

MINUTES OF THE MINE HILL TOWNSHIP COUNCIL  
REGULAR MEETING – APRIL 5, 2012

Township Council President Kristine Kanzenbach called the regular meeting of the Mine Hill Township Council to order at 7:00 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; Ms. Macchia, Township Clerk; Janice Congleton, Township CFO  
Public Present – 6

**CLOSED SESSION**

A motion was made by Mr. Bloom, seconded by Mr. Coranato, and approved by a vote of all ayes to approve a resolution to enter closed session for the purposes of discussing a matter of litigation and a personnel matter.

Upon the conclusion of closed session discussion, a motion was made by Ms. Kanzenbach, seconded by Mr. Coranato, and approved by a voice vote to return to open session.

**COMMUNICATIONS AND PETITIONS**

Ms. Kanzenbach listed the following items of communication:

- a. Morris County Freeholders re: Draft Sewer Service Area Map
- b. Town of Dover re: Notice of Land Use Ordinances
- c. Township of Roxbury re: Notice of Resolution Supporting Employment Initiative Program

**APPROVAL OF MINUTES**

A motion was made by Mr. Coranato and seconded by Ms. Kanzenbach to approve the following minutes:

- a. Open Session of December 20, 2011

The motion was approved by a voice vote with Mr. Bloom and Mr. Willis abstaining.

A motion was made by Mr. Coranato and seconded by Mr. Bloom to approve the following minutes:

- a. Open Session of January 1, 2012

The motion was approved by a voice vote with Mr. Willis abstaining.

A motion was made by Mr. Coranato and seconded by Mr. Bloom to approve the following minutes:

- a. Open Session of January 5, 2012
- b. Open Session of January 19, 2012
- c. Open Session of February 2, 2012

The motion was approved by a voice vote.

**INTRODUCTION OF MUNICIPAL BUDGET**

Mr. Morris presented the following slides to assist in an explanation of the 2012 municipal budget:

**Mine Hill Township  
2012 Municipal Budget  
Presentation**

Presented by Mayor Sam Morris  
Administrator Al Thompson  
CFO Janice Congleton

**Budget Process**

A lot of time has been spent on making our budget accurate and making it reflect the true costs of the municipalities expenditures. Departmental accuracy and transparency has been restored in this budget.

We used a zero-based approach in formulating this budget.

NO additional debt has been incurred to fund this budget and meet the needs of the various entities it affects.

### The town's financial status.

*This is what we inherited.*

Municipal Surplus: \$482,777.00

Municipal Debt: \$3,518,611.00

Sewer Utility Debt: \$1,848,248

Water Utility Debt: \$93,000

(\$375,000 to be added in 2012)

**Total Debt: \$5,459,859.00**

**Total Debt excluding sewer utility:**

**\$3,611,611.00**

### 2012 Budget Changes

#### Major Increases:

Police services contract + \$72,117.00\*

5.25% compound increase

Municipal Debt payments + \$77,692.00\*

Health Insurance + 34,348.00\*

Regeneration of Surplus +50,767.00

**Total Structural increases: \$234,867.00**

Total new expenditures: \$291,161.00

\*contractual

### 2012 Budget Changes

#### Major Decreases:

Township Salaries: -\$81,000

Auditing Services: -\$34,000

First Aid Squad Insurance: -\$7,500

Water Repairs: -\$45,000 (50k)

Capital equipment *not purchased* -\$80k

DPW overtime: -\$23,975

DPW O & E: -\$16,500

Total Decreases: \$147,845.00

### Tax increase 2012

For 2012, Mine Hill residents are facing a **tax increase on the municipal budget of \$7.41 per month**, on the average assessed home of \$278,517.

\$83.00 average assessed house

\$72.00 of that from police contract

\$11.00 from municipal needs

We **were** facing a tax increase of \$18.23 per month just on the Municipal side when I came in as your new Mayor in January. We made cuts to the budget and will be receiving additional revenues that are helping us minimize the increase and keep it to \$7.41.

Total Budget increases: \$291,000.00

Total of Tax increase: \$126,498.00

*If not for the police contract and debt payment increases, we could lower taxes.*

### New policy additions:

IT/Website/Swiftreach: \$16,400

Director of Community Programs: \$18,000

Mining Engineering: \$3,700

Miscellaneous DPW \$35,000 (kubota tractor/mower, DPW yard fencing, field maintenance, beach posts and fencing, building repairs, etc.)

2.5% raise for municipal staff = \$1,800.00

### Our water problem.

*Our water utility is bankrupt.*

We spent \$174,000.00 on "lost" water in 2011.

81,000,000 gallons of water was lost through leaks and inaccurate metering.

We are spending approximately \$375,000.00 on new meters in 2012.

Using bond anticipation notes as funding, this should be paid off by mid-2015 completely.

### Our sewer utility problem.

*Our sewer utility is bankrupt.*

\$54,000 in surplus was used in 2010 & 2011 to balance.

*In 2004, the utility had \$314,000 in surplus.*

*For 2012, if we do nothing, it stands to lose about \$35,000.*

*Sewer rates have to go up to balance out the utility. They will have to go up about \$10/month.*

### Fire Department Funding

Historically the fire department has been funded with a combination of tax dollars and debt.

**We are incurring NO debt in this year's funding of the FD.**

Funding: \$57,782 for Operating Expenses  
\$17,220.00 for Capital Expenses

Sources: Taxes, unexpended capital ordinances and residual money from roof funding.

### School Budget

The school budget is increasing \$10.43 per month.

As you know, the school and municipal budgets are separate. The town is not in control of the school's budget and spending. If you have questions about the school's budget, you can call 973-366-0590, ext. 3.

**Potential Projects for 2012.**  
We are recommending to put a new roof on the Firehouse. The estimated costs should be around \$60,000. We are concerned much of the underlayment (wood) will need replaced. This could run up the costs some from the original quotes in 2009 of \$45,000.00.

We are focused on installing a generator @ the civic center to create a warming center and shelter in case of power outages. This will cost approximately \$30,000.00.

We are considering siding the Civic Center at a cost of \$15,000 - \$20,000.

“On a rating of 1 to 10 your budget would be closer to a 9.5 because in this State success is defined by sustainability. Can the town sustain budgeted revenues and appropriations from year to year without using financing tricks? Most towns are using increasing amounts of surplus to balance the budget, or using other non-renewable revenue sources. This budget is sustainable and stable because it doesn’t use any financing tricks and uses reasonable assumptions in it’s regeneration of surplus and other revenue sources.”

-Anthony Ardito  
Ardito & Company

The following resolutions associated with the introduction of the municipal budget were introduced by motion made by Mr. Bloom and seconded by Mr. Coranato. The roll was called, and the resolutions were approved by the following vote:

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

**Resolution 039a-12 – Introduction of Municipal Budget – Delay of Introduction**

WHEREAS, under provisions of N.J.S.A.40A:4-5, a municipality shall introduce the Local Municipal Budget no later than March 9th of the fiscal year; and,

WHEREAS, the Township of Mine Hill has delayed the introduction of the 2012 Municipal Budget past the statutory deadline; and,

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Mine Hill, Morris County, New Jersey, that the Township of Mine Hill hereby petitions the Director of the Division of Local Government Services to allow a delayed introduction of the 2012 Mine Hill Township Municipal Budget; and,

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to the Director of the Division of Local Government Services, 101 South Broad Street, P.O. Box 803, Trenton, New Jersey 08625-0803.

**Resolution 039b-12 – Introduction of Municipal Budget – Anticipated Grant Revenue**

WHEREAS, the 2012 Local Municipal Budget was introduced on the 5<sup>th</sup> day of April, 2012; and,

WHEREAS, during the fiscal year 2012 the Township of Mine Hill has been allocated a state grant for various programs in the amount of \$8,610.

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, that petition be made herewith to the Director of the Division of Local Government Services that the 2012 Local Municipal Budget include a special item of revenue under the heading of "Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services-Public and Private Revenues Offset with Appropriations:"

Clean Communities Program-2012	\$ 6,335.00
Recycling Tonnage Grant-PY Unappropriated	<u>2,275.00</u>
	<u>\$ 8,610.00</u>

**Resolution 039c-12 – Introduction of Municipal Budget – Anticipated Special Revenue**

WHEREAS, the 2012 Local Municipal Budget was introduced on the 5<sup>th</sup> day of April, 2012; and,

WHEREAS, during fiscal year 2012, the Township of Mine Hill will receive revenue for various other special items in the amount of \$199,853.

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, that petition be made herewith to the Director of the Division of Local Government Services that the 2012 Local Municipal Budget include a special item of revenue under the heading of "Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services-Other Special Items:

Utility Operating Surplus – Special District	\$ 50,000.00
Capital Fund Balance	8,000.00
Cable TV Franchise Fees	33,323.00

Cell Tower Leases	90,500.00
Verizon Franchise Fees	10,030.00
Fire Safety Fees	<u>8,000.00</u>
	<u>\$199,853.00</u>

**Resolution 039d-12 – Introduction of Municipal Budget – Budget Summary**

WHEREAS, the Township of Mine Hill is holding a meeting on April 5, 2012, for the purpose of introducing the 2012 Municipal Budget and conducting other matters; and,

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, that the Township of Mine Hill hereby petitions the Director of the Division of Local Government Services that the 2012 Local Municipal Budget be introduced and approved on first reading on April 5, 2012.

**2012 MINE HILL TOWNSHIP MUNICIPAL BUDGET**

Surplus anticipated general revenues	\$ 270,000.00
Total Miscellaneous revenue	709,036.00
Receipts from Delinquent Taxes	253,770.00
Local Property Taxes	<u>3,162,853.00</u>
Total General Revenues	\$ <u>4,395,659.00</u>
Salaries & Wages	\$ 562,950.00
Other Expenses	2,656,503.00
Capital Improvements	6,000.00
Debt Service	613,247.00
Statutory Expenditures	140,007.00
Reserve for Delinquent Taxes	<u>416,952.00</u>
Total 2012 Municipal Budget	\$ <u>4,394,659.00</u>
2012 Municipal Tax Rate	\$0.72167

**2012 MINE HILL TOWNSHIP MUNICIPAL WATER UTILITY BUDGET**

Surplus anticipated general revenues	\$ 68,375.40
Water Rents	519,108.00
Connection Fees	4,000.00
Total Miscellaneous revenue	<u>5,000.00</u>
Total General Revenues	\$ <u>596,483.40</u>
Salaries and Wages	\$ 79,800.00
Other Expense	349,845.00
Capital Improvement	26,000.00
Debt Service	95,306.00
Statutory and Deferred Charges	<u>45,532.40</u>
Total 2012 Municipal Budget	\$ <u>596,483.40</u>

**2012 MINE HILL TOWNSHIP MUNICIPAL SEWER UTILITY BUDGET**

Surplus Anticipated	\$ 10,000.00
User Fees and Charges	300,130.00
User Fees New Connections	29,000.00
NJ Environmental Savings Credit	28,760.00
Total Miscellaneous revenue	<u>67,716.00</u>
Total General Revenues	\$ <u>435,606.00</u>
Salaries and Wages	\$ 23,100.00
Other Expense	141,216.00
Debt Service	262,790.00
Statutory and Deferred Charges	<u>8,500.00</u>
Total 2012 Municipal Budget	\$ <u>435,606.00</u>

**2012 MINE HILL TOWNSHIP SOLID WASTE BUDGET**

Surplus anticipated general revenues	\$ 50,000.00
Amount Raised By Taxation	<u>377,000.00</u>
Total General Revenues	\$ <u>427,000.00</u>
Salaries and Wages	\$ 30,200.00
Other Expense	20,850.00
Contractual Services	322,950.00
Appropriation-Surplus General Budget	50,000.00

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Statutory and Deferred Charges	<u>3,000.00</u>
Total 2012 Municipal Budget	\$ <u>427,000.00</u>

BE IT FURTHER RESOLVED, that this Budget Resolution be published in the Daily Record in the issue of Wednesday, April 11, 2012.

BE IT FURTHER RESOLVED, that a Public Hearing on the Budget will be held at the Municipal Building on May 3, 2012 at 7:30PM, at which time and place members of the public may be heard in regard to the 2012 Budget.

BE IT FINALLY RESOLVED, that copies of the detailed budget are available in the office of Amanda G. Macchia, Municipal Clerk, at the Municipal Building, 10 Baker Street, Mine Hill, NJ 07803, 973-366-9031, during normal business hours from 9:00AM to 4:30PM.

**Resolution 040-12 – Budget to be Read by Title Only at Public Hearing**

WHEREAS, N.J.S.A. 40A:4-8 provides that the budget be read by title only at the time of public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing a complete copy of the approved budget as advertised has been posted in the Municipal Building, the local public library, and copies have been made available by the Clerk to persons requesting them; and

WHEREAS, these conditions will be met.

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 that the budget shall be read by title only at the public hearing on May 3, 2012.

**PUBLIC HEARING ON ORDINANCES PREVIOUSLY INTRODUCED**

**Ordinance 07-12 Amendment to Beach Fees Ordinance**

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.

Mr. Willis confirmed that there are no “give-backs” on membership if the beach has to close.

Seeing no further discussion, a motion was made by Mr. Bloom, seconded by Mr. Coranato, 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; Mr. Willis; Ms. Kanzenbach
- Nays: none
- Absent: Mr. Pepperman
- Abstentions: none

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

**SECTION 1. Definitions**

For the purposes of this Ordinance, the following definitions shall apply:

Adult: Persons at least 18 years of age.

Child: Persons between 2 and 17 years of age; children under the age of 2 may accompany adults to the beach free of charge.

Family: “Family” consists of parent(s) and minor children (grandparents, grandchildren, aunts, uncles, nieces, nephews, etc. may purchase individual passes as applicable to their age).

Resident: Persons residing within the municipal boundaries of the Township of Mine Hill and the Borough of Wharton

Seniors: Persons age 65 and older

**SECTION 2. The following fees are hereby established for the use of the Municipal Beach in the Township of Mine Hill:**

**BEACH MEMBERSHIP**

	<u>Resident</u>	<u>Non-Resident</u>
Family Membership	\$125.00	\$250.00

Individual Adult Membership	\$ 75.00	\$150.00
Individual Child Membership*	\$ 25.00	\$ 50.00
Senior Membership	\$ 25.00	\$ 50.00

\*Requires the purchase of a Family, Individual Adult or Senior Membership to accompany the Child

**NON-MEMBER DAILY FEES**

	<u>Resident</u>	<u>Non-Resident</u>
Adults	\$ 10.00	\$15.00
Children (Age 13-17 Years)	\$ 5.00	\$10.00
Children (Age 2-12 Years)	\$ 5.00	\$ 5.00
Seniors	\$ 5.00	\$ 5.00

**BOAT REGISTRATION FEES** (all boat fees are per boat for the season; boat fees do not include beach membership)

All Municipal Beach Members:	\$ 25.00
Resident Non-Members	\$100.00
Resident Senior Non-Members	\$ 50.00
Non-Resident/Non-Members	\$175.00
Non-Resident Senior Non-Members	\$ 75.00

**SECTION 3. Promotional Days**

There are allowed to be up to three no fee promotional days at the discretion of the Beach Committee to encourage membership.

**SECTION 4. Beach Rules**

All persons utilizing the beach, members and non-members, will be subject to the “Beach Rules” as established and amended from time to time by the Township Council with the advice of the Beach Committee. Said rules shall be posted at the beach and made available to the public through the Municipal Clerk’s office.

**SECTION 5. Boating Rules**

Upon payment of the Boat Registration Fee, each Boat Applicant shall read and sign a copy of the “Boating Rules”. One signed copy of the Rules shall be given to the applicant, and another shall be filed with the Municipal Clerk. No Boat Registration Permit shall be issued until a signed copy of the “Boating Rules” has been filed.

**SECTION 6.** 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 7.** 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 8.** This ordinance shall take effect 20 days after final passage and approval by the Mayor and upon publication in the manner provided by law.

**CONSIDERATION AND APPROVAL OF VOUCHERS**

**Bill List**

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

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

**ADMINISTRATIVE AGENDA**

**Administrator**

Mr. Thompson reported that he has been tracking how much time DPW has been assigning to various tasks so that payroll can be charged to those areas accordingly.

Mr. Thompson thanked Mr. Benkendorf for use of his equipment and volunteering his time to assist in the improvement of the recreation fields.

**Mayor**

Mr. Morris thanked Ms. Congleton for her assistance in the preparation of the municipal budget.

Mr. Morris thanked DPW for sprucing up Town Hall before Congressman Lance's visit. The Congressman toured the area in hopes that he will be able to assist in assigning Federal mine remediation funds to the Township.

Mr. Morris reported that he is working on an agreement with Roxbury to use their municipal engineer as our water operator.

**REPORTS OF STANDING AND SPECIAL COMMITTEES****School Board Committee**

Mr. Coranato reported that the school's record keeping has improved and is up to date. They are hiring a part time IT person to make improvements.

**Recreation Committee**

No report.

**Fire Department / First Aid Squad Committee**

No report.

**Police**

No report.

**Open Space**

Mr. Bloom reported that Open Space will be meeting next week.

**Planning/Zoning**

Mr. Willis reported that Planning Board is reviewing the codification of the land use ordinance.

**OPEN TO THE PUBLIC**

None at this time.

**INTRODUCTION OF ORDINANCES****Ordinance 08-12 Establishment of a Handicapped Parking Ordinance**

A motion was made by Mr. Bloom and seconded by Mr. Coranato to introduce the ordinance. The roll was called and the ordinance was introduced by the following vote:

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

Nays: none

Absent: Mr. Pepperman

Abstentions: none

Ms. Kanzenbach announced that the public hearing on this ordinance would be at the next regular meeting, April 19, 2012, at 7:30pm.

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 10, "Vehicles and Traffic", of the Revised General Ordinances of the Township of Mine Hill, Chapter 10.24 "Parking", shall be amended to include the following additional subsections:

10.24.070 Handicapped Parking in Municipal Parking Lots, Municipal Parks, and Board of Education Property

In accordance with the provisions of N.J.S.A. 39:4-1, 39:5A-4 & 39:4-197 the following off street parking yards and Board of Education property are designated as Handicapped Parking areas. Such spaces are for use by persons who have been issued special identification cards, plates or placards issued by the Division of Motor Vehicles, or a temporary placard issued by the Chief of Police. No other person shall be permitted to park in these areas.

<u>Property</u>	<u>Number of Spaces</u>	<u>Location</u>
10 Baker Street	2	To the right of Town Hall as viewed from Baker Street
12 Baker Street	3	Immediately in front of the front door of the Civic Center

42 Canfield Avenue

2

In front of Gymnasium Entrance to Canfield  
Avenue School

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.

**Ordinance 09-12 Amending Salary Ordinance**

A motion was made by Mr. Bloom and seconded by Mr. Willis to introduce the ordinance. The roll was called and the ordinance was introduced by the following vote:

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

Nays: none

Absent: Mr. Pepperman

Abstentions: none

Ms. Kanzenbach announced that the public hearing on this ordinance would be at the next regular meeting, April 19, 2012, at 7:30pm.

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 the position of Director of Community Programs is hereby amended in the following particulars only:

<u>Title</u>	<u>Salary Range</u>
Director of Community Programs	\$ 18,000 – \$ 26,000

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.

**Ordinance 10-12 Amending Sewer Rates Ordinance**

A motion was made by Mr. Willis and seconded by Mr. Bloom to introduce the ordinance. The roll was called and the ordinance was introduced by the following vote:

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

Nays: none

Absent: Mr. Pepperman

Abstentions: none

Ms. Kanzenbach announced that the public hearing on this ordinance would be at the next regular meeting, April 19, 2012, at 7:30pm.

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

SECTION 1. Chapter 13.16, Section 13.16.050, entitled “Sewer Fee Schedule”, shall be re-titled “Sewer Connection Fee Schedule” and amended to read in its entirety as follows:

3.16.050 Sewer Connection Fee Schedule

- A. The public sewer connection application and permit fee shall be seventy-five dollars (\$75.00).
- B. The Sewer connection fee per unit shall be \$5,990. The connection fee shall be calculated yearly and approved by council by ordinance.

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- C. The tapping fee to existing mains shall be as follows:
1. Township roads, greater of \$3,000 or actual cost of construction
  2. County roads, greater of \$4,000 or actual cost of construction
  3. Router 46, greater of \$5,000 or actual cost of construction

D. There shall be a fee of one thousand eight hundred (\$1,800.00) dollars per service unit from the extended main for the extension of new mains by a developer under agreement with Mine Hill Township.

SECTION 2. Chapter 13.16, Section 13.16.060, entitled “Service Charges”, shall be amended by the following amendment to subsection F which shall read, in its entirety, as follows:

- F. The annual sewer charge shall be determined as follows:  
Number of EDU X \$840.

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 5. 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 6. This Ordinance shall take effect on May 10<sup>th</sup>, 2012 following final passage, approval and publication as required by law.

**Ordinance 11-12 Amending Water Rates Ordinance**

A motion was made by Mr. Bloom and seconded by Mr. Willis to introduce the ordinance. The roll was called and the ordinance was introduced by the following vote:

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

Ms. Kanzenbach announced that the public hearing on this ordinance would be at the next regular meeting, April 19, 2012, at 7:30pm.

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

SECTION 1. Chapter 13.04, Section 13.04.040, entitled “Services Generally”, Paragraph F, is hereby amended to read in its entirety as follows:

F. Water service connection fees and other fees shall be paid by the owner of each property applying for township water services prior to the connection to the system as follows:

1. Connections for new services of the township installed water line:
 

Size of Line	Charge
¾ inch	\$1,956
1inch	\$1,986
1½ inch	\$2,016
2. Connections for units in a subdivision or units in a townhouse development which are connected to the water system by a developer who installs all the water lines in the development:
 

Size of Line	Charge
¾ inch	\$978
1inch	\$1,008
1½ inch	\$1,038
3. For services larger than 1 ½ inches, the water department shall determine the service connection fee to be charged based upon the costs to the township in making such connection.

SECTION 2. Chapter 13.04, Section 13.04.050, entitled “Services-Water Department Side”, is hereby amended by the following amendment to Paragraph C which shall read, in its entirety, as follows:

C. No person may operate the curb shut off at any time except agents of the water department or with the written consent of said agent.

SECTION 3. Chapter 13.04, Section 13.04.060, entitled “Services-Owner’s Side”, shall be amended by the following amendment to Paragraph E which shall read, in its entirety, as follows:

E. The owner shall be responsible for the maintenance of service line from the property line to the meter to the interior of the building, and shall keep the same in good repair and protect it from damage due to frost or other cause. All leaks in the service lines shall be reported promptly to the water department and repaired by the owner. The owner shall be liable for water escaping from such leaks at a charge of \$250.00 per day from the date said leak is discovered. If the leak persists for more than 10 (ten) consecutive days, the charge will be increased to \$1,000.00 per day. If leak is repaired in three (3) days or less, any charge shall be waived.

SECTION 4. Chapter 13.04, Section 13.04.070, entitled “Meters and Metering” , shall be amended by the following amendments to subsections C through F and Subsection O which shall be amended to read in their entirety as follows and by the repeal of Subsections G, H, and L:

- C. Meters 1 ½ inches and smaller shall be paid for by the owner and installed by the water department at the same cost as to the Township.
- D. Meters two inches and larger shall be of a make and model designated by the water department, purchases by and installed by the owner.
- E. Meter settings shall be prepared by the owner as follows: five-eighths inch through one inch meters shall require a meter yoke installed by the owner and purchased from the water department at same cost as to the Township.
- F. All meters shall be provided with remote radio devices. Homeowners must allow water department personnel access to the meter, with reasonable notice, during the normal business day. Any homeowner denying access to said meter will be charged \$250.00 per day, from date of notification. This charge will be waived if access is granted within three (3) business days.
- O. When an appointment is not kept by the homeowner and a repeat visit is necessitated there will be a fifty dollar charge per additional visit. If there is a meter reading discrepancy caused by this office there will be no charge. However, if the meter is correct there will be a fifty dollar charge for revisiting to read the meter.

SECTION 5. Chapter 13.04, Section 13.04.080, entitled “Meter Tests”, shall be amended by the following amendment to Subparagraphs C and D which shall read in their entirety as follows:

C. Meter test fees are as follows:

Meter Size	Charge
5/8 inch	\$50.00
3/4 inch	\$50.00
1 inch	\$75.00

Meters larger than one inch at cost but not less than \$100.00

D. If a meter is found to be registering more than two percent fast at any rate of flow, the customer shall be entitled to an adjustment of his or her bill for the current quarter.

SECTION 6. Chapter 13.04, Section 13.04.090, entitled “Meter Damage or Loss”, shall be amended to be entitled “Meter Damage, Loss or Tampering and Curb Box or Transmission Equipment Tampering” and shall be amended by the following amendment to Subsection C and the addition of new Subsections G, H, and I which shall read in their entirety as follows:

C. Meter repair fees for frozen meters or damaged meters shall be at the same cost as to the Township to replace or repair the meter.

G. Meter tampering is a violation of this Chapter and shall be upon conviction result in a penalty of \$1,000 for the first offense, \$2,500 and up to 5 days in jail for the second offense, and \$5,000 and up to 30 days in jail for the third offense.

H. Tampering with the curb box or transmission equipment of the water meter reading system is a violation and shall be upon conviction liable to a penalty of \$1,000 for the first offense, \$2,500 and up to 5 days in jail for the second offense, and \$5,000 and up to 30 days in jail for the third offense.

I. All plumbers must have prior written approval from the water department to restore water flow to the home. The failure to have written approval is a violation of this Chapter and shall be upon conviction liable to a penalty of \$1,000 for the first offense, \$2,500 and up to 5 days in jail for the second offense, and \$5,000 and up to 30 days in jail for the third offense.

SECTION 7. Chapter 13.04, Chapter 13.04.120, entitled “Miscellaneous Fees” is hereby amended by the following amendment to Paragraphs A and B which shall read in their entirety as follows:

A. Service Line Inspection – Curb Stop to House. The fee for inspection of trenches and pipe on private property shall be fifty dollars per visit.

B. Voluntary Discontinuance of Service.

1. The turn off and on charge for weekdays shall be one hundred (\$100.00) dollars (2 visits).
2. The turn on and off charge after three-thirty p.m. weekdays and all day on holidays and weekends shall be two hundred (\$200.00) dollars (2 visits).

SECTION 8. This ordinance may be renumbered for codification purposes.

SECTION 9. 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 10. 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 11. This Ordinance shall take effect on May 10<sup>th</sup>, 2012 following final passage, approval and publication as required by law.

**Ordinance 12-12 Establishment of Community Committee**

A motion was made by Mr. Coranato and seconded by Mr. Bloom to introduce the ordinance. The roll was called and the ordinance was introduced by the following vote:

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

Nays: none

Absent: Mr. Pepperman

Abstentions: none

Ms. Kanzenbach announced that the public hearing on this ordinance would be at the next regular meeting, April 19, 2012, at 7:30pm.

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 Revised General Ordinances of the Township of Mine Hill are hereby amended by the inclusion of new Chapter 2.113 which shall be entitled “Community Committee” and shall read in its entirety as follows:

**2.113 Community Committee**

**2.113.010 Establishment; composition; terms; organization.**

The Community Committee shall consist of up to eleven (11) voting members to be appointed by the Mayor with the advice and consent of the Council. Two (2) of the eleven (11) members shall be the Mayor and one Council Member. 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 Community Committee shall advise the Administration and Township Council concerning the planning, implementation, and promotion of Social Service Programs and Community Building Programs. It is understood that the Community Committee will act merely in an advisory capacity and shall not have the power to bind the Township in any manner.

**2.113.030 Director of Community Programs.**

The Mayor, with the advice and consent of the Council, may appoint a Director of Community Programs to administer social service and community building programs.

SECTION 2. This Ordinance may be renumbered for codification purposes.

SECTION 3. 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 20 days after final passage and approval by the Mayor and upon publication in the manner provided by law.

**RESOLUTIONS AND MOTIONS**

**Resolution 033-12 – Approve Submission of Historic Preservation Grant Application**

A motion was made by Mr. Coranato and seconded by Mr. Willis to approve the resolution. Seeing no discussion, the roll was called at the resolution was approved by the following vote:

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

WHEREAS, the Morris County Historic Preservation Trust Fund makes funds available to municipalities for the acquisition, stabilization, rehabilitation, restoration or preservation of historic resources; and

WHEREAS, the Township of Mine Hill holds title to the Bridgit Smith House, a c.1855 miners home which is recorded in the National and New Jersey Register of Historic Places; and

WHEREAS, the Ferro Monte Historical Society, which is charged with preserving and maintaining the Bridgit Smith House, has requested that the Township apply for a grant from the Morris County Historic Preservation Trust to fund an updated Historic Preservation Plan; and

WHEREAS, the Mayor and Council have considered this recommendation.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Mine Hill, in the County of Morris and State of New Jersey formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Mine Hill and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**Resolution 034-12 – Approve Purchase of Water Meters under County Co-Op Contract**

A motion was made by Mr. Willis and seconded by Mr. Bloom to approve the resolution. Seeing no discussion, the roll was called at the resolution was approved by the following vote:

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

WHEREAS, the Township of Mine Hill Council joined the Morris County Cooperative Pricing Council for the year 2012; and

WHEREAS, the Township will need to purchase a new water meter system for its Water Utility operations; and

WHEREAS, the Morris County Cooperative Pricing Council Contract #47 lists approved vendors for the purchase of a water meter system and includes Rio Supply, Inc.; and

WHEREAS, Rio Supply, Inc. is able to provide Neptune Meters under the County Cooperative Contract at the following prices:

**Meters:**

SIZE	QUANTY	COST PER	TOTAL
5/8-3/4	1400	200.00	\$280,000.00
1	15	330.00	\$ 4,950.00
1 1/2	1	520.00	\$ 520.00
2"	1	670.00	\$ 670.00
2" Compound	7	2,265.00	\$ 15,855.00

**Equipment:**

Hand Held Reader	1	6,800.00	\$ 6,800.00
Software	1	3,000.00	\$ 3,000.00
Implementation/Training	1	1,000.00	\$ 1,000.00
Drive By Reader 1	0.00	0.00	

Total contract: \$312,795.00 ; and

WHEREAS, the CFO has certified the availability of funds.

THEREFORE, BE IT RESOLVED that the Township of Mine Hill Council approves the purchase of the new water meter system for a total price of \$312,795.00 through the Morris County Cooperative Pricing Council from Rio Supply, Inc.

**Resolution 035-12 – Calling for the Restoration of Energy Taxes**

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

Mr. Morris asked Mr. Bucco to explain this resolution.

Seeing no further discussion, the roll was called at the resolution was approved by the following vote:

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

Nays: none

Absent: Mr. Pepperman

Abstentions: none

WHEREAS, taxes on gas and electric utilities were originally collected by the host municipalities to be used for local purposes and to compensate the public for the use of their rights of way; and

WHEREAS, when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; since, just as municipalities collect property taxes for the benefit of school districts, counties and other entities; the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

WHEREAS, for years, though, State budget makers have diverted funding from Energy Taxes to fund State programs; and instead of being spent on local programs and services and used to offset property taxes, the money has been spent as successive Legislatures and Administrations have seen fit; and

WHEREAS, while the State may need to have the right to over-ride the statutory dedication of these revenues to local governments, in order to deal with emergencies and crises that may occur; current State policy makers should not exercise that right automatically; and

WHEREAS, while that right should be the exception, it has become the rule; and

WHEREAS, by using tactics such as reducing CMPTRA, which is also comprised of revenues that should be returned to municipalities, State Budget makers have been able to continue collecting Energy Taxes, while keeping additional revenue that should have been returned to provide property tax relief; and

WHEREAS, from \$72 million in State Fiscal Year 2005, to \$505 million in State Fiscal Year 2011, the State's diversion of Energy Taxes has continued to grow; and

WHEREAS, in 2008, 2009 and 2010 (SFY 2009, 2010 and 2011), funding for municipal revenue replacement was slashed by about \$26 million in 2008 and \$32 million in 2009, followed by losses of about \$271 million in 2010; and

WHEREAS, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and

WHEREAS, local elected officials are in the best position to decide the best use for these resources, which were always intended to fund local programs and services;

NOW THEFORE BE IT RESOLVED, by the Mayor and Governing Body of the Township of Mine Hill, that we join with the League of Municipalities in calling for the immediate restoration of funding diverted from Energy Taxes intended for local use; and

BE IT FURTHER RESOLVED, that we, respectfully, call on State policy makers to end the diversion of our municipal resources to cover State spending and to provide us with this important tool to relieve the worst-in-the-nation property tax burden borne, for too long, by the people of New Jersey; and

BE IT FINALLY RESOLVED, that copies of this Resolution be forwarded to the Governor of the State of New Jersey, our State Legislators and the League of Municipalities.

**Resolution 036-12 – Salary Resolution – Addition of Purchasing Person**

A motion was made by Mr. Willis and seconded by Mr. Bloom to approve the resolution. Seeing no discussion, the roll was called at the resolution was approved by the following vote:

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

Nays: none

Absent: Mr. Pepperman

Abstentions: none

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:

Title	Name	2012 Salary
Purchasing Manager	Janice Congleton	\$2,000.00 (stipend)

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 037-12 – Approval of Animal Control Services Agreement**

A motion was made by Mr. Coranato and seconded by Mr. Bloom to approve the resolution. Seeing no discussion, the roll was called at the resolution was approved by the following vote:

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

Nays: none

Absent: Mr. Pepperman

Abstentions: none

WHEREAS, the Township of Roxbury has offered to provide the Township of Mine Hill with the services of an Animal Control Officer to provide Mine Hill with animal control services; and

WHEREAS, the Township of Mine Hill wishes to utilize said services; and

WHEREAS, the Township Council of the Township of Mine Hill wishes to enter into a Shared Services Agreement with the Township of Roxbury for the provision of said services.

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 Shared Services Agreement for the services of an Animal Control Officer to provide animal control services to the Township of Mine Hill is hereby approved pursuant to the provisions of the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. Said Agreement is on file in the office of the Township Clerk and may be inspected by the public during normal business hours.
2. The Mayor and Township Clerk are hereby authorized and directed to execute said Shared Services Agreement on behalf of the Township.
3. This Resolution shall take effect immediately.

**Resolution 038-12 – Waiver of Food Handler's License Fee for First Aid Squad Car Show**

A motion was made by Mr. Bloom and seconded by Mr. Willis to approve the resolution. Seeing no discussion, the roll was called at the resolution was approved by the following vote:

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

Nays: none

Absent: Mr. Pepperman

Abstentions: none

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, that the food handler's license fee be and is hereby waived for the temporary food handler's license issued to the Mine Hill Township First Aid Squad for the King of the Hill Car Show scheduled for May 19, 2012, with a rain date of May 20, 2012.

**Resolution 041-12 – Redemption of Third Party Tax Lien – Block 2102, Lot 7**

A motion was made by Mr. Coranato and seconded by Mr. Bloom to approve the resolution. Seeing no discussion, the roll was called at the resolution was approved by the following vote:

MINUTES OF THE MINE HILL TOWNSHIP COUNCIL  
REGULAR MEETING – APRIL 5, 2012

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

Nays: none

Absent: Mr. Pepperman

Abstentions: none

WHEREAS, Tax Sale Certificate #09-32, was sold to Royal Tax Lien Services LLC on June 18, 2009 on Block 2102, Lot 7 known as 146 Hurd Street; and

WHEREAS, the amount required to redeem was received by the Tax Collector on the aforementioned property.

THEREFORE, BE IT RESOLVED, BY THE Mine Hill Township Council, County of Morris, and State of New Jersey, that the Treasurer shall refund \$93,307.87 for redemption of the Certificate to Royal Tax Lien Services LLC. This redemption amount includes the \$26,500.00 premium that was paid at the time of sale and \$66,807.87 for the tax certificate and subsequent payments.

Total \$93,307.87

Royal Tax Lien Services LLC

115 West Avenue, Suite 300

Jenkintown, PA 19046

### **OLD BUSINESS**

#### **Discussion of Dover Joint Court**

Mr. Thompson reported that Dover is pushing the Township to pass a resolution to admit Victory Gardens to the joint court. Financial questions have gone unanswered and the lines of communication have been failing. It was concluded that such a resolution would not be approved without more information from Dover.

#### **Affordable Housing Trust**

Mr. Bucco explained that the Township's affordable housing trust fund would need to be committed, through a contractual obligation, to an affordable housing acquisition by July 17<sup>th</sup> in order to be permitted to keep the funds that were collected. Following brief discussion, it was concluded that Mr. Bucco would meet with the Township Engineer to follow up.

### **OPEN TO THE PUBLIC AND COUNCIL COMMENTS**

Gary Frank, Thomastown Road

Mr. Frank noted that use of the recreation field this spring will not allow it to bounce back following the improvements that were performed. Brief discussion followed regarding permitting use of the fields.

Gary Colucci, Williams Street

Mr. Colucci thanked the Council on behalf of the Ferromonte Historic Society for approving the grant application.

### **CLOSED SESSION**

None at this time.

### **ADJOURNMENT**

There being no further business, a motion was made by Ms. Kanzenbach and seconded by Mr. Coranato to adjourn the meeting at 9:07pm. 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