



Township Council

c/o Township Clerk
Teaneck, NJ 07666

Meeting: 03/19/24 06:30 PM
Department: Township Clerk
Category: Amend
DOC ID: 8340

ORDINANCE (ID # 8340)

Ordinance No. 4-2024 AMENDING SECTION 8 OF CHAPTER 33 ENTITLED “FEE SCHEDULE AND ESCROW TRUST DEPOSITS” OF THE TOWNSHIP CODE FOR THE TOWNSHIP OF TEANECK BY DETAILING THE FEE SCHEDULE AND PAYMENT PROVISIONS APPLICABLE TO APPLICATIONS FOR DEVELOPMENT
BE IT RESOLVED by the Township Council of the Township of Teaneck that Ordinance #4-2024 pass upon second and final reading and that the Township Clerk is hereby authorized and directed to advertise the same according to law and to provide the appropriate notices in accordance with law.

AMENDING SECTION 8 OF CHAPTER 33 ENTITLED “FEE SCHEDULE AND ESCROW TRUST DEPOSITS” OF THE TOWNSHIP CODE FOR THE TOWNSHIP OF TEANECK BY DETAILING THE FEE SCHEDULE AND PAYMENT PROVISIONS APPLICABLE TO APPLICATIONS FOR DEVELOPMENT

BE IT RESOLVED by the Township Council of the Township of Teaneck that Ordinance #4-2024 pass upon second and final reading and that the Township Clerk is hereby authorized and directed to advertise the same according to law and to provide the appropriate notices in accordance with law.

HISTORY:

02/27/24 Township Council INTRODUCED

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Michael S Pagan, Councilman
SECONDER:	Hillary Goldberg, Councilwoman
AYES:	Schwartz, Orgen, Pagan, Belcher, Gee, Goldberg
ABSENT:	Elie Y. Katz

TOWNSHIP OF TEANECK
BERGEN COUNTY, NJ

ORDINANCE NO. 4-2024 AMENDING SECTION 8 OF CHAPTER 33 ENTITLED “FEE SCHEDULE AND ESCROW TRUST DEPOSITS” OF THE TOWNSHIP CODE FOR THE TOWNSHIP OF TEANECK BY DETAILING THE FEE SCHEDULE AND PAYMENT PROVISIONS APPLICABLE TO APPLICATIONS FOR DEVELOPMENT BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TEANECK THAT ORDINANCE #4-2024 PASS UPON SECOND AND FINAL READING AND THAT THE TOWNSHIP CLERK IS HEREBY AUTHORIZED AND DIRECTED TO ADVERTISE THE SAME ACCORDING TO LAW AND TO PROVIDE THE APPROPRIATE NOTICES IN ACCORDANCE WITH LAW.

NOW, THEREFORE, BE IT ORDAINED by the Township Council that:

SECTION I. Section 33-8 entitled “Fee schedule and escrow trust deposits”, is hereby deleted and replaced with the following:

§ 33-8 Fee Schedule and escrow trust deposits.

A. General

- (1) Every application for development shall be accompanied by the payment of a fee, as set forth in Appendix III of Chapter 2, for land development applications before the Planning Board or Zoning Board of the Township of Teaneck. Application fees are not refundable. The administration of the professional escrow fees provided herein shall be governed by § 33-8.1 of the Township Code.
- (2) Where one application for development includes several approval requests, the sum of the individual required fees shall be paid.
- (3) No fees shall be returned to the applicant after public hearing has commenced.
- (4) If any applicant desires a court reporter, the cost of taking testimony and transcribing it and providing a copy of the transcript for the board hearing the application shall be at the expense of the applicant, who shall arrange for the reporter’s attendance.
- (5) Schedule of application fees to be paid at the time of the filing of the application.

B. Inspection Fees

- (1) In addition to the fees for the review of subdivisions and site plans, there shall also be an inspection fee of 2.5% of the estimated cost of improvements on site plans and an inspection fee of 5% of the estimated cost of the improvements for subdivisions, as estimated by the Township Engineer and payable at the time of the commencement of

construction. This charge shall be for the purpose of defraying the costs of inspections of the installation of the improvements required by the Planning Board.

(2) All permits, determinations, resolutions or certificates of approval are subject to the payment of all fees required in this section.

(3) All applicants or appellants other than a department board or agency of the Township shall pay the applicable fees unless such fee is specifically waived by the Township Council. Such waivers shall only be considered for nonprofit organizations.

§ 33-8.1 Payment for professional services; escrow deposits

In addition to the filing fees and any other fees or payments required by this Chapter, the applicant for any development application, appeal or other matter pursuant to this Chapter shall be responsible to reimburse the Township for payments made to professionals for services rendered to the Township related to such application, appeal or other matter. The following provisions shall apply to such payments:

A. Initial deposits for professional services. The required escrow fees shall be collected by the Township's Finance Office at the time of the filing of the application. It shall be the responsibility of the Finance Office to assign and issue all escrow account numbers at the time of filing an application. These fees are to be applied for the review of applications by the professional staff/consultants and shall include all office review, phone correspondence, preparation of reports, conferences, appearance at meetings or other purposes under the provisions of this chapter or the Municipal Land Use Law.¹ For purposes of this section, "professional staff" shall include the Township Planner and Township Engineer, and such other professionals as may be deemed necessary by the Planning Board or the Zoning Board of Adjustment to review an application. Deposits shall be paid by personal check, certified check, cashier's check or bank money order.

B. Inspection Fees. In addition to the fees set forth for the review of subdivision plans and site plans, there shall also be an inspection fee of 2.5% of the estimated cost of improvements on site plans and an inspection fee of 5% of the estimated cost of the improvements for subdivisions, as estimated by the Township Engineer and payable at the time of commencement of construction. This charge shall be for the purpose of defraying the costs of inspections of the installation of the new improvements required by the Planning Board.

C. Subsequent deposits for professional services. In the event that the amount in the individual account for professional services should become depleted to less than 25% of the initial deposit required by this chapter, and if the Secretary determines that additional funds are necessary to cover the cost of processing said application, the Secretary shall notify the applicant immediately of such depletion. Upon receiving such notice, the applicant shall deposit additional funds as necessary to make the amount in the account not less than 50% of the initial deposit required by this chapter for professional services.

D. Failure to maintain deposit for professional services. If the required funds for professional services are not deposited in a timely manner, the Secretary shall notify the Township agency having jurisdiction over the application and shall send copies of said notification to the Township Finance Director. Upon receipt of the copy of the notification, the Finance Director shall immediately inform the Mayor and Township Council of said notification. No further action shall be taken on the application unless the deposits have been made by the applicant as required above. In the event that the time for action by a Township agency as required by this Chapter shall expire prior to the payment of the required deposits, the reviewing agency shall have the option of dismissing the application.

E. Vouchers for payment of professional services. All payments charged to a deposit required by this section shall be made pursuant to written monthly vouchers for each application from the professional(s), stating the hours spent, the hourly rate and the expenses incurred. The Borough shall render a written final accounting to the applicant on the uses to which the deposit was put.

F. Procedure for payment of vouchers; appeals of charges. The following procedure shall apply to the payment of vouchers for professional services pursuant to this section:

(1) The office of the professional(s) shall submit a copy of said voucher to the applicant.

(2) Within 14 days of the mailing of said vouchers, the applicant may request in writing a hearing on the reasonableness of the charges contained in said vouchers. Any such hearing shall be held by the Township agency with jurisdiction over the application.

(3) In the event the applicant requests such hearing, no payments shall be made pursuant to the disputed voucher(s) until the Township agency shall have ruled on the appeal. If the Township agency finds in favor of the applicant, payment pursuant to said voucher(s) shall be adjusted accordingly.

(4) All vouchers for payment of professional services pursuant to this section shall be submitted to the Township agency for whom the services were performed. The Township agency shall, at a public hearing, approve or deny payment of vouchers. No voucher shall be denied payment without giving the professional submitting the voucher an opportunity to be heard concerning the reasonableness of said voucher.

(5) If no hearing is requested as outlined above, or if the Township agency finds in favor of the professional, payment shall be made pursuant to the voucher.

(6) If approved by the Township agency, the voucher shall be directed to the Township Finance Director for reimbursement to the professional for services rendered.

SECTION II. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

SECTION III. If any section, provision, or part of provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance, or any part thereof, other than the part so held unenforceable or invalid.

SECTION IV. This Ordinance shall take effect after passage and publication in the manner provided by law.

ATTEST:

Doug Ruccione
Township Clerk

Michael Pagan,
Mayor