



**City of Lambertville**  
**SPECIAL SESSION**  
**TUESDAY, SEPTEMBER 24, 2019, 7:00 PM**  
**CITY HALL**  
**18 YORK STREET**  
**MINUTES**

**COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT**

Mayor Fahl called the meeting to order at 7:01 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:

This meeting is being held in compliance with the Open Public Meetings Act, with notice provided to the newspapers on Friday, September 20<sup>th</sup>, emailed to the list serve, department heads, and posted on the website and bulletin board at City Hall.

**ROLL CALL**

The City Clerk called the roll as follows:

Present: Councilman Sanders, Councilwoman Taylor, Councilwoman Warner, 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 the moment of silence in honor of those serving in the United States Armed Forces in Country and abroad.

**ANNOUNCEMENTS**

Mayor Fahl read the announcements into the record.

The Annual House Tour sponsored by the Lambertville Historic Society will be held on Sunday, October 20, 2019. For additional information please visit <https://lambertvillehistoricalsociety.org/>.

Halloween Parade: The annual Halloween Parade will be held on Sunday, October 27, 2019. For additional information, please visit: [lambertvillenj.org/Halloween](http://lambertvillenj.org/Halloween)

Trick or Treating in the City of Lambertville: The City of Lambertville will close North Union Street between York and Buttonwood Streets on October 31, 2019 from 5:30 to 8 pm. Trick or Treating will take place from 6 to 8 pm.

The Annual Pet Parade will be held on Saturday, October 19, 2019 with a rain date of Sunday, November 3.

**PUBLIC PARTICIPATION**

Stephanie Moss was present to address the Governing Body regarding Ordinance Number 22-2019, the Overlay Ordinance for the Auto Parts Store. She commented that 1.5% had to be included as low to moderate, if it was 4 units, it is at least .15, .25 is bigger than .15. Again, she said she is in the weeds it does say .15. The City Planner responded to her comment by saying COAH rules are difficult to stray from. For a rental unit, at least .15% must be set aside, 20% for owner occupied. It is financially not

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feasible to do a higher percentage because it cost the same to build the affordable unit. It may be easier for redevelopment. The builder can do payment in lieu of and that requirement would be 1.9% which rounded up is 2 units. Mayor Fahl commented that the market forces standards that the city has to follow if we want to see this built. To entice a builder, you have to be able to generate a profit. The City Planner commented that 6 units would produce .9 of a unit, the developer could be for .9 of a unit or round up. 4 units, .25 could be 1 unit. Ms. Moss commented that the ordinance says at least .15 are included. Is it viable for a developer? Probably not, then don't put "at least" in the ordinance.

Councilwoman Taylor commented that at a bare minimum, they could put more. If you have 8 units with .15% you could have 2 or 3 units as affordable housing. The COAH Rules say "at least 15 or 20%, it is straight out of COAH. It is rare for a developer to do more. The City Planner commented that the City would need to get Fair Share Housing to agree that it is a realistic opportunity for a developer to build.

Mayor Fahl responded that she understands the concerns. We would like to build affordable housing. We could put an overlay that says 100% affordable housing but it would not happen because no one would build it.

Stephanie Moss commented that the assessment value and taxes are currently \$7,000 on the property. It is probably more than that, however, for the City, in my opinion, if you get three town houses that are paying taxes at \$12,000 for \$13,000 per unit, that would be realized for the City, isn't that worth it? Mayor Fahl said she appreciated the question but we have an obligation with fair share housing. If we do not meet that obligation it has a significant financial obligation to the City. Ms. Moss asked if going with more than a few units, less than 8, more than 4, you still have parking issues. And, if they file an application with one of the boards, it will get approved. That was the biggest issue from the beginning.

**CLOSED SESSION:** The Governing Body will go into closed session to discuss COAH Litigation Matters (attorney-client and litigation matter).

**RESOLUTION**

*"Authorizing a Closed Session at the Special Session of the Lambertville City Council Held on September 24, 2019 to Discuss COAH Matters and Potential Litigation"*

**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 September 24, 2019, in the Meeting Room of

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City Hall, located at 18 York Street, Lambertville, to discuss the following matter: COAH Litigation Matters.

**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: September 24, 2019

Mayor Fahl and City Council convened in closed session at 7:14 p.m. with a motion made by Councilman Sanders and seconded by Councilwoman Taylor. 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 10:03 p.m. with a motion made by Council President Asaro and seconded by Councilwoman Warner. An affirmative voice/roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

**ADJOURNMENT**

The meeting adjourned at 10:03 p.m. with a motion made by Councilman Sanders and seconded the Council President Asaro. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Respectfully submitted,



Cynthia L. Ege  
CMR, RMC, City Clerk



*The September 24, 2019 Special Session Minutes were approved at the Regular Voting Session held on October 17, 2019.*