

MINUTES OF THE MINE HILL TOWNSHIP COUNCIL  
REGULAR MEETING – FEBRUARY 16, 2012

Township Council President Kristine Kanzenbach called the regular meeting of the Mine Hill Township Council to order at 7:34 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. Willis  
Absent – Mr. Pepperman  
Also Present – Mr. Morris, Mayor; Mr. Thompson, Township Administrator; Mr. Bucco,  
Township Attorney (came in at 7:40); Ms. Macchia, Township Clerk  
Public Present – 7

**COMMUNICATIONS AND PETITIONS**

Ms. Kanzenbach listed the following items of communication:

- a. from the Morris County Freeholders: April 25<sup>th</sup> Freeholder Meeting to be held at Mine Hill Town Hall
- b. from the Morris County Freeholders: Invitation to Transportation Meeting – February 21, 2012
- c. from the Township of Roxbury: Notice of Master Plan Public Hearing – February 15, 2012
- d. from the Health Department: Year End Report

**CONSIDERATION AND APPROVAL OF VOUCHERS**

**Bill List**

Following brief discussion, a motion was made by Mr. Coranato and seconded by Mr. Bloom to approve the bills list. The roll was called and the bills list was approved by the following vote:

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

Nays: none

Absent: Mr. Pepperman

Abstentions: none

Mr. Bucco arrived at this time.

**ADMINISTRATIVE AGENDA**

Mr. Thompson reported that the Township's litigation with Mr. Benkendorf has been settled. Mr. Thompson also reported that the Department of Public Works has identified and repaired two significant water leaks. It was noted that Mr. Thompson is researching more cost effective alternatives for telephone and electricity for Town Hall.

**ORDINANCES – Public Hearing and Adoption**

**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 made by Ms. Kanzenbach, seconded by Mr. Bloom, and approved by a voice vote to open the public hearing on this ordinance.

Ms. Kanzenbach explained the ordinance to the public. Mr. Coranato asked to have purchasing clarified; Mr. Morris explained that all purchasing would be handled through the Municipal Finance Office.

Representatives from the beach committee asked what this would do to the process of purchasing supplies for the beach. Mr. Morris responded that the CFO would set up vendors with permissions and could then authorize one person from the beach committee to buy the necessary perishables as needed. This will prevent multiple purchases to reduce or eliminate waste. The beach committee will have to inform the CFO of their needs, and the CFO will either obtain the items for them or authorize the purchases.

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

A motion was made by Ms. Kanzenbach and seconded by Mr. Bloom 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. Willis

Nays: none

Absent: Mr. Pepperman

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

Ms. Kanzenbach explained the typographical error in the introduced ordinance.

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. Bloom 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. Willis
- Nays: none
- Absent: Mr. Pepperman
- Abstentions: none

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:

Name of Street	Side	Location
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.

**ADMINISTRATIVE AGENDA**

Mr. Morris reported that a full day budget workshop was conducted with the auditor, the CFO, the Township Administrator and the Clerk, and was attended by Ms. Kanzenbach and Mr. Bloom. This workshop concentrated on expenses.

Mr. Morris also reported that a meeting was held with RJR Solutions pertaining to the design of the Township’s new website. Progress on website development will be presented to the Council as it becomes available. Mr. Morris added that he is in the process of obtaining proposals for IT infrastructure within Town Hall. \$10,000 has been placed in the budget for this project. Quotes for a new telephone system are also being obtained.

Mr. Morris and Mr. Bucco added that the next meeting would include updates and discussion pertaining to the affordable housing trust fund. Mr. Morris also noted that he and Mr. Thompson will be meeting with a mining engineer to discuss plans for reclaiming some of the land in the area of the mine behind the recreation fields.

**REPORTS OF STANDING AND SPECIAL COMMITTEES**

**School Board Committee**

Mr. Bloom reported that the primary focus of the last meeting was the audit report and corrective action plan. The audit identified several problems that need to be addressed.

Mr. Morris noted that he met with Superintendent Dennis Mack to review the audit. Mr. Mack inherited bad practices from prior administration and reassured Mr. Morris that he and the auditors are working on improving practices so that problems cannot be repeated.

**Recreation Committee**

Ms. Kanzenbach provided upcoming event dates for public information.

**Fire Department / First Aid Squad Committee**

Ms. Kanzenbach noted that the First Aid dinner will be held on February 25<sup>th</sup> and the Fire Department dinner will be March 10<sup>th</sup>.

**Police**

No report.

**OPEN TO THE PUBLIC**

None at this time.

**INTRODUCTION OF ORDINANCES**

**Ordinance 06-12 – An Ordinance of the Township of Mine Hill, in the County of Morris, State of New Jersey Amending Ordinance No. 02-12 Fixing the Salary and Wage Ranges of Certain Officials and Employees**

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

Mr. Bucco noted that there is a typographical error in the document presented: the purchasing manager will be earning a stipend, not a salary. That change will be made in publication and the ordinance can be adopted to read that way at the next meeting.

Seeing no discussion from the Township 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. Willis

Nays: none

Absent: Mr. Pepperman

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 March 1, 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, NEW JERSEY AS FOLLOWS:**

Section 1. Ordinance No. 02-12 Fixing the Salary and Wage Ranges of Certain Officials and Employees to establish a range for a stipend for the position of Purchasing Manager is hereby amended in the following particulars only:

<u>Title</u>	<u>Salary Range</u>
Purchasing Manager	\$2,000 - \$6,000 (stipend)

Section 2. All ranges of salaries or compensation herein above fixed shall be effective January 1, 2012. When an hourly rate is stated, payment shall be made on the basis of properly approved time sheets. All salaries shall be payable bi-weekly except for Council members, the Emergency Management Coordinator and the Elevator Subcode Official, who shall be paid quarterly.

Section 3. All Ordinances inconsistent with the Ordinance are hereby repealed.

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 025-12 Approval of Employee Salaries**

Mr. Morris explained that this resolution reflects a 2.5% increase in the salaries of non-union employees. With Mr. Thompson earning significantly less than the prior Administrator and other adjustments, this resolution actually reflects a decrease in the salary line of \$81,000.00.

Mr. Morris noted that a lot of cross training has occurred in the last several weeks and production is much higher. There is no raise included for part time employees, and all positions have been benchmarked against other towns.

Discussion followed. It was noted that the upcoming pension and benefits phase in required by the State significantly impacts the employees' take home pay. Mr. Willis suggested a salary increase of 2%. Mr. Bloom argued in favor of 2.5% noting that employees have stepped up to new challenges presented in the last several weeks.

A motion was made by Mr. Bloom and seconded by Ms. Kanzenbach to introduce the resolution as presented.

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

Ayes: Mr. Bloom; Ms. Kanzenbach

Nays: Mr. Coranato; Mr. Willis

Absent: Mr. Pepperman;

Abstentions: none

Resolutions for both 2% and 2.5% increases will be presented at the next meeting for further discussion with the full Council present.

BE IT RESOLVED by the Mine Hill Township Council as follows:

Section 1: The salaries and wages of the following employees of the Township of Mine Hill for the Calendar Year 2012 shall be and are hereby fixed as follows:

<b>Title</b>	<b>Name</b>	<b>2012 Salary</b>
Administrator - Part-time	Albert R. Thompson	\$38,000.00
Township Clerk	Amanda Macchia	\$40,000.00
Administrative Clerk	Mary Williams	\$28,928.00
Secretary/Board of Adjustment	Mary Williams	\$2,000.00
Recording Clerk/Planning Board	Mary Williams	\$2,000.00
Admin Clerk/Planning Board	Mary Williams	\$2,000.00
Deputy Registrar of Vital Statistics	Mary Williams	\$562.00
Construction Secretary	Mary Williams	\$7,360.00
Chief Financial Officer	Janice Congleton	\$14,009.70
Treasurer	Janice Congleton	\$35,024.25
Human Resource Director	Janice Congleton	\$2,000.00
Tax Assessor	Joseph Ferraris	\$20,724.00
Tax Collector	Judy O'Brien	\$26,137.50
Part-time Clerical	Fran Fritschie	\$15.50 per hour
Part-time Building Subcode Official	Sean Donlon	\$6,000.00
Part-time Plumbing Subcode Official	Ed Bucciari	\$11,500.36
Part-time Electrical Subcode Official	Joseph Bevacqua	\$10,872.64
Part-time Fire Subcode Official	Billy Donnerstag	\$4,000.00
Part-time Construction Official	Sean Donlon	\$6,000.00
Part-time Building Inspector	Billy Donnerstag	\$4,000.00
Part-time Building Subcode Official	Sean Donlon	\$5,520.74
Construction Technical Assistant- Part-time	Albert R. Thompson	\$36,000.00
Zoning Officer- Part-time	Albert R. Thompson	\$10,000.00
Uniform Fire Inspector	Philip Wilk	\$5,613.36
Uniform Fire Inspector	Philip Wilk	\$ 20.00 per hour
Uniform Fire Inspector	Roger Gulley	\$ 20.00 per hour
Uniform Fire Inspector	Ken Thompson	\$ 20.00 per hour
Smoke Detector Inspector	Philip Wilk	\$ 30.00 per insp.
Smoke Detector Inspector	Ray Stromberg	\$ 30.00 per insp.

Emergency Mgmt Coordinator	Philip Wilk	\$2,505.94
Secretary/Recreation Commission	Fran Fritschie	\$15.50 per hour
Bus/Van Drivers	Jovana DiGilio	\$18.31 per hour
Crossing Guards	Debra Malson	\$18.72 per hour
<b>Division of Water:</b>		
Administrator	Albert R. Thompson	\$2,150.00
Licensed Water Operator	Mark Ferraro	\$4,788.01
Water Collector	Judy O'Brien	\$15,682.50
Water Secretary	Judy O'Brien	\$5,000.00
Water Treasurer	Janice Congleton	\$14,009.70
<b>Division of Sewer:</b>		
Sewer Administrator	Albert R. Thompson	\$2,150.00
Sewer Allocation Officer	Albert R. Thompson	\$2,000.00
Sewer Collector	Judy O'Brien	\$5,227.50
Sewer Treasurer	Janice Congleton	\$3,502.43
<b>Special District Division:</b>		
Special District Administrator	Albert R. Thompson	\$4,200.00
Special District Secretary	Amanda Macchia	\$12,000.00
Special District Treasurer	Janice Congleton	\$3,502.43

Department of Public Works Personnel (Foreman, Operator, Laborer, and maintenance shall be compensated in accordance with the contract negotiated and in effect between the Township of Mine Hill and the International Brotherhood of Teamsters Local # 102.

Section 2: All salaries or compensation herein above fixed are annual rates and shall be effective January 1, 2012 unless otherwise stated. When an hourly rate is stated, payment shall be made on the basis of properly approved time sheets. All salaries shall be payable bi-weekly except for Council Members, who are paid quarterly, and Water Operator, Emergency Management Coordinator and Fire Official who are paid monthly.

Section 3: This Resolution shall take effect immediately after passage.

**Resolution 026-12 Authorizing Award of Solid Waste Materials Collection Contract**

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

Mr. Bucco noted that Blue Diamond Disposal was the lowest responsive and responsible bidder.

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. Willis

Nays: none

Absent: Mr. Pepperman

Abstentions: none

WHEREAS, the Township of Mine Hill solicited bids for solid waste materials collection services; and

WHEREAS, the Township Clerk on February 9, 2012, received bids for the furnishing of said services; and

WHEREAS, Blue Diamond Disposal, Inc. submitted the lowest responsible and responsive bid pursuant to the Notice to Bidders for the above-referenced contract; and

WHEREAS, the Township Council wishes to award the solid waste materials collection services contract to Blue Diamond Disposal, Inc. in accordance with its Bid Proposal including Option Nos. 1 and 2 for a term of 3 years; and

WHEREAS, the Chief Financial Officer of the Township of Mine Hill has certified that funds are available for this purpose.

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. A contract for solid waste materials collection services is hereby awarded to in Blue Diamond Disposal, Inc. in accordance with its Bid Proposal, including Option Nos. 1 and 2, for a term of 3 years for the lump sum price of \$747,000 for Option 1 and \$72,000 for Option 2.

2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Blue Diamond Disposal, Inc. in accordance with its Bid Proposal dated February 9, 2012.
3. This Resolution shall take effect immediately.

**Resolution 027-12 Authorizing the Appointment of a Professional Risk Management Consultant**

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

Mr. Morris explained that this appointment does not present any new costs to the Township; it is a service that the Township has been billed for through the Joint Insurance Fund already.

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. Willis

Nays: none

Absent: Mr. Pepperman

Abstentions: none

WHEREAS, there exists a need for professional risk management consulting services in the Township of Mine Hill; and

WHEREAS, said services are of such a specialized and qualitative nature that it renders competitive bidding impractical; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., particularly N.J.S.A. 40A:11-5(1)(m) specifically provides that insurance, including insurance consultant services, is not subject to the requirements of public bidding; and

WHEREAS, the Township of Mine Hill wishes to appoint Fairview Insurance Agency Associates, Inc. as the Township's Risk Management Consultant; and

WHEREAS, the maximum amount of the Risk Management Consultant's contract is six percent (6%) of the annual assessment paid by the Joint Insurance Fund; and

WHEREAS, the Chief Financial Officer of the Township of Mine Hill has certified as to the availability of funds for this purpose.

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 Mayor and Township Clerk are hereby authorized and directed to execute a contract with Fairview Insurance Agency Associates, Inc., 25 Fairview Avenue, Verona, New Jersey, 07044, for professional risk management consulting services, which contract is on file in the office of the Township Clerk.
2. This contract is awarded without competitive bidding in accordance with the specific exemption for such services found in N.J.S.A. 40A:11-5(1)(m) of the Local Public Contracts Law, and because the services to be provided are extremely specialized in nature and require a degree of expertise, training and experience in the insurance industry. Additionally, the services to be provided are by their nature qualitative, and thus not susceptible of being described by written specifications.
3. A notice of this action shall be printed once in the Township's official newspaper as required by law.

**NEW AND OLD BUSINESS**

**Discussion of Revisions to Water Ordinance**

Mr. Morris noted upcoming changes to the Water Ordinance. The current ordinance does not address modern needs and does not include any fines for tampering with water meters.

**Discussion of Mine Hill Beach 2011 Revenues and Expenses**

Mr. Morris reported that the financial losses related to the Mine Hill Beach over the last several years were actually substantially greater than originally reported. In a meeting with the beach committee as well as the CFO and Administrator, it was noted that the Township may never break even on the beach, but that the losses need to be budgeted for. Changes will be made to beach practices in hopes of losing less money going forward.

**Discussion of Mayor's Proposal for New Community Committee**

Mr. Morris discussed plans to institute a committee to assist with social services and community oriented events. More information will be presented at the next meeting.

**OPEN TO THE PUBLIC AND COUNCIL COMMENTS**

Richard Leary, West Randolph Avenue

Mr. Leary asked what was included in the beach losses. CFO Janice Congleton provided a detailed spreadsheet of expenses and revenues.

**ADJOURNMENT**

There being no further business, a motion was made by Mr. Coranato and seconded by Ms. Kanzenbach to adjourn the meeting at 8:58 pm. The motion was approved by a voice vote.

Respectfully Submitted,

Amanda G. Macchia, RMC  
Mine Hill Municipal Clerk

Approved on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

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Council President