

**NEW HANOVER TOWNSHIP  
REGULAR MEETING MINUTES  
April 10, 2018, 7:00 PM**

Requirements of the Sunshine Law were read: the meeting notice requirements provided for in the Open Public Meetings Act has been satisfied. Notice of this meeting was provided for in the Annual Meeting Notice adopted on January 1, 2018 emailed to the Burlington County Times, posted in the Municipal Building, and filed with the Township Clerk on January 3, 2018.

**ROLL CALL** – Those present were Mayor Roohr, Deputy Paul Peterla(arrived at 7:02 pm after roll call), Committeeman Rick Koshak, Committeeman Patrick Murphy, Committeewomen Yvonne Rigney, Deputy Clerk Adel Gianaris and Township Solicitor Kelly Grant. Absent:

**APPROVAL OF MINUTES**

Regular Meeting, March 20, 2018

Committeeman Koshak offered a motion to approve the minutes of March 20, 2018, seconded by Committeeman Peterla. Voice Vote: approved.

**PUBLIC HEARING: Community Development Block Grant Funds**

The Mayor discussed the application for the Community Development Block Grant to the public. The Mayor went into detail explaining that the funds were to replacement of the heating system at the Senior Community Center and construct handicapped ramps along Bunting Bridge Road. Discussion ensued

Committeeman Murphy offered a motion open the floor to the public at 7:02 pm, seconded by Committeewoman Rigney. Voice Vote: Approved unanimously

Having no public comments Committeeman Peterla offered a motion close the floor to the public at 7:03 pm, seconded by Committeeman Koshak. Voice Vote: Approved unanimously

**PUBLIC HEARING: Second Reading, Final Adoption**

Committeeman Peterla offered a motion open the floor to the public at 7:04 pm, seconded by Committeeman Koshak. Voice Vote: Approved unanimously

Having no public comments Committeewoman Rigney offered a motion close the floor to the public at 7:05 pm, seconded by Committeeman Murphy. Voice Vote: Approved unanimously

**AN ORDINANCE OF THE TOWNSHIP OF NEW HANOVER  
TO AMEND CHAPTER 82, CONSTRUCTION CODES, UNIFORM,  
SECTION 3: FEES  
OF THE CODE OF THE  
TOWNSHIP OF NEW HANOVER TO ESTABLISH UNIFORM  
CONSTRUCTION CODE FEES AS REQUIRED BY THE DEPARTMENT  
OF COMMUNITY AFFAIRS**

WHEREAS, the Township Committee of the Township of New Hanover recognizes the need to bring its current code relating to Uniform Construction Code fees into conformity and consistency with N.J.S.A. 52:27D-119.

BE IT ORDAINED AND ENACTED, by the Township Committee of the Township of New Hanover as follows:

**SECTION 1**

The Township Committee, for the aforementioned reasons, hereby repeals Chapter 82, Section 3 of the Code of the Township of New Hanover and substitutes the following new section therefore, and adopts the provisions set forth herein:

Section 82-3 Fees

a) General

1. The fee for plan review, computed as a percentage of the fee for a construction permit, shall be paid at the time of application for a permit. The amount of this fee shall then be deducted from the amount of the fee due for a construction permit, when the construction permit is issued. Plan review fees are not refundable.
2. The fee to be charged for a construction permit will be the sum of the basic construction fee plus all applicable special fees, such as elevator or sign fees. This fee shall be paid before a permit is issued.
3. The fee to be charged for a certificate of occupancy shall be paid before a certificate is issued. This fee shall be in addition to the construction permit fee.

b) Enforcing Fees Shall Be as Follows:

1. Plan review fee: The fee for plan review shall be twenty percent (20%) of the amount to be charged for a new construction permit, except the elevator devices plan shall be as in (b) 6 and 7 below.

2. The basic construction fee shall be the sum of the parts computed on the basis of volume or cost of construction, the number of plumbing fixtures and pieces of equipment, the number of electrical fixtures and devices and the number of sprinklers, standpipes and detectors (smoke and heat) at the unit rates provided herein plus any special fees.

I. Building Volume or Cost:

The fees for new construction or alterations are as follows:

- (1) Fees for new construction shall be based upon the volume of the structure. Volume shall be computed in accordance with N.J.A.C. 5:23-2.28. The new construction fee shall be in the amount of \$0.035 per cubic foot of volume for buildings and structures of all use groups and types of construction as classified and defined in articles 3 and 4 of the building subcode; except that the fee shall be \$0.020 per cubic foot of volume for use groups A-1, A-2, A-3, A-4, A-5, F-1, F02, S-1 and S-2, and the fee shall be \$0.005 per cubic foot for structures on farms, including commercial farm building under N.J.A.C. 5:23-3.2(d), with the maximum fee for such structures on farms not to exceed \$1,000.00. The minimum fee for building shall be \$75.00.
- (2) Fees for renovations, alternations and repairs or site construction associated with pre-engineered systems of commercial farm buildings, premanufactured construction, and the external utility connection for premanufactured construction shall be based upon the estimated cost of work. The fee shall be in the amount of \$30.00 per \$1,000.00 of estimated cost up to and including \$50,000; from \$50,001.00 to and including \$100,000.00, the additional fee shall be in the amount of \$21.00 per \$1,000.00 of estimated cost; the additional fee above \$100,001.00 shall be \$18.00 per \$1,000.00 of estimated cost. For the purpose of determining estimated cost, the applicant shall submit to the Township Construction Official such cost data as may be available produced by architect or engineer of record, or by a recognized estimating firm, or by the contractor. A bona fide contractor's bid, if available, shall be submitted. The Construction Official shall make the final decision regarding estimated cost.
- (3) Fees for additions shall be computed on the same basis as for new construction for the added portion.
- (4) Fees for combination renovations and additions shall be computed as the sum of the fees computed separately in accordance with items (2) and (3) above.
- (5) The fee for tents, in excess of 900 square feet or more than 30 feet in any dimension, shall be \$92.00.
- (6) The fee for roofing and siding work completed on structures in use group R-5 and R-4 shall be \$75.00.

II. Plumbing Fixtures and Equipment: The fees shall be as follows:

- (1) The fee shall be in the amount of \$15.00 per fixture, piece of equipment or appliance connected to the plumbing system, and for each appliance connected to the gas piping or oil piping system, except as indicated in (b)2II(2) below.
- (2) The fee shall be \$65.00 per special device for the follows: grease traps, oil separators, refrigeration units, utility service connections; backflow preventers equipped with test ports (double check valve assembly, reduced pressure zone and pressure vacuum breaker backflow preventers), steam boilers, hot water boilers (excluding those for domestic water heating), active solar systems, sewer pumps and interceptors. There shall be no inspection fee charged for gas service entrances.
- (3) Minimum Plumbing Subcode Fee shall be \$75.00.

III. Electrical Fixtures and Devices: The fees shall be as follows:

- (1) For from one (1) to fifty (50) receptacles or fixtures the fee shall be in the amount of \$50.00; for each twenty-five (25) receptacles or fixtures in addition to this, the fee shall be in the amount of \$10.00; for the purpose of computing this fee, receptacles or fixtures shall include lighting outlets, wall switches, fluorescent fixtures, convenience receptacle, smoke and heat detectors, similar fixture, and motors or devices of less than or equal to one horsepower or one kilowatt.
- (2) For each motor or electrical device greater than one horsepower and less than or equal to 10 horsepower; and for transformers and generators greater than one kilowatt and less than or equal to 10 kilowatts, the fees shall be \$15.00.

- (3) For each motor or electrical device greater than 10 horsepower and less than or equal to 50 horse power; for each service panel, service entrance or subpanel less than or equal to 200 amperes; for each transformer and generator greater than 10 kilowatts and less than or equal to 45 kilowatts; and for each utility load management device, shall be \$75.00.
- (4) For each motor or electrical device greater than 50 horsepower and less than or equal to 100 horsepower; for each service panel, service entrance or subpanel greater than 200 amperes and less than or equal to 1,000 amperes; and for transformers and generators greater than 45 kilowatts and less than or equal to 112.5 kilowatts, the fee shall be \$225.00.
- (5) For each motor or electrical device greater than 100 horsepower; for each service panel, service entrance or sub-panel greater than 1,000 amperes; and for each transformer or generator greater than 112.5 kilowatts, the fee shall be \$500.00.
- (6) For the purpose of computing these fees, all motors except those plug-in appliances shall be counted, including control equipment, generators, transformers, and all heating, cooking or other devices consuming or generating electrical current.
- (7) Minimum Electrical Subcode Fee shall be \$75.00.

IV. Fire Protection and Other Hazardous Equipment:

The fees for sprinklers, standpipes, detectors (smoke and heat), pre-engineered suppression systems, gas and oil fired appliances not connected to the plumbing system, kitchen exhaust systems, incinerators and crematoriums shall be as follows:

- (1) The fee for 20 fewer heads shall be \$65.00; for 21 and including 100 heads, the fee shall be \$120.00; for 101 to and including 200 heads, the fee shall be \$229.00; for 201 and including 400 heads, the fee shall be \$594.00; for 401 and including 1,000 heads, the fee shall be \$822.00; for over 1,000 heads, the fee shall be \$1,050.00.
- (2) The fee for one to 12 detectors shall be \$36.00; for each 25 detectors in addition to this, the fee shall be in the amount of \$12.00.
- (3) The fee for each standpipe shall be \$229.00.
- (4) The fee for each independent pre-engineered system shall be \$92.00.
- (5) The fee for each gas or oil fired appliance that is not connected to the plumbing system shall be \$50.00.
- (6) The fee for each kitchen exhaust system shall be \$75.00.
- (7) The fee for each incinerator shall be \$365.00.
- (8) The fee for each crematorium shall be \$365.00
- (9) The minimum Fire Subcode fee is \$75.00

V. Fees for Certificates and other Permits are as follows:

- (1) The fee for a demolition or removal permit shall be \$100.00 for a structure of less than 5,000 square feet in area and less than 30 feet in height, for one or two-family residences (use group R-# of the Building Code), and structures on farms including commercial farm buildings under N.J.A.C. 5:23-3.2(d), and \$120.00 for all other use groups.
- (2) The fee for a permit to construct a sign shall be in the amount of \$1.20 per square foot surface area of this sign, computed on one side only for double-faced signs. The minimum fee shall be \$75.00
- (3) The fee for a certificate of occupancy shall be in the amount of 10% of the new construction fee. The minimum fee shall be \$85.00.
- (4) The fee for a certificate of occupancy for one and two family residences of less than 5,000 square feet in area and less than 30 feet in height, and for farm structures and commercial farm buildings, shall be \$75.00.
- (5) The fee for a certificate of occupancy granted pursuant to a change of use group shall be \$120.00.

- (6) The fee for a certificate of continued occupancy issued under N.J.A.C. 5:23-2.23(c) shall be \$120.00.
- (7) The fee for plan review of a building for compliance under the alternate systems and non-depletable energy source provisions of the energy subcode shall be \$274.00 for one and two-family homes (use group R-3 of the building subcode), and for light commercial structures having the indoor temperature controlled from a single point, and \$1,369.00 for all other structures.
- (8) The fee for an application for a variation in accordance with N.J.A.C. 5:23-2.10 shall be \$594.00 for Class I structures and \$120.00 for Class II and Class III structures. The fee for resubmission of an application for a variance shall be \$229.00 for Class I structures and \$65.00 for Class II and Class III structures.
- (9) The fee for a permit of lead hazard abatement work shall be \$140.00. The fee for a lead abatement clearance certificate shall be \$46.00.
- (10) For cross Connections and backflow preventers that are subject to testing, requiring re-inspection annually, the fee shall be \$75.00 for each device when they are tested.
- (11) Annual fees shall be as set forth in N.J.A.C. 5:23-4.20(c)5.
- (12) The fee for plan review for elevator devices in structures in Use Groups R-3, R-4 and for elevator devices wholly within dwelling units in R-2 structures shall be \$50.00 for each device.
- (13) The fee for plan review for elevator devices in structures in Use Groups other than R-3 R-4 and devices in R-2s exempted by (b)6 above shall be \$260.00 for each device.
- (14) The fees for elevator device inspections and tests shall be as set forth in N.J.A.C. 5:23-12.
- (15) The fee for a mechanical inspection in Use Group R-3 or R-4 structure by a mechanical inspector shall be \$50.00 for the first device and for \$10.00 for each additional device. No separate fee shall be charged for gas, fuel oil, or water piping connections associated with the mechanical equipment inspected.
- (16) Pools – The fee for pools shall be in the amount for \$200.00 for inground pools and \$75.00 for all others.
- (18) Fences – The fee for fences around pools and for fences over eight feet high, the fee shall be in the amount of \$22.00 per \$1,000.00 of estimated cost of work.
- (19) When the Township contracts with a private third party agency, the fees shall be as percentage of the fees as listed in the Departmental fees pursuant to N.J.A.C. 5:23-4.20.
- (20) When the Township contracts with a third party agency an administrative fee in the amount of 15% shall be added to the fee.
- (21) State fees shall be collected pursuant to N.J.A.C. 5:23-4.19(b).
- (22) Where the DCA is acting as the elevator subcode official for the Township of New Hanover, elevator subcode fees shall be departmental fees as set forth in N.J.A.C. 5:23-4.20(c)6 and 7 for plan review and N.J.A.C. 5:23-12-1, et seq. for inspections.

VI. Fees for Zoning Permit Application are as follows:

- (1) Fence Application is \$20.00
- (2) In-ground Pool is \$50.00
- (3) Above Ground Pool is \$20.00
- (4) Garage is \$50.00
- (5) Barn / Pole barn / Shed is \$50.00
- (6) Patio / Deck is \$20.00
- (7) Home Addition is \$50.00
- (8) New House is \$100.00
- (9) Commercial Buildings is \$100
- (10) Sign is \$50

**SECTION II**

The Township Committee, for the aforementioned reasons, hereby amends Chapter 82 of the Code of the Township of New Hanover to re-adopt Section 6 as set forth herein for the reasons set forth above:  
Chapter 82-6 Waiver of Building Permit Fees; Disabled Persons

1. No person shall be charged a construction permit surcharge fee or enforcing agency fee for a construction, reconstruction, alteration or improvement designed and undertaken solely to promote accessibility by disabled persons to an existing private structure or any of the facilities contained therein.
2. A disabled person, or parent or sibling of a disabled person, shall not be charged for a building permit for any construction, reconstruction, alternation or improvement which promotes accessibility to his or her own living unit.
3. Disabled person means a person who has the total or permanent inability to engage in any substantial gainful activity by reason of any mentally determinable physical or mental impairment, including blindness, and shall include, but not be limited to, any resident of this State who is disabled pursuant to the Federal Social Security Act \*42 U.S.C., Section 416 (or the Federal Railroad Retirement Act of 1974, Section 231, et seq.), or is stated as having a 60% disability or higher pursuant to any federal law administered by the United States Veterans' Act. For purposes of this subsection, "blindness" means central visual acuity of 20/200 or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered as having a central visual acuity of 20/200 or less.

### **SECTION III**

This Ordinance shall take effect upon final passage and publication according to law.

### **SECTION IV**

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

### **SECTION VI**

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

Committeewoman Rigney offered a motion to adopt Ordinance 2018-02, seconded by Committeeman Murphy.  
Roll Call Vote: Koshak, Murphy, Peterla, Rigney, Roohr. Approved Unanimously

Township Resident, Carey Pritchett asked if there was a way he could get a copy of the ordinance. The Mayor indicated that he did not have an extra copy to hand out but it had been made available to the public since the last meeting on March 20<sup>th</sup>.

### **PUBLIC HEARING: Second Reading, Final Adoption**

Committeeman Koshak offered a motion open the floor to the public at 7:08 pm, seconded by Committeeman Murphy. Voice Vote: Approved unanimously

Township residents, Carey Pritchett and Robert Ford both said it was a great idea indicating a thumbs up.

Having no further public comments Committeeman Peterla offered a motion close the floor to the public at 8:09 pm, seconded by Committeeman Koshak.  
Roll Call Vote: Koshak, Murphy, Peterla, Rigney, Roohr. Approved Unanimously

### **AN ORDINANCE OF THE TOWNSHIP OF NEW HANOVER, STATE OF NEW JERSEY ESTABLISHING A CROSSWALK ON MAIN STREET (CR #667)**

**WHEREAS**, the Township of New Hanover is responsible for promulgating regulations to protect the health, safety and general welfare of its residents; and

**WHEREAS**, N.J.S.A. 39:4-8 permits a municipality to establish certain regulations to control traffic in public streets and roadways under the jurisdiction of the Township of New Hanover in the interest of public safety; and

**WHEREAS**, the Township of New Hanover has determined that it is appropriate to install a crosswalk across a portion of Main Street CR #667 in the area between the intersections of Main Street and Bunting Bridge Road and Hockamick Road, respectively; and

**WHEREAS**, the Township of New Hanover and the County of Burlington have agreed to transfer jurisdiction of portions of CR #667 to each other, whereby that portion of CR #667, which is also designated as Main Street, will be under the jurisdiction of the Township of New Hanover; and

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of New Hanover, County of Burlington, State of New Jersey, as follows:

#### **Section I.**

- (A) The purpose of this Ordinance is to establish a crosswalk at a certain area, particularly described as being located 305 feet north of the centerline intersection of Hockamick Road and Main Street (CR #667), that is open to the public or to which the public is invited as set forth below.
- (B) Pursuant to N.J.S.A. 39:4-8, the location herein described is designated as a Crosswalk:
- (C) Regulatory and warning signs shall be erected and maintained to effect the purpose of said crosswalk in accordance with the Manual on Uniform Traffic Control Devices.

**Section II. Repealer, Severability and Effective Date.**

- (A) Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- (B) In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- (C) This ordinance shall take effect immediately upon adoption and publication of notice of adoption as provided by law.

Committeeman Peterla offered a motion to adopt Ordinance 2018-03, seconded by Committeeman Koshak. Roll Call Vote: Koshak, Murphy, Peterla, Rigney, Roohr. Approved Unanimously

**INTRODUCE ORDINANCE 2018-04 AND SET DATE FOR PUBLIC HEARING**

**Ordinance 2018-04; An Ordinance of the Township of New Hanover by Which the Township Becomes a member of the Burlington County Energy Aggregation Program**

Township Attorney, Kelly Grant discussed the benefits of program indicating it was 5% less and that residents could opt out of participation if they chose to do so. If approved it could start as early as June 1<sup>st</sup>. Discussion ensued

Committeewoman Rigney offered a motion to set public hearing date of May 8, 2018 at 7:00 pm, seconded by Committeeman Peterla. Voice Vote Approved

**RESOLUTIONS:**

**a) Resolution 2018-55: Authorizing the Refund of Real Estates Taxes on Block 3, Lot 8**

Committeeman Peterla offered a motion to approved Resolutions 2018- 55, Seconded by Committeeman Murphy. Roll Call Vote: Koshak, Murphy, Peterla, Rigney, Roohr. Approved Unanimously

**b) Resolution 2018-56: Authorizing Cancelation of Outstanding Tax**

Mayor Roohr discussed the uncollected debt after bankruptcy in 2009 and the need to cancel the tax on the above property. Attorney, Kelly Grant will draft the resolution.

Committeeman Murphy offered a motion to approved Resolutions 2018-56, Seconded by Committeeman Peterla. Roll Call Vote: Koshak, Murphy, Peterla, Rigney, Roohr. Approved Unanimously

**c) Resolution 2018-57: Approving the Payment for the Court Administrator, Theresa Nichols and Deputy Court Administrator, Ruth Ann Bice, to Attend Required Continuing Education**

Committeeman Koshak offered a motion to approve Resolution 2018-57, Seconded by Committeewoman Rigney. Voice Vote: Approved unanimously

**d) Resolution 2018-58: Amending Resolution 2018-04, Holiday Schedule for Certain Township Employees**

Committeeman Peterla offered a motion to approve Resolution 2018-58, Seconded by Committeeman Murphy. Voice Vote: Approved unanimously

**e) Resolution 2018-59: Thanking TC Stone House Eatery for Supplying Luncheon**

Committeeman Murphy offered a motion to approve Resolution 2018-59, Seconded by Committeeman Koshak. Voice Vote: Approved unanimously

**APPROVING PAYMENT OF VOUCHERS (BILL LIST)** – Mayor Roohr asked if the Committee had reviewed the bill list and if they had questions. Deputy Clerk explained there was an error that would be corrected due to a decimal point was missing on PO 18-00171 (\$77.84 not \$7,784.00) Committeeman Koshak offered a motion to approve the list with correction, Seconded by Committeeman Peterla.

Voice Vote Approved. The April Bill list total amount was \$377,372.48

**PUBLIC COMMENTS** Committeeman Koshak offered a motion to open the floor to the public at 7:25 pm, seconded by Committeeman Murphy. Voice Vote: Approved unanimously

Having no comments Committeeman Koshak offered a motion to close the floor to the public at 7:26 pm, seconded by Committeeman Peterla. Voice Vote: Approved unanimously

**COMMITTEE COMMENTS** – Committeewoman Rigney thanked the committee for their help at the Easter Egg Hunt. Committeeman Koshak stated everyone had a good time at the Easter Egg Hunt and was surprised at the large turnout even with the date changed. Committeeman Peterla thanked Pat, Yvonne, Adel & the Easter Bunny for a wonderful event. Committeeman Murphy indicated he is meeting with Maria from JCP&L about the street lights on Main Street. The Mayor thanked Yvonne for organizing the Easter Egg Hunt.

**REPORT FROM TOWNSHIP MAYOR:-** Mayor Roohr discussed speaking with Assembly Delegation. The Mayor drafted a letter to the township residents which was given to the committee to view. Discussion ensued. The start of the Bunting Bridge Road Project was discussed. Nash Park project will begin as soon as the weather improves. Mayor Roohr would like the committee to view the zoning map and discuss at the next meeting. Discussion of an ordinance to be drafted by the Township Attorney regarding R25 & R40 lots for property maintenance of grass. Discussion ensued. Committee approved the Mayor to move forward with initiating bids for the Crown Vic, Durango and leaf blower all of which are no longer in use. A motion to advertise the auction was verbally approved by each committee member. No update on COAH at this time.

**EXECUTIVE SESSION EXECUTIVE SESSION:** Not needed

**ADJOURNMENT** - There being no further business, Committeeman Murphy offered a motion to adjourn at 7:48 pm seconded by Committeewoman Rigney . Unanimously Approved

Respectfully submitted,

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Adel Gianaris, Township Deputy Clerk