

Township Council President Kristine Kanzenbach called the regular meeting of the Mine Hill Township Council to order at 7:30 pm and led those present in the Pledge of Allegiance.

OPEN PUBLIC MEETINGS NOTICE

Ms. Kanzenbach announced that adequate notice for this meeting had been given as required by law.

ROLL CALL: Present – Mr. Bloom; Mr. Coranato; Ms. Kanzenbach; Mr. Pepperman; Mr. Willis
Absent –
Also Present – Mr. Morris, Mayor; Mr. Thompson, Township Administrator; Mr. Oostdyk,
Township Attorney; Ms. Macchia, Township Clerk
Public Present – Approximately 4

ORDINANCES – Public Hearing and Adoption

Ordinance 03-12 – An Ordinance to Amend Chapter 13.16, “Sewer Rates”, of the Revised General Ordinances of the Township of Mine Hill, County of Morris, State of New Jersey

A motion was made by Mr. Bloom, seconded by Mr. Coranato and approved by a voice vote to open the public hearing on this ordinance.

Brief discussion regarding the changes to the rates and structure of the ordinance occurred.

Seeing no further discussion from the Council or the Public, a motion was made by Mr. Coranato, seconded by Mr. Bloom and approved by a voice vote to close the public hearing.

A motion was made by Mr. Pepperman and seconded by Mr. Coranato to adopt the ordinance. The roll was called and the Ordinance was adopted by the following vote:

Ayes: Mr. Bloom; Mr. Coranato; Ms. Kanzenbach; Mr. Pepperman; Mr. Willis
Nays: none
Absent: none
Abstentions: none

BE IT ORDAINED, by the Township Council of the Township of Mine Hill, in the County of Morris, and State of New Jersey, as follows:

SECTION 1. Chapter 13.16, Sewer Rates, Section 13.16.010, “Definitions”, is hereby amended and supplemented to include the following additional definition:

EQUIVALENT DWELLING UNIT (EDU)

Each unit whether in a single- or multiple-unit structure having a demand on the sewer system equal to that of a dwelling unit which is 225 gallons per day on average.

SECTION 2. Chapter 13.16, “Sewer Rates”, Section 13.16.060, “Sewer Charges”, is hereby amended to read in its entirety as follows:

13.16.060 Sewer charges.

The annual sewer charge shall be \$720.00 per equivalent dwelling unit (EDU). The equivalent dwelling unit (EDU) shall be determined as follows:

- A. Single-family or multi-family residential units 1.0 EDU
- B. Commercial, office, retail:
The number of equivalent units shall be based on the estimated daily flow divided by 225 gal/day to determine the number of EDU’s Number/EDU
- C. Industrial:
The number of equivalent units shall be based on the estimated daily flow divided by 225 gal/day to determine the number of EDU’s Number/EDU
- D. Use not covered in sewer charges will be based on daily flows given to determine equivalent dwelling units Number/EDU

SECTION 3. This Ordinance may be renumbered for codification purposes.

SECTION 4. All Ordinances of the Township of Mine Hill which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 5. This Ordinance shall take effect as required by law.

CONSIDERATION AND APPROVAL OF VOUCHERS

Bill List

Following brief discussion regarding bills for software and maintenance from MSI, Mr. Bloom made a motion to approve the bills. The motion was seconded by Mr. Coranato and approved by the following vote:

Ayes: Mr. Bloom; Mr. Coranato; Mr. Pepperman; Mr. Willis; Ms. Kanzenbach

Nays: none

Absent: none

Abstentions: none

ADMINISTRATIVE AGENDA

Mr. Thompson reported that the new Construction Office has been completed and the files have been moved. He also reported that the water truck that is rusted through is being removed for scrap soon. It was also noted that ground water is coming into the basement of the Civic Center.

Mr. Thompson announced that Hillside Avenue would be opened to investigate leaks in the near future.

Mr. Morris asked for a moment of silence for Mr. Hewitt, former Chief of the Mine Hill Fire Department.

Mr. Morris elaborated on the leaks in Hillside Avenue. Brief discussion followed.

Mr. Morris reported that he attended a meeting with the President of the Board of Public Utilities and the President of JCP&L as well as many area mayors. One of the topics of discussion was JCP&L's process where various steps in restoring outages are given to various crews rather than one crew being responsible for the repair from start to finish. Another topic of discussion was burying power lines; it was noted that burying lines costs approximately one million dollars per mile and probably wasn't feasible.

Mr. Morris also provided updates regarding Mr. Crimi's property. Habitat for Humanity may remain in their location and could be bringing in additional business. One of the chief complaints from retailers in that complex is the lack of signage which the Township will attempt to expedite.

Mr. Morris announced that a budget meeting with the auditor would be held during the week of February 12th; he would like two Council members to attend.

Ms. Macchia announced that the Township now has active Facebook and Twitter accounts to keep residents informed.

Mr. Morris reported that Roxbury Township will be assisting the Township with purchasing functions through use of their Qualified Purchasing Agent.

It was also noted that power at Town Hall would be turned off on Presidents' Day when the building is closed so that the repairs to the outside of the building can be completed.

REPORTS OF STANDING AND SPECIAL COMMITTEES

School Board Committee

Mr. Coranato and Mr. Bloom reported that the Board of Education met last week. The BOE voted to move the School Election to the November General Election.

Recreation Committee

Ms. Kanzenbach noted that there was no meeting and there is nothing to report.

Fire Department / First Aid Squad Committee

Mr. Pepperman noted that there is nothing new to report.

Police

Mr. Pepperman noted Police coordination with the Swift Reach program.

OPEN TO THE PUBLIC

Representatives of the First Aid Squad thanked the Township for the new battery operated garage door openers which assist with getting the ambulance out during a power outage.

INTRODUCTION OF ORDINANCES

Ordinance 04-12 – An Ordinance to Amend the Code of the Township of Mine Hill, County of Morris, State of New Jersey with Regard to the Recreation Commission

A motion was duly made by Mr. Willis and seconded by Mr. Bloom to introduce the Ordinance.

Seeing no discussion from the Township Council or the public, the roll was called and the Ordinance was introduced by the following vote:

Ayes: Mr. Bloom; Mr. Coranato; Mr. Pepperman; Mr. Willis; Ms. Kanzenbach

Nays: none

Absent: none

Abstentions: none

Ms. Kanzenbach announced that this ordinance will be further considered for adoption at the next regular meeting of the Township Council scheduled for February 19, 2012, at 7:30 pm, at which time the public will have an opportunity to be heard on this matter.

BE IT ORDAINED, by the Township Council of the Township of Mine Hill, in the County of Morris, and State of New Jersey, as follows:

SECTION 1. The Board of Recreation Commissioners is hereby dissolved and abolished. Chapter 2.112 of the Revised General Ordinances of the Township of Mine Hill, entitled “Board of Recreation Commissioners”, is hereby repealed in its entirety.

SECTION 2. The Revised General Ordinance of the Township of Mine Hill are hereby amended by the inclusion of new Chapter 2.113 which shall be entitled “Parks and Recreation Advisory Committee” and shall read in its entirety as follows:

2.113 Parks and Recreation Advisory Committee

2.113.010 Establishment; composition; terms; organization.

The Parks and Recreation Advisory Committee shall consist of up to eleven (11) voting members to be appointed by the Mayor with the advice and consent of the Council. Members shall be appointed annually for a two year term. Members of the Committee shall serve without compensation. The Committee shall designate one (1) of its members to serve as chairperson and presiding officer of the Committee. The Committee is authorized to adopt bylaws governing its procedural operations.

2.113.020 Powers and duties.

The Parks and Recreation Advisory Committee shall advise the Administration and Township Council concerning the planning, implementation, and promotion of parks and recreation programs and facilities. It is understood that the Parks and Recreation Advisory Committee will act merely in an advisory capacity and shall not have the power to bind the Township in any manner.

SECTION 3. Chapter 2.116 of the Revised General Ordinance of the Township of Mine Hill, entitled “Beach Committee”, is hereby amended by the following amendments to subsection 2.116.010 and subsection 2.116.04 which shall read in its entirety as follows:

2.116.10 Establishment

There is created a beach committee which shall consist of up to eleven members. Up to ten of the members shall be appointed by the Mayor with the advice of the Council. One member shall be a member of the Council appointed by the Council. All members shall be appointed annually to serve for a one year term.

2.116.40 Duties and responsibilities

The beach committee shall serve as an advisory committee to the Council and administration and shall advise the Council and administration concerning the operations of the Mine Hill beach.

SECTION 4. Chapter 2.32 of the Revised General Ordinance of the Township of Mine Hill, entitled “Beach and Swimming Facilities”, is hereby amended by the repeal of subsections 12.32.010, 12.32.020, 12.32.030, 12.32.040, 12.32.050, and 12.32.060. Subsection 12.32.070 entitled “Beach Fees” shall be re-codified as 12.32.010. New subsection 12.32.020 shall be entitled “Rules and Regulations” and shall read in its entirety as follows:

12.32.20 Rules and Regulations

The Township Council shall enact rules, regulations, and by-laws governing the use and operation of the Township beach and swimming facility. All rules and regulations shall be posted in a conspicuous place upon the grounds of the beach and swimming facility. Any violation of the rules and regulations governing the use and operation of the beach and swimming facility shall be a violation of this Chapter. Any person convicted of violating a rule or regulation may have his or her swimming facility membership suspended or revoked and shall be subject to a fine not exceeding five hundred (\$500.00) dollars.

SECTION 5. Chapter 2.28 of the Revised General Ordinance of the Township of Mine Hill, entitled “Public Parks, Playgrounds and Recreational Areas”, is hereby amended by the replacement of “recreation

MINUTES OF THE MINE HILL TOWNSHIP COUNCIL
 REGULAR MEETING – FEBRUARY 2, 2012

commission” in section 12.28.040 with “Township Council” and the repeal of section 12.28.020 (“General supervision by recreation commission”).

SECTION 6. Chapter 2.44 of the Revised General Ordinance of the Township of Mine Hill, entitled “Playing Fields”, section 12.44.020, entitled “Definitions”, is hereby amended by the following amendment to the definition of “Committee” which shall read in its entirety as follows: “Committee” means the Parks and Recreation Advisory Committee

SECTION 7. This Ordinance may be renumbered for codification purposes.

SECTION 8. All Ordinances of the Township of Mine Hill which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 9. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 10. This ordinance shall take effect 20 days after final passage and approval by the Mayor and upon publication in the manner provided by law.

Ordinance 05-12 – An Ordinance Amending Chapter 10 of the Revised General Ordinance of the Township of Mine Hill and Prohibiting Parking on Portions of Canfield Avenue

A motion was duly made by Mr. Coranato and seconded by Mr. Bloom to introduce the Ordinance.

A correction to the original ordinance as presented was noted.

Seeing no further discussion from the Township Council or the public, the roll was called and the Ordinance was introduced by the following vote:

- Ayes: Mr. Bloom; Mr. Coranato; Mr. Pepperman; Mr. Willis; Ms. Kanzenbach
- Nays: none
- Absent: none
- Abstentions: none

Ms. Kanzenbach announced that this ordinance will be further considered for adoption at the next regular meeting of the Township Council scheduled for February 19, 2012, at 7:30 pm, at which time the public will have an opportunity to be heard on this matter.

WHEREAS, the Township Council of the Township of Mine Hill have the authority to prohibit parking on municipal roads to protect the health, safety and welfare of the residents of the Township of Mine Hill (the “Township”); and

WHEREAS, in connection with the Township’s Safe Routes to School Project, which provided funding for the Township’s construction of sidewalks along Canfield Avenue and E. Randolph Avenue, it was necessary to realign the shoulders and the lanes of traffic along Canfield Avenue, which have created a situation whereby the shoulder along the southbound lane of travel, the western side of Canfield Avenue, is no longer wide enough to safely accommodate parking thereon and the Township Council has determined to adopt an ordinance prohibiting parking along these areas at all times.

NOW, THEREFORE, BE IT RESOLVED, by the Township of Mine Hill, in the County of Morris, and State of New Jersey, as follows:

SECTION 1. Chapter 10, “Vehicles and traffic”, of the Revised General Ordinances of the Township of Mine Hill, Schedule I, “No parking” shall be amended to add the following additional areas where parking shall be prohibited:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Canfield Avenue	West	From the intersection with the northerly side of 2nd Avenue to the municipal boundary with Randolph.
Canfield Avenue	East	From the intersection with the northerly side of West Randolph Avenue to the northerly sideline of Lot 31 in block 1404.

SECTION 2. All ordinances of the Township of Mine Hill which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4. This ordinance shall take effect 20 days after final passage and approval by the Mayor and upon publication in the manner provided by law.

RESOLUTIONS AND MOTIONS

Resolution 021-12 Authorizing Cancellation of Water Account Balance – Block 1703, Lot 4

A motion was made by Mr. Bloom and seconded by Mr. Coranato to introduce the resolution.

Seeing no discussion from the Council or the Public, the roll was called and the resolution was approved by the following vote:

Ayes: Mr. Bloom; Mr. Coranato; Ms. Kanzenbach; Mr. Pepperman; Mr. Willis

Nays: none

Absent: none

Abstentions: none

WHEREAS, a request to review water billing was made by the property owner who indicated that the water bill was extremely high. The Water Technician was sent to the home to reread the external metering device; and

WHEREAS, the above account was found to have been overbilled due to an error in reporting by 7,000 gallons; and

WHEREAS, this overbill was not picked up as a read error in the reporting as the property had a spike in usage, historically, for this quarter.

THEREFORE, BE IT RESOLVED, BY THE Mine Hill Township Council, County of Morris, and State of New Jersey, that the above account be considered overbilled in the amount of \$27.86 and the Water Collector be relieved of collecting same.

Resolution 022-12 Authorizing Agreement with Morris County Radio Dispatch

A motion was made by Mr. Bloom and seconded by Mr. Pepperman to introduce the resolution.

Seeing no discussion from the Council or the Public, the roll was called and the resolution was approved by the following vote:

Ayes: Mr. Bloom; Mr. Coranato; Ms. Kanzenbach; Mr. Pepperman; Mr. Willis

Nays: none

Absent: none

Abstentions: none

WHEREAS, the Mine Hill Township Council finds it to be in the best interest of the Township to enter into inter-local services agreements for utilization of Morris County's Radio Dispatching Services; and

WHEREAS, Morris County has the ability to make the aforesaid services available; and

WHEREAS, funds are available for this purpose and a Certificate of Availability have been filed by the Chief Financial Officer with the Township Clerk in accordance with the Local Budget Law, N.J.S.A. 40A:4-57 and N.J.A.C. 5:34-5.2.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MINE HILL IN THE COUNTY OF MORRIS AND THE STATE OF NEW JERSEY, that the inter-local services agreement with the County of Morris for utilization of the Radio Dispatching Services is hereby approved. The Mayor and Township Clerk are authorized and directed to execute shared services agreements, as attached hereto.

Resolution 023-12 Authorizing Agreement with RJR Solutions for Web Design

A motion was made by Mr. Bloom and seconded by Mr. Coranato to introduce the resolution.

Seeing no discussion from the Council or the Public, the roll was called and the resolution was approved by the following vote:

Ayes: Mr. Bloom; Mr. Coranato; Ms. Kanzenbach; Mr. Pepperman; Mr. Willis

Nays: none

Absent: none

Abstentions: none

WHEREAS, the Township Council wishes to retain a professional website designer to assist Mine Hill Township with its website design and has determined to award the contract as a professional service without obtaining competitive bids or quotations pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, RJR Solutions (hereinafter "Consultant") has submitted a proposal dated January 26, 2012 in an amount not to exceed \$17,500.00 for the provision of said services to the Township; and

MINUTES OF THE MINE HILL TOWNSHIP COUNCIL
REGULAR MEETING – FEBRUARY 2, 2012

WHEREAS, the Township has determined that the aggregate value of all professional service contracts between the Consultant and the Township will not exceed \$17,500.00; and

WHEREAS, the Consultant has completed and submitted a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee in the Township of Mine Hill for the previous one year, and that the contract will prohibit it from making any reportable contributions through the term of this contract; and

WHEREAS, the Township's Chief Financial Officer has certified that funds are available for this purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for "professional services" without competitive bid and the contract itself must be made available for public inspection.


NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Mine Hill, in the County of Morris, and State of New Jersey, as follows:

1. The Township of Mine Hill hereby awards and authorizes the Mayor and Township Clerk to execute an Agreement with RJR Solutions for professional services associated with professional website design. The amount of the contract shall not exceed \$17,500.00 without the prior written authorization of the Township.
2. This contract is awarded without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A:11-5 (1)(a) of the Local Public Contracts Law because said services are services rendered in the provision or performance of goods or services that are original and creative in character in a recognized field of artistic endeavor.
3. The Township Clerk is hereby authorized and directed to file the Consultant's Business Entity Disclosure Certification and Determination of Value with a copy of this Resolution.
4. A notice of this action shall be printed once in the Township's official newspaper as required by law.

NEW AND OLD BUSINESS

Municipal Water Loss Presentation

Tax, Water and Sewer Collector Judi O'Brien and Mr. Morris presented the following slides to the Council and Public:



Water Accountability Analysis
Township of Mine Hill
2.2.2012

*The information in this presentation
pertains only to water utility customers*

How it all works

- Mine Hill receives water from MCMUA.
- We deliver water to customers through a curb box at each dwelling.
- Water meters record the amount of water being drawn into each individual dwelling.
- Water meters are read quarterly.
- Customers are billed quarterly.

Billing

- Each billing cycle there are two charges:
 - Base billing – Based on size of the water meter in the building
 - Consumption – Based on the quantity of water drawn through the water meter

Water Billing – 2 Parts

– Part 1

- Usage paid by residents for consumption should go toward:
 - Purchase of the water from the third party (MUA)
 - Pay salaries of staff for period of work day devoted to water issues
 - Pay debt service – Serial Bonds (\$93,000.00 + interest)

– Part 2

- Base charge paid by residents should go toward:

– Provide funding for future Capital Improvements

- » Cyclical replacement of water meters (average meter life 15 years)
- » System maintenance (Line repairs, Hydrant repairs, Line flushing)
- » Cyclical leak detection

- Significant and increasing water loss in the system has two effects:

1. Capital infrastructure funds get transferred to cover water loss.
2. We are currently only "putting out fires" in the system. Meaning that we are not maintaining our system but are, instead, just doing the bare minimum to keep it functioning.

Financially Self Liquidating

- The utility should pay for itself – no financial input from the Township's budget should be transferred to the water utility.
- Water utility must operate at a water loss of less than 10% to be self liquidating.
- Mine Hill's water rates are currently the highest around.

WATER LOSS OVER THE LAST 6 YEARS

2006 Analysis

- Total unbilled gallonage: 53,574,103
- Cost of "missing" water: \$104,691.25
- % of water loss: 41%

CONSUMPTION VARIANCE 2006

QTR ENDING	GALLONS CONSUMED PER MUA	AMOUNT PAID TO MUA	ACTUAL BILLED GALLONS	MISSING GALLON AGE	COST OF MISSING GALLONAGE
3/31/2006	33,861,000	\$63,846.17	15,461,425	18,399,575	\$32,842.42
6/30/2006	37,048,000	\$71,306.89	16,115,877	20,932,123	\$34,514.63
9/30/2006	27,831,000	\$64,012.03	15,967,608	11,863,391	\$20,542.22
12/31/2006	31,711,000	\$62,724.35	23,272,186	8,438,814	\$16,891.97

2007 Analysis

- Total unbilled gallonage: 69,422,151
- Cost of "missing" water: \$125,185.46
- % of water loss: 48%

CONSUMPTION VARIANCE 2007

QTR ENDING	GALLONS CONSUMED PER MUA	AMOUNT PAID TO MUA	ACTUAL BILLED GALLONS	MISSING GALLONAGE	COST OF MISSING GALLONAGE
3/31/2007	35,629,000	\$63,846.17	16,528,746	19,100,254	\$32,896.17
6/30/2007	38,912,000	\$71,306.89	18,898,251	20,013,749	\$37,242.03
9/30/2007	36,389,000	\$64,012.03	22,123,921	14,265,079	\$25,072.35
12/31/2007	32,308,000	\$62,724.35	16,744,934	15,563,066	\$30,214.81

2008 Analysis

- Total unbilled gallonage: 59,951,461
- Cost of "missing" water: \$117,951.73
- % of water loss: 48%

CONSUMPTION VARIANCE 2008

QTR ENDING	GALLONS CONSUMED PER MUA	AMOUNT PAID TO MUA	ACTUAL BILLED GALLONS	MISSING GALLONAGE	COST OF MISSING GALLONAGE
3/31/2008	32,116,000	\$63,846.17	15,728,825	16,387,175	\$31,052.43
6/30/2008	34,877,000	\$71,306.89	17,860,954	17,016,046	\$34,311.79
9/30/2008	34,186,000	\$64,012.03	19,893,506	14,292,494	\$27,115.08
12/31/2008	30,943,000	\$62,724.35	18,139,454	12,803,546	\$25,472.43

2009 Analysis

- Total unbilled gallonage: 60,472,397
- Cost of "missing" water: \$122,002.87
- % of water loss: 47%

CONSUMPTION VARIANCE 2009

QTR ENDING	GALLONS CONSUMED PER MUA	AMOUNT PAID TO MUA	ACTUAL BILLED GALLONS	MISSING GALLONAGE	COST OF MISSING GALLONAGE
3/31/2009	30,783,000	\$63,846.17	14,898,776	15,884,224	\$31,304.25
6/30/2009	33,267,000	\$71,306.89	16,756,828	16,510,172	\$31,102.58
9/30/2009	32,375,000	\$64,012.03	16,550,106	15,824,894	\$31,289.07
12/31/2009	31,711,000	\$62,724.35	17,400,093	14,310,907	\$28,308.97

2010 Analysis

- Total unbilled gallonage: 65,426,529
- Cost of "missing" water: \$129,413.70
- % of water loss: 46%

CONSUMPTION VARIANCE 2010

QTR ENDING	GALLONS CONSUMED PER MUA	AMOUNT PAID TO MUA	ACTUAL BILLED GALLONS	MISSING GALLONAGE	COST OF MISSING GALLONAGE
3/31/2010	31,814,000	\$62,532.57	16,122,835	15,691,165	\$29,885.96
6/30/2010	36,050,000	\$71,306.89	21,105,839	14,944,161	\$29,559.55
9/30/2010	36,796,001	\$76,744.42	19,497,756	17,301,245	\$38,177.86
12/31/2010	35,449,001	\$70,118.12	17,759,043	17,669,958	\$34,960.73

2011 Analysis

- Total unbilled gallonage: 81,976,028
- Cost of "missing" water: \$162,312.54
- % of water loss: 52%

CONSUMPTION VARIANCE 2011

QTR ENDING	GALLONS CONSUMED PER MUA	AMOUNT PAID TO MUA	ACTUAL BILLED GALLONS	MISSING GALLON AGE	COST OF MISSING GALLONAGE
3/31/2011	36,831,000	\$74,324.96	12,385,308	24,445,692	\$48,442.07
6/30/2011	38,314,000	\$77,317.85	17,242,203	21,071,797	\$41,722.16
9/30/2011	36,958,000	\$74,581.24	18,888,009	18,069,991	\$36,212.20
12/31/2011	34,206,000	\$73,083.97	16,056,452	18,149,548	\$35,936.11