



**CITY OF LAMBERTVILLE
 WORK SESSION
 7:00 P.M. THURSDAY, JUNE 1, 2023
 PHILLIP L. PITTORE JUSTICE CENTER
 25 SOUTH UNION STREET
 MEETING AGENDA**

- I. STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT
- II. ROLL CALL
- III. PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE
- IV. PUBLIC PARTICIPATION
- V. PRESENTATION
 - a. NJ FUTURES AND THE NJ LEAGUE OF CONSERVATION VOTERS on Stormwater Utility
- VI. 2023 BUDGET AMENDMENT

a. RESOLUTION NUMBER 82-2023: *A Resolution to Amend the 2023 Budget*

City of Lambertville – County of Hunterdon
 RESOLUTION NUMBER 82-2023 TO AMEND THE 2023 BUDGET

WHEREAS, the local municipal budget for the year 2023 was approved on April 20, 2023, and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget,

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Lambertville, County of Hunterdon, that the following amendments to the 2023 budget are approved:

RECORDED VOTE:

Ayes

Nays

Abstain

General Appropriations

	FROM	TO	NET
PUBLIC WORKS Other Expenses	41,392.97	39,642.97	-1,750.00
SOLID WASTE Other Expense	207,540.00	206,790.00	-750.00
ACCUMULATED LEAVE COMPENSATION S&W	38,000.00	34,850.00	-3,150.00
COURT	12,860.00	12,110.00	-750.00
3-01-25-240-229 POLICE Other Contracts	55,375.00	54,375.00	-1,000.00
3-01-36-472-298 SOCIAL SECURITY	180,000.00	172,064.27	-7,935.73

TOTAL:			\$15,335.73

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Division of Local Government Services for certification of the local municipal budget so amended.

ADOPTED: June 1, 2023

b. ADOPTION OF THE 2023 BUDGET

Please note: if the amendment to the 2023 Budget *is not* approved, then we will need a resolution to authorize estimated tax bills.

c. RESOLUTION NUMBER 83-2023: *A Resolution to Authorize Estimated Tax Bills*

**RESOLUTION NUMBER 83-2023
 AUTHORIZE TAX COLLECTOR TO
 PREPARE AND ISSUE ESTIMATED TAX
 BILLS FOR 3RD QUARTER 2023 TAXES**

WHEREAS, N.J.S.A 54:4-66.3, pursuant to Section 3 of P.L 1994 c. 72 and 54:4-66.2, the Council of the City of Lambertville has determined that the Tax Collector will be unable to complete the mailing and delivery of the tax bills due to the delay in passing the Municipal Budget; and

WHEREAS, the City of Lambertville’s Tax Collector in consultation with the Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and has signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies; and

WHEREAS, in accordance with Chapter 72, P.L. 1994, the Tax Collector requests the Council to approve the estimated tax levy; which is between the mandated estimated range proposed by the Local Government Services. Approval will enable the City to meet its financial obligations, maintain the tax collection rate, provide uniformity for tax payments and save the unnecessary cost of interest on borrowing,

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Lambertville, County of Hunterdon, State of New Jersey, hereby authorizes that:

1. The Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the City for the third installment of 2023 taxes.
2. The entire estimated tax levy for 2023 is hereby set at \$20,200,247.35. The estimated tax rate for 2023 is hereby set at 2.175.
3. In accordance with law, the third installment of 2023 taxes shall not be subject to interest until the later of August 10 or the twenty-fifth day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be forwarded to the

Tax Collector and Chief Financial Officer for their records.

ADOPTED: June 1, 2023

VII. RESOLUTIONS

- a. RESOLUTION NUMBER 84-2023: *A Resolution of the Governing Body to Authorize the FFY 2023 EMAA Grant Application*

RESOLUTION NUMBER 84-2023

RESOLUTION AUTHORIZING THE CITY OF LAMBERTVILLE TO ACCEPT A SUBGRANT AWARD OF THE FEDERAL FISCAL YEAR 2023 OF EMERGENCY MANAGEMENT PERFORMANCE GRANT AND EMERGENCY MANAGEMENT AGENCY ASSISTANCE

WHEREAS, the City of Lambertville's Office of Emergency Management has been awarded State Homeland Security Grant Program Sub-grant AFN #97.042, Subgrant Award #FY22-EMPG-EMAA-1017 from the New Jersey Department of Law and Public Safety, Office of the Attorney General. The subgrant, consisting of \$10,000.00 Federal Award is for the purpose of enhancing the City's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

WHEREAS, the City of Lambertville will use these funds to enhance your Emergency Management Program and that the funds will be used for Emergency Management purposes; and

WHEREAS, the award period is from July 1, 2023 to June 30, 2024; and

WHEREAS, the subgrant award incorporates all conditions and representations contained or made in application and notice of award; and

WHEREAS, the City of Lambertville's Office Emergency Management, designated by the New Jersey State Police, Office of Emergency Management, has submitted an Application for Subgrant Award that has been required by the said New Jersey State Office of Emergency Management.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Lambertville, in the County of Hunterdon, State of New Jersey:

1. That the Council accepts the award of the FFY22 Emergency Management Performance Grant Program (EMPG), Emergency Management Agency Assistance Subgrant (EMAA) in the amount of up to \$10,000.00 Federal Funds from the New Jersey State Police, Office of Emergency Management.
2. That the Chief Financial Officer and Director of Emergency Management are authorized to sign the appropriate subgrant award documents.
3. That copies of this resolutions shall be forwarded to the New Jersey State Police, Office of Emergency Management, the City Business Administrator, the Chief Financial Officer and the County Division of Emergency Management and Office of Treasury.

ADOPTED: June 1, 2023

- b. RESOLUTION NUMBER 85-2023: *A Resolution of the Governing Body to Certify the Application to the State of New Jersey, Department of Environmental Protection for the Water Quality Management Plan for the LMUA's North Union Street Pumping Station*

RESOLUTION #85-2023

**RESOLUTION AUTHORIZING THE ENDORSEMENT AND SIGNATURE OF
THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
TREATMENT WORKS APPROVAL PERMIT APPLICATION OF THE
LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY**

WHEREAS, the City of Lambertville (the “City”) is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Lambertville Municipal Utilities Authority (the “Applicant”) proposes to replace the existing pump station with a new wet well with submersible pumps, valve vault and an elevated platform to house a new control building, generator and equipment hoist system on the property owned and operated by the Applicant, designated as Block 1004, Lot 26 (282 N. Union Street) on the City’s tax map (the “Project”); and

WHEREAS, in connection with the Project, the Applicant is required to submit a Treatment Works Approval Permit Application (the “Application”) to the New Jersey Department of Environmental Protection (“NJDEP”); and

WHEREAS, the City is required to endorse applications to the NJDEP for sanitary sewer and water extensions throughout the City; and

WHEREAS, the Applicant’s proposed Application, attached hereto as **Exhibit A**, has been submitted to the City Engineer, who has reviewed the Application and recommended that the City endorse the Application; and

WHEREAS, the City desires to endorse the Applicant’s proposed Application, as attached hereto as **Exhibit A**.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Lambertville, as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Mayor is hereby authorized to endorse and sign the Application attached hereto as **Exhibit A** on behalf of the City.
3. A certified copy of the within Resolution shall be provided to the Applicant for submission with Application to the NJDEP.
4. A copy of this Resolution shall be available for public inspection at the offices of the City Clerk.
5. This Resolution shall take effect as provided by law.

- c. RESOLUTION NUMBER 86-2023: *A Resolution to Authorize Kathryn McLaren as a Signer on the Court Account.*

RESOLUTION NUMBER 86-2023

“Authorizing Signatures on City Bank Accounts”

NOW, THEREFORE, BE IT RESOLVED by the governing body of the City of Lambertville, County of Hunterdon, State of New Jersey, that through 2023 checks drawn or withdrawals from these accounts be signed as follows:

Municipal Court General Account and Bail Account:

Kathryn McLaren, Municipal Court Administrator,

Francesco Taddeo, Municipal Court Judge

ADOPTED: June 1, 2023

- d. RESOLUTION NUMBER 87-2023: *A Resolution To Amend Resolution Number 35-2023, A Resolution Of The City Of Lambertville, County Of Hunterdon, Conditionally Designating K. Hovnanian Homes, LLC As The Redeveloper Of*

Property Identified As The Lambertville High School Redevelopment Area, Block 1073, Lots 1, 3, 5, 6, 7, 8, 9, 10, 11, 32, 33 And 33.01, Block 1090, Lots 4 And 5, And Block 1091, Lots 1 And 1.01, Pursuant To The Local Redevelopment And Housing Law, N.J.S.A. 40a:12a-1, Et Seq.

RESOLUTION NUMBER 87-2023

A Resolution To Amend Resolution Number 35-2023, A Resolution Of The City Of Lambertville, County Of Hunterdon, Conditionally Designating K. Hovnanian Homes, LLC As The Redeveloper Of Property Identified As The Lambertville High School Redevelopment Area, Block 1073, Lots 1, 3, 5, 6, 7, 8, 9, 10, 11, 32, 33 And 33.01, Block 1090, Lots 4 And 5, And Block 1091, Lots 1 And 1.01, Pursuant To The Local Redevelopment And Housing Law, N.J.S.A. 40a:12a-1, Et Seq.

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

WHEREAS, in accordance with the Redevelopment Law, on June 19, 2018, the Governing Body of the City (the “**Governing Body**”) designated the area known as the Lambertville High School Redevelopment Area and identified as Block 1073, Lots 1, 3, 5, 6, 7, 8, 9, 10, 11, 32, 33, and 33.01, Block 1090, Lots 4 and 5, and Block 1091, Lots 1 and 1.01 on City of Lambertville Tax Maps including rights of way (the “**LHS Redevelopment Area**”), as an area in need of redevelopment; and

WHEREAS, on November 26, 2018, the Governing Body adopted Ordinance No. 22-2018, which approved a redevelopment plan to provide specific provisions for the redevelopment of the LHS Redevelopment Area (the “**Original LHS Redevelopment Plan**”); and

WHEREAS, on April 23, 2020, the Governing Body adopted Ordinance 01-2020, which approved certain additional revisions to the Original LHS Redevelopment Plan (the “**Amended LHS Redevelopment Plan**,” and together with the Original LHS Redevelopment Plan, the “**Redevelopment Plan**”); and

WHEREAS, K. Hovnanian Homes, LLC (the “**Conditional Redeveloper**”) submitted a proposal to the City, dated March 2022, along with a project concept plan, dated July 18, 2022 (the “**Proposal**”) for the potential redevelopment of the LHS Redevelopment Area (hereinafter referred to as the “**Property**”); and

WHEREAS, in accordance with the Redevelopment Plan, and as set forth in the Proposal, the Conditional Redeveloper proposes to develop, finance and construct on the Property two hundred (200) town homes, forty (40) of which will be reserved for affordable housing, along with associated amenities and improvements related thereto (collectively, the “**Project**”); and

WHEREAS, on August 18, 2022, pursuant to Resolution Number 159-2022, the City designated Conditional Redeveloper as conditional redeveloper of the Property for a period

commencing upon the adoption of the resolution and ending ninety (90) days from that date or the date of the first meeting of the Governing Body following the ninetieth day of the date of adoption, whichever was later, to allow the City and Conditional Redeveloper the opportunity to pursue pre-development activities to implement the Project, including negotiation of a redevelopment agreement and other related actions (the “**Pre-Development Activities**”), and authorized the execution of a Funding Agreement to provide for the funding of an escrow account and procedures for the payment therefrom of moneys to pay the City’s costs and expenses incurred in undertaking the Pre-Development Activities, which escrow account Conditional Redeveloper has established with the City; and

WHEREAS, on February 2, 2023, the Governing Body adopted Resolution Number 35-2023, which extended the conditional designation of the Conditional Redeveloper one hundred-twenty (120) days, or the date of the next Governing Body meeting following that date; and

WHEREAS, in furtherance of the continuation of Pre-Development Activities, the Governing Body deems it necessary to further continue the designation of Conditional Redeveloper as conditional redeveloper of the Property, for a period of one hundred twenty (120) days from the effective date of this resolution or the date of the next Governing Body meeting following the one hundred twentieth day from the effective date of this resolution, whichever is later.

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

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

Section 2. The Mayor is hereby authorized to execute any necessary amendment to the Funding Agreement with the Conditional Redeveloper to memorialize the terms contained herein, in a form acceptable to the City in consultation with counsel.

Section 3. The instant designation of the Conditional Redeveloper, with regard to the proposed redevelopment of the Property is effective for a period of time being the later of: i) one hundred twenty (120) days from the effective date of this resolution or ii) the date of the next Governing Body meeting following the one hundred twentieth day from the effective date of this resolution.

Section 4. If, by the expiration of the conditional designation period, the City and the Conditional Redeveloper have not executed a mutually acceptable redevelopment agreement, the designation of K. Hovnanian Homes, LLC, or a wholly-owned subsidiary thereof, as Conditional Redeveloper of the Property shall automatically expire without any need for any further action of the Governing Body, provided, however, that the City and the Conditional Redeveloper may negotiate an extension of such designation upon terms mutually acceptable to both parties.

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

Section 6. This Resolution shall take effect immediately.

ADOPTED at a meeting of the Governing Body of the City of Lambertville, Hunterdon County, on June __, 2023;

- e. RESOLUTION NUMBER 88-2023: A Resolution to Authorize the Installation of Speed Humps/Cushions on Lambert Lane as Recommended by the Traffic Committee Created As Part of the Application for a Retail Cannabis Store at 80 Lambert Lane

RESOLUTION NUMBER 88-2023

A Resolution to Authorize the Installation of Speed Humps/Cushions on Lambert Lane as Recommended by the Traffic Committee Created as Part of the Application for a Retail Cannabis Store at 80 Lambert Lane

WHEREAS, Jersey Girls, LLC (the “Applicant”), made an application to the City Clerk and the Planning Board, to open a Cannabis Retail Shop in the Central Business District of the City of Lambertville on February 22, 2022, and

WHEREAS, the application was the subject of public hearings and conditionally approved by the Planning Board via Resolution Number 5-2022, and by the Governing Body via Resolution Number 57-2022, with both boards requiring the fulfillment of all conditions prior to final approvals; and

WHEREAS, one of the conditions required the Applicant to complete a traffic study and to work with a Traffic Committee that was comprised of several members of the Planning Board, the Board Professionals, the Lambertville Police Department, and neighbors; and

WHEREAS, the Traffic Committee has reviewed and accepted the Traffic Impact Study with the recommendation that the Applicant pay for the installation of two speed humps/cushions on Lambert Lane with the following conditions:

- 1: two speed humps/cushions must be installed no later than 120 days after the opening and/or final activation of the license issued by Recreational Cannabis Commission, whichever is earlier;
- 2: Applicant will fund up to \$10,000 of the cost for the installation of the speed humps/cushions; and
- 3: If the speed humps/cushions are either not approved by the Governing Body or they cannot be installed for another reason, then Applicant will contribute \$10,000 for other traffic-related or safety mitigation-related improvements on Lambert Lane, as deemed appropriate by the Board Professionals and the Officer-in-Charge of the Police Department.

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 recommendation in the findings of the Traffic Committee for the installation of speed

humps/cushions on Lambert Lane, for the application filed by Jersey Girlz, LLC to operate a Cannabis Retail business at 80 Lambert Lane, Block 1022, Lot 8, is authorized with the conditions stated in item numbered 1, 2, and 3.

VIII. ORDINANCES – FIRST READING

- a. ORDINANCE NUMBER 19-2023: An Ordinance to Amend the Lambertville City Code, 2014, Chapter 5, Mechanical Music Machines, Amusement Devices and Vending Machines

ORDINANCE NUMBER 19-2023

An Ordinance to Amend the Lambertville City Code, 2014, Chapter 5, Mechanical Music Machines, Amusement Devices and Vending Machines

§ 5-2 MECHANICAL MUSIC MACHINES, AMUSEMENT DEVICES AND VENDING MACHINES.

§ 5-2.1 Definitions. As used in this section:

[1990 Code § 5-2.1]

ARCADE

An amusement center offering mechanical, automated, electronic games and music for purchase through any means, including but not limited to coin, cash, game or membership card, credit card, admittance fee, etc,

An Arcade offering redemption prizes are required to file an application with the State of New Jersey, Legalized Games of Chance Control Commission, as well as with the City of Lambertville.

AUTOMATIC, AUTOMATED, MECHANICAL OR VIDEO AMUSEMENT DEVICE OR ELECTRONIC AMUSEMENT DEVICE

Shall mean a machine of the type commonly known and designated as bagatelle, baseball, football, or pinball amusement games or similar machines and particularly, but not by way of limitation, any and all coin-operated amusement devices of any and all types and kinds, which, upon the payment of a user fee, including but not limited to coin, slugs, credit card, game card, or membership card insertion of a coin or slug, operate or used to operate or may be operated for use as a game, contest, amusement or entertainment of any description, or which may be used for any such game, contest, amusement or entertainment, and which contain no automatic payoff device for the return of slugs, money, coins, checks, tokens, or merchandise, or which provide for no such pay-off by any other means or in any other manner whatsoever.

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.

Non-Electric Vending Machines (AKA Gumball Type)

Up to six coin-operated non-electrical bulk vending machines, located on the same stand, shall be considered as one machine and require one license. The license fee shall be calculated based on the highest dispensing fee of the bulk vending machines.

This last sentence can be problematic. The license fee shall be calculated based on the highest dispensing fee of the bulk vending machines. Let's just assign a fee.

Annual fee of \$10.00 ?

MECHANICAL MUSIC MACHINE

Shall mean any method of payment, including but not limited to coin, slugs, credit cards, membership cards or game card used to operate a coin-operated musical machine or device over and through which music by transcription is played.

PERSON

Includes any natural person, association, partnership, firm or corporation, company, utility or organization of any kind.

PROPRIETOR

Any person, firm, corporation, partnership, association, entity or club who, as the owner, leaseholder, or proprietor, has under his, her or its control any establishment, place or premises in or at which any mechanical, electronic or video amusement device is placed or kept for use or play or on exhibit for the purpose of use or play. In addition to aforesaid, the above-designated definition of "proprietor" shall include any lawful, separate business entity which engages in its primary operation the use of the aforesaid devices.

RESTRICTIONS

1. Issuance to person or proprietors convicted of a crime is restricted, except as provided by State of New Jersey law, no license shall be issued to or held by any person who has been convicted of a crime or by any corporation, partnership or association, a member or officer, director or holder of ten percent 10% or more of the stock of which has been convicted of any crime.
2. No license shall be approved for any applicant unless he, she and or they shall

be twenty-one (21) years of age.

3. Four (4) or fewer mechanical, electronic or video amusement devices or jukeboxes in any premises are subject to the Zoning laws of the City of Lambertville.
4. Gambling and Gambling devices are prohibited. Nothing in this chapter shall in any way be construed to authorize, license or permit any gambling, game and/or device whatsoever, including but not limited to card games, not any machine or mechanism that has judicially been determined to be a gambling device or to be in any way contrary to any present or future laws of the City of Lambertville, County of Hunterdon or State of New Jersey.
5. Maintenance of order: the person or proprietor in charge of the place or premises where any jukebox or mechanical, automated, electronic or video amusement device is kept or located shall maintain good order on or about the place or premises in which any jukebox or mechanical, automated, electronic or video amusement device is kept or located, which shall include but shall not be limited to the following:
 - a. Possession or consumption of alcoholic beverages;
 - b. Gambling of any type
 - c. The use of marijuana or any controlled substance
6. Hours of Operation
 - a. No jukebox or mechanical, electronic or video amusement device may be operated between the hours of 10:00 p.m. and 9:00 a.m. on any day, under any circumstances.

SOCIAL CLUB

A social club is a group of people organized or the place where they meet, generally formed around a common interest, or activity. Examples include: book discussion clubs, chess clubs, anime clubs, gaming club.

TRANSFER OF LICENSE is prohibited.

§ 5-2.2 License Required.
[1990 Code § 5-2.2]

It shall be unlawful for any person to maintain, operate or use within the City any mechanical music machine, automatic, automated or electronic amusement device, automatic vending machine, without first having obtained a license from the City or

without complying with all provisions concerning the same contained in this section; and the maintaining, operating or using of such mechanical music machines, automatic or electronic amusement devices, automatic vending machines, without first having obtained a license from the City, or without complying with any and all provisions contained in this section, shall constitute a separate violation for each and every day that such machines and devices are maintained, operated or used.

§ 5-2.3 License Fees; License Transfer Not Permitted.

[1990 Code § 5-2.3]

- a. Vending Machines. The annual license fee, per machine or device, for maintaining, operating or using such mechanical music machines, automatic amusement devices and automatic vending machines in any one place shall be as follows:
 1. Mechanical Music Machines - \$100 per year per machine.
 2. Automatic Amusement Devices - \$100 per year per machine.
 3. Automatic Vending Machines - yearly fee:
 - (a) Up to \$0.10 \$25.
 - (b) Over \$0.10 \$50.
- b. The licenses granted pursuant to this section are not transferable.

§ 5-2.4 Application for License.

[1990 Code § 5-2.4]

- a. Application. Every person maintaining, operating or using such mechanical music machines, automatic amusement devices and automatic vending machines, shall, on or before May 1 annually, make application to the City Clerk for a license to maintain, operate or use such machines or devices. The application shall be filed with the City Clerk and shall be accompanied by the license fee required in subsection **5-2.3**.
- b. Investigation. The City Clerk shall cause an investigation of each application to be made by the Police Department to determine whether the owner, occupant or tenant of the premises upon which or within these machines or devices are to be maintained, operated or used, is complying with all laws of the State of New Jersey and ordinances of the City of Lambertville relating and pertaining to the preservation and protection of the lives, health, morals and general welfare of the inhabitants of the City; and for the purpose of such investigation, such applicants for licenses shall allow and permit the inspection of any such place or premises at all reasonable hours by any Police Officer of the City of Lambertville. The Police Department shall make a report of their investigation to the City Clerk.

- c. Favorable Report. If the investigation report is favorable, the City Clerk shall issue the licenses. The effective date of each license shall be June 1 annually and such license shall expire on May 31 annually. Every person maintaining, operating or using these machines or devices shall keep said license posted and exhibited, while in force, in some conspicuous part of the premises.
- d. Unfavorable Report. If the investigation report is unfavorable, it shall be the duty of the City Clerk to refuse the issuance of the license in question. This action of the City Clerk may be appealed to the City Council who shall, after notice and hearing, determine whether the action of the City Clerk shall be affirmed or reversed.
- e. **Licenses are not Pro-Rated.** When any such machine or device is installed on any premises in the City before or after May 1 in any year, an application for a license for such machine or device must be made immediately and the same procedure must be followed as outlined above in the case of the annual application. In such cases there will be no pro-rating of the annual license fee and any license issued upon such application shall be effective only to the time for the next annual license.
- f. Licensee to Be Proprietor, Tenant or Occupant. All licenses hereunder shall be issued to and in the name of the proprietor, tenant or occupant of the premises where the machine or device is to be installed for the maintenance, operation and use thereof.
- g. Investigation Charge. Whenever any application for a license hereunder is rejected, the City Clerk shall retain for the use of the City 20% of the annual license fee as an investigation charge.

§ 5-2.5 Operation of the Machine Regulated.
[1990 Code § 5-2.5]

The payment of the license fee required by this section, its acceptance by the City, and the issuance of a license to any person, shall not entitle the holder thereof to use any such machine or device so licensed in any manner which would be in violation of any law or ordinance.

§ 5-3 CIRCUSES, SHOWS, AND CARNIVALS.
§ 5-3.1 License Required.
[1990 Code § 5-3.1]

It shall be unlawful for any person whether as principal or agent, clerk or employee, either for himself or any other person, or for any-body corporate or as an officer of any corporation, or otherwise, to commence or carry on any traveling circus, traveling show or carnival, whether under canvas or not in the City without first having procured a license from the City and without complying with the provisions contained in this section or in any other ordinance heretofore or hereafter adopted by the City which is or may be in full force and effect; and the carrying on of any traveling circus, traveling show or carnival, whether under canvas or not, without having first procured a license from the

City, or without complying with any and all of the provisions contained in this section, or in any other ordinance adopted by the City which is or may be in full force and effect, shall constitute a separate violation of this section for each and every day that such business is so carried on.

§ 5-3.2 Fees.

[1990 Code § 5-3.2]

The license fees which are fixed for the raising of revenue and for regulation and control, to be paid to the City for the conducting of or engaging in any traveling circus, traveling show or carnival, whether under canvas or not, shall be as follows: \$250 per day.

§ 5-3.3 Issuance of License; Posting.

[1990 Code § 5-3.3]

It shall be the duty of the City Clerk to issue a license under this section for every person liable to pay a license hereunder and to state in each license the amount thereof, the period of time covered thereby, the name of the person, firm or corporation to whom issued, the particular business licensed, and the location or place of business where the same is to be carried on. Every person having a license under the provisions of this section and the carrying on such a licensed business shall keep such license posted and exhibited while in force, in some conspicuous part of the place of business. No refund shall be made on any license fee paid on account of a cessation of business after such license shall have been issued.

§ 5-3.4 Inspections; Violations.

[1990 Code § 5-3.4]

Every person licensed under this section shall comply with all laws of the State of New Jersey and ordinances of the City relating and pertaining to the preservation and protection of the lives, health, morals and the general welfare of the inhabitants of the City, and, for that purpose, such licensees shall allow and permit inspection of any place licensed under this section at all reasonable hours of the Chief of the Fire Department, the Health Officer and any Police Officer of the City, which officers are hereby authorized and directed and it shall be their duty to make such inspections and report any violation of any laws of the State of New Jersey or of the ordinances of the City of Lambertville relating to the preservation and protection of the lives, health, morals and the general welfare of the inhabitants of the City, to the Mayor and Council, who shall order and direct the officers aforementioned to take such steps that they may deem necessary and lawful to remedy and correct any such violations.

§ 5-4 BILLIARDS, POOL PARLORS AND MOVIE THEATERS.

§ 5-4.1 Licenses Authorized.

[1990 Code § 5-4.1]

The Mayor and Council are hereby authorized to grant licenses to carry on or conduct billiard parlors, pool parlors and movie theaters.

§ 5-4.2 Fees.
[1990 Code § 5-4.2]

The charges for such licenses shall be as follows, for each billiard or pool table, \$25 for the first table per year and \$15 for each additional table per year; for each movie theater \$240 per year.

INTRODUCED FOR FIRST READING: June 1, 2023

PUBLIC HEARING AND SECOND READING: June 15, 2023

b. PENDING ORDINANCES

- i. Flood Prevention Ordinance – *carried to the June 15, 2023 session*

IX. ANNOUNCEMENTS

X. PROJECTS

- a. Short Term Rentals
- b. Properties to Sell
- i. 150 Swan Street Update
- ii. Others
1. 310 North Union Street
2. 113 Swan Street
3. Route 179

XI. BOARD APPOINTMENTS

a. Planning Board

- 1: Michele Glassburg, Alternate 2, the term ends 12/31/24
2: Michele Romeo, Alternate 1, term ends 12/31/23.
3: Cynthia Jahn, Class IV, ending 12/31/24.

XII. DISCUSSION

- a. Soupçon: Proposed rental of log cabin

XIII. CORRESPONDENCE

City of Lambertville
Work Session
6:00 p.m. Thursday, June 1, 2023
Phillip L. Pittore Justice Center, 25 South Union Street
MEETING AGENDA
Page Number 15

a. Mayor Nowick's letter regarding the Route 29 Crosswalk (Holcombe Park)

XIV. PUBLIC PARTICIPATION

XV. ADJOURNMENT