



City of Lambertville
REGULARLY SCHEDULED SESSION
TUESDAY, SEPTEMBER 1, 2020, 7:00 PM
VIRTUAL MEETING USING ZOOM
MINUTES

Please use this link to obtain information for meeting participation:
<http://lambertvillenj.org/virtualmeetings>

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:

This meeting is being held in compliance with the Open Public Meetings Act with the Annual Notice advertised in Trenton Times, provided to the Hunterdon County Democrat and Trenton Times, the posting of the meeting agenda on the Bulletin Board at City Hall, on the City's website at www.lambertvillenj.org, on the exterior door of the Elevator Entrance at City Hall, and to department heads and the listserv.

This meeting is being recorded using the Zoom Meeting profile. The video will be uploaded to YouTube, and a link to the meeting will be made available on the City's website at www.lambertvillenj.org/virtualmeetings approximately two business days following the meeting.

Recording will begin upon the meeting's call to order and will conclude upon adoption of the motion to adjourn the meeting. The meeting recording may be formatted to enhance to quality of the video and audio but will not be edited for content. The meeting minutes will continue to serve as the official record of the City of Lambertville and the meeting recording is being provided to the members of the public as a convenience.

Instructions on how to participate in the meeting were emailed through the City's listserv, provided on a call-in message at City Hall, posted on the City's website at www.lambertvillenj.org and will be read into the record at the beginning of the meeting and again during Public Participation.

ROLL CALL

The City Clerk called the roll as follows:

Present: Councilman Sanders, Councilwoman Taylor, Councilwoman Urbish,
Mayor Fahl

Absent: Council President Asaro

Also present: Cindy Ege – City Clerk, Kristina Majeski – Deputy Clerk, William Opel – City Attorney

CITY ATTORNEY STATEMENT REGARDING COUNCIL SESSIONS

William Opel, the City Attorney, read the following statement into the record.

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Based on the public health emergency caused by the COVID-19 virus, the State of New Jersey and the City of Lambertville have taken necessary action to ensure the continued regular operation of government.

Pursuant to the Open Public Meetings Act, formal action by the Governing Body must be taken in public, at a meeting that is adequately noticed to invite public participation and maximum transparency. **Such requirements are not set aside during times of emergency, and therefore the City and its Governing Body MUST proceed with conducting these necessary meetings, in accordance with State law, and in a manner that ensures optimum transparency.**

Despite recent amendments to OPMA providing for electronic notice of any meeting, the City will continue to provide the standard statutory notice for its meetings by posting such notice in City Hall and publishing notice with The Trenton Times and Hunterdon County Democrat.

We would like to note the following, as the City has formulated a specific plan as to how to proceed with Governing Body meetings for the foreseeable future:

The OPMA, as amended, authorizes governing bodies to conduct public meetings through use of streaming services and other online meeting platforms. The City will utilize Zoom video conferencing, which also provides a dial-in feature if residents would prefer to participate by phone rather than video, as well as teleconferencing for those who wish to connect by phone only.

The City will continue to rely on the procedures currently in place for public comments directed to City officials during all meetings. **There will be no change to the City's public comment policy for virtual meetings.**

The City, at all times, will act within the requirements of the OPMA for meetings conducted during this public health emergency so that the City government can continue to provide services to the community, and the public can continue to participate and provide comments, without interruption.

PLEDGE OF ALLEGIANCE

Mayor Fahl and the members of Council and Public to stand for the Pledge of Allegiance and to continue to stand for a moment of silence in honor of those serving in the United States Armed Forces in Country and Abroad and for those serving on the front lines of COVID19.

COUNCIL DISCUSSION

Management of Meetings and Public Comment

Mayor Fahl addressed the public about the change in process from allowing public comment prior to each action to the way we are dealing with public comment, to allow for public comment at the beginning and end of each meeting and reserve public comment for only ordinances that have a public hearing. This will allow the governing body to condense meeting time.

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Discussion:

Councilwoman Taylor confirmed two sections devoted to public comment and ordinances. Mayor Fahl confirmed.

Mayor Fahl commented that it was good for the Governing Body to deliberate first, but the meetings are too long and the dialogue is net negative and people feel they cannot comment.

Councilwoman Taylor expressed concern about how this could play out and end up causing a longer meeting. She asked for rules of engagement to be enforced efficiently and expressly. Mayor Fahl commented that we have not been enforcing the three minute time limit but we will begin to do that and will not allow repeated comments.

Councilwoman Urbish asked if this was temporary or a trial. Make this very clear that we will try it out and then go back if it isn't working. It is important to find a way to shorten these meetings so they are more accessible. Gives an opportunity for members of the public to bring these to the city's attention. Rules of engagement on the screen, time limits, no repeats. Thinks we should consider, if we have members speaking to have their video on. That personal connection could also be helpful in this conversation and dialogue.

Councilman Sanders, number of participants it wains as we hit hours 3 and 4. Likes the order and appreciates the real time, I like but I fear we are losing folks on the back end.

Unless someone is putting something on the record that is false, we should take the comments in. lose the back and forth but there are some plus sides.

Community Advisory Team Presentation – Paul Kuhl & Sarah Gold

Dr. Sarah Gold and Mr. Paul Kuhl joined the meeting and gave an introduction to the members of the public.

The screen was shared with the members of the public and is attached to the minutes and marked as Addendum 1.

Members of the CAT were acknowledged for the hours they invested in the CAT to date. In developing the survey, getting info out to the community.

Sarah Gold reviewed the survey methods: mailer, emails through list serve, posts on Facebook page and a link on the website. Advertised and written in English and Spanish.

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The schedule was reviewed with the members of the public. Phase II facility needs will be started in early October.

Goals for engagement in Phase II: want more engagement from Spanish speaking individuals; engage as many people as possible; increase outreach to those without internet; ongoing multimedia communications.

Members of the public were asked to contact the chairs of the CAT at the following email with questions or comments: catchairs@lambertvillenj.org

Governing Body questions:

Mayor Fahl: since your charge began in early June, the CAT has put in 800, to 1,000 hours of volunteer work to ensure direct community input. Very proud of that effort and how seriously each member has taken charge. This has been an incredible success for phase I with some clear steps for the design phase.

Mayor Fahl commented that there was concern about the cost to maintain the site after it was built and she asked for clarification. Sarah Gold responded that is an area of misunderstanding. The site will be sold and the City will not be responsible for maintaining the site.

Mayor Fahl commented that the public's response was as much as possible within the realm of development we should maintain the building within the current footprint, do you feel that is a fair recommendation. Sarah Gold responded yes. Mayor Fahl asked if we maintain that feature and the RSIS findings 1.5 spaces for bedroom, that limits our scope to what our minimum occupancy for the agreement with the court (23 and 25 units with parking underneath). Does that seem fair? Sarah Gold said yes, Paul Kuhl added depending on the number of units, fair share requires 5 units, 1 3 bedroom, and then it is a matter of how many other units could be included, studios, could be the developer close to 35. This survey did what we asked it to do, go to the community and figure out the appetite for the size of the building. In the next round of design vetting, what other values, all of the buildings we provide, will be in that size range. Functionally, the city won't be considering a larger building than 23 – 25 units.

Councilwoman Urbish commented obviously you did a lot of outreach on a number of platforms and it took a lot of volunteer hours, and she was pleased to see how many responded to the survey. For the next step, (design focus public meeting), I want to put into your brain, how can we make sure we are getting significant participation in that, representative and diverse participation and she asked for additional strategies for Spanish speaking. She wants to be sure to include people that have lived here for a long time, recently moved here, making sure we have a good representative level of

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participation, and asked for strategies to reach out. She asked how this council can this council be helpful?

Mayor Fahl commented we wanted a not just diversity of thought leaders, but stakeholder groups in the city to find representatives that had other things in their work life, like engineers, etc. One of the things that is charge to each CAT member is to go out and push their groups to fill out the survey. It would be interesting, if we do another round of surveys, having a scatter plot of where those groups are; the density of where they are responding from, tracking the demographics would be easy. Sarah Gold agreed. Paul Kuhl added that clearly this is something we want to address as we shift form phase 1 to phase II.

Sarah Gold commented that reaching people who are not on computers, online due to COVID19, looking into ways to advertising in an analog world with different ways for people to participate. They are thinking of arranging a drop box at City Hall so if people have other feedback they can put it there. Mr. Kuhl commented that members of the CAT are doing their job but great if others are doing it too. He asked the community for photographs of buildings in Lambertville or not in Lambertville with the historical look, industrial look, drop them off at City Hall. Time is of the essence.

Councilman Sanders informed the members of the public that Sarah and Paul spent time with each council person answering questions. He commented clearly a number of folks that were not supportive of development on the police site, and he asked if they can track those 50. Ms. Gold responded that overall on most of the items, we have 313, more than 200 are about architectural style. People were answering the questions even if they were expressing opposition.

Councilwoman Taylor asked how we move the process forward. She thanked Sarah and Paul for the overview. There are cost effective and time effective ways to collect information that is not solely limited to 1 or 2 hours. Councilwoman Taylor commented that she has experience with this in her in professional life. It behooves us to be nimble and light on our feet, if we want the most information from the public, two hour window is not the way to do it. We are looking ahead three weeks to find a way to get the most information possible.

Mayor Fahl thanked Sarah, Paul and the members of the CAT for their work, looking forward to the results of the next phase of this.

Public questions:

Shaun Ellis asked about phase II of the CAT investigation and the data gathering. Phase II is focused on where the police are moved to, it is important to understand what the community feels about the police force, expanded, stay the same, shrink, dissolved,

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debate happening across the country. We can't decide where they will go unless we understand what the force is here. Will you be asking people about their feelings and the values they have around the future of the police force?

Mayor Fahl responded that the HRC was tasked to review and they are about to close that work. She is working with Roni Todd Marino and Council President Asaro on this topic. The CAT is narrow in scope and revolves around the City facilities at large and the future of our city's investment in those facilities. This is not in the scope of the CAT work but is the Human Rights Council.

Gail Carabine thanked the CAT Committee, wondering why there is a rush to spend money on a consultant at the end of September and not wait for the election since the police was part of the election. Taxes were raised pretty substantially, with COVID do we have the money? Mayor Fahl responded that the City is mandated by the court to come up with a redevelopment plan and we felt strongly to spend the money and engage the community about what the people want and don't want is really important. Council deliberated and passed a bond ordinance to cover the design cost to ensure we could reflect those values. City Planner is the consultant. We are reducing the number of professionals by just using the planner. Working with Councilwoman Taylor who is an expert in the field and the CAT Chairs to continue to drive the cost down while increasing community engagement.

Doug Graiver commented that he is so impressed with the CAT and all you have done. He loved the presentation and what you are doing; listening to what people are saying.

8:02 pm, 65 participants

Potential Shared Services Agreement

Mayor Fahl addressed the Council and members of the public. She informed them that the City has been working in the background over the course of the last several weeks and months with the Borough of Flemington to also hire a BA to increase buying power. The City's highest salary rate is relatively low in the total market. Since it is very clear the city has an interest in someone with blue chip resume, with quite a few years of experience, we want to be competitive. As of yesterday, the Borough of Flemington voted to approve a shared service agreement that will functionally allow Lambertville to be the lead agency, and share the position with Flemington and that way we would have a higher level interest as we go to the market and satisfy the cost cutting measures we are taking. The agreement will be on the voting session agenda scheduled for September 24th. We may need to push the timeline up if we are further along with the Canning Group finding good applicants.

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Discussion ensued. Council members and the community at-large were supportive of the position with one person who felt the position wasn't necessary. Councilwoman Urbish is doing some research on salary ranges across the State. Councilman Sanders felt it was important to revisit the staff handbook to ensure the policies and procedures include a part time Business Administrator.

Mayor Fahl commented that the budget process is the largest portion, and the focus is on someone finance related. She advocates for 40 hours. Currently the slack has fallen on Cindy – and we are trying to pick up slack and not push work onto professionals which charge at a rate at \$160 – 200, whereas a Business Administrator is at \$74 per hour.

Budget Plan

Mayor Fahl informed the members of the public that the City is beginning our budget process for 2021. We are again going to department heads, committee's commissions and boards to begin stage 1. She shared her screen with the timeline of a new budget process with the public.

Early stage 1 of our work – Capital and Expenditures for 2021. Little more difficult to manage those processes to manage goals and costs.

We had initially held October 6 and 8 to begin this process but that isn't realistic any more. She is pushing the budget proposed conversations to end of December, early January.

Mayor Fahl wants to review successes and failures with each of the governing body members. She feels Capital Budgeting process is one of those failures. Asked each member to think critically how we can improve the process before capital planning request in October.

COUNCIL MEMBER UPDATES

Mayor Fahl announced increased number of convenience center hours to allow for leaf and brush clean up in October.

BUSINESS UPDATE – Councilwoman Urbish

The Governor announced indoor dining will be allowed on Friday at 25% capacity or less. Will touch base with restaurants, may not be ready for this weekend, but they are interest in keeping outdoor dining and doing indoor. Historical Society then and now exhibit, partnered with the City, and chamber, self-guided walking tour outdoor exhibit,

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really cool posters that show the image of that site. Historical society number of hours, September 4 through November 8. She thanked Mary Anne Borge for her assistance with the native plants in the stands. We have really great volunteer committees, beautification, first meeting, helped out this weekend with parks and recs commission volunteer cleanup of parks. Marketing efforts are launching soon for the businesses. She is encouraged by folks rolling up sleeves and helping. The fall is important for the business community.

Mayor Fahl gave a shout out to Megan Ruf for all of her efforts with the clean-up of the Parks! It was an exciting four or five hours on Sunday.

CENSUS – Councilman Sanders

Councilman Sanders reported on the following Census response rates:

- US: 83.2% (65% self-response; 18.2% enumerated in non-response follow up)
- NJ: 82.7% (67.1% self-response; 15.6% enumerated in NRFU)
- Hunterdon: ? (76.9% self-response; not available)
- Lambertville: ? (73.5% self-response; not available)

Councilman Sanders noted that census workers have been visiting Lambertville homes that have not responded. He also noted that there are only 29 days left to achieve a complete count in the 2020 Census. He urged listeners to talk to their neighbors ask them to make sure they have responded. It is crucially important for our State and our community. [(1) visit 2020census.gov; or (2) call 844-330-2020 (English) or 844-468-2020 (Spanish) to complete your Census form."

Councilman Sanders also reported on the work of the City's PennEast Pipeline Committee. He noted that this past week the Committee submitted a comment with FERC on the revised Environmental Assessment (EA) on behalf of the City. He thanked the Committee's Chair, Kelly Kappler, for drafting the document. The comment is in response to the FERC staff's EA for the PennEast Pipeline Project Amendment proposed by Pipeline Company. The EA assesses the potential environmental effects of the construction and operation of the Project in accordance with the requirements of the National Environmental Policy Act.

ANNOUNCEMENTS

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CONVENIENCE CENTER HOURS: The Public Works Department will be open for residents to drop off leaves and brush as follows:

September Hours:

- i. Saturday, September 12, 2020 from 9 am to noon;
- ii. Wednesday, September 16, 2020 from 3 to 5 pm

October Hours:

- iii. Saturday, October 3, 2020 from 9 am to noon;
- iv. Saturday, October 17, 2020 from 9 to noon;
- v. Wednesday, October 21, 2020 from 3 to 5 pm;
- vi. Wednesday, October 28, 2020 from 3 to 5 pm

For additional information, please visit the city's website at:

<https://lambertvillenj.org/newsfeed-pages/389-the-city-of-lambertville-convenience-center>

PUBLIC PARTICIPATION/PUBLIC CONCERN

INSTRUCTIONS FOR THE PUBLIC ON HOW TO PARTICIPATE USING ZOOM AND CALLING IN

The Deputy Clerk read the following instructions into the record:

The public participation portion of the meeting will be taken under Agenda Item Number 14.

PARTICIPATION BY COMPUTER: If you are currently utilizing a computer to participate, you would click the "Raise Hand" button on the bottom of the screen. This will place you in a queue that I can see for when it is time to take public comments. People are sorted in the order they raised their hands. When I call on you, a message will pop-up asking if you want to unmute yourself. If you choose to move forward and place a public comment or question, choose to unmute, if you have changed your mind then choose to deny.

PARTICIPATION BY PHONE: If you are dialing in on your phone

DISPLAY OF YOUR PHONE NUMBER: To avoid having your phone number displayed on the screen, first dial *67, then the meeting phone number followed by the meeting identification number. Your phone number will not be displayed.

RAISE YOUR HAND: dial *9 to be placed in the queue. When called on, the system will ask you to confirm being un-muted to proceed.

You will be asked to state your full name and address into the record, then please feel free to make your comment or ask a question. You will remain unmuted while the governing body responds. Please make sure there is no background noise such as the T.V. on, music or loud chatter.

When public comments are finished, participants will be placed back on mute for the duration of the meeting.

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Members of the Governing Body will raise their hand to make a comment or ask a question.

Audrey Byrnes, said she had a question regarding, certain policy or procedure for public announcements. I am signed up for emails, looks at website, and tries to stay informed. When the mid-point review came up, it is time sensitive but was not included in the public announcements, it doesn't seem like the public announcements follow the same procedures. Mayor Fahl said she would look into it.

Karen Conlon thanked the Governing Body for all they are doing to get Lambertville back on track with COVID.

Paul Stevens asked about recordings of Planning Board meetings and asked why they were not available on the City's website. Mayor Fahl directed Mr. Stevens to the file an OPRA request.

ADJOURNMENT

The meeting adjourned at 8:52 p.m. with a motion made by Councilwoman Urbish and seconded by Councilman Sanders. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Respectfully submitted,

Cynthia L. Ege

Cynthia L. Ege, CMR, RMC, City Clerk

The September 1, 2020 Work Session Minutes were approved at the September 24, 2020 Voting Session.