



**City of Lambertville**  
**Regularly Scheduled Council Meeting**  
**October 20, 2022, 6:00 P.M.**  
**Phillip L. Pittore Justice Center**  
**25 South Union Street, Lambertville**  
**AGENDA**

1) 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 notice provided to the Hunterdon County Democrat, the Trenton Times, various individuals on the list serve, department heads and the City Engineer and City Attorney.

This meeting will be recorded and streamed live using the Zoom Meeting Platform.

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

2) ROLL CALL

Councilwoman Lambert, Councilman Sanders, Councilman Stegman, Council President Taylor, Mayor Nowick

3) CLOSED SESSION: Closed Session of the Governing Body of the September 15, 2022 Lambertville City Council Meeting to discuss Issues related to Potential Contracts pursuant to N.J.S.A. 10:4-12(b)(7).

**RESOLUTION**

*“Authorizing a Closed Session at the October 20, 2022 Lambertville City Council Meeting to Discuss Issues Related to Potential Contracts Pursuant to N.J.S.A. 10:4-12(b)(7)”*

**WHEREAS**, the Council of the City of Lambertville is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.; and

**WHEREAS**, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that a closed session, not open to the public, may be held for certain specified purposes when authorized by N.J.S.A 10:4-12(b).

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Lambertville that a closed session shall be held on October 20, 2022, in-person at the Phillip L. Pittore Justice Center located at 25 South Union Street in the City to discuss issues related to potential contracts pursuant to N.J.S.A. 10:4-12(b)(7).

**BE IT FURTHER RESOLVED** that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Lambertville Mayor and City Council.

ADOPTED: October 20, 2022

4) PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

5) APPROVAL OF THE MEETING MINUTES

- a) September 1, 2022 Closed Session Minutes
- b) September 1, 2022 Work Session Minutes

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- c) September 15, 2022 Closed Session Minutes
  - d) September 15, 2022 Open Session Minutes
  - e) October 6, 2022 Open Session Minutes
- 6) RESOLUTIONS – CONSENT AGENDA

*The following resolutions on a 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.*

RESOLUTION NUMBER 173-2022: 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

**RESOLUTION – 173-2022**

**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) for the Safe Passage Grant in the Amount of \$1,020.00**

**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 \$1020.00; Fourth of July Safe Passage 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 2020 CY Budget in the amount of \$1020.00 which item is now available as revenue from the receipt of the Safe Passage Grant

**BE IT FURTHER RESOLVED** that a like sum of \$1020.00 is hereby appropriated under the caption of:

OPERATIONS “EXCLUDED FROM CAP”

**Safe Passage Grant      \$1020.00**

**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.

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**RESOLUTION NUMBER 174-2022: A Resolution to Authorize Refunds For Garbage Permits and Historic Preservation for a Sign Application Fee**

**RESOLUTION NUMBER 174-2022**

*A Resolution to Authorize Refunds For Garbage Permits and Historic Preservation for a Sign Application Fee*

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 refunds are hereby authorized:

Donna Puluko in the amount of \$49.00 for a Bulk Garbage Permit;

Youssef Chebab in the amount of \$50.00 for a Sign Application Fee (he lives in Lambertville, Michigan);

ADOPTED: October 20, 2022

**RESOLUTION NUMBER 175-2022: A Resolution to Authorize the Shared Services Agreement with Somerset County for Training (CDL for Public Works Employees)**

**RESOLUTION NUMBER 175-2022**

*A Resolution to Authorize the Shared Services Agreement with Somerset County for Training (CDL for Public Works Employees)*

**WHEREAS**, Somerset County offers a shared services agreement for CDL training of public works employees; and

**WHEREAS**, the Somerset County agrees to provide CDL training to employees to the City of Lambertville and the City agrees to cover or reimburse the Somerset County for the cost associated with the training of said employees.

**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 shared services agreement with the Somerset County for CDL training of the city's public works employees.

ADOPTED: October 20, 2022

**RESOLUTION NUMBER 176-2022: A Resolution to Authorize the Refund of Taxes to Stephanie Rosso of 4 Curley Lane in the Amount of \$1,697.64 Due to A Successful Tax Appeal**

**RESOLUTION NUMBER 176-2022**

*A Resolution to Authorize the Refund of Taxes to Stephanie Rosso of 4 Curley Lane in the Amount of \$1,697.64 Due to A Successful Tax Appeal*

**WHEREAS**, Stephanie Rosso of 4 Curley Lane successfully appealed and won the appeal filed with the Hunterdon County Board of Taxation for the property known as 4 Curley Lane, Block 1059, Lot 8 in the City of Lambertville.

**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 refund of taxes to Stephanie Rosso of 4 Curley Lane in the amount of \$1,697.64 is hereby approved.

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**ADOPTED:** October 20, 2022

**RESOLUTION NUMBER 177-2022:** *A Resolution to Authorize the Refund of Taxes to Fisherman's Mark for the Purchase of Block 1054, Lot 8, 60 Wilson Street in the Amount of \$3,345.33*

**RESOLUTION NUMBER 177-2022**

*A Resolution to Authorize the Refund of Taxes to Fisherman's Mark for the Purchase of Block 1054, Lot 8, 60 Wilson Street in the Amount of \$3,345.33*

**WHEREAS,** Fisherman's Mark, a local nonprofit organization, purchased 60 Wilson Street, block 1054, lot 8, and

**WHEREAS,** nonprofits are exempt from paying property taxes.

**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 refund of taxes to Fisherman's Mark of 60 Wilson Street in the amount of \$3,345.33 is hereby approved.

**ADOPTED:** October 20, 2022

**RESOLUTION NUMBER 178-2022:** *A Resolution to Authorize the Contract with the Public Alliance Insurance Cooperative for Three Years*

Resolution Number 178-2022

**PUBLIC ALLIANCE INSURANCE COVERAGE FUND RESOLUTION FOR RENEWAL OF MEMBERSHIP**

**WHEREAS,** the City of Lambertville hereafter referred to as "Public Entity" is a member of the Public Alliance Insurance Coverage Fund, hereinafter referred to as "Fund"; and

**WHEREAS,** said renewal membership terminates as of January 1, 2023 at 12:01 a.m. standard time, unless earlier renewed by agreement between the Public Entity and the Fund; and

**WHEREAS,** the Public Entity is afforded the following types of coverages: ☉ Workers' Compensation ☉ Package (property, boiler & machinery, crime, auto & general liability, including Police Professional) ☉ Public Officials Liability ☉ Excess Liability ☉ Auto & General Liability (including Police Professional) ☉ Public Officials Liability ☉ Environmental Impairment Liability

**WHEREAS,** the Public Entity desires to renew said membership.

**NOW THEREFORE, BE IT RESOLVED** as follows:

1. The Public Entity agrees to renew its membership in the Fund for a period of three years beginning January 1, 2023, and ending January 1, 2026 at 12:01 a.m. eastern standard time, and to be subject to the coverages, operating procedures, bylaws, and other organizational and operational documents of the Fund presently existing or as from time to time amended by the Fund and/or the Department of Banking and Insurance.
2. The Public Entity agrees that as a member of the Public Alliance Insurance Coverage Fund the Public Entity must purchase all types of coverages offered by the Fund which are applicable to the Public Entity.

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3. The Public Entity hereby appoints as the Public Entity's Fund Commissioner and is authorized to execute the renewal Indemnity and Trust Agreement thereby evidencing annexed hereto and made a part hereof and to deliver same to the Fund the Public Entity's renewal of its membership.

**RESOLUTION NUMBER 179-2022: A Resolution to Reject the Bids Received for the Mary Sheridan Park Landscaping Project Because they Exceeded the Funds Available**

**RESOLUTION NUMBER 179-2022**

*A Resolution to Reject the Bids Received for the Mary Sheridan Park Landscape Improvements Because They Exceeded the Funds Budgeted*

**WHEREAS**, the City of Lambertville's Park and Recreation Commission completed a formal request for submissions of bids for the Mary Sheridan Park Landscape Improvements, and

**WHEREAS**, the City of Lambertville received two bids and they include:

Harmony Tree Care, Bernardsville, NJ in the amount of \$115,000.00

TC Landscape Construction Group, Bayville, NJ in the amount of \$112,000.00

**WHEREAS**, Parks and Recreation Commission reviewed the bids received and has notified the City they do not have the funds available to proceed with an award.

**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 bids received for the Mary Sheridan Park Landscape Improvements are hereby rejected because the bids exceeded the funds budgeted for the project.

**ADOPTED:** October 20, 2022

**RESOLUTION NUMBER 180-2022: A Resolution to Award the Bid Received for the F350 Pick-Up Truck**

**RESOLUTION NUMBER 180-2022**

*A Resolution to Award the Bid Received for the F350 Pick-Up Truck*

**WHEREAS**, the City of Lambertville advertised for the solicitation of bids for the purchase of a F350 Super Cab 4x4 Pick-Up with Snow Plow Package and 1500 Pound Liftgate on September 13, 2022; and

**WHEREAS**, the City of Lambertville received two bids from the following responders:

Ciocca Ford Lincoln, Flemington, NJ in the amount of \$53,090.00

Route 23 Automall, Butler, NJ in the amount of \$68,873.00

**WHEREAS**, the City Attorney reviewed the bids and has deemed them to be responsive; and

**WHEREAS**, the CMFO has reviewed the bids and has certified funds are available in Ordinance Number 13-2022.

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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 award of a bid to Ciocca Ford Lincoln in the amount of \$53,090.00 is hereby authorized.

ADOPTED: October 20, 2022

*END OF CONSENT AGENDA*

RESOLUTION NUMBER 172-2022: A Resolution to Authorize the Submittal of the 2022 Best Practice Inventory to the State of New Jersey, Division of Community Affairs

*A draft of this document is in the meeting folder.*

RESOLUTION NUMBER 172-2022

*A Resolution to Authorize the City Clerk to Submit the Best Practice Inventory to the State of New Jersey*

WHEREAS, the City Clerk, the Certified Municipal Finance Officer and the City Planner reviewed the Best Practice Inventory for the State of New Jersey; and

WHEREAS, the City has achieved a score of XX.

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 City Clerk and CMFO are hereby authorized to submit the Best Practice Inventory to the State of New Jersey.

ADOPTED: October 20, 2022

12) BILLS LIST

13) ORDINANCES FIRST READING/INTRODUCTION

ORDINANCE NUMBER 29-2022: An Ordinance to Amend the Lambertville City Code, 2014, Chapter 8, Section 8-24, Bridge Street Parking Lot, Amended to Permit the Bank to Reserve Three Spaces in the Bank Parking Lot for Visitors to the Bank During Hours of Operation

ORDINANCE NUMBER 29-2022

*An Ordinance to Amend the Lambertville City Code, 2014, Chapter 8, Section 8-24, Bridge Street Parking Lot, Amended to Permit the Bank to Reserve Three Spaces in the Bank Parking Lot for Visitors to the Bank During Hours of Operation*

WHEREAS, the City of Lambertville has an agreement with the First Fidelity Bank N.A. North Jersey and its successors, dated April 30, 1990, for the lease of the bank parking lot located on the south eastern side of Bridge Street; and

WHEREAS, Wells Fargo Bank contacted the City with a request to reserve three parking spaces during their hours of operation for the use by their employees; and

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WHEREAS, Wells Fargo will install signage on three parking spaces closest to the bank for use by their customers; and

WHEREAS, Wells Fargo has requested that the police department continue to issue tickets for violators.

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, Chapter 8, Section 8-24 Bridge Street Parking Lot be amended as follows:

Parking meters zones are hereby established within the district or upon those streets or parts of the streets described herein in which the parking of vehicles in such zones shall be regulated by parking meters on the days and between the hours specified as follows:

Time Period for the Bridge Street Parking Lot: Between the hours of 9:00 a.m. to 9: p.m. Monday through Saturday, and from 1:00 p.m. to 9:00 p.m. on Sunday, with the exception of three parking spaces which shall be made available to the bank for their customer use during their hours of operation only. The parking spaces shall be designated with a signage that designates the hours of operation for the bank and the Ordinance Number for the parking violation.

Note: Parking along the Kline's Court side shall be for Bank employees only during banking hours.

INTRODUCTION AND FIRST READING:                    October 20, 2022

PUBLIC HEARING AND SECOND READING:        November 17, 2022

**ORDINANCE NUMBER 30-2022:** *An Ordinance to Amend the Lambertville City Code, 2014 Chapter BH 3, to Permit Cottage Food Operations Licensed by the State of New Jersey in the City of Lambertville.*

**ORDINANCE NUMBER 30-2022**

*An Ordinance to Amend the Lambertville City Code, 2014 and the Zoning Ordinances of the City of Lambertville to Permit Cottage Food Operations Licensed by the State of New Jersey in the City of Lambertville*

WHEREAS, effective October 4, 2021, the New Jersey Department of Health adopted new regulations, N.J.A.C. 4:24-11 et seq. (the "Cottage Food Regulations"), to allow for home bakers to obtain a state-issued Cottage Food Operator Permit to prepare and sell cottage food products, including, but not limited to, products such as baked goods, candy, and fudge; and

WHEREAS, the new Cottage Food Regulations, and permits granted thereunder, are subject to compliance with municipal laws and ordinances that would apply to any such cottage food operation; and

WHEREAS, the City of Lambertville's Zoning regulations permit home offices, but do not permit such cottage food operations within the confines of the City; and

WHEREAS, the City of Lambertville wishes to establish Zoning permit procedures to allow such Cottage Food Operations within the City without variance relief from the local land use board.

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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 section of the Lambertville City Code, 2014, Chapter BH3, Section BH#-4 Definitions, and BH3-5 License Required and the Lambertville Zoning Ordinances are hereby amended as follows:

LAMBERTVILLE CITY CODE, 2014: Chapter BH3, Section BH#-4 Definitions to include the following description for the Cottage Food License

COTTAGE FOOD ORDINANCE – Shall mean any person who holds a New Jersey Cottage Food Operator Permit.

LAMBERTVILLE CITY CODE, 2014: Chapter BH3-5 License Required

- a. 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 section 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.

INTRODUCTION AND FIRST READING: October 20, 2022

PLANNING BOARD: November 2, 2022

PUBLIC HEARING AND SECOND READING: November 17, 2022

ORDINANCE NUMBER 31-2022: *An Ordinance to Authorize the Installation of Overhead Wires on Existing Poles in the City of Lambertville by First Energy/JCP&L.*

Note: *This is currently being written by the City Attorney. The public hearing will be on November 1, 2022.*

14) ORDINANCES IN DRAFT FORM:

ORDINANCE NUMBER XX-2022: *An Ordinance to Revise the Lambertville City Code, 2014, Chapter XX, Flood Damage Prevention, Incorporating the Mandated Higher State Standards Found in the Flood Hazard Area Control Act. See 08-19-2022 Letter from NJDEP.*

The Construction Official is working on this revision.



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ORDINANCE NUMBER XX-2022: *An Ordinance to Amend the Lambertville City Code, 2014, Chapter 10, Section 10-7 Rental of Housing Units (certificate of insurance from all owners of rental properties)*

*Amendments include:*

CERTIFICATE OF INSURANCE: In accordance with Senate, No. 1368, Business Owners and Rental Unit Owners to maintain certain liability insurance policies. The owner of a multi-family home of four or fewer units, one of which is owner occupied, shall annually register the certificate insurance demonstrating compliance with section 1 of P.L. 2022, c.92.

Replacing Housing Officer with Zoning Officer and Fire Official (where applicable).

Addition of Lead Paint Certifications.

ORDINANCE NUMBER XX-2022: *An Ordinance to Amend the Lambertville City Code, 2014, Addition Provisions for Film and Media.*

Councilman Sanders and Councilman Stegman are working on this Ordinance.

ORDINANCE NUMBER XX-2022: *An Ordinance to Amend the Lambertville City Zoning Ordinances, Application Fees and Escrow Deposits*

The Secretary to the Boards and the Deputy Treasurer are working on the revision.

**15) ORDINANCES SECOND READING/PUBLIC HEARING**

ORDINANCE NUMBER 23-2022: *An Ordinance to Revise the Vacant Property Ordinance (NJ Statute Changes, Adoption of Abandoned Houses)*

**ORDINANCE NUMBER 23-2022**

*An Ordinance to Amend the Lambertville City Code, 2014, Chapter 4: Police Regulations, Adding Section 15: Registration and Maintenance of Abandoned and Vacant Buildings*

**WHEREAS**, mortgage foreclosures often result in the abandonment and neglect of residential and commercial properties; and

**WHEREAS**, periodically property owners have abandoned their property and have failed to maintain or secure them to an adequate standard; which affects the health, safety, and welfare of residents and visitors of the City, including diminution of neighboring property values, increased risk of fire, potential increases in criminal activity, and potential increases in health risks; and

**WHEREAS**, P.L. 2014, c. 35, authorizes municipalities to adopt ordinances for the purpose of regulating the care, maintenance, security and upkeep of the exterior of vacant and abandoned properties for which a creditor has filed an action to foreclose; and

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**WHEREAS**, it is in the public interest for the City of Lambertville to establish a mechanism to identify and track vacant and abandoned properties in the City which are in foreclosure, to establish standards for the maintenance of those properties and to enforce those standards of maintenance; and

**WHEREAS**, it is also in the public interest to impose a fee in conjunction with the registration of vacant and abandoned properties/structures in light of the disproportionate costs imposed of the City by the presence of these structures; and

**WHEREAS**, the City has reviewed recent amendments to Titles 2A 40 and 46 of the New Jersey Statutes regarding vacant and abandoned property and the responsibility of foreclosing creditors; and

**WHEREAS**, Chapter 444, approved January 18, 2021, revised several parts of the statutory law and supplementing Title 40 of the Revised Statutes requires that municipalities receive notice of the initiation of a foreclosure action with residential properties as well as commercial properties; and

**WHEREAS**, as a result of such legislation, certain amendments to the Lambertville City Code, 2014 are required.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey that Chapter 4 entitled Police Regulations, adding Section 15, Registration and Maintenance of Vacant Buildings is hereby added as follows:

**SECTION 1: REGISTRATION AND MAINTENANCE OF VACANT AND ABANDONED BUILDINGS**

- I. **PURPOSE:** This ordinance authorizes the City of Lambertville to govern the maintenance of vacant or abandoned property in the City of Lambertville, establishing registration requirements and levying a registration fee on owners of vacant properties.
- II. **DEFINITIONS:**

Creditor means a State chartered bank, savings and loan association or credit union, any person or entity required to be licensed under the provisions of the “New Jersey Residential Mortgage Act,” P.L.2009, c. 53 (C.17:11C-51 et. seq.), any foreclosing entity subject to the provisions of C.46:10B (P.L.2008, c. 127, Sec. 17 as amended from time to time) and any entity acting on behalf of the creditor named in the debt obligation including, not limited to, services.

Owner: Includes the title holder, any agent of the title holder having authority to act with respect to a vacant property, any foreclosing entity subject to the provision of N.J.A.C. 46:10B-51 (P.L.2008, c. 127, section 17) or any other entity determined by the City of Lambertville.

Vacant and Abandoned Property: Any building used or to be used for residential or commercial purposes which is not legally occupied or at which substantially all lawful construction operations or occupancy has ceased and been abandoned for more than six months, provided, however, that any property that contains all building system in working order, is fully compliant with our property maintenance codes, and is being actively marketed by its owner for sale or rental, shall not be deemed vacant.

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Property determined to be ‘abandoned property’ in accordance with the meaning of such term in the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19-78, et seq.; and/or N.J.S.A. 2A:50-73 residential real estate, where notice of violation has been issued pursuant to N.J.S.A. 40:48-2.12s(1)(b); and/or where a mortgaged property is not occupied by a mortgagor or tenant and at least two of the following conditions exist:

- A. Overgrown or neglected vegetation;
- B. The accumulation of newspapers, circulars, flyers or mail on the property;
- C. Disconnected gas, electric, or water utility services to the property;
- D. The accumulation of hazardous, noxious, or unhealthy substances or materials on the property;
- E. The accumulation of junk, litter, trash or debris on the property;
- F. The absence of window treatments such as blinds, curtains or shutters;
- G. The absence of furnishings and personal items;
- H. Statements of neighbors, association management, delivery person, or government employees indicating that the residence is vacant and abandoned;
- I. Window or entrances to the property that are boarded up or closed off or multiple window panes that are damaged, broken and unrepaired;
- J. Doors to the property that are smashed through, broken off, unhinged or continuously unlocked;
- K. Risk to health, safety or welfare of the public, or any adjoining or adjacent property owners, exists due to acts of vandalism, loitering, criminal conduct, or physical destruction or deterioration of the property;
- L. An uncorrected violation of a municipal building, housing or similar code during the preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied;
- M. The mortgagee or other authorized party has secured or winterized the property due to the property being deemed vacant and unprotected or in danger of freezing;
- N. A written statement issued by any mortgagor expressing the clear intent of all mortgagors to abandon the property which must be received in the office of the Municipal Clerk within ten (10) days of serving the summons and complaint;
- O. Any other reasonable indicia of abandonment.

Residential properties shall not be considered “Vacant and Abandoned” if, on the property:

- A. There is an unoccupied building which is undergoing construction, renovation or rehabilitation that is proceeding diligently to completion, and the building is in compliance with all applicable ordinances, codes, regulations and statutes;
- B. There is a building occupied on a seasonal basis, but otherwise secure; or
- C. There is a building that is secure, but is the subject of a probate action, action to quiet title or other ownership dispute.

**III. REQUIREMENTS FOR OWNERS OF PROPERTY**

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The owner of any building that has become vacant property, and any person maintaining, operating or collecting rent for any such building that has become vacant shall within 30 days:

- A. Enclose and secure the building against unauthorized entry as provided in the applicable provisions of the code of the City of Lambertville.
- B. Post a sign affixed to the building indicating the name, address and telephone number of the owner, the owner's authorized agent for the purpose of service of the process, and the person responsible for day-to-day supervision and management of the building, if such a person is different from the owner holding title or authorized agent. The sign shall be of a size and place in such a location so as to be legible from the nearest public street or sidewalk, whichever is near, but shall be no smaller than 18"x24".
- C. Secure the building from unauthorized entry and maintain a sign until the building is again legally occupied or demolished or until repair or rehabilitation of the building is complete.
- D. Post the property with "No Trespassing" signs or a nature sufficient to give notice to any person entering upon the property that is against the laws to enter the property without permission of the owner.
- E. Ensure that the vacant property is inspected on a monthly basis by the owner's authorized agent and prepare inspection reports, which shall be forwarded to the Construction Officer or the Mayor's designee no later than the last day of each month.
- F. Ensure that the vacant property is maintained in accordance with all property maintenance ordinances of the City of Lambertville.
- G. The owner of any vacant building shall acquire and otherwise maintain liability insurance by procuring a vacancy policy in an amount of not less than three hundred thousand dollars (\$300,000) for buildings designed primarily for use as residential units and not less than one million dollars (\$1,000,000) for any other building including, but not limited to buildings designed for manufacturing, industrial, storage or commercial uses, covering any damage to any person or any property caused by any physical condition of or in the building. The owner shall attach evidence of the insurance to the owner's registration statement. Any registration statement submitted that does not include such evidence shall not be deemed to be a valid registration which shall subject the owner to penalties under this ordinance.

**IV. ADMINISTRATION**

The Mayor and City Council may issue rules and regulations for the administration of the provision of this ordinance.

**V. VIOLATIONS AND PENALTIES**

- A. Any Owner who is not in full compliance with this ordinance or who otherwise violates any provision of this ordinance or of the rules and regulations issued hereunder shall be subject to a fine of not less than \$500.00 and not more than \$1,000 for each offense. Each day during which any violation of this chapter continues shall constitute a separate and distinct offense. Fines assessed under

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this chapter shall be recoverable from the owner and shall be a lien on the property.

- B. For purpose of this chapter, failure to file a registration statement on time, failure to provide correct information on the registration statement, failure to submit inspection reports, failure to comply with the provisions of this Chapter, or such other matters as may be established by the rules and regulations of the Construction Department, Zoning Officer, or the Police Department, or any other agent as authorized by the Mayor or his designee, shall be deemed to be violations of this ordinance.

**VI. EFFECT ON OTHER LAWS, INTERPRETATION OF PROVISIONS**

Nothing in this chapter is intended nor shall be read to conflict or prevent the City of Lambertville from taking action against buildings found to be unfit for human habitation or unsafe structures as provided in applicable provisions of the Lambertville City Code, 2014.

**VII. EXCESS FUNDS**

Any funds collected as vacant property registration fees in excess of the funds necessary to operate and enforce the provisions of this Chapter shall be used at the discretion of the Mayor and City Council.

**VIII. CREDITOR RESPONSIBILITY**

Pursuant to the provisions of the New Jersey Creditor Responsibility Law (P.L.2014, c.5), a creditor filing a summons and complaint to foreclose a lien on a property that is vacant and/or abandoned, whether filing of the summons and complaint is made before or after the determination that the property is vacant and abandoned, shall be responsible for the care, maintenance, security, and upkeep of the exterior of the residential property. The Creditor must provide notice to the Municipal Clerk within ten (10) days of serving the summons and complaint to the property owner.

If there is any change in the name, address, or telephone number for a representative, agent, or individual authorized to accept service on behalf of a Creditor required to be provided in a notice pursuant to this paragraph following the filing of the summons and complaint, the Creditor shall provide a notice to the Municipal Clerk containing the updated name, address, or telephone number within 10 days of the change in that information.

**IX. NOTICE TO CREDITOR; TIME TO CORRECT VIOLATIONS**

If the Zoning Officer or other authorized municipal official, determines that a creditor obligated to care, maintain, secure and keep up a vacant and abandoned property has failed to do so in violation of the provisions of the Code, the public officer or other authorized municipal official shall issue a notice of violation to the creditor that has filed a summons and complaint to foreclose on the property in question. The notice shall require the person or entity to correct the violation within thirty (30) days of receipt of the notice, or within ten (10) days of receipt of the notice if the violation presents an imminent threat to public health and safety. The issuance of this notice shall constitute evidence that a property is "vacant and abandoned" for the purpose of N.J.S.A. 2A:50-73.

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**X. DESIGNATED REPRESENTATIVE OF OUT-OF-STATE CREDITOR;  
VIOLATION**

An out-of-State creditor shall include the full name and contact information of the in-State representative or agent in the notice required to be provided to the municipal clerk pursuant to paragraph one of N.J.S.A. 46:10B-51. An out-of-State creditor found by a court of competent jurisdiction to have violated this provision shall be subject to a fine of \$2,500 for each day of the violation commencing on the day after the ten (10) day period set forth in paragraph one of N.J.S.A. 46:10b-51 with respect to notifying the municipal clerk that an action to foreclose on the property has been filed.

**XI. VIOLATIONS AND PENALTIES**

For violation of any provision of this chapter, the penalty, upon conviction, shall be a minimum fine of \$100 and a maximum fine not exceeding \$2,000, or imprisonment for a period not exceeding 90 days, or a period of community service not exceeding 90 days, or any combination thereof. Each day on which such violation exists shall constitute a separate violation. The court before which any person is convicted of violating this chapter shall have the power to impose a penalty, pursuant to N.J.S.A. 26:3-70 et seq. and the Penalty Enforcement Law (N.J.S.A. 2A:58-1 et seq.(1)), of not more than \$500 nor less than \$5. A creditor required to care for, maintain, secure, and keep up a property under this Chapter cited in notices issued pursuant to this Chapter shall be subject to a fine of \$2,000 for each day of the violation. The penalties set forth in this section are separate and apart from the remedy provided for in the New Jersey Statutes Annotation, N.J.S.A. 40:48-2.13 and 40:48-2.14. The remedy in this section shall be in addition to all remedies available to the City in laws or in equity.

**XII. SEVERABILITY**

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**XIII. REGISTRATION**

Effective July 1, 2017, the owner of any vacant property as defined herein shall, within 30 calendar days after the building becomes vacant property or within 30 calendar days after assuming ownership of the vacant property, whichever is later, or within 10 calendar days of receipt of notice by the municipality, file a registration statement for such vacant property with the Municipal Clerk on forms provided by the Municipality for such purposes. Failure to receive notice by the municipality shall not constitute grounds for failing to register the property.

- A. Each property having a separate block and lot number as designated in official records of the municipality shall be registered separately.
- B. The registration statement shall include the name, street address, telephone number and email address (if applicable) of a person 21 years or older, designated by the owner or owners as authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceedings on behalf of such owner or owners in connection with the enforcement of any applicable code, and the name, street address, telephone number, and email of the firm and the actual name(s) of

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the first individual principal(s) responsible for maintaining the property. The individual or representative of the firm responsible for maintaining the property shall be available by telephone or in person on a 24 hour per day, seven-day per week basis. The two entities may be the same or different persons. Both entities shown on the statement must maintain offices in the State of New Jersey or reside within the State of New Jersey.

- C. The registration shall remain valid for one year from the date of registration except for the initial registration which shall expire December 31 of the year registered. The owner shall be required to renew the registration annually as long as the building remains vacant and/or abandoned property and shall pay a registration or renewal fee in the amount prescribed in section 8 of this ordinance, for each vacant property registered.
- D. The annual renewal shall be completed by January 1 of each year.
- E. The owner shall notify the Municipal Clerk's Office within 30 calendar days of any change in the registration information by filing an amended registration statement on a form provided by the City of Lambertville for such purpose.
- F. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement preceding our court proceeding instituted by the City of Lambertville against the owner or owners of the building.

**XIV. FEE SCHEDULE**

The initial registration fee for each building shall be five-hundred (\$500.00) dollars. The fee for the first renewal is one thousand five hundred (\$1,500.00) dollars, and the fee for the second renewal is three thousand (\$3,000.00) dollars. The fee for any subsequent renewal beyond the second renewal is five thousand (\$5,000.00) dollars. The fee for filing amendments is fifty (\$50.00) per amendment.

**SECTION 2: SEVERABILITY**

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

**SECTION 3: REPEALER**

Any ordinance or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only. All other parts of the Lambertville City Code, 2014 not inconsistent herewith are ratified and confirmed.

**SECTION 4: EFFECTIVE DATE**

This ordinance shall take effect upon publication.

FIRST READING AND INTRODUCTION: September 15, 2022

SECOND READING AND PUBLIC HEARING: October 20, 2022

ORDINANCE NUMBER 24-2022: An Ordinance Authorizing and Encouraging Electric Vehicle Supply/Service 9EVSE & Make Ready Parking Spaces

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PLEASE NOTE: *The public hearing for Ordinance Number 24-2022 has been delayed to the November 17, 2022 session to give the Planning Board time to review it and make suggestions or edits.*

**ORDINANCE 24-2022**

**AUTHORIZING AND ENCOURAGING ELECTRIC VEHICLE**

**SUPPLY/SERVICE EQUIPMENT (EVSE) & MAKE-READY PARKING SPACES**

WHEREAS, supporting the transition to electric vehicles contributes to **City of Lambertville's** commitment to sustainability and is in the best interest of public welfare; and

WHEREAS, installation of EVSE and Make-Ready parking spaces encourages electric vehicle adoption; and

WHEREAS, the **City of Lambertville** encourages increased installation of EVSE and Make Ready parking spaces; and

WHEREAS, adoption of this ordinance supports the State of New Jersey's goals to reduce air pollutants and greenhouse gas emissions from the transportation sector as outlined and supported by various programs related to NJ's 2019 Energy Master Plan, Global Warming Response Act (P.L.2007, c.112 (C.26:2C-37 et al.)), and EV Law (P.L. 2019, c. 362); and

WHEREAS, P.L. 2021, c.171, which Governor Murphy signed into law on July 9, 2021, requires EVSE and Make-Ready parking spaces be designated as a permitted accessory use in all zoning or use districts and establishes associated installation and parking requirements; and

WHEREAS, adoption of this ordinance will support the Master Plan of *City of Lambertville* adopted in concurrence with P.L. 1975 c. 291, s. 1 eff. Aug. 1, 1976, and is consistent with goals *and objectives* of the Master Plan as well as the land use, circulation, and *the following* elements of the Master Plan:

*Goal Number 2:* Encourage new public park areas throughout the City for passive and active recreational areas;

*Goal Number 4:* Seek long term solutions to problems of parking and traffic congestion,

WHEREAS, the *City of Lambertville* encourages greater ownership and use of electric vehicles, thus the *City of Lambertville* is amending the *Land Use, Zoning Ordinance, Article IV, Section 406.7, Off Street Parking and Loading Requirements* to establish standards and regulations for the safe and efficient installation of EVSE and Make-Ready parking spaces at appropriate locations.

NOW, THEREFORE, BE IT ORDAINED, by the *Governing Body* of the **City of Lambertville**, County of **Hunterdon**, State of New Jersey as follows:

**FIRST: ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT**

**A. Purpose**

The purpose of this ordinance is to promote and encourage the use of electric vehicles by requiring the safe and efficient installation of EVSE and Make-Ready parking spaces through municipal parking regulations and other standards. EVSE and Make-Ready parking spaces



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will support the State's transition to an electric transportation sector, reducing automobile air pollution, greenhouse gas emissions, and storm water runoff contaminants. The goals are to:

1. Provide adequate and convenient EVSE and Make-Ready parking spaces to serve the needs of the traveling public.
2. Provide opportunities for residents to have safe and efficient personal EVSE located at or near their place of residence.
3. Provide the opportunity for non-residential uses to supply EVSE to their customers and employees.
4. Create standard criteria to encourage and promote safe, efficient, and cost-effective electric vehicle charging opportunities in all zones and settings for convenience of service to those that use electric vehicles.

**B. Definitions**

Certificate of occupancy: The certificate provided for in N.J.A.C. 5:23-2, indicating that the construction authorized by the construction permit has been completed in accordance with the construction permit, the act and the regulations. See "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.) and regulations adopted pursuant thereto.

Charging Level: The amount of voltage provided to charge an electric vehicle varies depending on the type of EVSE as follows:

1. Level 1 operates on a fifteen (15) to twenty (20) amp breaker on a one hundred twenty (120) volt AC circuit.
2. Level 2 operates on a forty (40) to one hundred (100) amp breaker on a two hundred eight (208) or two hundred forty (240) volt AC circuit.
3. Direct-current fast charger (DCFC) operates on a sixty (60) amp or higher breaker on a four hundred eighty (480) volt or higher three phase circuit with special grounding equipment. DCFC stations can also be referred to as rapid charging stations that are typically characterized by industrial grade electrical outlets that allow for faster recharging of electric vehicles.

Electric vehicle: Any vehicle that is licensed and registered for operation on public and private highways, roads, and streets; and operates either partially or exclusively using an electric motor powered by an externally charged on-board battery.

Electric Vehicle Supply/Service Equipment or (EVSE): The equipment, including the cables, cords, conductors, connectors, couplers, enclosures, attachment plugs, power outlets, power electronics, transformer, switchgear, switches and controls, network interfaces, point of sale equipment, and associated apparatus designed and used for the purpose of transferring energy from the electric supply system to a plug-in electric vehicle. "EVSE" may deliver either alternating current or, consistent with fast charging equipment standards, direct current electricity. "EVSE" is synonymous with "electric vehicle charging station."

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Make-Ready Parking Space: means the pre-wiring of electrical infrastructure at a parking space, or set of parking spaces, to facilitate easy and cost-efficient future installation of Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment, including, but not limited to, Level Two EVSE and direct current fast chargers. Make Ready includes expenses related to service panels, junction boxes, conduit, wiring, and other components necessary to make a particular location able to accommodate Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment on a “plug and play” basis. “Make-Ready” is synonymous with the term “charger ready,” as used in P.L.2019, c.362 (C.48:25-1 et al.).

Private EVSE: EVSE that has restricted access to specific users (e.g., single and two-family homes, executive parking fleet parking with no access to the general public).

Publicly-accessible EVSE: EVSE that is publicly available (e.g., park & ride, public parking lots and garages, on-street parking, shopping center parking, non-reserved parking in multi-family parking lots, etc.).

**C. Approvals and Permits**

1. An application for development submitted solely for the installation of EVSE or Make-Ready parking spaces shall be considered a permitted accessory use and permitted accessory structure in all zoning or use districts and shall not require a variance pursuant to C.40:55D-70.
2. EVSE and Make-Ready Parking Spaces installed pursuant to Section D. below in development applications that are subject to site plan approval are considered a permitted accessory use as described in 1. above.
3. All EVSE and Make-Ready parking spaces shall be subject to applicable local and/or Department of Community Affairs permit and inspection requirements.
4. The **Zoning Officer** shall enforce all signage and installation requirements described in this ordinance. Failure to meet the requirements in this ordinance shall be subject to the same enforcement and penalty provisions as other violations of City of Lambertville’s land use regulations.
5. An application for development for the installation of EVSE or Make-Ready spaces at an existing gasoline service station, an existing retail establishment, or any other existing building shall not be subject to site plan or other land use board review, shall not require variance relief pursuant to C.40:55D-1 et seq. or any other law, rule, or regulation, and shall be approved through the issuance of a zoning permit by the administrative officer, provided the application meets the following requirements:
  - a. the proposed installation does not violate bulk requirements applicable to the property or the conditions of the original final approval of the site plan or subsequent approvals for the existing gasoline service station, retail establishment, or other existing building;

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- b. all other conditions of prior approvals for the gasoline service station, the existing retail establishment, or any other existing building continue to be met; and
    - c. the proposed installation complies with the construction codes adopted in or promulgated pursuant to the "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.), any safety standards concerning the installation, and any State rule or regulation concerning electric vehicle charging stations.
  6. An application pursuant to Section 5. above shall be deemed complete if:
    - a. the application, including the permit fee and all necessary documentation, is determined to be complete,
    - b. a notice of incompleteness is not provided within 20 days after the filing of the application, or
    - c. a one-time written correction notice is not issued by the **Zoning Officer** within 20 days after filing of the application detailing all deficiencies in the application and identifying any additional information explicitly necessary to complete a review of the permit application.
  7. EVSE and Make-Ready parking spaces installed at a gasoline service station, an existing retail establishment, or any other existing building shall be subject to applicable local and/or Department of Community Affairs inspection requirements.
  8. A permitting application solely for the installation of electric vehicle supply equipment permitted as an accessory use shall not be subject to review based on parking requirements.

**D. Requirements for New Installation of EVSE and Make-Ready Parking Spaces**

1. As a condition of preliminary site plan approval, for each application involving a multiple dwelling with five or more units of dwelling space, which shall include a multiple dwelling that is held under a condominium or cooperative form of ownership, a mutual housing corporation, or a mixed-use development, the developer or owner, as applicable, shall:
  - a. prepare as Make-Ready parking spaces at least 15 percent of the required off-street parking spaces, and install EVSE in at least one-third of the 15 percent of Make-Ready parking spaces;
  - b. within three years following the date of the issuance of the certificate of occupancy, install EVSE in an additional one-third of the original 15 percent of Make-Ready parking spaces; and
  - c. within six years following the date of the issuance of the certificate of occupancy, install EVSE in the final one-third of the original 15 percent of Make-Ready parking spaces.
  - d. Throughout the installation of EVSE in the Make-Ready parking spaces, at least five percent of the electric vehicle supply equipment shall be accessible for people with disabilities.
  - e. Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above.

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2. As a condition of preliminary site plan approval, each application involving a parking lot or garage not covered in 1. above shall:
  - a. Install at least one Make-Ready parking space if there will be 50 or fewer off-street parking spaces.
  - b. Install at least two Make-Ready parking spaces if there will be 51 to 75 off-street parking spaces.
  - c. Install at least three Make-Ready parking spaces if there will be 76 to 100 off-street parking spaces.
  - d. Install at least four Make-Ready parking spaces, at least one of which shall be accessible for people with disabilities, if there will be 101 to 150 off-street parking spaces.
  - e. Install at least four percent of the total parking spaces as Make-Ready parking spaces, at least five percent of which shall be accessible for people with disabilities, if there will be more than 150 off-street parking spaces.
  - f. In lieu of installing Make-Ready parking spaces, a parking lot or garage may install EVSE to satisfy the requirements of this subsection.
  - g. Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above.
  - f. Notwithstanding the provisions of Section E above, a retailer that provides 25 or fewer off-street parking spaces or the developer or owner of a single-family home shall not be required to provide or install any electric vehicle supply equipment or Make-Ready parking spaces.

**E. Minimum Parking Requirements**

1. All parking spaces with EVSE and Make-Ready equipment shall be included in the calculation of minimum required parking spaces, pursuant to Z-406.7 Off-Street Parking and Loading Requirements.
2. A parking space prepared with EVSE or Make-Ready equipment shall count as at least two parking spaces for the purpose of complying with a minimum parking space requirement. This shall result in a reduction of no more than 10 percent of the total required parking.
3. All parking space calculations for EVSE and Make-Ready equipment shall be rounded up to the next full parking space.
4. Additional installation of EVSE and Make-Ready parking spaces above what is required in Section D. above may be encouraged, but shall not be required in development projects.

**F. Reasonable Standards for All New EVSE and Make-Ready Parking Spaces**

1. Location and layout of EVSE and Make-Ready parking spaces is expected to vary based on the design and use of the primary parking area. It is expected flexibility will be required to provide the most convenient and functional service to users. Standards and criteria should be considered guidelines and flexibility should be allowed when alternatives can better achieve objectives for provision of this service.
2. Installation:

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- a. Installation of EVSE and Make-Ready parking spaces shall meet the electrical subcode of the Uniform Construction Code, N.J.A.C. 5:23-3.16.
  - b. Each EVSE or Make-Ready parking space that is not accessible for people with disabilities shall be not less than 9 feet wide or 18 feet in length. Exceptions may be made for existing parking spaces or parking spaces that were part of an application that received prior site plan approval.
  - c. To the extent practical, the location of accessible parking spaces for people with disabilities with EVSE and Make Ready equipment shall comply with the general accessibility requirements of the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.
  - d. Each EVSE or Make-Ready parking space that is accessible for people with disabilities shall comply with the sizing of accessible parking space requirements in the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.
3. EVSE Parking:
- a. Publicly-accessible EVSE shall be reserved for parking and charging electric vehicles only. Electric vehicles shall be connected to the EVSE. *{Note: The use of time limits is optional and shall be determined by the owner.}*
  - b. Electric vehicles may be parked in any parking space designated for parking, subject to the restrictions that would apply to any other vehicle that would park in that space.
  - c. Public Parking. Pursuant to NJSA 40:48-2, publicly-accessible EVSE parking spaces shall be monitored by the municipality's police department and enforced in the same manner as any other parking. It shall be a violation of this Section to park or stand a non-electric vehicle in such a space, or to park an electric vehicle in such a space when it is not connected to the EVSE. Any non-electric vehicle parked or standing in a EVSE parking space or any electric vehicle parked and not connected to the EVSE shall be is subject to fine and/or impoundment of the offending vehicle as described in the general penalty provisions of the Municipal Code titled Lambertville City Code, 2014, **Chapter 8, Municipal Parking Areas and Metered Parking**. Signage indicating the penalties for violations shall comply with Section 5. below. Any vehicle parked in such a space shall make the appropriate payment for the space and observe the time limit for the underlying parking area, if applicable.
  - d. Private Parking. The use of EVSE shall be monitored by the property owner or designee.

Article I. 4. Safety

- a. Each publicly-accessible EVSE shall be located at a parking space that is designated for electric vehicles only and identified by green painted pavement and/or curb markings, a green painted charging pictograph symbol, and appropriate signage pursuant to Section 5. below.
- b. Where EVSE is installed, adequate site lighting and landscaping shall be provided in accordance with *the City of Lambertville's* ordinances and regulations.
- c. Adequate EVSE protection such as concrete-filled steel bollards shall be used for publicly-accessible EVSE. Non-mountable curbing may be used in lieu of bollards if the EVSE is setback a minimum of 24 inches from the face of the curb. Any stand-alone EVSE bollards should be 3 to 4-feet high with concrete footings placed to

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protect the EVSE from accidental impact and to prevent damage from equipment used for snow removal.

- d. EVSE outlets and connector devices shall be no less than 36 inches and no higher than 48 inches from the ground or pavement surface where mounted, and shall contain a cord management system as described in e. below. Equipment mounted on pedestals, lighting posts, bollards, or other devices shall be designated and located as to not impede pedestrian travel, create trip hazards on sidewalks, or impede snow removal.
- e. Each EVSE shall incorporate a cord management system or method to minimize the potential for cable entanglement, user injury, or connector damage. Cords shall be retractable or have a place to hang the connector and cord a safe and sufficient distance above the ground or pavement surface. Any cords connecting the charger to a vehicle shall be configured so that they do not cross a driveway, sidewalk, or passenger unloading area.
- f. Where EVSE is provided within a pedestrian circulation area, such as a sidewalk or other accessible route to a building entrance, the EVSE shall be located so as not to interfere with accessibility requirements of the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.
- g. Publicly-accessible EVSEs shall be maintained in all respects, including the functioning of the equipment. A 24-hour on-call contact shall be provided on the equipment for reporting problems with the equipment or access to it. To allow for maintenance and notification, **City of Lambertville** shall require the owners/designee of publicly-accessible EVSE to provide information on the EVSE's geographic location, date of installation, equipment type and model, and owner contact information.

5. Signs

- a. Publicly-accessible EVSE shall have posted regulatory signs, as identified in this section, allowing only charging electric vehicles to park in such spaces. For purposes of this section, "charging" means that an electric vehicle is parked at an EVSE and is connected to the EVSE. If time limits or vehicle removal provisions are to be enforced, regulatory signs including parking restrictions shall be installed immediately adjacent to, and visible from the EVSE. For private EVSE, installation of signs and sign text is at the discretion of the owner.
- b. All regulatory signs shall comply with visibility, legibility, size, shape, color, and reflectivity requirements contained within the Federal Manual on Uniform Traffic Control Devices as published by the Federal Highway Administration.
- c. Wayfinding or directional signs, if necessary, shall be permitted at appropriate decision points to effectively guide motorists to the EVSE parking space(s). Wayfinding or directional signage shall be placed in a manner that shall not interfere with any parking space, drive lane, or exit and shall comply with b. above.
- d. In addition to the signage described above, the following information shall be available on the EVSE or posted at or adjacent to all publicly-accessible EVSE parking spaces:
  - 1) Hour of operations and/or time limits if time limits or tow-away provisions are to be enforced by the municipality or owner/designee;

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- 2) Usage fees and parking fees, if applicable; and
- 3) Contact information (telephone number) for reporting when the equipment is not operating or other problems.

6. Usage Fees

- a. For publicly-accessible municipal EVSE: In addition to any parking fees, the fee to use parking spaces within the municipality identified as EVSE spaces shall be set by Resolution of the Governing Body annually and shall be calculated for each hour that the electric vehicle is connected to the EVSE.
- b. Private EVSE: Nothing in this ordinance shall be deemed to preclude a private owner/designee of an EVSE from collecting a fee for the use of the EVSE, in accordance with applicable State and Federal regulations. Fees shall be available on the EVSE or posted at or adjacent to the EVSE parking space.

**SECOND: SEVERABILITY**

If any section, paragraph, clause, or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, clause or provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.

**THIRD: REPEAL OF PRIOR ORDINANCES**

All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

**FOURTH: EFFECTIVE DATE**

This ordinance shall take effect after final passage and publication as provided by law.

INTRODUCTION AND FIRST READING: September 15, 2022

PLANNING BOARD REVIEW: October 5, 2022?

PUBLIC HEARING AND SECOND READING: October 20, 2022

ORDINANCE NUMBER 25-2022: *An Ordinance to Amend the Lambertville City Code, 2014, Chapter XIV: Streets and Sidewalks*

**ORDINANCE 25-2022**

*An Ordinance to amend the Lambertville City Code, 2014, Chapter XIV: Streets and Sidewalks*

**BE IT ORDAINED** by the Mayor and City Council of the City of Lambertville, County of Hunterdon, State of New Jersey, that the revised general ordinances of the City of Lambertville, 1990, Chapter XIV, Streets and Sidewalks be amended as follows (additions appear underlined, deletions appear [bracketed]):

**§ 14-2.6 Inspection, Notice.**

The Director of Public Works shall periodically inspect the properties in the City and determine, that for reasons of public safety and convenience, it is necessary to construct, repair or alter or relay

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any curbing or sidewalks, and submit a report of any such inspection to the Governing Body of the City. The Governing Body may then, by resolution, order the Director to serve a notice in writing upon the owners or occupants of the land requiring the necessary specified work to such curbs or sidewalks to be done by the owner and occupant in accordance with the provisions of this section within a period of not less than 60 days from the date of service of such notice. When the land is unoccupied and the owner is a nonresident, or his post office address is unknown, then such notice shall be given in accordance with the provisions set forth in *N.J.S.A. 40:65-3*, Service of Notice.

Any owner or occupant of such lands who does not comply with the requirements of such notice shall, upon conviction, be liable to the penalty established in Chapter 1, Section 1-5.

**§ 14-2.7 Work Done by City.**

In addition to the penalty set forth in Chapter 14-2.6 herein, [I]f the owner or occupant of such lands does not comply with the requirements of such notice, the Director of Public Works [shall] may, in his or her discretion, cause the required work to be done and paid for out of the City funds. In the case of sidewalks, the material used shall be brick, flagstone or Class C concrete. The cost of such work shall be certified by the Director to the City Tax Assessor and upon the filing of such certificates, the cost of such work shall be a lien upon the abutting lands in front of which such work was done, pursuant to the provisions of the State Statutes.

This ordinance shall take effect immediately upon adoption according to law.

Introduction: September 15, 2022  
Adoption: October 20, 2022

***ORDINANCE NUMBER 26-2022: An Ordinance to Authorize the Extension of the Lease with Fisherman's Mark for the Farm Market***

**ORDINANCE NUMBER 26-2022**

*An Ordinance Authorizing the Extension of the Lease Agreement Between the City of Lambertville and Fisherman's Mark for Use of a Portion of the Property Owned by the City and Located at 260 N. Main Street (Block 1002, Lot 41).*

**WHEREAS**, the City of Lambertville (the "**City**"), a municipal corporation of the State of New Jersey, with offices located at 18 York Street, Lambertville New Jersey 08530, owns the property shown on the City Tax Maps as Block 1002, Lot 41, commonly known as 260 N. Main Street (the "**Property**"); and

**WHEREAS**, Fisherman's Mark ("**Fisherman's Mark**") requested to lease a portion of the Property for use as a food pantry (the "**Leased Premises**"); and

**WHEREAS**, Fisherman's Mark is a New Jersey nonprofit corporation organization based in the City, and in accordance with its mission statement, provides programs to vulnerable populations that promote stability, health and education, while also providing responsive services such as food and affordable childcare services; and

**WHEREAS**, Fisherman's Mark provides a store-like environment to give City residents food to prepare meals that are affordable and healthy choices; and



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**WHEREAS**, the Leased Premises at the Property are not currently being used by the City;  
and

**WHEREAS**, the continued use of the Leased Premises at the Property will allow Fisherman’s Mark to continue to provide essential services for City residents in need; and

**WHEREAS**, the City may lease the Leased Premises to Fisherman’s Mark by ordinance, pursuant to N.J.S.A. 40A:12-1 et. seq. of the Local Lands and Buildings Law; and

**WHEREAS**, on December 16, 2021, pursuant to Ordinance 26-2021, the City approved a lease agreement with Fisherman’s Mark for use of the Leased Premises, for a term of one (1) year, effective January 1, 2022 (the “**Lease Agreement**”); and

**WHEREAS**, the City and Fisherman’s Mark desire to extend the term of the Lease Agreement for six (6) months, with all other provisions of said Lease Agreement remaining unchanged.

**NOW, THEREFORE, BE IT ORDAINED** 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 Governing Body approves the extension of the Lease Agreement with Fisherman’s Mark for use of the Leased Premises, for a period of six (6) months, with all other terms of the Lease Agreement remaining unchanged.
3. The Mayor is authorized to execute any documents necessary to effectuate the extension of the Lease Agreement described herein.
4. If any section, paragraph, subdivision, clause, sentence, phrase or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.
5. The City Clerk is hereby directed to publish this Ordinance as required by applicable law and make the same available for public inspection.
6. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.

FIRST READING AND INTRODUCTION: September 15, 2022

SECOND READING AND PUBLIC HEARING: October 20, 2022

ORDINANCE NUMBER 28-2022: *An Ordinance to Amend the Lambertville City Code, 2014, Chapter 3, Section 17.4, Human Rights Council, Appointments, Compensation, Terms, Vacancies*

ORDINANCE NUMBER 28-2021  
**An Ordinance to Amend the Lambertville City Code, 2014, Chapter 3, Section 17.4, Human Rights Council, Appointments, Compensation, Terms, Vacancies**

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§ 3-17.4 Council Established; Appointment; Compensation; Terms; Vacancies.

[Amended 5-16-2019 by Ord. No. 11-2019]

The City of Lambertville Human Rights Council (LHRC) will consist of a total of 11 members, from both the public and private sector, and is hereby established in the City of Lambertville. The members of the City of Lambertville Human Rights Council (LHRC) shall be appointed by the Mayor, with the advice and consent of the Lambertville City Council.

a.

Public Sector Members:

1. : The Mayor of the City of Lambertville, or his or her representative, to run concurrent with the Mayor's three-year term;

2. : The President of the Lambertville City Council, or his/her representative, for a one-year term;

3. : The Police Director or Officer-in-Charge of the City of Lambertville or his/her representative, for a one-year term;

4. : The Director of Public Assistance of the City of Lambertville, for a three-year term concurrent with the Mayor's three-year term;

5. : The President of Board of Education from the Lambertville-Stockton-West Amwell unified school district, or his/her representative, for three-year term concurrent with their term;

6. : The Chairperson of the Lambertville Free and Public Library, or his or her representative, for a one-year term.

b. : Private Sector Members:

There shall be five members from the private sector appointed to serve on the Human Rights Council. They shall be appointed by the Mayor with the advice and consent of the Governing Body. One member may be a non-resident of the municipality to be appointed annually. One member may be a student of the South Hunterdon Regional School District. The student representative will serve for a 12-month period beginning with the start of the school calendar year. The terms of the private sector members shall be appointed as follows:

- 1) A resident of the City of Lambertville for a 2-year term;
- 2) A resident of the City of Lambertville for a 3-year term;
- 3) A resident of the City of Lambertville for a 5-year term;
- 4) A non-resident of the City of Lambertville for a 1-year term;
- 5) A South Hunterdon Regional School District student representative for a 1-year term commencing at the start of the school calendar year.

All members of the LHRC shall serve without compensation.

One (1) of said members shall be appointed by the Mayor as Chairperson. Additional Officers shall be elected by the majority of the membership at the annual reorganization meeting.

**The City of Lambertville Human Relations Council (LHRC)** may have such other officers, as it deems necessary.

INTRODUCTION AND FIRST READING: October 20, 2022

PUBLIC HEARING AND SECOND READING: November 17, 2022

16) DISCUSSION ITEM:

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- a) VALET PARKING: Recently, a business owner approached the City to request valet parking for their guests. They would like to reserve and pay for up to two metered parking spaces so that they can provide their customers with a drop or and pick up location for valet parking services.

17) CORRESPONDENCE

- a) NJDOT correspondence to Mayor Nowick regarding a crosswalk on Route 29 and Feeder Street.

18) ANNOUNCEMENTS

- a) The City of Lambertville is Seeking Interest in a Redevelopment Opportunity for the Closson Property Farm Market. Interested parties should complete the Request for Expressions of Interest (RFEI) packet which can be found on the City's website at [www.lambertvillenj.org](http://www.lambertvillenj.org) or by contacting the City Clerk at [cityclerk@lambertvillenj.org](mailto:cityclerk@lambertvillenj.org).

b) CONVENIENCE CENTER HOURS

Wednesday, October 19, 2022, from 3 to 5 pm  
Saturday, October 29, 2022, from 9 am to 12 noon

Saturday, November 5, 2022 from 9 am to 12 noon  
Wednesday, November 16, 2022 from 3 – 5 pm  
Saturday, November 19, 2022 from 9 am to 12 noon

- a) ELECTRONICS RECYCLING: Saturday, November 19, 2022 from 10 am to 1 pm at the American Legion, 320 North Union Street in Lambertville. Electronics only – no microwaves.

19) PUBLIC PARTICIPATION

Mayor Nowick and City Council convened in closed session at \_\_\_\_\_ p.m. with a motion made by \_\_\_\_ and seconded by \_\_\_\_\_. An affirmative voice/roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Mayor Nowick and City Council re-convened in regular session at \_\_\_\_\_ p.m. with a motion made by \_\_\_\_ and seconded by \_\_\_\_\_. An affirmative voice/roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

20) ADJOURNMENT