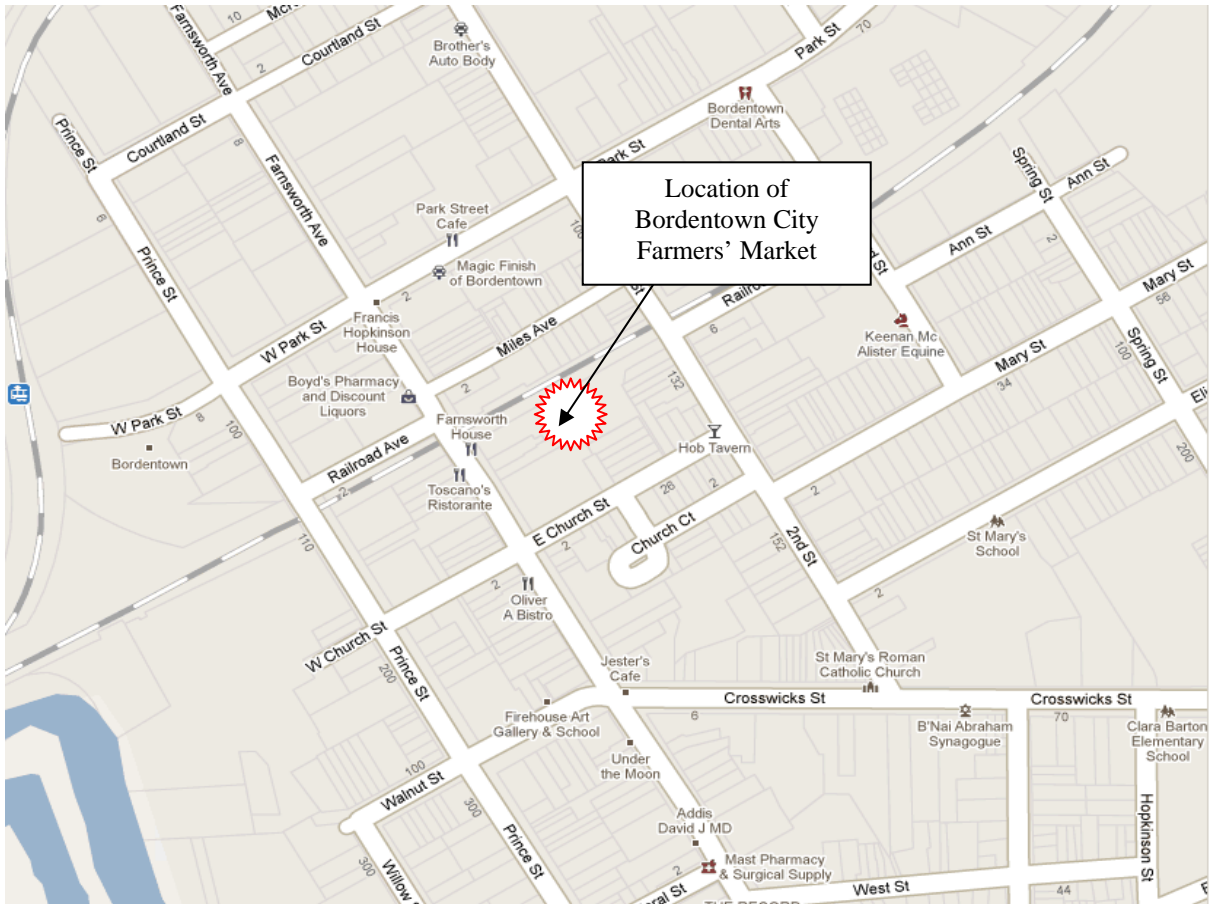


**VENDOR APPLICATION**  
**Bordentown City Farmers' Market**  
**2011 SEASON**

**I. DESCRIPTION OF SERVICES.**

**1.01 BACKGROUND**

The Bordentown City Farmers' Market (the "market") will open on **Wednesday, June 8<sup>th</sup>**. The market is entering into its third season of operation. For the 2011 season, the market will run every Wednesday (rain or shine, except for declared weather emergencies) until at least Wednesday, October 26, 2011. Market hours will be between 4:00 pm – dusk.



The market is being organized by the Bordentown City Commissioners and managed by a group of volunteers from Bordentown City (the "City") with technical assistance from Burlington County Dept. of Resource Conservation. The Downtown Bordentown Association (DBA) and local businesses are active partners in this market.

The market will be held in a portion of a city-owned parking lot between Farnsworth Avenue and Second Street (adjacent to the Farnsworth House Restaurant). General parking will be restricted to a portion of the parking lot between 2:30 pm and at least 8:00 pm. Vendors will be allotted an estimated 20' x 8' vending area in the parking lot.

The City anticipates that the initial season will create a consistent customer base by maintaining a high quality and diversity of vendors and through strategic promotion of local businesses, artists, and artisans.

The primary goals of this market are:

1. Provide City and regional residents an outlet for acquiring fresh and healthy food economically; and
2. Support local farmers and business; and
3. Enhance foot traffic and exposure for Bordentown City businesses.

## **1.02 REGIONAL DESCRIPTION AND OVERVIEW**

Bordentown City hosts a rich history yet is a modern community with much to offer residents and visitors alike. Bordentown City is situated at the northern tip of Burlington County and borders Bordentown Township, Fieldsboro Township, Hamilton Township (Mercer County) and the Delaware River. It is easily accessible by the New Jersey Turnpike, Routes 130 and 206, and Interstates 295 and 195. It is also accessible by NJ Transit's River Line. Bordentown City enjoys easy access to the cultural and commercial advantages of Princeton, Trenton, New York, and Philadelphia.

The revitalized business district of this "little city with a lot of charm" offers visitors a pleasant diversion. The town's beautiful and historically significant architecture houses many interesting shops and restaurants, as well as a friendly and caring community.

In summary, the location is optimal for the establishment and growth of a successful community farmers market.

## **1.03 VENDOR CATEGORIES**

The number of vendors at the market shall be determined at the sole discretion of the City. **There are three (3) categories of vendors:**

**CATEGORY 1: Agricultural Vendors** are local farmers that produce and/or grown one or more of the following products: Fruit, vegetables, plants (starts, annuals, perennials, herbs), cut flowers and herbs, dairy products, farm-raised meat, seafood, and eggs. In addition, value added products (such as jams, jellies, salsa, honey, soaps, herbal oils, etc) from one or more of the above referenced items are eligible. If the vendor also operates as a Community Supported Agriculture (CSA) farm, share pickup at the market is allowed. This list is not intended to be exhaustive. Agricultural products not on this list may be sold with approval.

**ATTACHMENT 1 is the application for Agricultural Vendors.**

\*\*\*\*\*

**CATEGORY 2: Food Vendors** must take an active part in making/baking the majority of the items they plan to sell. Products sold by food vendors include items for on and offsite consumption including, for example baked goods, coffee, refreshments and value-added products (such as jams, jellies, salsa, honey, soaps, herbal oils, etc) preferably with at least one ingredient sourced from a local farm or farm cooperative. This list is not intended to be exhaustive. Food products not on this list may be sold with approval.

Vendors selling prepared foods shall prepare and serve foods in accordance with all applicable Federal, State and local health regulations. All foods and beverages sold or used in food preparation shall be first quality and conform in all respects to Federal, State and local food and other laws, ordinances and regulations.

**ATTACHMENT 2 is the application for Food Vendors.**

\*\*\*\*\*

**Category 3: Craft Vendors** must take an active part in the making of the items they plan to sell. Products sold by craft vendors include, for example, artisan jewelry, crafts, brooms, wreaths, and baskets. This list is not intended to be exhaustive. Craft products not on this list may be sold with approval.

**ATTACHMENT 3 is the application for Craft Vendors.**

\*\*\*\*\*

Because one of the primary goals of this market is to promote local agriculture, the City is requiring that approximately 60% of the vendors at the farmers market be Agricultural Vendors. All vendors must agree to abide by the rules established for the farmers market (see Attachment 7). Agriculturally-derived products are defined as *agricultural, horticultural, viticultural, and dairy products, livestock and the products thereof, the products of poultry and bee raising, the edible products of forestry, and any and all products raised or produced on farms and minimally processed or value-added products thereof.*

## **II. RULES OF THE APPLICATION / APPLICATION INSTRUCTIONS**

### **2.01 INTENT & PURPOSE**

The conditions and requirements of these specifications are intended to be open and non-restrictive for the purpose of obtaining adequate participation of interested vendors and uniformity in the submission of applications.

The City shall be the sole judge concerning the merits of all applications submitted.

### **2.02 DEADLINE FOR SUBMISSION OF APPLICATIONS**

The deadline for the initial application materials (see section 2.05A) for priority selection is **May 1<sup>st</sup>** each year. Applications received after this deadline will be accepted, and if there are vacancies

available at the market, vendors will be selected at the discretion of the City. If there are no vacancies at the time an application is received, the applicant will be placed on a waiting list for participation in the market.

### **2.03 PRE-APPLICATION INFORMATIONAL MEETINGS**

Pre-Application Informational Meeting(s) may be scheduled and held at:

Bordentown City Hall  
324 Farnsworth Avenue  
Bordentown, NJ 08505

Attendance at this pre-application meeting for interested vendors is encouraged but not mandatory.

### **2.04 FEE SCHEDULE**

The Application must be accompanied with a check payable to the City of Bordentown in the amount of \$25.00.

If a vendor is selected to participate in the Farmers' Market, an additional fee must be paid to the City of Bordentown as follows:

- a. If the vendor wishes to pay for the full Farmers' Market season at the time of selection to participate, then the cost shall be twenty dollars (\$20) per week multiplied by the total number of weeks for the season, or in the alternative, for the half season.
- b. If the vendor wishes to pay on a per market day basis, then the fee shall be twenty-five dollars (\$25) a week to be paid on the date of the market, or in advance of the market day.
- c. Fees will be assessed rain or shine.
- d. Members of the Downtown Bordentown Association are exempt from Farmers' Market day vendor fees as long as they meet the application requirements. Members are **not** exempt from the application fee.

The City reserves the right to substitute another vendor if the selected vendor fails to pay the required fee.

### **2.05 REQUIREMENTS FOR APPLICATION SUBMISSION**

A. Applicants shall complete and sign the relevant application found in the attachment section of this document.

**Agricultural Vendors: Attachment 1**  
**Food Vendors: Attachment 2**  
**Craft Vendors: Attachment 3**

Failure to provide this information shall be cause for rejection of an application as submitted. The City reserves the right to request additional information associated with an application.

B. All applicants that are selected shall apply for, receive and show proof of the appropriate insurance or signed indemnification document (Attachment 5) by **June 1, 2011**.

C. Vendors requiring a Food Vendors Food Handler's License (Attachment 6, if applicable), Office of Weights and Measures certification, New Jersey Business Registration Certificate and any other Health Department and Local Municipality license or permit must provide proof of receipt to the County by **June 1, 2011**.

## **2.06 REJECTION OF APPLICATION**

The City reserves the right to accept or reject any and all applications and to waive any immaterial defects or informality in any application if it is in the best interest of the City to do so. The determination of a material defect shall be a matter solely within the discretion of the City.

## **2.07 APPLICATION INSTRUCTIONS**

**ONE (1) ORIGINAL set of the RELEVANT APPLICATION must be enclosed in one sealed envelope addressed to:**

City of Bordentown  
C/o Heather Cheesman, Deputy Mayor  
Attn: 2011 Farmers' Market Application  
324 Farnsworth Avenue  
Bordentown, NJ 08505

The FRONT of the envelope must be marked with the following:

- 1. The name and address of the Applicant and**
- 2. The words: VENDOR APPLICATION FOR 2011 FARMERS MARKET SEASON**

## **III. AGREEMENT TERMS.**

**3.01 INSURANCE REQUIREMENTS (The City recommends that you send this section to your insurance broker.)**

Category 1 and 2 Vendors, in carrying out its responsibilities, as a matter of course, will represent itself as an independent Contractor and not as an agent or employee of the City. At its own cost and expense, the vendor must secure and maintain the following insurance coverage during the term of the Agreement:

Commercial General Liability, including Products Completed Operations, coverage for Personal Injury and Property Damage Liability of not less than five hundred thousand dollars (\$ 500,000) for each occurrence and five hundred thousand dollars (\$ 500,000) annual aggregate;

Within five (5) days of receiving advice of the City's intent to award the applicant a space as a vendor in the farmers market, the applicant shall provide the City with a Certificate of Insurance evidencing that said insurance is and will be in effect during the term of the Agreement and naming the City of Bordentown as an Additional Insured.

Each Certificate of Insurance shall contain a statement that the policy applies to all operations of the project that are undertaken by the insured during the 2011 Farmers' Market season. In addition, each Certificate of Insurance shall contain the following information or statements:

1. Name and address of insured.
2. A statement that the City of Bordentown is an Additional Insured under Commercial General Liability.
3. The number and description of each policy in force on the date of the Certificate.
4. The expiration date of each policy shown as well as the amount of coverage for each party.
5. A statement showing the method of cancellation. If cancellation may be effected by the giving of notice to the insured and the City of Bordentown by the insurer, the policy and Certificate must provide that cancellation shall not be effective until ten (10) days after receipt of such notice by the City of Bordentown

All said policies shall be kept in full force during the term of the 2011 Farmers' Market season and each policy shall contain a rider stating that the policies are non-cancelable unless sixty (60) days written notice is given to the parties Insured. During the 2011 Market season, it shall be the responsibility of the applicant to provide the City of Bordentown with additional Certificates of Insurance in compliance with the above when any insurance policy for the above-listed coverage expires.

**The Certificate of Insurance should be issued to:**

City of Bordentown  
324 Farnsworth Avenue  
Bordentown, NJ 08505

**Att: Heather Cheesman, Deputy Mayor**

**Category 3 Vendors must execute the indemnification document in Attachment 5.**

**3.02 DISCRIMINATION PROHIBITED**

The successful applicant shall be prohibited from discrimination in the hiring of persons who are qualified and available to perform work at the market by reason of race, religion, sex, national origin, creed, color, ancestry, age, marital status, affectional or sexual orientation, familial status, liability for service in the Armed Forces of the United States, or nationality in accordance with New Jersey Law.

### **3.03 PROCEDURES FOR PAYMENT**

When paying for the full or half season of the Farmers' Market in advance at a fee of \$20 per market day, check or money order shall be paid in advance of the start of the Market to the Market Manager or designated representative. A written receipt will be issued upon payment of the Market fee, if requested; checks or money orders should be made payable to "City of Bordentown".

If you choose to pay on a "per Market day basis", the fee shall be \$25 per Market day and paid to the Market Manager or designated representative before the start of the Market day in cash, check or money order. A written receipt will be issued upon payment, if requested; checks or money orders should be made payable to "City of Bordentown".

### **3.04 CITY REPRESENTATIVES**

The person responsible for administration of the Bordentown City Farmers' Market is:

Name: Deputy Mayor Heather Cheesman or her designated representative

### **3.05 INDEMNIFICATION OF CITY OF BORDENTOWN**

Applicants who are awarded opportunities as vendors at the market under these specifications shall indemnify and hold harmless the City of Bordentown and the Board of Chosen Freeholders of the County of Burlington, its officers, employees, agents and servants from and against any and all claims, demands, suits, actions, recoveries, judgments, costs and expenses including attorneys fees, incurred or suffered on account of property damage or loss and/or personal injury, including loss of life, of any person, agency, corporation or governmental entity which shall arise out of the course of or in consequence to any acts or omissions of the applicant, its employees, agents, servants or subcontractors in the performance of the work described in these specifications. The applicant further agrees that this indemnification by the applicant shall continue after completion of the market season for all claims, demands, suits, actions, recoveries, judgments, costs and expenses including attorneys fees resulting from acts or omissions the applicant, its employees, agents, servants or subcontractors which occur prior to the completion of the season.

### **3.06 ENTRY AND INSPECTIONS**

The City shall have the right and privilege of entering a vendor's assigned area for the purpose of making inspections. The Burlington County Health Department shall be contacted prior to operating for a pre-opening inspection/approval to determine compliance with all regulations. A copy of the Rules, Regulations, and Guidelines for Operation of Temporary/Mobile Retail Food Establishments is attached.

The City, its agents or employees shall have the right and privilege of inspecting the vendor's farming operation for the purpose of making inspections to ensure compliance with the producer requirements in the Farmers Market Rules (see Attachment 7). The City will provide at least 48 hours notice prior to an inspection. If the vendor is found to be noncompliant with the requirements set forth in the Farmers Market Rules, the City reserves the right to terminate the agreement and select a vendor from the waiting list.

## **IV EXPLANATION OF COUNTY REVIEW OF APPLICATIONS**

### **4.01 EVALUATION AND RANKING METHODOLOGY**

If necessary, a committee comprised of City representatives will evaluate applications. The review process will be for the purpose of finding the specific applicants that are the most qualified to participate in the farmers' market. The City reserves the right to reject all applications.

#### **If necessary, considerations in the review of all applications will include:**

1. Whether the business is located in Bordentown City
2. Whether the business is located in Burlington County
2. Whether the operation is located in New Jersey
3. Amount of experience at other farmers' markets
4. Number of years in business
5. Percentage of product that is directly agricultural

#### **If necessary, Considerations for Agricultural Vendors:**

1. Willingness to accept food assistance program vouchers/checks/EBT (e.g., food stamp EBT, WIC, Senior Farmers Market)
2. Seasonal diversity of produce offered for sale
3. Ethnic diversity of produce offered for sale
4. Certified organic products offered for sale
5. Willingness to Participate in Donation Program (e.g. Farmers against Hunger)

**ATTACHMENT 1**

**AGRICULTURAL VENDOR APPLICATION**

**2011 FARMERS MARKET SEASON**

Contact Name:

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Farm Name:

---

Address of Farm:

---

Mailing Address (if other than farm address)

---

Contact phone number (normal business during the week:

---

Contact phone number (pre-market day emergency):

---

Acreage of your farm: \_\_\_\_\_

Acreage on which you grow produce: \_\_\_\_\_  
owned                      leased

Do you grow produce from leased land? \_\_\_\_\_  
yes                      no

If yes, give locations:

---

---

Please choose a vendor description that best fits you (check all that apply):

Diversified Produce \_\_\_\_ Cut Flowers \_\_\_\_ Greenhouse Plants \_\_\_\_ Meat \_\_\_\_

Eggs \_\_\_\_ Dairy Products \_\_\_\_ Herbs \_\_\_\_ Value Added \_\_\_\_

Other \_\_\_\_\_



Please list other farmers markets that you participate in or plan to participate in:

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Do you plan to purchase any products to sell at the market?

Yes \_\_\_\_ No \_\_\_\_

If yes, list products:

---

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If you offer CSA memberships to your farm, will you be allowing for share pickup at the market?

Yes \_\_\_\_\_ No \_\_\_\_\_ N/A \_\_\_\_\_

Do you accept food assistance program vouchers/checks/EBT (e.g., food stamp EBT, WIC, Senior Farmers Market) Yes \_\_\_\_ No \_\_\_\_

Would you be willing to participate in an organized food donation program (e.g. Farmers against Hunger) Yes \_\_\_\_ No \_\_\_\_\_

**PLEASE INITIAL ALL:**

- \* I have read and understand the vendor application: \_\_\_\_\_
- \* I have read and understand the Bordentown City 2011 Farmers Market Rules \_\_\_\_\_
- \* I understand that if selected I must receive and show proof of the appropriate insurance (Attachment 5) by June 1, 2011 \_\_\_\_\_
- \* I understand that if selected, I am responsible for any & all applicable licenses, permits & certifications by June 1, 2011 \_\_\_\_\_
- \* I am authorized to submit this application on behalf of the farm named in this application \_\_\_\_\_

**Signature** \_\_\_\_\_

**For** \_\_\_\_\_  
**(Farm/Vendor)**

**Date:** \_\_\_\_\_

**ATTACHMENT 2**

**FOOD VENDOR APPLICATION**

**2011 FARMERS MARKET SEASON**

Contact Name: \_\_\_\_\_

Business Name:  
\_\_\_\_\_

Business Address:  
\_\_\_\_\_

Contact phone number (normal business during the week):

\_\_\_\_\_

Contact phone number (pre-market day emergency):

\_\_\_\_\_

Number of Years in Business: \_\_\_\_\_

Please describe the product(s) you would like to sell:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

How are these products produced?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Percentage of materials used to make products sourced from NJ Farmers: \_\_\_\_\_ %

Have you sold these products at other farmers markets, festivals, fairs or events in the past?

Yes \_\_\_\_\_ No \_\_\_\_\_

If Yes, please list (include dates):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PLEASE INITIAL ALL:**

- \* I have read and understand the vendor application: \_\_\_\_\_
- \* I have read and understand the Bordentown City 2011 Farmers' Market Rules \_\_\_\_\_
- \* I understand that if selected I must receive and show proof of the appropriate insurance (Attachment 5) by June 1, 2011 \_\_\_\_\_
- \* I understand that if selected, I am responsible for any & all applicable licenses, permits & certifications by June 1, 2011 \_\_\_\_\_
- \* I am authorized to submit this application on behalf of the farm named in this application \_\_\_\_\_

**Signature** \_\_\_\_\_

**For** \_\_\_\_\_  
**(Farm/Vendor)**

**Date:** \_\_\_\_\_

**ATTACHMENT 3**

**CRAFT VENDOR APPLICATION**

**2011 FARMERS MARKET SEASON**

Contact Name: \_\_\_\_\_

Business Name:  
\_\_\_\_\_

Business Address:  
\_\_\_\_\_

Contact phone number (normal business during the week:

\_\_\_\_\_

Contact phone number (pre-market day emergency):

\_\_\_\_\_

Number of Years in Business: \_\_\_\_\_

Please describe the product(s) you would like to sell:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

How are these products produced?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Percentage of materials used to make products sourced from NJ Farmers: \_\_\_\_\_ %

Have you sold these products at other farmers markets, festivals, fairs or events in the past? Yes  
\_\_\_\_\_ No\_\_\_\_\_

If Yes, please list (include dates):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PLEASE INITIAL ALL:**

- \* I have read and understand the vendor application: \_\_\_\_\_
- \* I have read and understand the Bordentown City 2011 Farmers' Market Rules \_\_\_\_\_
- \* I understand I must complete the identification document (Attachment 5) by June 1, 2011 \_\_\_\_\_
- \* I understand that if selected, I am responsible for any & all applicable licenses, permits & certifications by June 1, 2011 \_\_\_\_\_
- \* I am authorized to submit this application on behalf of the farm named in this application \_\_\_\_\_

**Signature** \_\_\_\_\_

**For** \_\_\_\_\_  
(Farm/Vendor)

**Date:** \_\_\_\_\_

**ATTACHMENT 5**

**VENDOR APPLICATION  
FOR THE BCCAC  
2011 FARMERS MARKET SEASON  
STATEMENT FROM INSURANCE BROKER**

=====  
===

**INSERT STATEMENT REQUIRED BY SECTION 3.02 TO THIS PAGE**

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===

**BORDENTOWN CITY FARMERS' MARKET  
SEASON 2011**

**DEFENSE AND INDEMNIFICATION AGREEMENT**

**PLEASE SIGN AND RETURN**

**VENDOR NAME:** \_\_\_\_\_  
*(Please Print)*

**VENDOR ADDRESS:** \_\_\_\_\_  
*(Please Print)*

The Vendor shall be solely responsible for and shall keep, save and hold harmless the City of Bordentown and its servants, employees, and agents from and against any and all claims, demands, suits, actions, recoveries, judgments, cost, and expenses in connection therewith on account of personal property of any person, agency, corporation or government entity arising out of in consequence of any acts or omissions of Vendor, his employees, agents, and sub-vendors, in the performance of the work covered by this Agreement or the failure to comply with the terms and conditions of the Agreement.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**ATTACHMENT 6**

**SUBMIT TO:**  
**Burlington County Health Department**  
**C/O Kathleen Holmes**  
**15 Pioneer Boulevard, P.O. Box 6000**  
**Westampton, New Jersey 08060**  
**Phone: 609-265-5521/ Fax: 609-265-5541**

**APPLICATION FOR MOBILE/TEMPORARY FOOD SERVICE FACILITY**

TYPE OF FACILITY: \_\_\_\_\_MOBILE\_\_\_\_\_TEMPORARY

MUNICIPALITY: \_\_\_\_\_

FACILITY INFORMATION:

TRADENAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_

PHONE: \_\_\_\_\_

NAME, ADDRESS & PHONE NUMBER OF AUTHORIZED AGENT (If applicable)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

NAME OF EVENT (if applicable) \_\_\_\_\_

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

COMMISSARY/BASE OF OPERATIONS:

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_

**(Include a letter from an approved facility stating that they give you permission to use their facility as a commissary, base of operations or servicing area)**

MENU INFORMATION – Provide a copy of the menu or list food and drink items below:

---

---

HANDWASHING

METHOD: \_\_\_\_\_

**SOURCE OF FOOD/DRINK**

**(HOME PREPARATION & STORAGE OF FOOD IS PROHIBITED)**

ONSITE: \_\_\_\_\_ (describe how food is prepared onsite)

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PRE-PACKAGED: \_\_\_\_\_

COMMERCIALY PREPARED: \_\_\_\_\_ (list where food is commercially prepared):

---

---

METHOD OF WASHING/ RINSING/ SANITIZING UTENSILS AND EQUIPMENT:

---

METHODS TO MAINTAIN PROPER FOOD TEMPERATURES: (Use Stem Type Indicating Thermometers To Monitor Temps)

HOT: \_\_\_\_\_ COLD: \_\_\_\_\_

METHODS TO PROTECT FOOD WHILE ON DISPLAY (e.g. Types of covering, sneeze guards, cabinets etc.)

---

**\*\*A FLOOR PLAN SHOWING DIMENSIONS OF FACILITIES, IDENTIFICATION AND PLACEMENT OF EQUIPMENT ITEMS AND AVAILABLE TOILET FACILITIES SHALL BE ATTACHED. INCLUDE A LIST OF BUILDING MATERIALS FOR FLOORS, WALLS, AND CEILINGS.**

NAME: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

## ATTACHMENT 7

### **BORDENTOWN CITY FARMERS' MARKET RULES 2011 SEASON**

- 1. Dates of the Market:** The Bordentown City Farmers' Market will be open for the 2011 Season each Wednesday from June 8<sup>th</sup> through October 26<sup>th</sup>.
- 2. Times for Market Sales:** The market will be open for business beginning at **4:00 pm until dusk**. Hours may be extended for City or County programming and/or events. The Market Manager will supervise the opening and closing of the market.
- 3. Location:** The Bordentown City Farmers' Market will operate in part of a city-owned parking lot between Farnsworth Avenue and Second Street. The Market Manager will be responsible for assigning spaces to vendors.
- 4. Vendor Designation:** Vendors shall be designated as follows: **agricultural, food, and craft**. An "agricultural" vendor is defined as selling products that are agricultural, horticultural, viticultural, dairy products, livestock and the products thereof, the products of poultry and bee raising, the edible products of forestry, and any and all products raised or produced on farms and minimally processed or value-added products thereof. All agricultural vendors must abide by Rules 5 & 6, below.
- 5. Agricultural Vendor Allowable Products:** Agricultural vendors must list the individual products they plan to sell at the market on the *Agricultural Vendor Application*. Products permitted for sale include fruits, vegetables, grain, hay, straw, herbs, tea, tinctures, flowers, plants, meat, dairy products, eggs, fish, approved farm-based crafts (defined as created from ingredients grown or produced on vendor's farm and made by vendor or vendor's farm employees), ornamental produce, honey, jellies, jams, salsa, maple syrup, farm-based baked goods (defined as created from ingredients grown or produced on vendor's farm and made by vendor or vendor's farm employees), wool/fleeces, animal products, soaps, beeswax or soy candles. If the vendor also operates as a Community Supported Agriculture (CSA) farm, share pickup at the market is allowed. If a vendor wishes to sell an agricultural product not listed in these rules, he or she must obtain written approval from the City or the Market Manager before selling said product.
- 6. Producer-only rules and exceptions:** 80% of products displayed for sale must be produced by the vendor who sells them on land either owned or leased by the farming operation with which the vendor is associated. Under no circumstances may vendors re-sell produce purchased from other vendors at the market. This rule is designed to prevent unfair competition among vendors. Any products sold by the vendor that is not from their farming operation must be local. "Local" is defined as produced within 50 miles of Bordentown, New Jersey or within the state of New Jersey. Products not grown by the farmer must be clearly labeled as to their place of origin. Products must be harvested no more than 48 hours before being offered for sale at the farmers market. This is to ensure quality and freshness.
- 7. Food Vendor Allowable Products:** Food vendors must list the individual products they plan to sell at the market on the *Food Vendor Application*. Products permitted for sale include baked

goods, prepared foods, coffee, bottled non-alcoholic drinks, prepared non-alcoholic drinks. If a vendor wishes to sell a food product not listed in these rules, he or she must obtain written approval from the City or the Market Manager before selling said product.

**8. Craft Vendor Allowable Products:** Craft vendors must list the individual items they plan to sell at the market on the *Craft Vendor Application*. Products permitted for sale include jewelry (hand-made by vendor) and crafts (hand-made by vendor). If a vendor wishes to sell a craft product not listed in these rules, he or she must obtain written approval from the City or the Market Manager before selling said product.

**9. Market Management:** The oversight and management of the Bordentown City Farmers' Market will be handled primarily by a designated Market Manager. The Market Manager's duties will include the following:

- a) Record attendance and keep a brief log of market events.
- b) Assign spaces to Vendors and re-assign spaces in the event of an absence or late arrival.
- c) Monitor customer interaction with vendors and resolve conflicts that may arise.
- d) Appropriately respond to and address customer suggestions, questions and concerns
- e) Enforce market rules and report alleged violations in writing
- f) Coordinate necessary farm inspections
- g) Coordinate with local officials and inspectors at the market
- h) Convene vendors at the market for brief meetings as necessary.
- i) Coordinate event planning with vendors, Downtown Bordentown Association (the "DBA") and other City staff
- j) Coordinate set up and take-down of market information table
- k) Coordinate with City staff to ensure that site is left clean, all trash is picked up, all vendors have left
- l) Put up and take down any temporary signage placed nearby to advertise market

**10. Fees:** The Application fee of \$25.00 must accompany each Application for participation in the Farmers' market. The weekly fee for a space at the Bordentown City Farmers' Market is \$25 if paid on a per market week basis.

Payment in advance for the full season or half season shall be \$20 per week. Checks or Money Orders may be made payable to "City of Bordentown." Members of the Downtown Bordentown Association (DBA) are exempt from Market fees ONLY as long as they meet the criteria under Section 6, 7 or 8.

No refunds will be issued if market days are cancelled due to inclement weather or other unforeseen circumstances.

**11. Tardiness/No-Shows:** Proper notification is required if a vendor must be late or absent for a market day. If the vendor must be late for some reason, he or she is obliged to call the Market Manager by 1:00 pm on the market day in question. If a vendor must miss a scheduled market day for any reason other than predicted inclement weather or legitimate emergency, he or she is required to give at least 24 hours notice to the Market Manager. If a vendor is late or misses a scheduled market day without properly notifying the Market Manager on 2 market days when he or she is scheduled to sell during a market season, the vendor may be asked not to return to the

market without a refund for any days paid in advance. Vendors who are asked not to return due to tardiness/absences may be replaced with another vendor from the list at the City's discretion.

12. **External Regulations:** Vendors are responsible for compliance with applicable municipal, county, state and federal regulations, such as (but not limited to):

- a. Agricultural business license
- b. Pesticide licensing and safe use
- c. Approval seal of the New Jersey Office of Weights and Measures on all scales
- d. State sales tax collected and reported as required
- e. Organic certification on claimed products as required
- f. Food safety, sanitation, health permits and labeling requirements pertaining to the items for sale
- g. State inspection of nursery stock required for selling whole plants for replanting (packs or pots)

If the City or Market Manager is advised by the appropriate authority that applicable regulations are not being complied with, they will be removed from the list of eligible vendors.

13. **Space and Parking Designation:** The Market Manager will be responsible for determining the space and position of each vendor at the market on the first day of the market season, but may reassign positions for any reason. Each Vendor is limited to roughly 20 linear feet in width of their display and 8 linear feet of depth.

14. **Vendor Conduct:** Vendors must completely clean-up the area around their designated space and sales area before leaving the market each day after closing time. Their area is to be left "broom swept" and free of debris. Vendors not complying with this provision will be charged a \$25 fee for each occurrence. If non-compliance continues, the Vendor in question may be asked not to return to the market without a refund for any days paid in advance. Vendors are not to smoke cigarettes during market hours in the market area.