



**City of Lambertville**  
**REGULARLY SCHEDULED SESSION**  
**THURSDAY, SEPTEMBER 24, 2020, 6:00 PM**  
**VIRTUAL MEETING USING ZOOM**  
**AGENDA – amended 09-22-2020**

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 6:00 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.

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](http://www.lambertvillenj.org), on the exterior door of the Elevator Entrance at City Hall, and to department heads and the listserv.

This session will be recorded using Zoom. The recording will be posted to the City's website.

**CLOSED SESSION:** *A Resolution to go into Closed Session to discuss Litigation Involving the City, Pursuant to N.J.S.A. 40:4-12(b)(7)*

Mayor Fahl asked for a motion to go into closed session to discuss litigation involving the City, pursuant to N.J.S.A. 40:4-12(b)(7).

**RESOLUTION**

*“Authorizing a Closed Session at the September 24, 2020 Lambertville City Council Meeting to Discuss Litigation Involving the City, Pursuant to N.J.S.A. 40:4-12(b)(7)”*

**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**, N.J.S.A. 10:4-12 provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by resolution; and

**WHEREAS**, it is necessary for the City to discuss, in a session not open to the public, attorney-client privileged issues related to anticipated litigation involving the City, pursuant to N.J.S.A. 10:4-12(b) (7).

**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, 2020, via Zoom, to discuss litigation involving the City, pursuant to N.J.S.A. 40:4-12(b)(7).

**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:

# City of Lambertville

## REGULARLY SCHEDULED SESSION THURSDAY, SEPTEMBER 24, 2020, 6:00 PM VIRTUAL MEETING USING ZOOM AGENDA

### Page 2

Mayor Fahl and City Council convened in closed session at 6:03 p.m. with a motion made by Mayor Fahl and seconded by Councilwoman Urbish. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Mayor Fahl and City Council ended the closed session at 6:36 p.m. with a motion made by Mayor Fahl and seconded by Council President Asaro. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

The Governing Body reconvened in open session at 7:05 p.m.

### ROLL CALL

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

*Also present:* City Clerk Ege, Deputy Clerk Majeski, William Opel – City Attorney.

### PLEDGE OF ALLEGIANCE

Mayor Fahl led the public in the Pledge of Allegiance.

### MOMENT OF SILENCE

Mayor Fahl led the public in a moment of silence honoring those serving in the United States Arms Forces in Country and Abroad; and those serving on the front lines of COVID19.

### CITY ATTORNEY STATEMENT REGARDING COUNCIL SESSIONS

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.

# City of Lambertville

## REGULARLY SCHEDULED SESSION

THURSDAY, SEPTEMBER 24, 2020, 6:00 PM

## VIRTUAL MEETING USING ZOOM

### AGENDA

#### Page 3

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.

### PUBLIC COMMENT

Mayor Fahl reminded the members of the public about the change in policy for public comment at council meetings as discussed in the previous Council Session. She informed the members of the public that the city is trying something new in giving the public an opportunity to speak at the beginning of the meeting and again at the end of the meeting, instead of at every resolution/action. This will help to speed things up for those who want to make a comment or ask a question and may not want to attend the entire session. Discussion ensued.

The Deputy Clerk read the following statement into the record:

**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.

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

Anthony Battaglia, commented that he appreciates open forum and he expressed concern over the vacant building on Swan Street. Mayor Fahl informed Mr. Battaglia that she would follow up with him at another time.

Sandra Harris inquired about the ABC Licenses, and asked what is a pocket license. She also asked about the shared services agreement with Flemington and was curious on how time will be split. Mayor Fahl provided the following response: 1: Pocket license is a

City of Lambertville

**REGULARLY SCHEDULED SESSION  
THURSDAY, SEPTEMBER 24, 2020, 6:00 PM  
VIRTUAL MEETING USING ZOOM  
AGENDA  
Page 4**

license holder that doesn't have an establishment but maintains their license. 2: The agreement for shared services with Flemington pays up to \$70,000 for Business Administrator and our time split will be 25 hours in Lambertville, 15 hours in Flemington with flex time in times of need.

Matthew Hanson: thanked public works for filling pot holes on Cottage Hill and on Douglas Street.

**MEETING MINUTES**

Council President Asaro asked for a motion to approve the following sets of minutes as submitted: August 20, 2020 Open Session, August 20, 2020 Closed Session, and September 1, 2020 Work Session Minutes. Councilwoman Taylor made the motion to approve the minutes as submitted/as amended. Councilwoman Urbish seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

**BILLS LIST**

Council President Asaro asked for a motion to approve the Bills List as presented this evening. Councilman Sanders made the motion and Mayor Fahl seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

**PROCLAMATIONS - none**

**RESOLUTIONS**

Council President Asaro asked for a motion to adopt Resolution Numbers 108-220 through 114-2020 as listed on the Consent Agenda.

**CONSENT AGENDA:**

RESOLUTION NUMBER 108-2020: A Resolution to Cancel Bond Ordinances

**RESOLUTION NUMBER 108-2020  
RESOLUTION AUTHORIZING THE CANCELLATION OF UNEXPENDED IMPROVEMENT  
AUTHORIZATION BALANCES**

**WHEREAS**, certain General Capital Fund improvement authorization balances remain unexpended for projects which have been completed, and

**WHEREAS**, it is necessary to formally cancel said balances, so that the unexpended balances may be credited to Capital Fund Balance and unused debt authorizations may be canceled; and

**City of Lambertville**  
**REGULARLY SCHEDULED SESSION**  
**THURSDAY, SEPTEMBER 24, 2020, 6:00 PM**  
**VIRTUAL MEETING USING ZOOM**  
**AGENDA**  
**Page 5**

WHEREAS, the City desires to cancel the unexpended improvement authorizations,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lambertville that the following balances be canceled:

ORD #	ORDINANCE DESCRIPTION	FUNDED	UNFUNDED
2007-06	IMPROVEMENT TO VARIOUS STREETS	\$ 620.76	\$ -
2008-20	IMPLEMENTATION OF BICYCLE/PEDESTRIAN SAFETY IMPROVEMENTS	\$ 18,168.14	\$ -
2012-12	VARIOUS CAPITAL IMPROVEMENTS	\$ 9,235.30	\$ -
2015-08	REDESIGN OF CITY WEBSITE - ACQUISITION OF EQUIPMENT	\$ 1,042.00	\$ -
2016-20	NORTH UNION ST PARK UPGRADES	\$ 89,522.60	\$ -
2016-26	ENGINEERING FEES FOR CRS UPDATES	\$ 1,822.75	\$ -
2017-01	ACQUISITION OF FIRE PREVENTION SOFTWARE	\$ 118.73	\$ -
2017-21	IMPROVEMENTS AND REPAIRS TO CITY PARKS	\$ 231.64	\$ -
2018-02	ACQUISITION OF EQUIPMENT	\$ -	\$ 49.71
2018-07	SUPPLEMENT ORD 2016-01 - ENGINEERING FEES - FLOOD GATES	\$ -	\$ 12,409.82
2018-11	ACQUISITION AND INSTALLATION OF FENCING FOR ELY PARK	\$ -	\$ 9,465.46
2018-18	ENGINEERING SERVICES RELATED TO PUBLIC INFRASTRUCTURE	\$ 206.84	\$ 19,000.00
2018-19	ACQUISITION OF REFURBISHED GARBAGE TRUCK	\$ -	\$ 24,488.03
2018-20	IMPROVEMENTS TO CITY PARKS	\$ -	\$ 1,330.19
2019-01	REPAIRS TO HEAVY EQUIPMENT	\$ 583.15	\$ -
	<b>TOTAL</b>	<b>\$ 121,551.91</b>	<b>\$ 66,743.21</b>

ADOPTED: September 24, 2020

**RESOLUTION NUMBER 109-2020: A Resolution to Cancel the Contract with Ascend Construction Management, Inc. Awarded on October 16, 2018 for the Painting of the Library.**

RESOLUTION NUMBER 109-2020  
*A Resolution to Cancel the Contract with Ascend Construction Management, Inc. Awarded on October 16, 2018 for the Painting of the Library*

WHEREAS, the Governing Body of the City of Lambertville authorized the contract with Ascend Construction Management, Inc. on October 16, 2018 in the amount of \$109,000.00 to paint the Lambertville Free Public Library located at 6 Lilly Street; and

WHEREAS, the contract did not include lead abatement; and

WHEREAS, the proposal for the change order to complete lead abatement exceeded the 20% as outlined in the Local Public Contracts Law; and

WHEREAS, bidding for the project failed to produce a bid that was responsive and responsible.

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 that the contract awarded in

**City of Lambertville**  
**REGULARLY SCHEDULED SESSION**  
**THURSDAY, SEPTEMBER 24, 2020, 6:00 PM**  
**VIRTUAL MEETING USING ZOOM**  
**AGENDA**  
**Page 6**

Resolution Number 161-2018 to Ascend Construction Management, Inc. in the amount of \$109,000.00 to paint the Lambertville Free Public Library is hereby canceled.

ADOPTED: September 24, 2020

RESOLUTION NUMBER 110-2020: A Resolution to Authorize the Refund of First and Second Quarter Tax Payments to Corelogic for Block 1002.04 Lot 4, 265 Holcombe Way in the Amount of \$5,860.92 Due to A Disabled Veteran Exemption.

**RESOLUTION NUMBER 110-2020**

*A Resolution to Authorize the Refund of First and Second Quarter Tax Payments to Corelogic for Block 1002.04 Lot 4, 265 Holcombe Way in the Amount of \$5,860.92 Due to A Disabled Veteran Exemption*

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 that the refund of first and second quarter tax payments to Corelogic for Block 1002.04, Lot 4, 265 Holcombe Way in the amount of \$5,860.92 due to a disabled veteran exemption, certified by the Tax Assessor.

ADOPTED: September 24, 2020

RESOLUTION NUMBER 111-2020: A Resolution to Authorize the Refund of First and Second Quarter Tax Payments to Young Life, Texas Nonprofit Corp Due to a Total Exemption in the Amount of \$11,159.77

**RESOLUTION NUMBER 111-2020**

*A Resolution to Authorize the Refund of First and Second Quarter Tax Payments to Young Life, Texas Nonprofit Corp Due to a Total Exemption in the Amount of \$11,159.77*

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 that the refund of first and second quarter tax payments to Young Life, Texas Nonprofit Corp., 111 North Union Street, Lambertville for Block 1020, Lot 3, 111 North Union Street in the amount of \$11,159.77 due to total exemption.

ADOPTED: September 24, 2020

RESOLUTION NUMBER 112-2020: A Resolution to Authorize the City Clerk to File the Alcoholic Beverage Control Licenses for the 2020/2021 Term with the State of New Jersey.

**RESOLUTION NUMBER 112-2020**

*A Resolution to Approve the Alcoholic Beverage Control Licenses for the 2020-2021 Terms*

City of Lambertville

**REGULARLY SCHEDULED SESSION  
THURSDAY, SEPTEMBER 24, 2020, 6:00 PM  
VIRTUAL MEETING USING ZOOM  
AGENDA  
Page 7**

**WHEREAS**, application has been received from the following establishments for renewal of the Alcoholic Beverage License currently held by them for premises located in the City of Lambertville, New Jersey:

<b>Establishment</b>	<b>License Number</b>	<b>Type</b>
Boat House Inc. The	1017-32-006-003	Plenary Retail Consumption License with Broad Package Privilege
Lambertville Lodge 1070 BPO Elks	1017-31-015-001	Club License
De Annas of Lambertville LLC	1017-33-003-003	Plenary Retail Consumption License
ETZ Food Inc. DBA Bell's Tavern	1017-33-002-006	Plenary Retail Consumption License
LV House LLC DBA Lambertville House	1017-33-008-009	Plenary Retail Consumption License
Masset Group Inc. DBA Inn of the Hawke	1017-33-005-008	Plenary Retail Consumption License
Mitchell's Café Inc.	1017-33-004-004	Plenary Retail Consumption License
Swan Hotel The	1017-33-009-002	Plenary Retail Consumption License
Targa Investments DBA Lambertville Station, Inn at the Lambertville Station	1017-33-007-004	Plenary Retail Consumption License
Toscanni Post 120 American Legion	1017-31-012-001	Club License
Irish Diplomat LLC DBA Walker's Wine & Spirits, Inc.	1017-44-010-007	Plenary Retail Distribution License
Wonderful World of Wines LLC	1017-44-011-005	Plenary Retail Distribution License

**WHEREAS**, the City Clerk has received the Alcoholic Beverage Retail License Clearance Certificate for each entity, and

**City of Lambertville**  
**REGULARLY SCHEDULED SESSION**  
**THURSDAY, SEPTEMBER 24, 2020, 6:00 PM**  
**VIRTUAL MEETING USING ZOOM**  
**AGENDA**  
**Page 8**

**WHEREAS**, the Clerk received authorization from the Police Department to issue and has not received a written objection to the renewal of these licenses from the members of the public.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Lambertville, County of Hunterdon, State of New Jersey, that the above licenses be renewed for the 2020-2021 license year upon completion of the requirements as outlined by the Attorney General's Office and the City Clerk is hereby directed to upload a certified copy of this Resolution to the State of New Jersey, Division of Alcoholic Beverage Control, Department of Law and Public Safety, for processing.

**BE IT FURTHER RESOLVED** that the City Clerk be authorized to issue the 2020-2021 licenses to the proper holder prior to the effective date of July 1, 2020.

ADOPTED: September 24, 2020

**RESOLUTION NUMBER 113-2020: A Resolution to Authorize the Renewal of the Alcoholic Beverage Control Pocket License for Stephen Williamson.**

**RESOLUTION NUMBER 113-2020**

*A Resolution to Approve the Alcoholic Beverage Control Licenses for the License Held by Stephen Williamson for the 2020-2021 Term*

**WHEREAS**, a copy of the verified petition for a special ruling was filed by Stephen Williamson for license number 1017-33-001-005 with the City Clerk on September 19, 2020; and

**WHEREAS**, Stephen Williamson filed the paperwork asking for special ruling for the verified petition from the State of New Jersey, Department of Law and Public Safety, Division of Alcoholic Beverage Control on September 19, 2020 for the 2020-2021 and 2021-2020 license term; and

**WHEREAS**, Stephen Williamson paid appropriate fees to the State of New Jersey and to the City of Lambertville and received the necessary Tax Clearance Certificate for the 2020 license term.

**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, that the Alcoholic Beverage Control License, Number 1017-33-001-005 issued to Stephen Williamson is hereby authorized.

ADOPTED: September 24, 2020

**RESOLUTION NUMBER 114-2020: A Resolution to Authorize the Purchase of a 2021 Police Interceptor Utility, All Wheel Drive Vehicle and Equipment in an Amount Not to Exceed \$46,362.00 Off State Contract, Contract Number 20-Fleet-01189 from Winner Ford of Cherry Hill**

**RESOLUTION NUMBER 114-2020**

*A Resolution to Authorize the Purchase of a 2021 Police Interceptor Utility, All Wheel Drive Vehicle and Equipment in an Amount Not to Exceed \$46,362.00 Off State Contract, Contract Number 20-Fleet-01189 from Winner Ford of Cherry Hill*

**City of Lambertville**  
**REGULARLY SCHEDULED SESSION**  
**THURSDAY, SEPTEMBER 24, 2020, 6:00 PM**  
**VIRTUAL MEETING USING ZOOM**  
**AGENDA**  
**Page 9**

WHEREAS, Bond Ordinance Number xx-2020 was authorized on September 13, 2020; and

WHEREAS, Winner Ford of Cherry Hill was awarded State Contract Number 20-Fleet-01189 for the sale of the following:

Police Interceptor Utility All Wheel Drive Vehicles - \$29,763.00

Additional equipment as per the quote at a rate of \$4,561.00; and

Emergency Equipment as per the quote at a rate of \$12,038.00

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 that the purchase of a 2021 Police Interceptor Utility, All Wheel Drive Vehicle and Equipment in an Amount Not to Exceed \$46,362.00 Off State Contract, Contract Number 20-Fleet-01189 from Winner Ford of Cherry Hill.

ADOPTED: September 24, 2020

Councilwoman Urbish made the motion to adopt the resolutions listed on the consent agenda. Councilman Sanders seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

END OF CONSENT AGENDA

**RESOLUTION NUMBER 116-2020: A Resolution to Authorize the Shared Services Agreement with the Town of Clinton (lead agency) for an Interim Business Administrator for 10 Hours Per Week at a Monthly Fee of \$4,500.00.**

Council President Asaro read the resolution into the record by title.

RESOLUTION NUMBER 116-2020

*A Resolution to Authorize the Shared Services Agreement with the Town of Clinton (lead agency) for an Interim Business Administrator for 10 Hours Per Week at a Monthly Fee of \$4,500.00*

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 that the shared services agreement with the Town of Clinton serving as the lead agency for the interim Business Administrator for 10 hours per week at a monthly rate of \$4,500.00.

City of Lambertville

**REGULARLY SCHEDULED SESSION  
THURSDAY, SEPTEMBER 24, 2020, 6:00 PM  
VIRTUAL MEETING USING ZOOM  
AGENDA  
Page 10**

BE IT FURTHER RESOLVED that the Mayor, City Attorney and City Clerk are hereby authorized to execute the agreement.

ADOPTED: September 24, 2020

Council President Asaro asked for a motion to adopt Resolution Number 116-2020. Councilwoman Taylor made the motion and Councilwoman Urbish seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

***RESOLUTION NUMBER 117-2020: A Resolution to Authorize the Shared Services Agreement with the Borough of Flemington for the Use of a Business Administrator.***

Council President Asaro read the resolution into the record by title.

RESOLUTION NUMBER 117-2020

*A Resolution to Authorize the Shared Services Agreement with the Borough of Flemington for the Position of Business Administrator for 15 Hours Per Week at an Annual Fee of up to \$70,000 With the City of Lambertville Serving as the Lead Agency*

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 that the shared services agreement with the Borough of Flemington for the position of Business Administrator for 15 hours per week at an annual fee of up to \$70,000.00 with the City of Lambertville serving as the lead agency.

BE IT FURTHER RESOLVED that the Mayor, City Attorney and City Clerk are hereby authorized to execute the agreement.

ADOPTED: September 24, 2020

Council President Asaro asked for a motion to adopt Resolution Number 117-2020. Councilwoman Urbish made the motion and Councilman Sanders seconded the motion. An affirmative roll call vote was taken in favor of the resolution by all members present. MOTION CARRIED/MOTION DEFEATED.

***RESOLUTION NUMBER 118-2020: A Resolution to Adopt the Accessory Apartment Manual prepared by Triad Associates for Affordable Housing as required in the Settlement Agreement with Fair Share Housing.***

City of Lambertville

**REGULARLY SCHEDULED SESSION  
THURSDAY, SEPTEMBER 24, 2020, 6:00 PM  
VIRTUAL MEETING USING ZOOM  
AGENDA  
Page 11**

Council President Asaro read the resolution into the record by title. She informed the members of the Governing Body and the members of the public that the Accessory Apartment Manual is a requirement of the agreement with Fair Share Housing.

The deadline to adopt the manual set by the agreement with Fair Share Housing is October 11, 2020.

A copy of the manual will be made available on the City’s website once adopted.

**RESOLUTION NUMBER 118-2020**

*A Resolution to Adopt the Accessory Apartment Manual prepared by Triad Associates for Affordable Housing as required in the Settlement Agreement with Fair Share Housing*

WHEREAS, the City of Lambertville currently has accessory apartments in the City; and

WHEREAS, the preparation and acceptance of an Accessory Apartment Manual was a condition of the Conditional Judgment of Repose and must be adopted by the Governing Body by October 11, 2020 to stay in compliance with the order.

NOW THEREFORE BE IT RESOLVED by the Governing Body in the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that the Accessory Apartment Manual prepared by Triad Associates for Affordable Housing, is here by adopted.

BE IT FURTHER RESOLVED that the City Clerk is here by authorized to file an adopted copy of the manual with Fair Share Housing.

ADOPTED: September 24, 2020

Council President Asaro asked for a motion to adopt Resolution Number 118-2020. Councilwoman Taylor made the motion and Councilwoman Taylor seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

**ORDINANCES – FIRST READING** - None

**ORDINANCES – SECOND READING/PUBLIC HEARING** - None

**BOARDS AND COMMISSIONS**

## City of Lambertville

### REGULARLY SCHEDULED SESSION

THURSDAY, SEPTEMBER 24, 2020, 6:00 PM

### VIRTUAL MEETING USING ZOOM

### AGENDA

### Page 12

Mayor Fahl nominated Lindsay Hansche to fill an unexpired term on the Environmental Commission. Council President Asaro made a motion to confirm the nomination made by Mayor Fahl. Councilwoman Urbish seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

### Mayor Fahl's Comments

LANDMARK OF HISTORIC BUILDINGS: Mayor Fahl informed the members of the Governing Body and public that she has been in conversation with Historic Preservation Commission and the State Office of Historic Preservation regarding formally landmarking some historic buildings in the City. The Historic Preservation Commission has been doing an incredible job, there are some specific protections to provide to historic buildings. The Landmark Legislation to identify buildings which are historic landmarks in the City, would add an extra layer of regulator protection so that before they go to Planning or Zoning, the changes would be run through the Historic Preservation Commission first. This is controversial, it does mean those building identified as a historic landmark will place an extra burden for public hearings and regulations for the property owner. This was brought to the City by Lisa Easton and Lou Toboz. We have a lot of experts in the field on the Historic Preservation Commission, so that no matter who maintains the deed on properties, the City will continue to have input.

Mayor Fahl asked if there is interest from Council for the Mayor to go to HPC to get a formal recommendation. Discussion ensued:

The recommendation is to only move it forward for the Lilly Mansion and City Hall.

The City will look for examples in municipalities like ours that did this overlay to see what their problems or upside are.

Adding another board to provide oversight creates a higher water mark and more cost for anyone who is adopting and using spaces.

Mayor Fahl commented that she has a digestible memo from SHPO and she will share it with the members of the Historic Preservation Commission.

STREET SWEEPER: Councilwoman Urbish suggested that the City review the current schedule for Street Sweeper and consider changing it to a bi-weekly event. Members of the community have expressed frustration for moving their cars and the sweeper not running. Notice is also an issue. Any changes would require consideration of the Clean Communities grant requirements. Suggestion was made to consider privatizing it or exploring a shared services agreement with another municipality.

*City of Lambertville*

**REGULARLY SCHEDULED SESSION  
THURSDAY, SEPTEMBER 24, 2020, 6:00 PM  
VIRTUAL MEETING USING ZOOM  
AGENDA  
Page 13**

**COUNCIL MEMBER UPDATES**

RECREATION COMMISSION'S COMMUNITY CLEAN-UP OF PARKS – Mayor Fahl

Mayor Fahl thanked the members of the Parks and Recreation Commission, Megan Ruf for coordinating the clean-up of the parks and the members of the public who volunteered.

HALLOWEEN UPDATE – Mayor Fahl

Mayor Fahl informed the members of the public present that the City of Lambertville has worked within our small COVID19 think tank, which includes, the Mayor, Councilwoman Urbish, Lt. Brown, the City Clerk, the Construction Office and Public Works. We have gone into a series of discussions about Halloween and put out a statement last week saying we are highly discouraging door to door trick or treating either with your child or by handing out candy. In a place like Lambertville where people come from all over could create a health hazard. We are not shutting down North Union Street and we will have a police presence for safety, enforcing state guidelines. We are still in a pandemic and should be doing everything we can to promote safety first including social distancing, wearing masks, and using good hygiene. The Mayor convened a small working group to figure out ways to create a safe and special experience for the local kiddos and we are working on putting that together over the next couple weeks. More info about Halloween to come.

HUMAN RIGHTS COUNCIL UPDATE – Council President Asaro

Council President Asaro informed the members of the public present that the nation generally is examining the role of police and budgeting of services, we have set up a listening session on Monday, October 12 at 7:30 for feedback from the residents, listen, tell us about your thoughts. Ultimately, the HRC will provide a recommendation on how we might make improvements to services the police provide or other services that bolster the police department.

CENSUS – Councilman Sanders

Cut and paste this link in your browser:

<https://2020census.gov/?msclkid=d5669b5e0b1d1fd97e13c5343c771c39>

Councilman Sanders encouraged members of the public to complete the 2020 Census. We are in what we think is the home stretch! If you are a procrastinator, your time to complete the census is coming to a close.

BUSINESS DISTRICT: Councilwoman Urbish and Councilwoman Taylor

## City of Lambertville

### **REGULARLY SCHEDULED SESSION THURSDAY, SEPTEMBER 24, 2020, 6:00 PM VIRTUAL MEETING USING ZOOM AGENDA Page 14**

Councilwoman Urbish informed the members of the public that the beautification committee will be decorating down town and hopefully we all see fall and Halloween come alive. She has been working with businesses to coordinate the project and also to liven up the empty store fronts. A number of the empty store fronts have been filled. The new banners printed by River signs are welcoming to Lambertville and will be hung hopefully next week. She thanked the Delaware River Joint Toll Bridge Commission and Commissioner Komjathy for the installation of the banners.

Porch Fest Coming up October 3, 2020 which is exciting. This is a really cool opportunity adapted from other cities. Musicians will be out on porches all around town. The website is Lambertville porchfest.com.

PARKLET: Councilwoman Taylor informed the members of the public that the Parklet will be going up next week on North Union Street by Savour and the Chocolate box.

**CORRESPONDENCE** - None

### **ANNOUNCEMENTS**

CONVENIENCE CENTER HOURS: For additional information, please visit the city's website at: <https://lambertvillenj.org/newsfeed-pages/389-the-city-of-lambertville-convenience-center>

October Hours are as follows:

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

### **PUBLIC PARTICIPATION/PUBLIC CONCERN**

Janine MacGregor: thanked everyone for the hard work that was done with the various clean-up efforts. The litter and general state of run down has been an issue for a lot of folks. It was a real pleasure listening in on this meeting. The brevity was great and were able to hear the business of the City. Thank you for addressing that.

Benedetta Lambert commented that she had a couple of questions regarding Resolution Numbers 116 and 117. She missed the beginning of the meeting and did not know about the change in policy for public comment.

She asked what the hourly rate was for prior BA and there seems to be a difference in the two resolutions in terms of the hourly rate and how they compare with the salary of the prior Business Administrator? Resolution Number 116 is at \$112.50 per hour, Resolution Number 117 at \$93 per hour. How do they compare?

## City of Lambertville

### REGULARLY SCHEDULED SESSION

THURSDAY, SEPTEMBER 24, 2020, 6:00 PM

### VIRTUAL MEETING USING ZOOM

### AGENDA

### Page 15

Mayor Fahl responded that \$74 per hour for the former Business Administrator and based the same rate for Mr. Phelan for the interim BA. If there is an issue with the resolution, our intension is to only pay \$74 per hour which is the same hourly rate so you made have caught a math whoopsie daisy. Mayor Fahl said she would ensure that if there is a calculation issue, we will correct it.

Ms. Lambert asked if the same intention for Resolution Number 117. Mayor Fahl responded our intension with shared service is to negotiate a total compensation package in which Flemington can pay up to \$70,000, but our not to exceed may change. The goal is to find the best administrator that is within a range of \$90,000 for the City. The second resolution is that the City will be compensated by flemington at up to \$70,000 per year but it is still in negotiation.

Ms. Lambert asked how are we managing and monitoring the workload to ensure that they are working on the things they need to work on, and there aren't any gaps and understand their work scope of work. Mayor Fahl responded that there is a slight misunderstanding, Mr. Phelan is only an interim to get us through the next several months while we find the right Business Administrator for the City. Once we have appointed a part time Business Administrator, we will no longer need an interim so they won't be working together.

Ms. Lambert asked how do we know they are putting in the hours and that he is doing the things we need them to do. Mayor Fahl responded that the Business Administrator serves at the pleasure of the Mayor and the short answer is the Mayor is responsible.

Stephen Harris: When about the George Street repaving project and the possibility of not running the street sweeper during construction. Mayor Fahl responded that the streets will be swept with a wet sweeper at the end of every day. Mr. Harris commented that the other streets will be affected because cars will be parking on our streets. Mayor Fahl said she would consider it. Mr. Harris thanked Councilman Sanders for partnership with Census. He also publicly acknowledged the partnership with Councilwoman Urbish and Councilwoman Taylor with business community and said it has been outstanding.

Paul Gorecki asked about the abandoned property on Swan Street. He said the consensus is the property is an eyesore. Has this been brought to council? Mayor Fahl responded that it has been and she followed up with the Construction Official which resulted in the boarded-up windows. The Construction Official looked at property and did not find any structural damage. She will raise this concern at our weekly meeting on Thursday.

Paul Stevens: thanked the Governing Body for figuring out a way to make meeting shorter. His expressed concern about not taking comments until after the council has discussed the resolution because typically, he wouldn't comment until after you commented. By not being able to comment until end of night, the resolution has already

## City of Lambertville

### REGULARLY SCHEDULED SESSION

THURSDAY, SEPTEMBER 24, 2020, 6:00 PM

### VIRTUAL MEETING USING ZOOM

### AGENDA

### Page 16

passed so why comment at all. He feels he has lost ability to participate. Mayor Fahl responded that she noted there was a significant policy change to have comments available before every council action because I agree with you, come in with open mind, we have heard from a lot of residents that four-hour marathon meetings are keeping them from participating. We are giving it a shot. Councilwoman Taylor also responded. She said she understands his concern, I don't think it is sustainable process for us to take comments, it isn't sustainable for 4- and 5-hour meetings. She asked that the public work with us while we test this option. We need to be mindful of everyone's time.

Sue Bell: expressed concern for the shared services agreement for the Business Administrator with the Borough of Flemington and the amount of construction they will be experiencing. What is the salary? Mayor Fahl responded that we haven't finalized the total salary of the Business Administrator because we are in the process of head hunting and looking for the right fit. Then we will negotiate with the candidate. Flemington is paying up to \$70,000.

Matthew Hanson: I want to find out if there is an update on the affordable housing and the police site. What is it going to cost the City? Mayor Fahl responded that there isn't an update and we don't know. Mr. Hanson expressed concern for not knowing what it is going to cost and said we are under a deadline to complete it. Councilwoman Taylor asked Mr. Hanson to clarify the date are you referring to? Mr. Hanson responded that we have until December 31? Mayor Fahl clarified that the City has May 2021 we have to identify a developer. The Community Advisory Team is in stage one in getting community input on design vetting. Building plan is stage 1 which will be done by December 31. Until they can move to phase 2, placement of police department and facility makeup, it would be inappropriate to respond. She made a commitment to our community to slow down and obtain community input and has worked diligently to do that. She informed the members of the public present that there is a design vetting workshop on Saturday, September 26 and she encouraged people to participate.

Lilly Chen, asked about Resolution Number 109. She said she has the same comment as Paul Stephens. She missed fact that you were not going to give comment. How did you come up with the decision to cancel the resolution? Was it because of lack of funding or because administration feels, lead abatement verses painting which is the process? Mayor Fahl responded that the initial bid and the concept for painting the Library, began in 2017, in 2018 there was a bond passed and the project was funded. The bid came back with significant change order that exceeded the cost of the bid which was more than 20%, exceeding the change order threshold. The project changed so we are canceling this bid because it is no longer within the scope of what the project is. We do have to address the lead contamination on the paint surface that is a responsibility of the City because we own the property. This bond does not allow us to do that and we need to go back out to bid. Ms. Chen asked paint or lead abatement? Mayor Fahl responded that the City is working with Library board. We are already starting to build out capital improvement plan for 2021, this is one of the things we are going to put

## City of Lambertville

### REGULARLY SCHEDULED SESSION

THURSDAY, SEPTEMBER 24, 2020, 6:00 PM

### VIRTUAL MEETING USING ZOOM

### AGENDA

### Page 17

together for all of the committee's boards and commissions and will let the Library board to lead us with what their concerns. Ms. Chen questioned the process. Mayor Fahl responded that the City is working with DCA and the Library to work out capital improvement plan and then will follow the letter of the law. Ms. Chen asked if anyone representing the Environmental Commission was included. If you weren't doing the normal process? Mayor Fahl responded that ultimately the question on whether we have to encase is up to the State DCA. We will work closely with the state.

Helen Riley commented that she was following up with Mr. Hamilton's comment regarding the police station. She participated in the surveys and will be participating in the meeting on Saturday. She thought that creating the CAT team was to get the pulse of the town to see how they felt about selling the police station. When I got the survey, nowhere did it ask if I was supportive of selling the police station. Most recent survey is about architecture and design. Mayor Fahl commented that she appreciated this question, it is an important one. The way in which the State of New Jersey has decided to implement affordable housing is through the court. Fair Share Housing prohibits the sharing of information with the community and with other property owners and by the time we could share it, the decision would already have been made. We are selling the police station and there is no alternative, we can provide an opportunity for the public and CAT to drive the next stage of that plan. Councilwoman Urbish informed Ms. Riley that the City's Teach-in webinar on affordable housing can be found on the City's website.

Sandy Hanna: Will the property need remediation regarding environmental issues, will the developer have to pick up charges or will the citizens? Mayor Fahl responded that there is an excellent video on CAT website, Vince Mazzei from the State of NJ DEP tackles these questions about environmental damage and remediation. Mayor Fahl recommended people check it out. The CAT is debating a phase I study and it will discuss at the October 6 Working Session. Councilwoman Taylor expressed concerns about the City taking on any of the cost for remediation. She said we are in control now and we can require the developer take on those cost being mindful that we are stewards of the public dollar.

Gina Fischetti commented that the Closson site is listed for sale and she believes the zoning on this site is still town homes, 8-acre site, this was previously included in affordable housing and replaced with the police site earlier this year. She is wondering if this site is purchased by a developer and developed by town homes, will affordable housing be required, and if the answer is no, it's my understanding is because the site was determined to be inappropriate to have affordable housing on a historical site. Why is it acceptable for high market and not affordable housing?

Mayor Fahl responded that the overlying zoning is for single family units and not attached townhomes, the density is 8.5 acres. The original overlay was going to permit 6 units per acre for a total of 53 units and if they were for sale, they would have 11

*City of Lambertville*

**REGULARLY SCHEDULED SESSION  
THURSDAY, SEPTEMBER 24, 2020, 6:00 PM  
VIRTUAL MEETING USING ZOOM**

**AGENDA**

**Page 18**

affordable units, if for rent it would have 8 affordable. The issue with why it was deemed inappropriate was sentiment from community at large in November of 2018 that building at that density on that site would ruin the historic value of the site. Karen Ogren's statement was to freeze and move down to 6.2 acres, which is outside the bounds to restrict private property without the permission of the property owner. That was stealing property from the Closson's and that subdivision would have increased their tax rate by a substantial amount. It was made clear by people who showed up to that meeting that development at that rate, would change the character of our community and that was unacceptable. Some affordable housing should be a part of development on that site, if they build. Councilwoman Taylor commented that there is an overlay district that allows for semi-detached units. We may have to ask our planner to come to our next meeting. Gina Fischetti asked what is the permissible density for single family. Councilwoman Taylor responded between 1.3 units per acre and 3 acres per unit.

Sue Bell expressed concern for the information reported for the CAT survey because she heard only 50 people commented, there was not a question in the survey that asked about selling the police station but instead a section for your comments.

Matthew Hanson: I support affordable housing, know several residents and people who would love to have more in town. How much did the City spend on the previous agreement with Fair Share Housing? The Closson property is for sale, how does that interact with this agreement? Councilwoman Urbish responded it feels like these have been answered. The City can't provide additional details because it's a court settlement, and regarding the Closson site, the Mayor went over the history and the push back. Mr. Hanson expressed concern about the cost. Mayor Fahl responded that the previous agreement was a multimillion-dollar boon dongle, this is the sale of the property which will go to offset the cost of a new police station. Councilwoman Urbish offered to meet privately with Matt Hanson so she can better understand his questions and concerns.

Mayor Fahl invited the members of the public to the Flu Clinic being held on Saturday, September 26 in the Gazebo at Ely Field from 12 noon to 1:30 pm.

**ADJOURNMENT**

The meeting adjourned at 9:10 p.m. with a motion made by Councilman Sanders and seconded by Councilwoman Urbish. 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

**City of Lambertville**  
**REGULARLY SCHEDULED SESSION**  
**THURSDAY, SEPTEMBER 24, 2020, 6:00 PM**  
**VIRTUAL MEETING USING ZOOM**  
**AGENDA**  
**Page 19**

*The September 24, 2020 Voting Session Minutes were approved at the October 22, 2020 session.*