



**City of Lambertville
Meeting Agenda
November 21, 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 November 18, 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, litigation, and personnel, pursuant to N.J.S.A. 10:4-12(b)(7)(8).

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. APPROVAL OF MINUTES

- a. October 10, 2024, Work Session Minutes
- b. October 24, 2024, Voting Session Minutes
- c. October 24, 2024, Closed Session Minutes
- d. November 7, 2024, Work Session Minutes

VI. APPROVAL OF ADMINISTRATIVE REPORTS

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

VII. PROCLAMATION

- a. Dolores Dragan's

VIII. PUBLIC PARTICIPATION

IX. 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 160-2024: A Resolution Authorizing the Refunds for the Month of October

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:

1. Evan Carlton, refund for bulk trash fee in the amount of \$110.00
2. Jennifer & Christopher Gifford, refund for facility use deposit (x2) in the amount of \$500.00.
3. Priscilla Watts, refund for facility use deposit in the amount of \$250.00.

b. RESOLUTION NUMBER 161-2024: A Resolution to Authorize Change Order 1, for the Lead Abatement at the Library, to Include the Apartment, In An Amount Not to Exceed \$4,650.00

WHEREAS, the Governing Body of the City of Lambertville awarded a contract to Bristol Environmental for the paint stabilization of the Lambertville Free Public Library on October 10, 2024 (Resolution Number 141-2024), and

WHEREAS, the City Architect recommends amending the contract to include lead mitigation in the apartment located at the Lambertville Free Public Library; and

WHEREAS, the Certified Municipal Finance Officer and QPA 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 the contract with Bristol Environmental in the amount of \$138,000.00 is hereby amended to include the lead abatement at the Apartment located at the Library, in an amount not to exceed \$4,650.00, with a total contract amount not to exceed \$142,650.00.

c. RESOLUTION NUMBER 162-2024: A Resolution to Appoint the Municipal Housing Liaison for Affordable Housing and the Financial Administrator for the Affordable Housing Trust for the City of Lambertville.

WHEREAS, pursuant to P.L. 2024, c.2, the City of Lambertville is required to appoint a Municipal Housing Liaison for the oversight of administration of the City of Lambertville's affordable housing program to enforce the requirements of the law and N.J.A.C. 5:80-26.1 et. seq.; and

WHEREAS, the City of Lambertville has amended the Housing Element and Fair Share Plan as part of the Master Plan to provide for the appointment of a Municipal Housing Liaison to administer the City of Lambertville's affordable housing program.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the City of Lambertville in the County of Hunterdon, and the State of New Jersey that Cynthia L. Ege is hereby appointed by the Governing Body of the City of Lambertville as the Municipal Housing Liaison for the administration of the affordable housing program, pursuant to and in accordance with the Master Plan of the City of Lambertville's Zoning Code.

BE IT FURTHER RESOLVED, by the Governing Body of the City of Lambertville, in the County of Hunterdon, and the State of New Jersey that Susan Bacorn is hereby appointed as the Financial Administrator for the Affordable Housing Trust, and will be responsible for the filing of all financial reports as required by the State of New Jersey in compliance with the City's Affordable Housing Obligations.

- d. RESOLUTION NUMBER 163-2024: *A Resolution to Authorize the Contract with Michael Burns Architects for the Design, Construction Documentation, and Construction Administration of the RFP for Public Bidding of the CBD Improvement Project, in an Amount Not to Exceed \$12,500.00, Plus \$1,000.00 in Incidentals, With a Total Contract Award for 2024 in the Amount of \$61,500.00*

WHEREAS, the Governing Body of the City of Lambertville entered into a contract with Michael Burns Architects on January 1, 2024, to serve as the City Architect; and
WHEREAS, the contract was amended to include the following services:

GENERAL SERVICES in the amount of \$1,000.00

LIBRARY PROJECT, Resolution Number 45-2024, amended by Resolution Number 115-2024, and Resolution Number 126-2024, in the amount of \$20,000.00.

PUBLIC WORKS PROJECT, Resolution Number 126-2024, in the amount of \$27,000.00; and

WHEREAS, the Governing Body would like to amend the contract to include the Design Development, Construction Documentation, and Construction Administration of the Central Business District Project, in an amount not to exceed \$12,500.00, plus \$1,000 for incidentals.

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 with Michael Burns Architect is hereby amended to include the Central Business District Project, in a project amount not to exceed \$13,500.00, with a total contract amount for 2024 not to exceed \$61,500.00.

- e. RESOLUTION NUMBER 164-2024: *A Resolution to Authorize Transfer of Budget Appropriations Pursuant to N.J.S.A. 401:4-58*

RESOLUTION NUMBER 164-2024

RESOLUTION AUTHORIZING TRANSFER OF BUDGET APPROPRIATIONS
PURSUANT TO N.J.S.A 401:4-58

WHEREAS, in accordance with N.J.S.A 40A:4-58, transfers may be made between appropriation accounts in the General Budget in the last two months of the fiscal year; and

WHEREAS, such transfers are made to cover expenses in accounts in excess of that anticipated and from accounts having expenses in less amounts than anticipated;

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville, County of Hunterdon, New Jersey, in accordance with N.J.S.A 40A:4-58 that transfers between budget appropriation accounts on the attached report are authorized and that a certified copy of this resolution adopted by not less than a two-

thirds (2/3) vote of the full membership of the governing body shall be transmitted to the Chief Financial Officer.

<u>ACCOUNT NO.</u>	<u>ACCOUNT TITLE</u>	<u>FROM</u>	<u>TO</u>
4-01-20-120-100	Clerk SW		\$600.00
4-01-20-120-200	Clerk OE	\$5,000.00	
4-01-20-130-100	Finance SW	\$1,400.00	
4-01-20-145-100	Tax Collector S&W		\$2,000.00
4-01-20-145-200	Tax Collector OE	\$3,000.00	
4-01-20-145-299	Tax Liquidation TTL		\$1,300.00
4-01-20-150-200	Tax Assessor OE	\$3,000.00	
4-01-21-180-100	Planning SW		\$350.00
4-01-21-185-100	Zoning SW		\$160.00
4-01-21-190-100	Construction SW		\$120.00
4-01-22-196-100	Fire SW	\$14,001.00	
4-01-23-215-290	Workers Compensation OE		\$1.00
4-01-25-240-101	Police S&W	\$28,200.00	
4-01-25-240-200	Police OE	\$4,000.00	
4-01-26-290-101	DPW S&W		\$24,000.00
4-01-26-290-200	DPW OE		\$5,000.00
4-01-27-350-100	Historical SW		\$120.00
4-01-30-415-100	Accumulated Absences	\$10,000.00	
4-01-30-420-299	Celebration of Public Events		\$250.00
4-01-31-465-271	Street Lighting		\$13,000.00
4-01-31-461-274	Disel Fuel	\$4,750.00	
4-01-36-472-298	Social Security		\$30,000.00
4-01-36-471-291	PERS	\$5,000.00	
4-01-43-490-100	Court S&W	\$9,400.00	
4-01-44-901-299	Capital Improvement Fund		\$10,850.00
	Total	\$87,751.00	\$87,751.00

ADOPTED: November 21, 2024

f. RESOLUTION NUMBER 165-2024: A Resolution to Authorize the payment of Tax Sale Revenue to the Lambertville Municipal Utilities Authority

WHEREAS, the City of Lambertville held an electronic tax sale on October 22, 2024; and

WHEREAS, the Tax Collector collected \$39,468.25 in revenue for the 2023 calendar year representing payments for the Lambertville Municipal Utilities Authority; and,

WHEREAS, the funds are due and payable to the Lambertville Municipal Utilities Authority.

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 Finance Department is hereby authorized to reimburse the Lambertville Municipal Utilities Authority for the collection of sewer payments for the 2023 calendar year collected in the electronic tax sale held on October 22, 2024, in an amount not to exceed \$39,468.25.

g. RESOLUTION NUMBER 166-2024: A Resolution to Authorize the Amendment to the City Engineer’s Contract to Include Design, Permit & Inspection Fees In An Amount Not to Exceed \$15,000.00, Increasing the Contract Not to Exceed \$

WHEREAS, the Governing Body of the City of Lambertville awarded a contract to Gilmore & Associates, Inc. to serve as the City Engineer on January 1, 2024; and

WHEREAS, the contract has been amended to include the following:

Resolution 26-2024: \$100,000.00, General services & escrow

Resolution 75-2024: \$21,850.00, Ely Park Permit

Resolution 89-2024: 120,000.00, Road Projects, Holcombe Park, Sidewalk Bid, Stormwater Management

WHEREAS, the Governing Body would like to amend the contract further to include design, permit & inspection fees for the Upper York Street Project, in the amount not to exceed \$15,000.00 for engineering; and

WHEREAS, the City Engineer is estimating the total construction cost of the project to be \$81,532.00, plus engineering costs.

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 with Gilmore & Associates, Inc., is hereby amended to include the Upper York Street Project, in an amount not to exceed \$15,000.00, with a total annual not to exceed \$256,850.00.

End of Consent Agenda

X. BILLS LIST

XI. ORDINANCES – FIRST READING

- a. ORDINANCE NUMBER 25-2024: *An Ordinance of the City of Lambertville, in the County of Hunterdon, New Jersey, Providing for Acquisition and Repair of Police Vehicles of and for the City, Appropriating \$95,000 Therefore, and Authorizing the Issuance of \$90,250.00 in General Improvement Bonds or Notes of the City to Finance the Same.*

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than

two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the City as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$95,000, including the sum of \$4,750 as the down payment for several purposes as required by the Local Bond Law. The down payment has been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or

notes are hereby authorized to be issued in the principal amount of \$90,250, pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the bonds or notes are to be issued are as follows:

I. Purpose. Acquisition of a Police SUV, including customization and related equipment to allow the vehicle to be used for its intended use, and including all work and materials necessary.

Appropriated and Estimated Cost:	\$84,000
Estimated Maximum Amount of Bonds or Notes:	\$80,000
Period or Average Period of Usefulness:	5 years
Amount of Down Payment:	\$4,000

II. Purpose. Engine replacement for Police vehicle, including all work and materials necessary.

Appropriated and Estimated Cost:	\$11,000
Estimated Maximum Amount of Bonds or Notes:	\$10,250
Period or Average Period of Usefulness:	5 years
Amount of Down Payment:	\$750

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose authorized herein is equal to the amount of the appropriation herein made therefor.

Section 4. All bond notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the City may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, is 5 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$90,250, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$10,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.

(e) The City reasonably expects to commence the acquisition of the ¾ improvement or purpose described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the City further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 1 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof, exclusive of the State Grant already appropriated herein, shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the City is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. The City Council hereby covenants on behalf of the City to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

XII. ORDINANCES – SECOND READING

- a. ORDINANCE NUMBER 17-2024: *An Ordinance to Amend the Lambertville City Code, 2014, Chapter 7, Section 7-17, Lambertville Restaurant Valet Parking Service*

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, and R2 Residential zones 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 (e) 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

AMENDED: October 24, 2024

PUBLIC HEARING AND SECOND READING: November 21, 2024

- b. 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

- c. 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, 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

- d. 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. BOARDS AND COMMISSIONS

- a. Environmental Commission
i. Nomination of Jen Hebert to fill a vacant position

XIV. MAYOR’S UPDATES/ONGOING PROJECTS/DISCUSSION

XV. CORRESPONDENCE

- a. T-Mobile Grant: the City received notification that we did not receive the grant from T-Mobile for the ADA Compliance, Audio and Visual Upgrades to the Phillip L. Pittore Justice Center.
b. Letter to Legislators regarding Title 35, public notices.
c. Breaking Aids Ride thank you note.

XVI. ANNOUNCEMENTS

- a. ANNUAL TREE LIGHTING: Monday, December 9, 2024, at 6 pm at the corner of South Union and Bridge Street.

- b. ANNUAL MENORAH LIGHTING: Wednesday, January 1, 2025, at 6:30 pm led by Rabbi Kornfeld of the Hunterdon County Chabad, at the corner of South Union and Bridge Street
- c. CONVENIENCE CENTER HOURS:
 - i. Saturday, December 7, 2024, and 21, 2024, from 9 am to 12 noon.
 - ii. Wednesday, December 18, 2024, from 3 – 5 pm

XVII. PUBLIC PARTICIPATION

XVIII. ADJOURNMENT