



**City of Lambertville
Meeting Agenda
October 24, 2024, 6:00 p.m.
Phillip L. Pittore Justice Center
25 South Union Street**

I. STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

This meeting is being held in compliance with the Open Public Meetings Act with the meeting schedule advertised in the January 10, 2024, edition of the Trenton Times, the meeting agenda was posted on the Bulletin Board at City Hall and the City's website, and the meeting notice was sent to the members on the Listserv and Department Heads and the City Engineer on Monday October 21, 2024.

The meeting agenda offers planned action items known at the time of publication and is subject to change.

II. ROLL CALL

Councilwoman Kominsky, Councilman Lide, Councilman Stegman, Council President Lambert, and Mayor Nowick

III. CLOSED SESSION: to discuss attorney/client matters related to potential contracts pursuant to N.J.S.A. 10:4-12(b)(7).

PLEASE NOTE: *The Governing Body will go into closed session at 6:00 pm and will reconvene in open session at 7:00 pm.*

IV. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

V. SWEARING IN OF PATROLMAN SAM PRADARITS

VI. COUNTY OF HUNTERDON, PRESENTATION OF CHECK – Commissioner Director Kuhl

VII. APPROVAL OF MINUTES

- a. September 19, 2024, Meeting Minutes
- b. September 19, 2024, Closed Session Minutes
- c. October 10, 2024, Work Session Minutes

VIII. APPROVAL OF ADMINISTRATIVE REPORTS

- a. Clerk's Office, Construction Office, Municipal Court, Public Works Department, Police Department, Tax Collector.

IX. PUBLIC PARTICIPATION

X. RESOLUTIONS

CONSENT AGENDA: The following resolutions on the consent agenda are considered routine and shall be enacted by one motion. Should any member of City Council seek separate discussion of any item, that item shall be removed and discussed separately.

a. RESOLUTION NUMBER 143-2024: *A Resolution Authorizing the Refunds for the Month of September*

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of NJ, that the following refunds are hereby approved:

- i. ProCap 8 FBO Firstrust Bank, PO Box 774, Fort Washington, PA 10934, refund of overpayment of Tax Sale on Block 1004, Lot 3, in the amount of \$28,685.95
- ii. Emily Hiller, refund of Facility Use Fees (x2) in the amount of \$500.00
- iii. Jillian Roberts, refund of Facility Use Fee in the amount of \$250.00
- iv. Philips Van Mater-Miner, refund for Bulk Trash in the amount of \$40.00
- v. Amy Bob-Buttermore, refund of Facility Use Fee in the amount of \$250.00
- vi. Susan Darkhosh, refund of Bulk Trash payment in the amount of \$130.00
- vii. Shaun Ellis, refund of Facility Use Fee in the amount of \$250.00
- viii. John Bregartner, refund for damaged trash can in the amount of \$167.00
- ix. Escrow Refunds as follows:

Kevin Romano - 9 Douglas Street, \$449.54

Silverstar Realty - 51 Bridge Street/ 40 Ferry Street, \$152.30

Artspace, LLC - 1 Elm Street, \$763.00

Artspace, LLC - 278 N Union Street, \$40.92

Artspace, LLC - 247 N Main Street, \$1,892.59

****Please do one check for all Artspace LLC***

William Neeley - 3 Ferry Street, \$1,314.61

b. RESOLUTION NUMBER 144-2024: *A Resolution to Authorize the City Clerk to Cancel the Grant to Install EV Charging Units Through the State of NJ, DEP, 'It Pay\$ to Plug In' Drive Green Program.*

WHEREAS, the Deputy Clerk has been working with Jersey Central Power and Light, Verizon, and EV Resource Group to select the perfect place for the EV Charging Station; and

WHEREAS, the sites reviewed for selection include the North Union Street Parking Lot, and City Hall; and

WHEREAS, because of the location of the power lines required to supply power to the chargers, the North Union Street Parking Lot was ruled out; and

WHEREAS, the parking lot at City Hall would need to be powered through the York Street side of the building off a Verizon pole; and

WHEREAS, the fees to install the line to supply power to the site were in the amount of \$228,000.00, which are not funded through the grant; and

WHEREAS, after some additional research, the Deputy Clerk found that there are several other opportunities for EV projects that have less barriers to completion.

NOW THEREFORE BE IT RESOVLED by the Governing Body of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that the City Clerk is hereby authorized to cancel the grant application with the State of New Jersey, Department of Environmental Protection, ‘It PAY\$ to Plug In” EV Charging Project for the installation of EV Chargers.

BE IT FURTHER RESOLVED that the Deputy Clerk is hereby authorized to continue researching the best possible options for EV Chargers for the City of Lambertville.

- c. RESOLUTION NUMBER 145-2024: *A Resolution Requesting the Insertion of a Special Item of Revenue in the Budget of Any County or Municipality Pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) Safe Passage 4th of July*

RESOLUTION – 145-2024

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

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

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

WHEREAS, the Chief Financial Officer has certified that the City has received a grant in the amount of \$1,225.00; 4th of July DWI Enforcement Grant.

NOW THEREFORE, BE IT RESOLVED that the City of Lambertville hereby requests the Director of Division of Local Finance to approve the insertion of an item of revenue in the 2024 CY Budget in the amount of \$1,225.00 which item is now available as revenue from the receipt of the 4th of July DWI Enforcement Grant

BE IT FURTHER RESOLVED that a like sum of \$1,225.00 is hereby appropriated under the caption of:

OPERATIONS “EXCLUDED FROM CAP”

Safe Passage \$1,225.00

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

ADOPTED: October 24, 2024

- d. RESOLUTION NUMBER 146-2024: *A Resolution Requesting the Insertion of a Special Item of Revenue in the Budget of Any County or Municipality Pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948), Body Worn Cameras*

RESOLUTION NUMBER 146-2024

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

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

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

WHEREAS, the Chief Financial Officer has certified that the City has received a grant in the amount of \$587.77 for Body Worn Cameras.

NOW THEREFORE, BE IT RESOLVED that the City of Lambertville hereby requests the Director of Division of Local Finance to approve the insertion of an item of revenue in the 2024 CY Budget in the amount of \$587.77 which item is now available as revenue from the receipt of the Body Worn Cameras.

BE IT FURTHER RESOLVED that a like sum of \$587.77 is hereby appropriated under the caption of:

OPERATIONS “EXCLUDED FROM CAP”

Body Worn Cameras \$587.77

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

ADOPTED: October 24, 2024

- e. RESOLUTION NUMBER 147-2024: *A Resolution Requesting the Insertion of a Special Item of Revenue in the Budget of Any County or Municipality Pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948), Community Energy Plan Grant*

RESOLUTION NO. 147-2024

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

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

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

WHEREAS, the Chief Financial Officer has certified that the City has received a grant in the amount of **\$10,000.00- Community Energy Plan Grant.**

NOW THEREFORE, BE IT RESOLVED that the City of Lambertville hereby requests the Director of Division of Local Finance to approve the insertion of an item of revenue in the 2024 CY Budget in the amount of **\$10,000.00** which item is now available as revenue from the receipt of the **Community Energy Plan Grant.**

BE IT FURTHER RESOLVED that a like sum of **\$10,000.00** is hereby appropriated under the caption of:

OPERATIONS “EXCLUDED FROM CAP”

Community Energy Plan Grant \$10,000.00

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

ADOPTED: October 24, 2024

- f. RESOLUTION NUMBER 148-2024: A Resolution Requesting the Insertion of a Special Item of Revenue in the Budget of Any County or Municipality Pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948), Drive Sober End of Summer

RESOLUTION – 148-2024

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

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

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

WHEREAS, the Chief Financial Officer has certified that the City has received a grant in the amount of **\$1,890.00; Somerset County Drive Sober End of Summer.**

NOW THEREFORE, BE IT RESOLVED that the City of Lambertville hereby requests the Director of Division of Local Finance to approve the insertion of an item of revenue in the 2024 CY Budget in the amount of **\$1,890.00** which item is now available as revenue from the receipt of the; **Somerset County Drive Sober End of Summer.**

BE IT FURTHER RESOLVED that a like sum of **\$1,890.00** is hereby appropriated under the caption of:

OPERATIONS “EXCLUDED FROM CAP”

Drive Sober Grant \$1,890.00

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

ADOPTED: October 24, 2024

- g. RESOLUTION NUMBER 149-2024: *A Resolution Requesting the Insertion of a Special Item of Revenue in the Budget of Any County or Municipality Pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948), Recycling Tonnage*

RESOLUTION NO. 149-2024

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

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

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

WHEREAS, the Chief Financial Officer has certified that the City has received a grant in the amount of **\$4,832.61- 2021 Recycling Tonnage Grant.**

NOW THEREFORE, BE IT RESOLVED that the City of Lambertville hereby requests the Director of Division of Local Finance to approve the insertion of an item of revenue in the 2024 CY Budget in the amount of **\$4,832.61** which item is now available as revenue from the receipt of the **2021 Recycling Tonnage Grant.**

BE IT FURTHER RESOLVED that a like sum of **\$4,832.61** is hereby appropriated under the caption of:

OPERATIONS “EXCLUDED FROM CAP”

Recycling Tonnage Grant \$4,832.61

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

ADOPTED: October 24, 2024

- h. RESOLUTION NUMBER 150-2024: *A Resolution to Cancel Outstanding Checks*

WHEREAS, there exists outstanding checks which have been outstanding for over one year.

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 following checks be cancelled, and the expenditure be deposited into the proper fund:

<u>FUND</u>	<u>PAYEE</u>	<u>DATE</u>	<u>CHECK NUMBER</u>	<u>AMOUNT</u>
Current	Christopher Monigan	08-18-2022	102244	15.00
	West Amwell Mason Supply	11-17-2022	102562	119.00
	Sarah Russo	07-20-2023	103284	250.00
	Emily Venettone	11-16-2023	103606	989.40
	Exacto Spanish Interpretors LLC	11-16-2023	103607	169.85

Rock Creek Woods HOA	12-21-2023	103761	1,112.64
	TOTAL		2,655.89

i. RESOLUTION NUMBER 151-2024: A Resolution to Authorize the Return of Escrow Funds to Elizabethtown Gas for Road Work Completed for New Gas Lines and New Service Lines, in the Amount of \$13,243.04

WHEREAS, Elizabethtown Gas posts escrow funds for the City Engineer to review their application to ensure full compliance with the Lambertville City Code, 2014; and

WHEREAS, the projects started in 2021 are complete and the City Engineer certified the project was completed as per city codes.

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 inspection fees to Elizabethtown Gas for the 2021 projects in the amount of \$13,243.04 is hereby authorized.

j. RESOLUTION NUMBER 152-2024: A Resolution to Authorize the Return of a Cash Maintenance Bond to William Barish in the Amount of \$22,537.05, Pending the Payment of COAH Development Fees and Escrow Replenishment

WHEREAS, on November 3, 2023, the City Engineer issued a memorandum for the temporary certificate of Occupancy Guarantee and Cost Estimate for the project known as the 7 Delevan Street Townhouse Subdivision; and

WHEREAS, the memorandum required a performance guarantee in the amount of \$24,256.80, which was paid on February 20, 2024, by William E. Barish; and

WHEREAS, William E. Barish is required to post a maintenance bond in the amount of \$1,719.75, or 10% of the performance guarantee.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville, in the State of New Jersey, that the refund of the performance guarantee (\$24,256.80) for 7 Delevan Street, minus the maintenance bond (\$1,719.75), to William E. Barish is authorized, in an amount not to exceed \$22,537.05.

BE IT FURTHER RESOLVED, that the City will retain the cash maintenance bond in the amount of \$1,719.75, for a period of two years.

BE IT FURTHER RESOLVED, that the payment of the COAH Development Fees and the escrow account must be replenished before the check can be presented to William Barish.

k. RESOLUTION NUMBER 153-2024: A Resolution to Authorize the Extension of the Time Period for Valet Parking on North Union Street, East of Church Street, to November 30, 2024.

WHEREAS, the Governing Body of the City of Lambertville authorized the operation of a Valet Service at Under the Moon through the adoption of Resolution Number 201-2022, amended by Resolution Number 92-2024, and

WHEREAS, the owners of Under the Moon, LLC are managing this program, however the services will be available to the public; and

WHEREAS, Ordinance Number 17-2024 to authorize Valet Parking in the City was introduced for first reading on September 19, 2024, with the public hearing scheduled for October 24, 2024,

WHEREAS, the authorization granted in this resolution will expire with the adoption of Ordinance Number 17-2024.

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 request for valet services in front of Under the Moon, LLC is hereby authorized subject to the following conditions:

1. The program will end November 30, 2024.
2. Hours of Operation are restricted to the following days and times with a maximum of three metered parking spaces:
 - Friday Night beginning at 5:00 p.m. – 10:00 p.m.
 - Saturday beginning at 11:00 a.m. to 10:00 p.m.
 - Sunday 1:00 p.m. through 6:00 p.m.
3. Under the Moon, LLC agrees to pre-pay for the use of the parking spaces with \$252.00 due per month, for two meters, based on 4 weekends per month, due the first of each month.
4. Valet's may be required to take a pre-approved route for traveling to and from Lambertville Station.
5. There will be no parking in the emergency access agreement that runs on the eastern side of the parking lot.
6. Valet company will provide a State of New Jersey Business Registration, a Certificate of Good Standing with the State of New Jersey, or register as a foreign company, and provide the City with their Certificate of Insurance with the limits that include liability insurance and workers compensation.

BE IT FURTHER RESOLVED that the Mayor, City Attorney, and City Clerk are hereby authorized to sign the Memorandum of Understanding with the owners of Under the Moon, LLC.

1. RESOLUTION NUMBER 154-2024: A Resolution to Authorize the Change Order with Scozzari Builders for the Public Works Renovations Funded Through a Grant from the State of New Jersey, In the Amount of \$31,814.89

WHEREAS, the Governing Body of the City of Lambertville awarded a contract to Scozzari Builders for the Public Works Renovations Funded through a grant from the State of New Jersey on March 21, 2024, via Resolution Number 58-2024 in the amount of \$397,243.00; and

WHEREAS, the local public contracts law permits a change order up to 20% of the original cost of the project, or \$79,448.60; and

WHEREAS, the Governing Body would like to increase the scope of the project to include work on the exterior of the existing building which includes preparation of a masonry building, and painting, and the installation of a transfer switch for a generator.

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 Change Order 1 for the Public Works Project is approved as follows:

Preparation and painting of the exterior of the building: \$31,814.89

Installation of a transfer switch: \$11,979.00

- m. RESOLUTION NUMBER 155-2024: A Resolution to Authorize Change Order #1 for North Franklin Street (2022-MA-00586, and Swan Street, Studdiford Street and Coryell Road (2023-MA-00572) in an Amount Not to Exceed \$18,180.46, bringing the total project cost to \$365,893.59*

WHEREAS, the City of Lambertville awarded a contract to Earle Asphalt via Resolution Number 163-2023 in the amount of \$371,913.13; and

WHEREAS, the City Engineer is recommending approval of Change Order 1, which decreases the contract by \$55,847.79, and increases the contract by \$74,028.25, with an overall change order in the amount of \$18,180.46.

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 Change Order Number 1 for the North Franklin Street (2022-MA-00586, and Swan Street, Studdiford Street and Coryell Road (2023-MA-00572) in an Amount Not to Exceed \$18,180.46, bringing the total project cost to \$365,893.59 is hereby approved.

- n. RESOLUTION NUMBER 156-2024: A Resolution to Authorize Change Order #1 for the Nature Trail Project Awarded to Avid Trails in the Amount of \$110,350.00, for the Installation of Signage in the Amount of \$4,914.00.*

WHEREAS, the City of Lambertville awarded a bid to Avid Trails for the Lambertville Nature Trail on July 20, 2024, in the amount of \$110,350.00, and

WHEREAS, the bid included a price of \$6,500.00 for signage; and

WHEREAS, the scope of the actual signage installed changed to include a second sign, aluminum substrate blazes and directional areas, which increased the scope of the project by \$4,914.00, or 4% increase; and

WHEREAS, the CMFO has certified that funds are available.

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 change order number 1, for the Nature Trail project, awarded to Avid Trails in the amount of \$4,914.00 is hereby authorized.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to sign the change order with the contractor.

- o. RESOLUTION NUMBER 157-2024: A Resolution to Request a Reduction in Speed Limit on Route NJ 29 from NJDOT*

WHEREAS, the New Jersey Department of Transportation (NJDOT) recently completed a traffic investigation on Route NJ 29 in the City of Lambertville;

WHEREAS, NJDOT recommends a reduction to the regulated speed limits in the “Zone 1” from 40 MPH to 35 MPH between the West Amwell Township - City of Lambertville southerly corporate line and 1980 feet north to Knob Road (approximate

mileposts 18.07 to 18.48); thence and “Zone 2” from 35 MPH to 25 MPH between Knob Road and 735 feet north to Mount Hope Street (approximate mileposts 18.48 to 18.60);

WHEREAS, Route NJ 29 is coincident with Route NJ 165 (approximate mileposts 0.00 to 0.26) from approximate mileposts 18.60 to 18.87, and the speed limit in the “Zone 1” is recommended for a reductions from 35 MPH to 25 MPH between Mount Hope Street and 1050 feet north to Route NJ 179 (Bridge Street) (approximate mileposts 0.00 to 0.26);

WHEREAS, the speed limit reductions above will create safer driving conditions in this area of Route NJ 29;

NOW, THEREFORE, BE IT RESOLVED by the City of Lambertville Governing Body of the City of Lambertville, County of Hunterdon, in the State of New Jersey, that it supports the reduction of the Speed Limit on Route NJ 29 in the City of Lambertville as recommended by the NJDOT.

BE IT FURTHER RESOLVED that the City of Lambertville concurs that any traffic regulations in conflict with or inconsistent with the provisions of this Resolution be rescinded upon approval of the Traffic Regulation Order.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to NJDOT as requested.

- p. RESOLUTION NUMBER 158-2024: *A Resolution to Authorize the Redemption of a Tax Lien for Block 1030, Lot 7, 51 N. Union Street, in the Amount of \$119,671.34, Plus a Premium \$43,800.00*

WHEREAS, Tax Lien Certificate 20-00006 issued on Block 1030 Lot 7 was sold to Bala Partners LLC PO Box 303 Pottersville, NJ 07979 on 10/19/20 and

WHEREAS, payment has been received by the Tax Collector for redemption of the tax lien from the owner.

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey that the check is hereby authorized to Bala Partners LLC PO Box 303 Pottersville, NJ 07979 for tax lien certificate 20-00006 in the amount of \$119,671.34

In addition, the city is holding a premium in the amount of \$43,800.00

and upon redemption this is due back to the lienholder.

2 checks for the lienholder –

Check 1= \$119,671.34

Check 2= for premium= \$43,800.00

End of Consent Agenda

XI. BILLS LIST

XII. ORDINANCES – FIRST READING

- a. ORDINANCE NUMBER 22-2024: An Ordinance to Amend the Lambertville City Code, 2014, Chapter 5-11, to Include Provisions to Manage Short-Term Rentals

ORDINANCE NUMBER 22-2024

An Ordinance to Amend the Lambertville City Code, 2014, Chapter 5-11, to Include Provisions to Manage Short-Term Rentals

CHAPTER 5-11 - SHORT-TERM RENTALS.

§ 5-11.1 - Definitions.

The following terms shall have the meanings indicated below:

“Allowed occupancy” shall mean the number of occupants permitted to lodge within the dwelling unit during a period of rental. This number shall be calculated in accordance with Chapter 10 of the City Code (**10-7.6 and 10-7.7, Limitations of Occupancy and Minimum Standards for Room Occupancy**).

§ 5-11.3 - Short-term rental permit; permit registration fee/application.

- A. All short-term rentals must comply with Chapter XI, Fire Prevention and pay the necessary fees. STR properties shall be required to schedule SDCMFX inspections twice annually (every six months), due at the end of March and the end of September each year.

§ 5-11.4 - Application process for short-term rental permit and inspections.

- B. Every initial application for a short-term rental permit shall require the following, in addition to the annual requirements outlined above:
- a. Proof of the owner's current ownership of the short-term rental unit.
 - b. A zoning compliance certificate, issued by the Construction & Zoning Office of the City of Lambertville, which states that the premises are not being occupied or used in violation of the City's Land Use Regulations and Zoning Ordinances.
 - c. A floor plan of the dwelling unit that details room dimensions of the rented areas.
 - d. Documentation indicating that the property has been inspected for compliance with the City's fire safety regulations, including a valid SDCMFX certificate.
 - e. Documentation of compliance with state of New Jersey lead-based paint regulations. The property owner shall provide either proof of their exempt status, or a copy of the lead testing certificate issued by a state-certified lead inspector.
 - f. Thereafter, upon renewal, the applicant must present documentation that the property has been inspected for continued compliance with the City's fire safety and lead-based paint regulations.

§ 5-11.5 - Issuance of permit and appeal procedure.

- B. The permit shall contain the date of issue, permit number, and allowed occupancy for the STRP.

§ 5-11.6 - Short-term rental operational requirements.

- J. In the event that the City documents two (2) occurrences concerning excessive occupancy of a STRP, the short-term rental permit for the property is subject to revocation by the Mayor or his/her designee.

INTRODUCED FOR FIRST READING: October 24, 2024

PUBLIC HEARING AND SECOND READING: November 21, 2024

- b. ORDINANCE NUMBER 23-2024: *An Ordinance to Amend the Lambertville City Code, 2014, to Correct the Definition of Automatic, Automated Vending Machine*

~~AUTOMATIC, AUTOMATED VENDING MACHINE~~

~~Shall mean any method of payment, including, but not limited to coin, slugs, credit cards, membership card or game card, operated machine used for the purpose of selling liquids, candy, food or general merchandise. Up to six coin operated non-electrical bulk vending machines, located on the same stand, shall be considered to be one machine and require one license. The license fee shall be calculated based on the highest dispensing fee of the bulk vending machines.~~

AUTOMATIC, AUTOMATED VENDING MACHINE

Shall mean any method of payment, including, but not limited to coin, slugs, credit cards, membership card or game card, used to operate a machine for the purpose of selling liquids, candy, food or general merchandise.

INTRODUCED FOR FIRST READING: October 24, 2024

PUBLIC HEARING AND SECOND READING: November 21, 2024

- c. ORDINANCE NUMBER 24-2024: *An Ordinance to Amend Ordinance Number 06-2024, Article XV, Stormwater Management, Specific to the Provisions for Stormwater Control of the City of Lambertville*

The County of Hunterdon’s Planning Board requested some changes to the Ordinance.

Posted separately due to length.

XIII. ORDINANCES – SECOND READING

- a. ORDINANCE NUMBER 17-2024: *An Ordinance to Amend the Lambertville City Code, 2014, Chapter 7, Traffic, Adding Section 7-17, VALET PARKING*

Note: this will need to be reintroduced to include the R2.

7-17.7 Review and Issuance of Licenses.

Applications shall be forwarded to the City Clerk for a completeness review to ensure compliance with this article and other provisions of this Code. The City Clerk will forward the application to such other municipal departments as may

be necessary to conduct such investigations of the application, including but not limited to review of driver history abstracts as may be required.

ORDINANCE NUMBER 17-2024

An Ordinance To Amend The Lambertville City Code, 2014, Chapter 7, Section 7-17, Lambertville Restaurant Valet Parking Service

WHEREAS, the City of Lambertville's Central Business District (CBD), Commercial-2, Commercial-3 zones, and the R2 Residential, are home to some of the area's finest restaurants that create an increased demand for parking convenient to their locations especially on weekends; and

WHEREAS, additionally, restaurants categorized as a pre-existing non-conforming use are included regardless of the zone they are within; and

WHEREAS, this action will increase available parking options for restaurant clientele during these times of increased demand for parking without negatively impacting available street parking for residents; and

WHEREAS, the licensing and regulation of persons providing valet parking services for restaurants in these designated zones will promote the safe and efficient operation of a valet parking service and ensure safety for patrons and accountability for the licensed persons.

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, once adopted, the following language shall be inserted into the Lambertville City Code, 2014, Chapter 7. Traffic, Section 7-17, Lambertville Restaurant Valet Parking Service.

7-17.1 DEFINITIONS

For the purposes of this article the following words and phrases shall have the meanings respectively ascribed to them by this section:

Ramping: Use of the valet parking service area to allow customers to enter or exit a vehicle and turn it over to or retrieve it from valet parking operator employees. Ramping operated in a public right-of-way must specifically be authorized for same by the mayor and council.

Stand Alone Service: A service provided by a vendor that is not connected to a retail business. Note: this is prohibited.

Valet parking operator; operator: Any person, partnership, corporation, or any other type of entity engaged in the business of parking automobiles for a fixed period of time for which it may or may not charge a fee. Valet parking services operated totally on a restaurant's private property for a fee or not, as a courtesy to its customers are excluded from this definition.

Valet parking service area: The public on-street right-of-way to be utilized for the valet parking service.

Wage theft: Having been found guilty, liable or responsible in any judicial or administrative proceeding of committing a violation of the Federal Fair Labor Standards Act of 1938, 29 U.S.C.A. § 201 et seq., the New Jersey Wage and Hour Law, N.J.S.A. 34:11-56a. et seq., the New Jersey State Wage Payment Law, N.J.S.A. 34:11-4.1 et seq. or N.J.S.A. 2C:40A-2 (violation of contract to pay employees).

7-17.2 VALET PARKING SERVICE AREAS — DESIGNATION

The mayor and council may, in their discretion, designate by resolution such places under their jurisdiction in the municipality as areas which can be used for the drop-off and pick-up of vehicles by valet parking operators, as they may deem expedient and proper.

The Police Director or the Officer-in-Charge, to meet a temporary condition or emergency, may temporarily relocate an existing valet service parking area for a period not exceeding seven days or until the next meeting of the mayor and council, whichever is sooner. The mayor and council may relocate a valet parking service area by resolution for such period of time as may be necessary to meet the temporary condition or emergency.

7-17.3 DUTY TO ACCEPT CUSTOMERS UPON REQUEST

Except as may be required or authorized by law or ordinance (Number 28-2015 adopted December 15, 2015), no valet parking operator licensed under this article shall refuse to accept a customer and a customer shall be serviced on a first-come, first-serve basis. No licensed operator shall refuse service to any customer based on race, creed, color, national origin, ancestry, age, sex, gender identity or expression, affectional or sexual orientation, marital status, familial status, disability or nationality, or any other basis in violation of state or federal law.

7-17.4 LICENSE REQUIRED

It shall be unlawful for a valet parking operator to conduct its business within a municipal right-of-way without first having obtained a license therefore from the mayor and council as provided in this article.

7-17.5 TRANSFERABILITY, GENERALLY

A valet parking operator license shall not be transferable.

7-17.6 APPLICATION FOR VALET PARKING OPERATOR LICENSE; QUALIFICATIONS

Valet Service Applications are restricted to proprietors of food operations as defined in the Board of Health section of the Lambertville City Code, 2014.

No more than one license may operate in an approved valet parking service area. The issuance of any valet parking operator license for use of a valet parking service area shall comply with the minimum requirements set forth in this article and shall also be in accordance with any additional terms and conditions as may be set forth by the mayor and council.

Stand-alone valet service is not permitted in the City. A formal arrangement between a restaurant and a valet service will be required for licensing.

The applicant shall give such information as may be deemed by the mayor and council as requisite to determine the fitness of the applicant to conduct the business. Every applicant for a license must be at least 18 years of age and shall provide the following information at a minimum:

- a) Name, address and telephone number of the business or person(s) on whose behalf the valet parking operator license is sought (referred to in this section as "applicant").

- b) The proposed days and hours of operation.
- c) A description of the location(s) of where the valet parking services will take place, including proof in the form of a written agreement to use private property for the parking of customer vehicles. The agreement must include the total number of parking spaces at the location and the number of spaces set aside for the exclusive use of vehicles from the valet parking service. Parking of valet vehicles shall not be allowed in public parking lots or public streets. The remote parking of valet vehicles shall be limited to the **R2**, CBD, C2, & C3 zones.

The licensee must provide the proposed pattern of discharge and pickup of vehicles, including the estimated number of vehicles that will be valet parked during each hour of operation, and the number of agents or employees that will provide valet.

- a) A copy of the driver's license for each of the applicant's employees who will be parking vehicles on behalf of the applicant. All such individuals shall be licensed in the States of New Jersey or New York, or Commonwealth of Pennsylvania.
- b) A statement that none of the applicant's employees who will be parking vehicles have been convicted of reckless driving, driving while intoxicated, leaving the scene of an accident or speeding over 30 miles per hour above the speed limit. No employee who will park vehicles shall have more than eight New Jersey Motor Vehicle Commission points on his or her driving record, or the equivalent if licensed in New York or Pennsylvania.
- c) The applicant shall either provide proof that it has obtained driver history abstracts required herein no more than one year prior to the commencement of the service for the municipality, or provide consent as may be necessary, for the Police Director or the Officer-in-Charge, to obtain driver history abstracts, in accordance with New Jersey law. The cost for obtaining driver history abstracts shall be borne by the applicant. Licensed operators shall be responsible for complying with this subsection (c) for new employees hired after a license is initially issued but during the license term.
- d) Certificate(s) of insurance evidencing the applicant's compliance with the following minimum insurance requirements:
 1. The restaurant owner and the licensed valet parking operator shall be required to maintain, during the term of its license, commercial general liability insurance which shall name Lambertville and each of its employees, officers, agents, servants, and consultants as additional insured.
 2. The commercial liability insurance shall include contractual liability insurance and shall provide for a minimum combined single limit of \$1,000,000 for bodily injury and/or property damage per accident and per occurrence. In addition, the commercial general liability insurance shall include garage keeper's liability insurance providing coverage for vehicles under the control of the operator within a minimum of \$500,000.
 3. The licensed valet parking operator shall maintain worker's compensation and employer's liability insurance for its employees in accordance with the requirements of the laws of the State of New Jersey and all other applicable laws and regulations.
 4. The operator shall maintain comprehensive automobile liability insurance covering the operator for claims arising from all owned, hired and non-

owned vehicles with a combined single limit not less than \$1,000,000 for bodily injury and/or property damage each accident.

5. The operator's certificate(s) of insurance shall evidence the coverage required above and shall be updated as necessary to ensure proof of compliance. The certificate(s) shall evidence that the municipality shall be given at least 30 days' prior written notice of any intention not to renew any of the insurance required herein or of any intention to cancel or materially change such coverage, or any reduction in such insurance coverage.

7-17.7 Review and Issuance of Licenses.

Applications shall be forwarded to the City Clerk for a completeness review to ensure compliance with this article and other provisions of this Code. The City Clerk will forward the application to such other municipal departments as may be necessary to conduct such investigations of the application, including but not limited to review of driver history abstracts as may be required.

Applications shall be deemed complete / incomplete by the City Clerk within 30 days of receipt of said application, except that where sufficient cause is shown therefor, the municipality shall have such additional time as may be reasonably necessary to conduct its review and investigation.

Completed applications shall be reviewed by Mayor and Council at the next scheduled council meeting. Upon approval, Valet Licenses shall be issued by the City Clerk within 15 days.

Copies of licenses shall always be kept at the valet parking service area in operation and shall be presented upon request.

7-17.8 Term.

Licenses issued under this article shall be good and valid for one year from the date of issuance, unless a shorter term is mutually agreed upon between the valet parking operator and municipality.

The term shall be renewable for such additional one-year terms as may be authorized under the terms of the contract between the valet parking operator and municipality.

7-17.9 Suspension or Revocation.

Any license issued pursuant to this article may be permanently revoked or suspended at any time for any violation of law (including but not limited to wage theft laws), any provision of this article or for other good cause shown, by the mayor and council after notice and an opportunity for a hearing.

7-17.10 General Regulations Applicable to Operation of Valet Service.

The following general requirements shall govern the operation of a valet parking service under a license herein authorized:

- (a) The operator's license shall be specifically limited to the valet parking service area and immediately adjacent sidewalk shown on a site plan approved by the municipality that shall be attached to and made part of the license.
- (b) Mobile stands, chairs, umbrellas, key boxes and any other objects necessary for the operation of the valet parking service shall be maintained on the immediately

adjacent sidewalk with a clean and attractive appearance and shall be in good repair at all times and removed at the close of business each day. No such objects shall be attached, chained or in any manner affixed to any tree, post, sign or any other fixture, curb or sidewalk in the authorized area. The base of the mobile stand shall not exceed two feet by two feet in size. Any other objects that may be used shall be approved by the municipality and shall be shown on the site plan identified in subsection above.

- (c) The sidewalk area covered by the license shall be maintained in a neat and orderly appearance at all times and the area shall be cleared of all debris as necessary during the day, and again at the close of business each day, in compliance with Ordinance Number 02-2024, Sidewalk Prohibited Uses.
- (d) The smoking of tobacco shall not be permitted in the sidewalk area covered by the license or valet parking service area during the operation of the valet parking service for purposes of protecting customers and individuals operating the valet parking service.
- (e) The license covers only the pedestrian and public right-of-way authorized thereby. Valet parking services and objects that may be necessary for the operation located on private property shall be governed by other applicable laws, regulations and ordinances.
- (f) The licensed operator shall be permitted to use up to two signs located on the sidewalk adjacent to the valet parking service area, each not exceeding four square feet in area and to be affixed to the valet parking service stand. Said sign(s) shall identify the business name, indicate that "valet parking" is offered and set forth the pricing.
- (g) The licensed operator shall provide claim tickets to customers identifying the operator's name, correspondence address, and a phone number for questions/complaints.
- (h) The licensed operator shall maintain a key control booth on the sidewalk adjacent to the valet parking service area until all vehicles have been claimed or shall have a twenty-four-hour phone number for after-hours vehicle pick up information.
- (i) The public on-street right-of-way (valet parking service area) shall only be used for purposes of ramping of vehicles. No vehicles shall be stored in this area. A vehicle will be considered stored if it remains in this area for more than 10 minutes.
- (j) Employees of the licensed operator who operate motor vehicles shall have in their possession a valid driver's license in good standing and shall abide by this article, and all traffic safety laws, regulations and ordinances.
- (k) Employees of the licensed operator shall be in similar uniforms and wear on their uniforms name tags identifying their names.
- (l) Employees of the licensed operator shall perform their duties in a courteous and professional manner.
- (m) In the event of an emergency, the Police Director may direct the immediate removal or relocation of all, or parts of the valet parking service operation as may be necessary to respond to the emergency,

including but not limited to the directing of traffic in and around the valet parking service area.

- (n) Under no circumstances shall the City of Lambertville or any of its employees, officers, agents, servants, or consultants be deemed responsible or liable in any way for any damage or loss of any kind resulting from actions which The City of Lambertville or its employees, officers, agents, servants or consultants may take in order to enforce this article, including but not limited to the removal of the operator's objects from the pedestrian or public right-of-way in the case of emergencies or temporary relocation of a valet parking service area.

7-17.11 Compliance with State Laws and Regulations and Ordinances; Wage Theft.

- (a) Nothing in this article shall be construed to relieve a licensed operator and its employees from compliance with any applicable federal and state law or regulation and it shall be the responsibility of each licensed operator and employee under this article to comply with all such federal and state laws and regulations, including without limitation state motor vehicle laws, federal and state wage and hour laws and state workers' compensation laws.
- (b) The licensed operator and its employees shall also comply with any other applicable ordinances and provisions of this Code pertaining to the health and economic welfare of employees, as may be adopted from time to time.
- (c) Valet company shall provide a State of New Jersey Business Registration, a Certificate of Good Standing with the State of New Jersey and provide the City with their Certificate of Insurance with the limits that include liability insurance and workers compensation.

7-17.12 Fees.

- License fee shall be set at \$150.00 for the first application, and \$100.00 for each renewal.
- Designated service ramping areas, whether located at metered spaces or not, will be charged at parking meter rates paid monthly by the applicant.

(d) 7-17.12 ENFORCEMENT

The provisions of this ordinance shall be enforced by Police Department.

7-17.13 VIOLATIONS AND PENALTIES

Any person(s) who is found to be in violation of the provisions of this ordinance upon conviction shall be liable to the penalty stated in Chapter 1 Section 1-5.

7-17.14 SEVERABILITY

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

7-17.15 EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

INTRODUCTION AND FIRST READING: September 19, 2024

PUBLIC HEARING AND SECOND READING: October 24, 2024

- b. ORDINANCE NUMBER 19-2024: *An Ordinance to Amend the Lambertville City Code, Board of Health, Food Licenses.*

ORDINANCE NUMBER 19-2024

An Ordinance to Amend the Lambertville City Code, Chapter BH3, RETAIL FOOD ESTABLISHMENT CODE

§ BH3-4. DEFINITIONS. [Ord. No. BH 13-2012 § BH3-4]

As used in this chapter:

COTTAGE FOOD ORDINANCE — Any person who holds a New Jersey cottage food operator permit. [Added 11-17-2022 by Ord. No. 30-2022]

FOOD TRUCK - Shall mean a large vehicle equipped with facilities for cooking where food is served, handled or provided for the public.

MOBILE VENDOR - Shall mean a temporary setup, including but not limited to a tent, booth or cart, where food is served, handled or provided for the public.

NONPROFIT/COMMUNITY SERVICE ORGANIZATION — Shall mean those organizations which are exempt from tax by the United States Internal Revenue Service and which present to the Board of Health a tax exemption number which has been issued to them by that Federal agency and shall include those with a 501(c)3 status.

PERMANENT ESTABLISHMENTS — Shall mean those that are not temporary.

PERSON — Shall mean and include organizations, corporations, unincorporated associations, individuals, persons, any group of two or more persons or any other entity.

RETAIL FOOD AND BEVERAGE ESTABLISHMENTS — Shall mean any fixed or mobile restaurant; coffee shop; cafeteria; short-order cafe, luncheonette; grill; tearoom; sandwich shop; soda fountain; tavern; bar; cocktail lounge; night club; roadside stand; industrial vending establishment; private, commercial or non-profit organization, institution, or group-preparing, storing or serving food or beverages; catering kitchen; commissary; box lunch establishment; retail bakery; meat market; delicatessen; grocery store; public food market, or similar place in which food or drink is prepared for retail sale or for service on the premises, or elsewhere (sold for off premise consumption); and any other retail eating or drinking establishment where food is served, handled or provided for the public with or without charge; except that agricultural markets, covered dish suppers or similar type of church or nonprofit type institution meal services shall meet the special provisions of N.J.A.C. 8:24-1.5; provided further, that any food and beverage vending machine shall meet the requirements of N.J.A.C. 8:24-4.12 (both of which sections are contained in Title 8, Health, Chapter 24 of the New Jersey State Sanitary code adopted herein).

TEMPORARY ESTABLISHMENT — Shall be defined as one in continuous service for not more than 3 consecutive days in the same location.

§ BH3-5. LICENSE REQUIRED. [Ord. No. BH1 3-2012 § BH3-5; amended 11-17-2022 by Ord. No. 30-2022]

a. It shall be unlawful for any person to conduct a retail food establishment as defined herein without first having obtained an annual license from the City Board of Health. It shall also be unlawful for any person to conduct said activities without complying with any or all the provisions of this chapter and N.J.A.C. 8:24-1.1 et seq. of the New Jersey State Sanitary Code.

b. No retail food establishment license shall be issued unless the retail food establishment has in its possession and on display a current satisfactory inspection certificate from the Hunterdon County Health Department dated within 12 months of the application for said license.

c. No cottage food operator license shall be applied for or issued unless the owner has in its possession, and on display, a zoning permit issued by the Zoning Officer of the City of Lambertville. The application for a zoning permit must include a satisfactory inspection certificate from the Hunterdon County Health Department dated within 12 months of the application for said license and must comply with § Z-520.1, Minor Home Occupation. After first obtaining a zoning permit, the owner/ operator can then apply for the State of New Jersey issued cottage food operator's license.

D. No food truck or mobile vendor shall operate in the City without first applying for and obtaining a license from the City Clerk's Office. An inspection certificate from the Hunterdon County Health Department is not a required prerequisite to apply for a license; however an inspection by a County Health Department inspector may be expected on the day of the event prior to operation.

§ BH3-6. LICENSE APPLICATIONS. [Ord. No. BH 13-2012 § BH3-6]

a. Each applicant for a license shall complete an application and provide all information requested on the application. When requested, each applicant shall provide further proof to the Board of Health of any representations contained in the application. Failure to do so shall result in the application being denied.

b. If there is a material misrepresentation or omission, any license issued on the basis of that application shall be revoked or suspended.

C. Food trucks and mobile vendors shall complete temporary event license applications for each date of intended operation in the City.

§ BH3-7. LICENSE PERIOD. [Ord. No. BH 13-2012 § BH3-7]

a. Annual licenses for permanent retail food establishments shall be effective for a period of one year commencing on June 1 and expiring on May 31 of the following year and shall be renewable for succeeding years thereafter upon payment of the annual fee and compliance with the requirements of this chapter and all other applicable laws and regulations.

b. Annual licenses for food trucks and mobile vendors shall be effective for a period of one year commencing on June 1 and expiring on May 31 of the following year and shall be renewable for succeeding years thereafter upon payment of the annual fee and compliance with the requirements of this chapter and all other applicable laws and regulations. Obtaining an annual license does not negate the requirement to submit event applications so that the City and County are informed of their intended dates of operation in the City.

- c. Temporary event licenses shall be issued for a period of time not to exceed 3 consecutive days in a single location.
- d. All applications for retail food establishment licenses, whether permanent or temporary, on forms prescribed by the Board of Health and the required fee shall be submitted to the Board of Health at least 20 days prior to the date of requested issuance or renewal.[1]

§ BH3-8. LICENSE FEES. [Ord. No. BH 13-2012 § BH3-8; Ord. No. 14-2017]

The annual license fees to be paid for issuance of a permanent or temporary retail food establishment shall be as follows:

a. **PERMANENT ESTABLISHMENTS:**

"Risk type 1 food establishment" means any retail food establishment that: 1. Serves or sells only pre-packaged, non-potentially hazardous foods; 2. Prepares only non-potentially hazardous foods; or 3. Heats only commercially processed, potentially hazardous foods for hot holding and does not cool potentially hazardous foods. Such retail establishments may include, but are not limited to, convenience store operations, hot dog carts, and coffee shops.

FEE: \$125.00 annually

"Risk type 2 food establishment" means any retail food establishment that has a limited menu; and 1. Prepares, cooks, and serves most products immediately; 2. Exercises hot and cold holding of potentially hazardous foods after preparation or cooking; or 3. Limits the complex preparation of potentially hazardous foods, including the cooking, cooling, and reheating for hot holding, to two or fewer items. Such retail establishments may include, but are not limited to, retail food store operations, schools that do not serve a highly susceptible population, and quick service operations, depending on the menu and preparation procedures.

FEE: \$200.00 annually

"Risk type 3 food establishment" means any retail food establishment that: 1. Has an extensive menu which requires the handling of raw ingredients; and is involved in the complex preparation of menu items that includes the cooking, cooling, and reheating of at least three or more potentially hazardous foods; or 2. Prepares and serves potentially hazardous foods including the extensive handling of raw ingredients; and whose primary service population is a highly susceptible population. Such establishments may include, but are not limited to, full-service restaurants, diners, commissaries, and catering operations; or hospitals, nursing homes, and preschools preparing and serving potentially hazardous foods.

FEE: \$300.00 annually

"Risk type 4 food establishment" means a retail food establishment that conducts specialized processes such as smoking, curing, canning, bottling, acidification designed to control pathogen proliferation, or any reduced oxygen packaging intended for extended shelf-life where such activities may require the assistance of a trained food technologist. Such establishments include those establishments conducting specialized processing at retail.

FEE: \$350.00 annually

B. TEMPORARY ESTABLISHMENTS:

1. Temporary food establishments which operate for one to three consecutive days in the same location: \$95.
2. Temporary food establishments which operate for four or more consecutive days (not to exceed 14 days) in the same location: \$145.00
3. Food Trucks intending to operate more than 20 days per year within the City limits shall apply for an annual mobile license: \$250.00

C. Non-profit community service organizations including public schools, fire departments, and ambulance and rescue squads: an exemption from the license fee will be granted to all non-profit community service organizations with the filing of a copy of their current 501(c)3 or State of New Jersey Charitable Organization papers.

D. Public schools[1] , fire departments and ambulance and rescue squads: \$0

An exemption from the number of temporary licenses granted will be given to all nonprofit entities selling beverages and/or food during special events held in the City of Lambertville.

§ BH3-9. PUBLIC RECORD. [Ord. No. BH 13-2012 § BH3-9]

Three copies of the Sanitation in Retail Food Establishments and Food and Beverage Vending Machines of the New Jersey State Sanitary Code, N.J.A.C. 8:24-1.1 et seq., have been placed on file in the Office of the Secretary of the Board of Health and shall remain on file there for use and examination by the public.

§ BH3-10. VIOLATIONS AND PENALTIES. [Ord. No. BH 13-2012 § BH3-10]

a. LATE FEES.

Late submissions shall be assessed a late fee based on the following dates: Submission received between July 1st and July 31st shall incur a \$50 late fee in addition to the application fee. Submissions received after August 1st shall incur a \$100 late fee in addition to the application fee.

B. VIOLATIONS.

a. Any person who violates any provisions of or order promulgated under this chapter or Chapter 24 of the New Jersey State Sanitary Code (N.J.A.C. 8:24-1.1 et seq.) shall, upon conviction thereof, be punished by a fine of up to \$500.

b. The Lambertville Municipal Court shall have jurisdiction over proceedings to enforce and collect any penalty imposed because of a violation of any provisions of this chapter or Chapter 24 of the New Jersey State Sanitary Code (N.J.A.C. 8:24-1.1 et seq.). The proceedings shall be summary and in accordance with the Penalty Enforcement Law (N.J.S.A. 2A:58-10 et seq.); process shall issue at the suit of such local board and shall be either in the nature of a summons or warrant.

c. The Court may cause a person who refuses or neglects to pay the amount of a judgment rendered against him and all costs and charges incident thereto, to be committed to the County Jail for a period not exceeding 90 days.

d. In the event a person shall have been twice convicted within the space of six months of a violation of this chapter or Chapter 24 of the New Jersey State Sanitary Code

(N.J.A.C. 8:24-1.1 et seq.), the Court may, in addition to the imposition of the penalty prescribed by paragraph a of this subsection, order the person to be imprisoned in the County Jail for any number of days not exceeding one for each dollar of the penalty.

e. In addition to the penalties set forth above, a conviction of a violation of this chapter and Chapter 24, N.J.A.C. 8:24-1.1 et seq. shall result in revocation or suspension of the license.

§ BH3-11. COMPLIANCE REQUIRED. [Ord. No. BH 13-2012 § BH3-11]

Nothing contained herein shall be deemed to exempt any retail food establishment from any licensing requirement.

INTRODUCED FOR FIRST READING: September 19, 2024

PUBLIC HEARING AND SECOND READING: October 24, 2024

- c. ORDINANCE NUMBER 20-2024: *An Ordinance to Amend the Lambertville City Code, Chapter 7, Traffic, Section 7-7.2, Stop Intersection, To Add a Four-Way Stop at the York and North Franklin Street Intersection.*

WHEREAS, the Governing Body wishes to amend the Lambertville City Code, 2014, Chapter 7, Traffic, to Add a Stop sign on the east and westerly side of York Street, to make the intersection a four-way stop, with existing Stop Intersection at North Franklin Street.

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 Lambertville City Code, 2014, is hereby amended to include A STOP sign shall be installed on the east and west sides of York Street to create a four-way stop, with existing Stop signs on the North and South sides of North Franklin Street.

- d. ORDINANCE NUMBER 21-2024: *An Ordinance to Amend the Lambertville City Code, 2014, Chapter 2, Article IX, Department of Health, Welfare and Housing, Social Services and Public Assistance*

ORDINANCE NUMBER 21-2024

An Ordinance to Amend the Lambertville City Code, 2014, Chapter 2, Article IX, Department of Health, Welfare and Housing, Social Services and Public Assistance

WHEREAS, the State of New Jersey funds a General Assistance Program which is administered at the local level in Lambertville by the Director of Social Services and Public Assistance, pursuant to N.J.S.A. 44:8-107 et seq.; and

WHEREAS, the Director of Social Services and Public Assistance notified the City of her intent to retire on December 31, 2024; and

WHEREAS, pursuant to N.J.S.A. 44:8-145.1, Lambertville may by mutual agreement with the County of Hunterdon, transfer to the Hunterdon County Board of Social Services the financial and operational responsibility for the administration of the General Assistance Program under N.J.S.A. 44:8-107 et seq. to Lambertville residents; and

WHEREAS, in the event of a transfer, also pursuant to said statute the municipal welfare agency is to be abolished, and its functions, powers and duties transfer to the County of

Hunterdon Board of Social Services no later than the 60th date after the effective date of the transfer; and

WHEREAS, at the recommendation of the State of New Jersey, the Governing Body of the City of Lambertville transfer the General Assistance Program in Lambertville to the County of Hunterdon Board of Social Services; and

WHEREAS, there shall be no cost to the City of Lambertville, and the effective date of the transfer shall be retroactive to October 31, 2024, to ensure there is no disruption in services.

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 following is hereby adopted:

1. The Mayor, City Clerk, City Attorney and such other officials and employees as may be appropriate are hereby authorized and directed to transfer Lambertville's General Assistance Program to the County of Hunterdon Board of Social Services in accordance with the applicable statutes and regulations, effective October 31, 2024, including but not limited to the following:
 - a. On or before October 31, 2024, Lambertville shall send all open cases a letter informing residents that their General Assistance cases will be administered by the County of Hunterdon Board of Social Services effective October 31, 2024;
 - b. On or Before October 31, 2024, Lambertville shall make appropriate arrangements to transfer the physical files of the open and any pending cases in Lambertville to the County of Hunterdon Board of Social Services.
2. The Mayor and City Clerk are hereby authorized and directed to execute any agreement as may be required by law with the County of Hunterdon Board of Social Services necessary to effectuate the transfer as described in this Ordinance.
3. The applicable provisions of the Ordinance shall be amended as may be necessary to reflect this transfer of the General Assistance Program to the County of Hunterdon Board of Social Services.
4. A certified copy of this Ordinance shall be forwarded to the County of Hunterdon Board of Social Services and the State of New Jersey Department of Human Services.

The Lambertville City Code, 2014, Chapter 2, Administrative Code, Article IX, Department of Health, Welfare and Housing, Section 2-9.4, Social Services and Public Assistance shall be amended to read as follows:

Pursuant to N.J.S.A. 44-8-145.1, the City of Lambertville, and by mutual agreement with the County of Hunterdon Board of Social Services, the Lambertville City Code, 2014, Chapter 2 Administrative Code, Section 2-9 Department of Health, Welfare and Housing, Article 2-9.4, Social Services and Public Assistance is hereby abolished, and its functions, powers and duties are hereby transferred to the County of Hunterdon Board of Social Services, effective October 31, 2024.

INTRODUCTION AND FIRST READING: October 10, 2024

PUBLIC HEARING AND SECOND READING: October 24, 2024

XIV. MAYOR’S UPDATES/ONGOING PROJECTS/DISCUSSION

XV. CORRESPONDENCE

- a. JCP&L: Notice of review and approval of the Deferred Balances Relating to, and an Adjustment of, the Societal Benefits Charge Clause of Its Filed Tariff

XVI. ANNOUNCEMENTS

- a. CONVENIENCE CENTER HOURS:
 - i. Saturday, November 2, 2024, and 16, 2024, from 9 am to 12 noon.
 - ii. Wednesday, November 20, 2024, from 3 – 5 pm

XVII. PUBLIC PARTICIPATION

XVIII. ADJOURNMENT