



**City of Lambertville**  
**WORK SESSION**  
**TUESDAY, JUNE 1, 2021, 7:00 PM**  
**IN-PERSON MEETING**  
**PHILLIP L. PITTORE JUSTICE CENTER**  
**25 SOUTH UNION STREET**  
**MINUTES**

**COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT**

Mayor Fahl called the meeting to order at 7:01 p.m. and she welcomed everyone back to in-person meetings. She asked the members of the public to keep their mask on unless they were at the podium making a public comment.

Mayor Fahl asked the City Clerk to read the compliance statement 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 meeting notice provided on Monday, January 11, 2021 to the Hunterdon County Democrat, the Trenton Times, various individuals on the list serve, department heads and the City Engineer and City Attorney.

This meeting will be recorded.

The meeting agenda offers the planned action items of the Governing Body to the extent known at the time of publication.

**ROLL CALL**

*Present:* Councilwoman Lambert, Councilman Sanders, Councilman Stegman, Council President Taylor, Mayor Fahl.

*Also present:* William Opel – City Attorney, Cynthia Ege – City Clerk, Kristina Majeski – Deputy Clerk, and Anthony Suozzo – Superintendent, SHRSO.

**PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE**

Mayor Fahl led the public in the Pledge of Allegiance and 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 COVID-19.

**POLICE SITE REDEVELOPMENT**

RESOLUTION NUMBER: 88-2021: *A Resolution of the City of Lambertville, County of Hunterdon, Designating Kalian Companies as the Redeveloper of Property Identified as Block 1003, Lot 3, Commonly Known as the Police Site, Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.*

Mayor Fahl read the resolution into the record by title.

**CITY OF LAMBERTVILLE**

**RESOLUTION NUMBER 88-2021**

**A RESOLUTION OF THE CITY OF LAMBERTVILLE, COUNTY OF HUNTERDON, DESIGNATING KALIAN COMPANIES AS THE REDEVELOPER OF PROPERTY IDENTIFIED AS BLOCK 1003, LOT 3,**

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**COMMONLY KNOWN AS THE POLICE SITE, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, et seq.**

**WHEREAS**, the City of Lambertville, a public body corporate and politic of the State of New Jersey (the “**City**”), is authorized pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”) to determine whether certain parcels of land within the city constitute an area in need of redevelopment; and

**WHEREAS**, by Resolution No. 95-2020, adopted on July 23, 2020, the Mayor and Council of the City (the “**Governing Body**”) designated Block 1003, Lot 3 on the Official Tax Map of the City (the “**Property**”) as an ‘non-condemnation area in need of redevelopment’ pursuant to the Redevelopment Law; and

**WHEREAS**, by Resolution No. 95-2020, adopted on July 23, 2020, the Governing Body directed the Planning Board of the City (the “**Planning Board**”) to prepare a redevelopment plan for the Property and to take any action necessary to effectuate its review of same so that a recommendation may be made to the Governing Body; and

**WHEREAS**, pursuant to the Redevelopment Law, the Planning Board caused Clarke Caton Hintz to prepare a redevelopment plan for the Property, entitled the “*Police Station Tract Redevelopment Plan*”, dated October 23, 2020 (the “**Redevelopment Plan**”); and

**WHEREAS**, after due consideration of the Redevelopment Plan at a duly noticed and constituted public meeting held on November 18, 2020, the Planning Board determined that the Redevelopment Plan is consistent with the Township’s Master Plan, and recommended that the Governing Body enact the Redevelopment Plan; and

**WHEREAS**, by Ordinance No. 18-2020, adopted on December 17, 2020, the Governing Body adopted the Redevelopment Plan pursuant to *N.J.S.A. 40A:12A-7* of the Redevelopment Law; and

**WHEREAS**, on April 22, 2021, the City issued a Request for Proposals for the Redevelopment of the Property (as amended and supplemented, the “**RFP**”); and

**WHEREAS**, Kalian Companies (the “**Redeveloper**”) submitted a proposal to the City dated May 13, 2021 (the “**Proposal**”) in response to the RFP for the Redevelopment of the Property; and

**WHEREAS**, in accordance with the Redevelopment Plan, the Redeveloper proposes in the Proposal to develop, finance and construct on the Property a four (4) story residential building containing twenty-four (24) residential units and forty-six (46) parking spaces (collectively, the “**Project**”);

**WHEREAS**, the City and the Redeveloper intend to pursue pre-development activities to implement the Project, including negotiation of a redevelopment agreement and other related actions (the “**Pre-Development Activities**”); and

**WHEREAS**, the City further wishes to enter into a funding agreement with the Redeveloper, a copy of which is on file with the City (the “**Funding Agreement**”), to effectuate the

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funding of an escrow account and procedures for the payment therefrom of moneys to pay the City's costs and expenses incurred in undertaking the Pre-Development Activities (collectively, the "Interim Costs"),

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the City of Lambertville, County of Hunterdon, that:

**Section 1.** The aforementioned recitals are incorporated herein as though fully set forth at length.

**Section 2.** The Mayor is hereby authorized to execute a Funding Agreement with the Redeveloper, in a form acceptable to the City in consultation with counsel.

**Section 3.** Kalian Companies is hereby designated as the Redeveloper of the Property for a period commencing upon the adoption of this resolution and ending on July 31, 2021, *provided, however*, that designation of Redeveloper as authorized hereunder is conditional upon Redeveloper's full execution and funding of the Funding Agreement.

**Section 4.** If, by July 31, 2021, the City and the Redeveloper have not executed a mutually acceptable redevelopment agreement, the designation of Kalian Companies, as Redeveloper of the Property shall automatically expire without any need for any further action of the Governing Body, provided, however, that the City and Kalian Companies may negotiate an extension of such designation upon terms mutually acceptable to both parties.

**Section 5.** The Mayor is hereby authorized to take all actions and to execute any and all documents necessary to effectuate this Resolution, in consultation with counsel.

**Section 6.** This Resolution shall take effect immediately.

**ADOPTED** at a meeting of the Governing Body of the City of Lambertville, Hunterdon County, on June 1, 2021;

The City Attorney, William Opel, informed the members of the Governing Body and the members of the public who were present that the resolution designates Kalian Companies as redeveloper of the police site and authorizes the funding agreement. It allows for exclusive rights to the developer, during the process, the city will negotiate the final redeveloper agreement which sets the terms for negotiation, and requires escrow deposit for this project.

**COUNCIL COMMENTS:**

Councilman Sanders asked if the final redevelopment contract/agreement has to come before the council for a vote, and requires a separate resolution. The City Attorney agreed.

Mayor Fahl commented that the city has been talking about the concept since January of 2020. The Mayor reviewed the next step with the members of the governing body and public.

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- **OPTIONS:** Looking for final various options for where we should move the police department. Log cabin/Closson site, looking at several other options,
- **ARCHITECTURAL REVIEW:** total cost inclusive of temporary housing, timelines, cost benefit analysis and to give a full sense of how viable and expensive they are.
- **COUNCIL REVIEW:** Once completed, executive session to review cost estimates and to go over what we think the best contract negotiations and
- **PUBLIC INPUT:** then the week of August 10, we would present those findings and have a public discussion where we grade those options. There will be no decision on moving the police station until we have this information.
- **PUBLIC OUTREACH:** July newsletter which will talk about sparkle week and other issues in the community and we will make sure that every home that has a mailbox has that information.

Councilwoman Lambert asked if the city obtained additional information about the developer and the project in Lawrence Township? Mayor Fahl commented that she did the following:

- **LAWRENCE GOVERNING BODY:** reached out to her friend who was the Mayor during the time the project was built and now he serves as a council member about the article circulated and he had no recollection of any issue with Kalian Company.
- **CITY PLANNER:** Clarke Caton Hintz, the City Planner, was also a consultant for Lawrence and we asked them to look through their records for information. The city will do more due diligence to ensure we are checking all the boxes.
- **RED BANK:** Fahl: spoke to red bank, retail space in bottom, secondary commercial district, they reported they were reasonable to work with and they would work with them again. Fahl will continue to work on this and fare out any concerns.

Councilman Sanders commented that the due diligence process is important. And there may be ideas or concepts that come to people/council, and it is incumbent upon us to share that information. Very significant dance partner.

### PUBLIC COMMENTS:

Tom Schwartz, Lillie Chen, Mike Redman, Sue Bell, Elycia Lerman; Audrey Byrnes, John Hencheck, Mike Menche, Judy Gleason, Evan Straley, Cullum Quinn, Shaun Ellis, Geoff Kline, Dave Burd, Sandy Hannah, Kelly Bolding, Paul DiBenedetto, all expressed concern for the project and felt it was a bad idea to

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move forward. Jack Ludwig commented that he was supportive of obtaining further information about the project.

Questions or comments are as follows:

- City received one response; concern was expressed about the quality of the proposal since we only received one response.
  - The City cannot extend the deadline on a formal request for proposals.
- The City appointed HMR Architects through a formal request for proposals and they have completed work on police departments.
- Sites for consideration include: catholic church, rental or sale, riverwalk building, CVS, David Rago, extensive costing the city almost nothing with quite a bit of back work, the Closson property and the Phillip L. Pittore Justice Center.
- The process will contain a public involvement section, and notice will be provided to property owners within the city limits via the Lambertville Matters Newsletter, via emails to the listserv, and on the city's website.
- The redevelopment funding agreement obligates both parties to negotiate in good faith and the agreement will expire 60 days after signing.
- Environmental Concerns:
  - The Redeveloper agreement will contain the purchase and sale which will lay out timelines on what they would be allowed to do if anything is discovered.
  - the area in which Chuck's auto body was a snack stand with a sign that said fill wanted and the trucks from the state, county, and city you put it up and dumped it there. And what we found when we were looking, Mike Burns looking at this site, and questioning on grant of City Hall, Mike did a study and came back with soil marshmallow and had to be taken down to 19 feet would not support a municipal structure.
- Flemington sold their police station for 1.4 million and then they discovered it was going to cost 1.5 million to build new and they are now renting the police station from the developer.
- Green Acres/Closson Property:

The City has met with Green Acres, NJ Conservation and Hunterdon Preservation Trust regarding the acquisition of the 8.6 acres and the exemption area for the out buildings. They do not want to see the historic barns or buildings in the green acres zone because it limits the uses so significantly nonprofits won't take them on to preserve them. We presented a MPA with an exemption area, and we are working with green acres with a goal to keep as small and tight as possible to preserve the view shed and leave the buildings for private or public use.

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- We have a 2018 signed agreement good until 2025,
- Concern for the timeline and the response provided by Kalian was questioned (only references bank, lender, typo in the loi, their rental cost at \$30 per square foot, \$2,400 per month and the 1148 at \$2870)
- Affordable Housing will give us time because we signed the agreement prior to covid, moving it to the Closson farm, a bad idea.
- The proposal received from Kalian Companies will provide five units designated for affordable housing which is locked by the COAH agreement.
- The escrow deposit is \$25,000 and will need to be replenished when the balance reaches \$10,000.
- Final design will also be a part of the negotiation. We hold feet to fire to get as close to the design vetted by the Community Advisory Team (CAT).
- An area in need of rehabilitation can be changed, affordable housing can be changed.
- The area in need of rehabilitation needs to be looked at again. Studies should be limited to areas that are truly in need and used for blighted and distressed areas. This was a far stretch and therefore the study should be readdressed.
- Tax Abatement/PILOT Programs was discussed and is part of the proposal submitted by Kalian Companies. Each PILOT is done by ordinance for the pilot agreement, standards so that affordable housing is viable to build.
  - If the project moves forward, is there any way that the city can earmark a percentage to go back into the school payments we make in our property taxes.
- Uprising of the summer, think about using the funds we spend on policing in other ways. This is a huge financial reinvestment in policing.
- 

In support of the process:

- Will give the city the information required to make a final decision;
- We need to preserve historic buildings of value, police station not one of them.
- The process will help to define if Kalian is a good partner with the city.
- The Logical vote is to vote yes in support of finding out more information.

Mayor Fahl read the resolution into the record by title.

Mayor Fahl asked for a motion to adopt Resolution Number 88-2021. Councilman Sanders made the motion and Council President Taylor seconded the motion. A roll call vote was taken in favor of the motion, with the following outcome: Councilwoman Lambert – no, Councilman Sanders – yes, Councilman Stegman – no, Council President Taylor – yes, Mayor Fahl – yes. MOTION CARRIED.

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**RESOLUTIONS**

Mayor Fahl read the resolutions into the record by title.

RESOLUTION NUMBER 89-2021: A Resolution Authorizing the Grant Application for EMAA.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville, that the grant application for EMAA in the amount of \$10,000 for the Office of Emergency Management is hereby authorized.

RESOLUTION NUMBER 90-2021: A Resolution Authorizing Participation in the Hunterdon County Electric Cooperative for Community Aggregation.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville, in the County of Hunterdon, that the Municipal Clerk is authorized to file the paperwork necessary to participate in the Hunterdon County Cooperative Purchase of Electric.

RESOLUTION NUMBER 91-2021: A Resolution to Authorize the Contracts with Norman J. Goldberg and Rick Carabelli to complete appraisals for the Closson Property Specific to the Application for Green Acres Funding.

RESOLUTION NUMBER 91-2021

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR APPRAISALS OF THE CLOSSON PROPERTY FOR GREEN ACRES FUNDING

WHEREAS, the City of Lambertville has a need to acquire appraisal services as a non-fair and open contract pursuant to the provisions of <N.J.S.A. 19:44A-20.4 or 20.5 as appropriate>; and,

WHEREAS, the anticipated term of this contract is 1 year(s) and

WHEREAS, two appraisers have submitted a proposal on May 25 indicating they will provide the appraisal services for the Closson Property for Green Acres Funding and

WHEREAS, the businesses have completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Hunterdon County Democratic Club in the previous one year, and that the contract will prohibit the them from making any reportable contributions through the term of the contract, and

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the City of Lambertville authorizes the contracts with the following companies as described herein:

Norman J. Goldberg: an estimate of value in fee of the entire property of 8.49+ acres inclusive of improvements would be \$5,000. If you were to only require an

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estimate of value in fee of the land (about 6.26 acres) to be submitted to NJDEP Green Acres for funding excluding the exception area the fee would be \$2,500.

Richard Carabelli: - quote in process.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution. and,

ADOPTED: June 1, 2021

Mayor Fahl asked for a motion to approve Resolution Numbers 89-2021 through 91-2021. Councilman Sanders made the motion to adopt Resolution Numbers 89-2021 through 91-2021. Councilman Stegman seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

## NEW BUSINESS/CONSTITUENT CONCERNS

SHRSD REFERENDUM: Anthony Suozzo, Superintendent, South Hunterdon Regional School District was present and reviewed the PowerPoint presentation with the members of the Governing Body and public regarding the referendum to upgrade the Lambertville Public School, build a middle school on the grounds at the high school. A copy is attached.

MARIJUANA UPDATE: Councilman Sanders reviewed current legislation and gave an update on where we are with the introduction of an ordinance to regulate Marijuana distribution centers, manufacturing and growing centers in the city. The work group plans to meet with members of the public, hold public forums prior to the introduction of a revised ordinance in July. Councilman Sanders, Councilman Stegman and the City Planner will work on the revisions to the ordinance which will need to also be reviewed by the Planning Board

## ANNOUNCEMENTS

Mayor Fahl read the announcements into the record.

COVID-19 VACCINE CLINIC: Wednesday, June 2, 2021, 10 am to noon, Lambertville Hall, 51 Bridge Street, Walk-ins Welcome! The clinic will offer the J&J Vaccine!

## ELECTION DATES:

Primary election is scheduled for Tuesday, June 8, 2021

General election is scheduled for Tuesday, November 2, 2021

## Polling Information:

Hours: The polls will open at 6 am and close at 8 pm

Places:



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Districts 1 and 2 will vote at the Phillip L. Pittore Justice Center located at 25 South Union Street in the city;

Districts 3 and 4 will vote at the American Legion located at 320 North Union Street in the city.

**PUBLIC PARTICIPATION**

Paul Stevens asked about the 2021 Budget and where we are with the Police Station. He commented that it is common for budgets to be adopted when not knowing how much money you would have and he cited other municipalities who have introduced or adopted their budgets. Mayor Fahl responded that the City had to wait for direction on how to use the ARPA funds. And he wanted additional information regarding the relocation of the Police Station.

Jessie Marie Villars commented that she has been a medical cannabis patient for years, thank you to the council and mayor, appreciates you taking in community input and reconsidering opting out. She asked that the Governing Body give Micro-businesses an opportunity.

Judy Gleason, regarding the 2021 budget, she felt it was important that the city share something, and it would be helpful to continue with the path you started with educating the public about the budget process. Mayor Fahl commented that the city will present the public with a full budget presentation like was done in previous years.

Shaun Ellis thanked Councilman Sanders for being as open as possible and in gathering information around Cannabis in Lambertville.

Elycia Lerman expressed concern for the passing of the ordinance to go forward with Kalian. She felt the city was on the path of a four-month timeline to move the police station. Council President Taylor responded that it wasn't four months from today, there is at least two months of negotiations and then they have to get ready to do the process.

Kelly Bolding, 204 Brunswick – echoed Shaun Ellis' comments.

Gina Fischetti said she missed most of the meeting, and is happy to hear willing to engage with the community on Cannabis. She is disappointed in the vote on the police station. She asked if the city was going to hold meetings in a hybrid fashion so that while you have people here, you also have a way for people to engage with the council via zoom. Mayor Fahl responded that we are researching options, taking a look at the cost which is about \$6,000 per year which is not covered under FEMA reimbursements. We are looking into various ways that are less expensive to stream live; however, only in person comment will be on the public record. Ms. Fischetti encouraged use of an interactive online platform and acknowledged that it was for the benefit of the community.

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Lillie Chen commented that she was in support of what Gina said.

**CLOSED SESSION:** *“Authorizing a Closed Session at the June 1, 2021 Lambertville City Council Meeting to Discuss Personnel and Attorney/Client Privileged Issues Related to Contract Negotiations, Pursuant to N.J.S.A. 10:4-12(b)(7&8)”*

**RESOLUTION**

*“Authorizing a Closed Session at the June 1, 2021 Lambertville City Council Meeting to Discuss Personnel and Attorney/Client Privileged Issues Related to Contract Negotiations, Pursuant to N.J.S.A. 10:4-12(b)(7&8)”*

**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 June 1, 2021, to discuss the following matters: *Personnel and Attorney/Client Privileged Issues Related to Contract Negotiations, Pursuant to N.J.S.A. 10:4-12(b)(7&8)*

**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: June 1, 2021

Mayor Fahl and City Council convened in closed session at 9:53 p.m. with a motion made by Councilman Sanders and seconded by Councilwoman Lambert. 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 10:20 p.m. with a motion made by Councilman Sanders and seconded by Councilwoman Lambert. An affirmative voice/roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

**ADJOURNMENT**

The meeting adjourned at 10:21 p.m. with a motion made by Councilman Stegman and seconded by Councilwoman Lambert. An affirmative voice vote was taken in favor of the motion to adjourn by all members present. MOTION CARRIED.

Respectfully submitted,

Cynthia L. Ege  
CMR, RMC, City Clerk