what we borrowed and then putting the money in the fund for debt service. In 2019, the City had a \$250,000 debt service which was paid for through this fund. The City's debt service payments are approximately 24% of our total appropriations.

Mayor Fahl commented that the Governing Body will have conversations about what we would like the 2020 budget to look like, build out a real policy so that regardless of who serves on Council or elected as Mayor, they are codified policies that goes with the decision-making to empower Mayor and Council.

The Business Administrator continued with the slide presentation and covered the problem statements; process for generating surplus; total amount of debt accrued; the process for funding debt service and the lack of capital planning and project budgets; lack of certain/necessary items in the operating budget; not keeping up with the rising

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costs; existence of a structural deficit; and examples of goals or metrics were reviewed with the Governing Body and the members of the public.

Mayor Fahl commented that the Governing Body will continue on adopting a metrics resolution or document to codify all of the work we have been doing to have a public document that we can hold ourselves accountable but so can the public.

The Business Administrator wrapped it up by reviewing the appropriations and informing the members of the public that they have not kept the pace with inflation or the needs of the community. The capital projects, debt service, professional fees and ratable base has not grown sufficiently to cover the cost of all of the above.

Mayor Fahl reviewed the strategies with the Governing Body and members of the public. She commented that she has been hosting budget talks in people's homes and this will continue to be that take away. The outlines that we are not without options of how to start to deal with the structure deficit issues, which is the driver of how we are going to make decisions moving forward was reviewed.

Mayor Fahl asked for any questions from the Governing Body and/or the public. There being no questions, she thanked the Business Administrator for his work, for the new level of transparency. She appreciates him working so diligently on this project.

**X. ONGOING PROJECTS** – no update was given.

Garbage, Recycling and Food Waste/Third Can Collection

LMUA Force Main and Swan Creek Flood Gates

**XI. CONSTITUENT CONCERNS/NEW BUSINESS**

Arts Improvement District - no update was given.

Area in Need of Rehabilitation Discussion - no update was given.

Swan Creek Flood Gate Project - no update was given.

CRS Committee Report: Mayor Fahl asked the City Clerk to give an update on the CRS Committee. The City Clerk reported that the committee met the beginning of December and the 2019 status report was submitted to ISO. The Committee will focus on completion of the PPI and investigating other ways and strategies to achieve a lower score so that property owners in the flood zone receive additional discounts on their insurance.

Community Development Fair: *Engaging with Stakeholders on the future of Lambertville!*

Mayor Fahl announced that the City will host a Community Development Fair on Saturday, February 2, in the All-Purpose Room at the Lambertville Public School from 10 am to 2 pm. This is an opportunity for the public to meet with professionals, city staff, about the different policies that we are going to address such as Sustainability,

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Flooding, Budget, Potential Area in Need of Rehabilitation – City Wide; Facilities Concerns, and other cost drivers. This is an opportunity to hear about how this will affect you in your personal homes beyond your tax bill.

New Office Hours

Mayor Fahl informed the members of the public that beginning January 7<sup>th</sup>, the staff at City Hall will be working late on Tuesday evening and leaving early on Fridays.

**CORRESPONDENCE**

STATE OF NEW JERSEY DOT: *Notice of the award of a grant in the amount of \$150,000.00 for Road Improvements to: Douglas Street (Stryker to Highland), Grant Avenue (Belvidere to Coryell Road), Grant Avenue (Coryell to the dead end), Swan Street (Franklin to Studdiford) and Highland Avenue (Studdiford to Boozer).*

STATE OF NEW JERSEY, DEP: *Clean Water State Revolving Fund Intended Use Plan.*

**ANNOUNCEMENTS**

JUSTICE CENTER PARKING: Space Number 16 is available for lease at the Phillip L. Pittore Justice Center. The fee is \$55 per month. Please call Shelley at 609-397-0110, ext. 12 for additional information.

OFFICE CLOSURES:

CHRISTMAS: *All City Offices will be closed for the Christmas Holiday on Tuesday and Wednesday, December 24 and 25. Garbage and Recycling scheduled for Tuesday and Wednesday will be picked up as follows:*

*December 24 garbage and recycling will be picked up on December 23<sup>rd</sup>;*

*December 25 garbage and recycling will be picked up on December 26;*

**PUBLIC PARTICIPATION/PUBLIC CONCERN**

Michael Heffler, 504 Titus Drive informed the members of the Governing Body and public that the Califon Cooperative will have six additional municipalities joining the cooperative which should decrease the rate for procurement of electric service.

**CLOSED SESSION:** The Governing Body will go into Closed Session to discuss matters related to COAH (attorney-client and litigation matter) and Professional Service Contracts (contracts).

**RESOLUTION**

*“Authorizing a Closed Session at the December 19, 2019 Lambertville City Council Meeting to Discuss Matters Related to COAH (attorney-client and litigation matter) and Professional Service Contracts (contracts)”*

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**WHEREAS**, the Council of the City of Lambertville is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.; and

**WHEREAS**, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that a closed session, not open to the public, may be held for certain specified purposes when authorized by N.J.S.A 10:4-12(b).

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Lambertville that a closed session shall be held on December 19, 2019, in the Phillip L. Pittore Justice Center, located at 25 South Union Street, Lambertville, to discuss the following matters: *matters related to COAH (attorney-Client and litigation matter) and Professional Service Contracts (contracts).*

**BE IT FURTHER RESOLVED** that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Lambertville Mayor and City Council.

ADOPTED: December 19, 2019

Mayor Fahl and City Council convened in closed session at 7:55 p.m. with a motion made by Councilman Sanders and seconded by Council President Asaro. An affirmative voice/roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Mayor Fahl and City Council re-convened in regular session at 8:43 p.m. with a motion made by Councilman Sanders and seconded by Council President Asaro. An affirmative voice/roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

**ADJOURNMENT**

The meeting adjourned at 8:43 p.m. with a motion made by Councilman Sanders and seconded by Council President Asaro. An affirmative voice vote was taken in favor of the motion by all members present.

Respectfully submitted,

Cynthia L. Ege  
CMR, RMC, City Clerk

*The December 19, 2019 session minutes were approved by the Governing Body at the January 21, 2020 voting session.*