

**NEW HANOVER TOWNSHIP  
REGULAR MEETING MINUTES  
April 9, 2019, 7:00 PM**

**CALL TO ORDER**

The meeting was called to order at 7:00 P.M. by Mayor Peterla.

Deputy Clerk Gianaris read the following Requirements of the Sunshine Law: **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, 2019, emailed to the Burlington County Times, posted in the Municipal Building, and filed with the Township Clerk on January 8, 2019.**

**ROLL CALL** – Those present were Committeeman Dennis Roohr, Committeeman Rick Koshak, Committeeman Patrick Murphy, Mayor Paul Peterla and Deputy Township Clerk Adel Gianaris, Township Attorney William Burns, Township Clerk Donna Mull and Township CFO Terry Henry, Auditor Amy Neimeister.  
Absent: Committeewoman, Rigney

Clerk, Donna Mull read the letter of resignation from Committeewoman, Yvonne Rigney. Mayor Peterla stated that Yvonne brought solid support to the township and would be missed. Committeeman Koshak offered a motion to accept the resignation, seconded by Committee Murphy. Voice Vote Aye: Koshak, Murphy, Peterla. Abstain: Roohr  
Solicitor Burns explained that the County Committee has submitted three names for replacement of the vacant seat. The Committee has fifteen days to chose a replacement.

**APPROVAL OF MINUTES**

Special Meeting December 27, 2018  
Reorganization Meeting, February 12, 2019  
Regular Meeting, March 12, 2019

Committeeman Koshak offered a motion to approve the minutes, seconded by Committeeman Murphy.  
Committeeman Roohr that the meeting of December 27<sup>th</sup> was a special meeting not a regular meeting as written on agenda and that he will abstain from that vote because he did not attend. Also on the February 12<sup>th</sup> meeting, public comment, Mrs. Wharton “put out for public review prior to the meeting” is not the proper verbiage.

Voice Vote: Aye: Koshak, Murphy, and Peterla. Nay: None Abstain from Meeting of December 27, 2018 : Roohr  
Motion Carried

**OATH OF OFFICE;** Mayor Paul Peterla gave the Oath of Office to Police Officer Kevin Scheuren. Officer Scheuren’s mother, Ann Marie Scheuren assisted in the process with many family member to witness the event.

**PUBLIC HEARING OF Ordinance 2019-02**

**CALENDAR YEAR 2019  
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND  
TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A;4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Mayor and members of Township Committee of the Township of New Hanover in the County of Burlington finds it advisable and necessary to increase its CY 2019 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Mayor and members of Township Committee hereby determines that a 1.0% increase in the budget for said year, amounting to \$15,694.10 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Mayor and members of Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to the final appropriation in either of the next two succeeding years;

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and members of Township Committee of the Township of New Hanover, in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2019 budget year, the final appropriations of the Township of New Hanover shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$54,929.35, and that the CY 2019 municipal budget for the Township of New Hanover be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Committeeman Murphy offered a motion to open the floor to the public, seconded by Committeeman Koshak. Voice Vote Approved Unanimously

CFO, Terry was asked to explain the ordinance to the public. Mr. Henry explained that this is done every year and not exceeding the CAP but creating a CAP Bank that we can use in future years if we need to, and is State required or else we lose the Bank. And not ex Mayor Peterla explained that if something unforeseen were to come up this allows use to cove that.

Having no comments from the public, Committeeman Murphy offered a motion to close the floor to the public, seconded by Committeeman Koshak.

Committeeman Koshak offered a motion to adopt Ordinance No. 2019-2, seconded by Committeeman Murphy. Roll Call Vote: Aye: Roohr, Koshak, Murphy, Peterla. Abstain: none Nay: none Motion Carried

**INTRODUCTION-FIRST READING: ORDINANCE 2019-03**  
**THE TOWNSHIP OF NEW HANOVER ACCEPTS CERTAIN REAL PROPERTY FROM FRIENDSHIP, INC.**

Mayor Peterla explained that Friendship Inc are the Builders of Hillfield. The Township is taking over the responsibility of the drainage of the roads and everything else that has to do with public works.

Committeeman Koshak offered a motion to set the time and date for the next scheduled meeting, seconded by Committeeman Murphy.

Committeeman Roohr discussed Resolution 2019-57 Releasing the Bond. He asked solicitor if when the Ordinance is written that it recite that this is a trust. Solicitor confirmed. Committeeman discussed the history of the agreement held at a Land Use Board meeting described that this a trust to maintain the catch basins for a period of twenty years at about two thousand dollars a year. The vortex systems have to be pumped out which is the purpose of the forty thousand dollars. The Performance bond money will be released, save \$40,000 in trust. It is in lieu of a homeowners association. Discussion ensued.

Committeeman Koshak offered a motion to set the time and date for the next scheduled meeting, seconded by Committeeman Murphy. Roll Call Vote: Aye: Roohr, Koshak, Murphy, Peterla. Abstain: none Nay: none Motion Carried

**RESOLUTIONS**

- A. Resolution 2019-46: Governing Body Certification of Compliance with United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil rights Act of 1964"**
- B. Resolution 2019-47: Self-Examination of Budget**
- C. Resoultion2019-48: Authorizing Reading of 2019 Municipal Budget by Title**
- D. Resolution 2019-50: Authorizing Reading of 2019 Municipal Budget by title**
- E. Resolution 2019-51: Supporting the 2019 UDrive, UText, UPay, Distracted Driving Crackdown, April 1-21, 2019**
- F. Resolution 2019-52: Amending Resolution 2019-36, Appointing Donna Mull as Purchasing Agent and Administrator**
- G. Resolution 2019-53: Approving the Payment for Court Administrator, Theresa Nichols and Deputy Court Administrator, Ruth Ann Bice to Attend Required Continuing Education**
- H. Resolution 2019-54: Authorizing the Deposit/Signing of Funds from the Following Republic Bank Accounts**
- I. Resolution 2019-55: Authorizing Approval for Submission of a Grant Application to New Jersey Historic Trust Grant for Improvements to General Godfrey House**
- J. Resolution 2019-56: Authorizing the Municipality to Execute an Agreement with Burlington County for cooperative Participation in the Community Development Act of 1974**
- K. Resolution 2019-57: Approving Release of the Performance Bonds for the Cheddar Close Subdivision Contingent Upon the Posting of Appropriate Maintenance Bonds and Escrow Fund**

Committeeman Murphy offered a motion to approve resolutions 2019-47, 2019-48, 2019-50 through 2019-57, in block, seconded by Committeeman Koshak. Roll Call Vote: Aye: Roohr, Koshak, Murphy, Peterla. Abstain: none Nay: none Motion Carried

Committeeman Murphy offered a motion to approve resolution 2019-46, seconded by Committeeman Koshak. Committeeman Roohr discussed the absence of a township hiring practice. Discussion ensued

**EXECUTIVE SESSION EXECUTIVE SESSION:** Based on the recommendation of counsel, Solicitor Burns asked for a motion to adjourn to executive session to discuss matters that might include or pertain to pending litigation or attorney client privilege the hiring that may affect the counsel efficiencies. Action may be taken after the Executive Session.

Committeeman Murphy offered a motion to go to e to Executive Session; Seconded by Committeeman Koshak. Voice Vote, Approved unanimously

Committeeman Koshak offered a motion to return to Regular Meeting; Second by Committeeman Murphy.

Solicitor Burns, under direction from Mayor Peterla, has been instructed to do the following: In reference to Resolution 2019-46: Governing Body Certification of Compliance with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964" what it references is about a 41 page document titled EEOC Enforcement guidance and consideration of arrest and conviction records under title 7 of the civil rights act of 1964, which prohibits employment of discrimination, race, sex, religion or national origin. The enforcement guidance is issued as part of the commissions efforts to eliminate unlawful discrimination of employment, screening for hiring A retention grant is covered by title 7 including private employers as well as state and local governments. Solicitor Burns continued to read the statistics and noted that copies have been provide to the the Governing Body and suggest that a copy of the EEOC enforcement guide be attached to the resolution.

Mayor Peterla indicated that Resolution 2019-46 has already had a motion and second, and asked for a Voice Vote: Aye: all Abstain: none Nay: none Motion Carried

**APPROVING PAYMENT OF VOUCHERS (BILL LIST)** – Mayor Peterla asked if the Committee had reviewed the bill list and if they had questions. Clerk, Donna Mull read the addition

Committeeman Murphy offered a motion to approve the list, Seconded by Committeeman Koshak. Roll Call Vote: Aye: Roohr, Koshak, Murphy, Peterla. Abstain: none Nay: none Motion Carried

### **L Resolution 2019-49: Public Hearing and Adoption of the 2019 Municipal Budget**

Township Auditor Robert Nehila joined the meeting at 8:05 pm

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

Resident, Wayne Wharton asked if money for shared service with Wrightstown Borough go into the general budget? CFO answered to the affirmative. Next question is the budget line item for sewage processing. Next item is a loan repayment. Deputy Clerk verified that it was the park on Main & Hockamick.

Committeeman Koshak offered a motion to close the floor to the public, seconded by Committeeman Murphy. Voice Vote: Approved unanimously

Committeeman Murphy offered a motion to adopt the 2019 Budget, seconded by Committeeman Koshak. Discussion: Committeeman Roohr. Discussed public building and grounds and capital line items. CFO and Auditor discussed 2018 spending of that account and current budget. Discussion ensued. Mayor Peterla suggested that resolution be amended from the meeting, January 28<sup>th</sup>.

No other discussion roll call to approve Resolution 2019-49 Roll Call Vote: Aye: Koshak, Murphy, Peterla. Abstain: none Nay: Roohr, Motion Carried

**PUBLIC COMMENTS** – Committeeman Koshak offered a motion to open the floor to the public, seconded by Committee Murphy. Voice Vote: Approved unanimously.

Fire Dept. Chief Buddy Wilkins gave a monthly report of 9 fire calls since the last meeting, 8 hours on Joint Base working with their brush truck, 1 training night and 1 work detail. Thank Committee for all your support.

Resident Wayne Wharton asked about the property the township is receiving from Friendship Inc. Response was two retention basins with a \$40,000 maintenance bond. Mr. Wharton, why have we never had a hiring policy. Solicitor Burns responded that the township is in accordance with EEOC guide line, the NJ law against discrimination and the civil right act of 1964.

Resident, 1 Hockamick, Mr. Hill indicated the road is caving in front of his property. Other roads have storm drains that have a sewer smell.

Resident, 8 Rossi, Jason Lisiewski, also smells sewer odors from drain by his driveway.

Committeeman Murphy offered a motion to close the floor to the public, seconded by Committeeman Koshak. Voice Vote: Approved unanimously

**COMMITTEE COMMENTS:** Committeeman Roohr discussed December 27<sup>th</sup> Minutes, defer to financial team. Resolution does not direct anyone to transfer \$44,000. How did this get a budgetary transfer without authorization. October meeting, FOP given out at meeting. No response from the committee. Working with draft FOP.

Committeeman Koshak indicated that there is a huge difference between cannibalizing your capital and maintaining your account

Committeeman Murphy thanked the Fire Department for all their hard work, Deputy Clerk for all her hard work, Mr. Mayor thank you for doing a bang up job keeping the town advancing. Police Dept. outstanding work, thank you.

Mayor Peterla, updates on some of the projects at the park ball fields. We are looking at extending the net, gauge of net and height of net, leveling the corner and extensions of the base lines. Final inspection was done on the flat roof. The Fire Department construction looks great. For Bunting Bridge Road, we were accepted for phase III and it looks like we will be able to complete it the end, and drains will be fixed. Submitting grant for the Godfrey House. Moving ahead on Public Works garage doors. Nash Park will be having landscape done especially in flag areas. Also looking at drainage issues and repairing park bench's. Discussed the upcoming Easter Egg Hunt at the Park. Thanked the Police and Fire Department.

Clerk asked the Mayor if he wanted the Attorney to look at all the FOP's for the Police.

Clerk, Donna Mull read the addition to Bill List with amounts.  
The April Bill List total amount with additions was \$365,996.87

Committeeman Koshak offered a motion to approve the addition to the bill list, seconded by Committeeman Murphy. The motion carried on unanimous voice vote.

Committeeman Roohr indicated that he had given township mechanic a quart of POR-15, that had been purchased at Ultimate Collision. Mayor Peterla indicated that the township would replace the quart to Committeeman Roohr.

Mayor Peterla asked committee for authorization to look into / research the SOP.  
Committeeman Koshak offered a motion to authorize the Mayor to research the SOP, seconded by Committeeman Murphy. The motion carried on unanimous voice vote.

### **ADJOURNMENT**

Committeeman Koshak offered a motion to adjourn at 8:55 p.m. and was seconded by Committeeman Roohr. The motion carried on unanimous voice vote.

Respectfully submitted,

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Adel Gianaris, Township Deputy Clerk

