

MEETING TO BE  
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AGENDA FOR THE BOARD OF HEALTH MEETING  
OF THE TOWNSHIP COUNCIL OF WEST WINDSOR TOWNSHIP  
WEST WINDSOR MUNICIPAL BUILDING  
271 CLARKSVILLE ROAD  
TO THE EXTENT KNOWN

November 10, 2025

7:00 P.M.

1. Call to Order
2. Roll Call
3. Statement of Adequate Notice - January 17, 2025 to The Times and the Princeton Packet, filed with the Municipal Clerk and posted at the Municipal Building and on the Township web-site.
4. Salute to the Flag
5. Public Comment (30 minutes comment period; 3-minute limit per person)
6. For Action:
  - Minutes: Board of Health - August 11, 2025
7. For Discussion:
  - a. Mayor/Administration:
  - b. Board of Health Member:
    - Presentation on Local Health Department's Role in Outbreak Response
    - Discussion on Draft Ordinance Amending Chapter 82 Fees
8. Closed Session (if needed)
9. Public Comment (15 minutes comment period; 3-minute limit per person)
10. Adjournment

**TOWNSHIP OF WEST WINDSOR**  
**Division of Health**

**MEMORANDUM**

**TO: Marlena Schmid, Business Administrator  
Kerry Giblin, Special Assistant to Administration**

**FROM: Jill Swanson, Health Officer**

**SUBJECT: Proposed Ordinance Amendments, 82-12 Fees, Health**

**DATE: October 16, 2025**

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Attached please find a proposed draft resolution to amend West Windsor Township Code, Section 82 -12. There are two primary objectives. The first is to increase the annual fees for public bathing place licenses for facilities composed of more than one body of water. The base fee for seasonal and annual pools remains the same but an additional fee(s) is added for those facilities which contain more than one body of water. The second objective is to establish reinspection fees for public recreational bathing places and retail food establishments for establishments which fail to correct critical violations and necessitate repeat inspections. Two additional provision contain minor amendments. The proposed changes are detailed below.

1. Section 82-12-B (1)(a) Public bathing places, seasonal pool.

Currently seasonal pools are charged a standard annual licensing fee of \$300. In addition to a main pool, some facilities contain a supplemental secondary pool, wading pool, splash pad or spa. Each of these bodies of water have separate circulation systems and parameters which require inspection and monitoring which adds to the Health Department resources required to regulate the site. The Department proposes an increase in the fees for facilities with multiple bodies of water to account for the additional investment of inspection resources to oversee these facilities.

In 2025, 16 seasonal bathing places licenses were issued in West Windsor. 8 facilities consist of multiple bodies of water. 3 new seasonal bathing places are proposed.

2. 82-12-B (1)(b) Public bathing places, year-round.

Annual pools are charged a standard licensing fee of \$500. In 2025, 6 annual bathing places licenses were issued in West Windsor, 1 of which is composed of multiple bodies of water.

3. 82-12- (B)(c) Proposed language adds a late fee of \$100 for delinquent annual renewal applications received after May 1 of the licensing year. Renewal applications are due prior to March 31<sup>st</sup> per WWT Code Chapter 162-9.
4. 82-12-B (3) Public bathing places, Reinspection fees

The proposed amendment provides for a reinspection fee following issuance of a conditional or unsatisfactory rating during a reinspection. As background, the Health Department conducts a minimum

of 2 annual inspections of public pools. Seasonal pools are required to be inspected prior to opening for the season and the second inspection is an unannounced, random visit. Annual facilities are inspected a minimum of twice with unannounced, random visits. At the conclusion of each inspection, an evaluation rating is issued by the inspector: Satisfactory, Conditional Satisfactory or Unsatisfactory. Based on the violations observed, a reinspection may be indicated. During the reinspection, a new rating is issued. The reinspection fee is triggered only when critical violations are found during the first reinspection, therefore requiring a third site visit.

5. 82-12- C (2)(c) and 82-12-C (3)(c) Retail food establishment reinspection fees

The proposed amendment provides for a reinspection fee following issuance of a conditional or unsatisfactory rating during a reinspection of retail food establishments. As background, the Health Department conducts annual inspections of establishments based on risk level and prior compliance history. Departmental goals require inspection of all establishments a minimum of once a year, higher risk establishments at least twice. Infrequently, non-compliant establishment will necessitate quarterly inspections. At the conclusion of each inspection, an evaluation rating is issued by the inspector: Satisfactory, Conditional Satisfactory or Unsatisfactory. Based on the nature of the violations observed, a reinspection may be indicated. During the reinspection, a new evaluation rating is issued. The reinspection fee is triggered only after the first reinspection when critical violations remain, therefore requiring a third follow-up visit.

6. 82-12-G Radon test kits

The proposed amendment adds a provision to allow the Health Officer to waive the fee associated with providing radon test kits and consultation to residents. The Department has historically participated in a grant-funded program sponsored by the NJ Department of Environmental Protection which refunds the Health Department for the purchase of home radon kits which are made available to residents free of charge.

7. 82-12-H File search

The proposal rescinds and reserves the file search fee. This section is obsolete as a result of the Open Public Records laws.

Please note that the proposed amendments do not include general increases to the base fees for bathing places and retail food establishments. Rather than proposing a general increase across the board, the Health Department proposes added fees which align with the facilities requiring greater investment of public health resources such as staff time dedicated to ensure compliance.

**AN ORDINANCE AMENDING AND SUPPLEMENTING, CHAPTER 82, "FEES" OF THE  
CODE OF THE TOWNSHIP OF WEST WINDSOR.**

**WHEREAS**, pursuant to N.J.S.A. 40:48-2, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this State or of the United States, as it may deem necessary and proper for the good of government, order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

**WHEREAS**, West Windsor Township has adopted Chapter 82 of the Code of West Windsor Township establishing fees; and

**WHEREAS**, the Township performs a number of public services at substantial cost to the Township taxpayers; and

**WHEREAS**, the Township officers may be designated by ordinance and authorized to collect and receive fees and to issue permits or licenses as may be required by ordinance; and

**NOW, THEREFORE BE IT ORDAINED**, by the Township Council of the Township of West Windsor, in the County of Mercer and State of New Jersey as follows:

**SECTION 1.** Chapter 82, "FEES" is amended and supplemented as follows:

82-12

B. Public recreational bathing facility ~~places~~.

- (1) License. The following fees will be charged for issuance or renewal of a license to operate a public recreational bathing facility ~~place~~.
  - (a) Seasonal (less than six months per year): \$300 for the primary swimming pool; \$150 for each additional swimming pool. [Amended 5-6-2002 by Ord. No. 2002-10]
  - (b) Year-round operation: \$500, for the primary swimming pool, \$150 for each additional swimming pool.
  - (c) Annual renewal applications for a license to operate a public recreational bathing facility received by the Township after May 1<sup>st</sup> of the licensing year will be charged a delinquent fee of \$100.
- (2) Plan review fees. A plan review fee will be charged for technical review of all new applications for public recreational bathing facilities ~~places~~. The fees are established as follows:
  - (a) Plan review for a new facility consisting of one swimming pool/spa: \$500. [Amended 5-6-2002 by Ord. No. 2002-10; 3-4-2013 by Ord. No. 2013-06]
  - (b) Charge for each additional swimming pool/spa for facilities with multiples: \$100.

(c) Plan review for renovations to existing public recreational bathing facility ~~place~~: \$300. [Amended 5-6-2002 by Ord. No. 2002-10; 12-6-2010 by Ord. No. 2010-29]

(3) Reinspection fees. A reinspection fee shall be assessed to a public recreational bathing facility at the time of reinspection when the reinspection results in the issuance of a conditional satisfactory or unsatisfactory rating due to critical violations. The reinspection fee shall be \$150 per inspection. All reinspection fees shall be paid in full prior to issuance of the public recreational bathing facility license for the next renewal year.

C. Retail food establishment license fees.

(1) License. All retail food establishments shall obtain licenses from the West Windsor Township Division of Health, the cost of which shall be \$50. [Amended 12-6-2010 by Ord. No. 2010-29]

(a) Delinquent fees.

[1] Delinquent annual renewal applications. An additional administrative late fee of \$100 will be charged for applications received by the Township between the dates of February 1 and December 31 for renewal of operational retail food establishments for the current licensing year.

[2] Delinquent temporary retail food establishments. An additional administrative late fee of \$50 will be charged for applications received by the Township within seven calendar days of planned operation.

(2) Inspection fee for food establishments with food preparation areas.

(a) In addition to the annual license fee, an annual inspection fee shall be charged for food establishments with food preparation areas, based on the size of the food preparation area as follows: [Amended 5-6-2002 by Ord. No. 2002-10; 12-6-2010 by Ord. No. 2010-29]

Square Feet	Fee
Up to 200	\$135
201 to 400	\$210
401 to 600	\$260

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Square Feet	Fee
601 to 800	\$310
801 to 1,000	\$360
Over 1,000	\$410

- (b) If inspections must be made on Saturdays, Sundays, legal holidays or after 5:00 p.m. because of the nature of the establishment, the applicable inspection fee shall be multiplied by a factor of 1.5.
  - (c) A reinspection fee shall be assessed to a retail food establishment at the time of reinspection when the reinspection results in the issuance of a conditional satisfactory or unsatisfactory rating due to critical violations. The reinspection fee shall be equal to, and in addition to, the fee set by 82-12 C (2) (a) and (b). All reinspection fees shall be paid in full prior to issuance of the retail food establishment license for the next renewal year.
- (3) Inspection fee for retail food markets.
- (a) In addition to the annual license fee, an annual inspection fee shall be charged for retail food markets, based on the size of the food marketing area as follows: [Amended 5-6-2002 by Ord. No. 2002-10; 12-6-2010 by Ord. No. 2010-29]

Square Feet	Fee
Up to 1,000	\$135
1,000 to 2,000	\$220
2,001 to 3,000	\$280
3,001 to 4,000	\$340
4,001 to 5,000	\$400
Over 5,000	\$460

- (b) If inspections must be made on Saturdays, Sundays, legal holidays or after 5:00 p.m. because of the nature of the establishment, the applicable inspection fee shall be multiplied by a factor of 1.5.
- (c) A reinspection fee shall be assessed to a retail food establishment at the time of reinspection when the reinspection results in the issuance of a conditional satisfactory or unsatisfactory rating due to critical violations. The reinspection

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fee shall be equal to, and in addition to, the fee set by 82-12 C (3) (a) and (b). All reinspection fees shall be paid in full prior to issuance of the retail food establishment license for the next renewal year.

- (4) Inspection fees for itinerant retail food establishments shall be as follows:
- (a) Agricultural market: \$10.
  - (b) Mobile unit: \$30 per unit. [Amended 3-4-2013 by Ord. No. 2013-06]
- (5) Exemption for nonprofit corporations. No corporation organized under Title 15 of the New Jersey Statutes shall be required to pay either the license or inspection fees set forth herein. [Amended 12-6-2010 by Ord. No. 2010-29]
- (6) Inspection fee for temporary retail food establishments. The fee for a retail food establishment operating for less than two weeks, Monday through Friday, between the hours of 9:00 a.m. and 5:00 p.m., will be \$15. The fee for establishments operating weekends, evenings or holidays will be \$30. [Amended 12-6-2010 by Ord. No. 2010-29]
- (7) Plan review fees. Plan review fees shall be charged as follows: [Amended 5-6-2002 by Ord. No. 2002-10; 3-22-2004 by Ord. No. 2004-08; 3-4-2013 by Ord. No. 2013-06]

Food establishments. A plan review fee shall be charged for the filing of any application for a food establishment. The fee will be based upon the total square footage of the proposed establishment as follows:

Square Feet	Fee
Up to 400	\$175
401 to 800	\$250
Over 800	\$300

- (8) Professional instruction: specialized food safety training sessions will be held for individual establishments upon request. The following fees are established:
- (a) A base fee shall be charged for preparation and planning of each program: \$150.
  - (b) A presentation fee shall be charged for each program: \$60 per hour.
- (9) Low-hazard temporary food establishment registration. Temporary establishments which restrict their menus to prepackaged, non-potentially hazardous foods may be exempted from licensing and inspection fees by the Health Officer. A \$25 registration fee will be charged per event. [Added 12-19-2005 by Ord. No. 2005-16]

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B. License fees for food and beverage vending.<sup>3</sup>

- (1) All license and permit fees for food and beverage vending machines shall be paid to the Township of West Windsor on or before January 31 of each year.
- (2) All such permits and licenses issued under the authority of this section shall expire on January 30 of each year.
- (3) No license fee shall be required for any food or beverage vending machine owned by any public school, church or religious organizations or any nonprofit corporation or association of the State of New Jersey within the Township of West Windsor.
- (4) New or additional coin-operated vending machines installed during the year shall pay a license fee. There shall be no refund for a portion of the license for any machine removed from the premises during the year. [Amended 3-22-2004 by Ord. No. 2004-08]
- (5) The annual fee for licenses as required by § 183-1 for regulation and inspection and control of all food and beverage vending machines is set as follows:
  - (a) For each machine containing "potentially hazardous foods" as defined by Chapter 12 of the New Jersey State Sanitary Code: \$35.
  - (b) For each machine containing any food and beverage not considered potentially hazardous: \$15.

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3. Editor's Note: See Ch. 183, Vending Machines, Art. I, Food and Beverage Vending Machines.

C. Well permits.<sup>4</sup> The following fees and charges are hereby established as follows:

- (1) For the filing of an application and plans for a well permit: \$275.
- (2) For the filing of an application and plans to alter an existing well or to drill a replacement well: \$225.
- (3) For filing an application for well abandonment: \$75. [Added 12-6-2010 by Ord. No. 2010-29]

D. Community sewage disposal systems.<sup>5</sup> The following fees and charges are established.

[Amended 5-6-2002 by Ord. No. 2002-10; 3-22-2004 by Ord. No. 2004-08; 12-6-2010 by Ord. No. 2010-29]

- (1) The fee for review of a proposed community sewage disposal system by the administrative authority shall be \$2,000, to include a maximum of 10 realty improvements, plus \$200 for each additional realty improvement, payable at the time application for the permit to locate, construct or alter the community sewage disposal system is made.

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- (2) The fee for witnessing a soil test by an approved professional shall be \$75 per hour.
- (3) The fee for site inspections shall be \$75 per hour.
- E. Radon test. The fee for a radon test kit and consultation shall be \$30. [Amended 5-6-2002 by Ord. No. 2002-10] The fee may be waived at the discretion of the Health Officer.
- F. Reserved ~~File search. The fee for a file search by any interested party regarding environmentally sensitive areas or properties shall be \$75. This fee does not include the cost of providing copies of written documents.~~

**SECTION 2.** In the event of any conflict between the provisions and requirements of this Chapter and the provisions and requirements of any other Chapter of the Code, the provisions and requirements of this Chapter shall govern.

**SECTION 3.** This ordinance shall take effect 20 days after action or inaction by the Mayor as approved by law or an override of a mayoral veto by the Council, which is applicable upon publication according to law.

Introduction

Public Hearing:

Adoption:

Mayor's Approval:

Effective Date:

Explanation: Language to be removed is shown with strike-through and language in underlined text is proposed to be added.

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