

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
Absent – Mr. Pepperman; Mr. Willis
Also Present – Mr. Morris, Mayor; Mr. Thompson, Township Administrator; Mr. Bucco,
Township Attorney; Ms. Macchia, Township Clerk
Public Present – 13 including representatives from Habitat for Humanity and New Bridge

RESOLUTIONS AND MOTIONS

Non-Consent

Resolution 054-12 Approval of Raffle License – Mine Hill First Aid Squad

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

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

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

Nays: none

Absent: Mr. Pepperman; Mr. Willis

Abstentions: none

BE IT RESOLVED by the Township Council of the Township of Mine Hill, in the County of Morris and State of New Jersey, that a License be issued to Mine Hill First Aid Squad for an On-Premise Cash Raffle (50/50) to be held on May19, 2012, between 7:00 a.m. and 4:00 p.m.

PRESENTATIONS

Recognition of Residents

Mr. Morris awarded a certificate to Anthony Gangemi for recognition of his recent achievements.

Mr. Willis arrived at this time.

Affordable Housing Presentations

Habitat for Humanity and New Bridge made presentations regarding affordable housing options.

Mr. Pepperman arrived at this time.

COMMUNICATIONS AND PETITIONS

Ms. Kanzenbach listed the following items of communication:

- a. Janice Congleton, CFO re: Financial Reports
- b. Janice Congleton, CFO re: Resignation
- c. County Concrete re: Depletion Report

PUBLIC HEARING ON ORDINANCES PREVIOUSLY INTRODUCED

Ordinance 13-12 Water Meter Bond Ordinance

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

Seeing no discussion, a motion was made by Mr. Bloom, seconded by Mr. Willis and approved by a voice vote to close the public hearing on the ordinance.

A motion was made by Mr. Coranato 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; Mr. Pepperman; Mr. Willis; Ms. Kanzenbach

Nays: none

Absent: none

Abstentions: none

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MINE HILL, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Township of Mine Hill, in the County of Morris, New Jersey (the “Township”) as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$455,000, including the sum of \$23,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$432,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the acquisition and installation of water meters, including software and equipment, for the water utility, including all related costs and expenditures incidental thereto, and further including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$432,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$65,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The Township hereby declares the intent of the Township to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 8 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of

obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the “Rule”) for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

CONSIDERATION AND APPROVAL OF VOUCHERS

Bill List

Following brief discussion, Mr. Bloom made a motion to approve the bills list. The motion was seconded by Mr. Pepperman 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 discussed sample ordinances for septic maintenance. Mr. Bucco noted that he does not know of any other towns that have adopted such an ordinance and that if it’s not required it would be a substantial burden to homeowners. It was concluded that more research would be conducted before initiating such an ordinance.

Mr. Thompson met with representatives from NJ DEP to review the status of various items. He learned that the Township is required to be sweeping Iron Mountain Road at least once per month. Mr. Bucco is familiar with such regulations and will research to learn exactly what is required.

Mr. Thompson reported that Mrs. Williams has moved into the construction office and Ms. Wild has moved into the space formerly occupied by Mrs. Williams.

Ms. Kanzenbach inquired about the Dover Court’s request to add Victory Gardens. Mr. Thompson responded that no new information has been received from the Dover Court.

Mr. Thompson noted that efforts are being made toward an RFP for the mulch site to outsource the operation of the facility.

Mr. Thompson reported that the latest rope swing at the beach has been removed and that the tree limb that the swings are repeatedly hung from will be removed.

Mr. Morris reported that he has contacted the State and a meeting is being setup with Township Engineer Paul Sterbenz to review the Township’s problems with Route 46.

Mr. Morris spoke with the principal of Dover Middle School. He is hoping to work with the Dover Board of Education to improve the image of Dover Schools; this directly impacts Mine Hill property values because the current perception is that families need to relocate for a better school before their children age out of Canfield.

REPORTS OF STANDING AND SPECIAL COMMITTEES

School Board Committee

Mr. Bloom and Mr. Coranato attended the last Board of Education meeting. They reported that parents were concerned about limiting honor roll to 6th grade students.

Recreation Committee

Mr. Morris reported that the structure and bylaws of the new committee are being worked on at this time.

Fire Department / First Aid Squad Committee

Mr. Pepperman reminded those present of upcoming events.

Planning Board

No meeting.

Open Space Committee

Mr. Bloom reported that representatives will be attending the next meeting to discuss trails.

OPEN TO THE PUBLIC

None at this time.

NEW BUSINESS

Discussion of Parking on Clover and Fairfield

Mr. Morris reported that some residents of both streets reached out to him with input. Mr. Morris opened the floor to discussion. Following brief discussion, it was concluded that Mr. Bucco would draft an ordinance for there to be no parking on the South side of Fairfield and the North side of Clover.

INTRODUCTION OF ORDINANCES

Ordinance 14-12 Amendment of Beach/Boat Fee Ordinance

A motion was made by Mr. Coranato and seconded by Mr. Pepperman to introduce the ordinance.

Seeing no discussion from the 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 noted that this ordinance would be further considered at the June 7th meeting.

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. Ordinance No. 07-12 Amending the Beach and Boating Fees for the Mine Hill Township Beach is hereby amended in the following particulars only:

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

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

Section 2. This ordinance may be renumbered for codification purposes.

Section 3. All ordinances of the Township of Mine Hill which are inconsistent with any part of this ordinance are hereby repealed to the extent that they are in such conflict or inconsistency.

Section 4. In the event that any section, part or provision of this ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

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.

Ordinance 15-12 Temporary Structures

Upon motion made and seconded and a voice vote, introduction of this ordinance was tabled until June 7th.

RESOLUTIONS AND MOTIONS

Consent Agenda

A motion was made by Mr. Coranato and seconded by Mr. Pepperman to introduce the consent agenda.

Seeing no discussion from the Council or the Public, the roll was called and the consent agenda was adopted by the following vote:

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

Nays: none

Absent: none

Abstentions: none

Resolution 050-12 Dedication by Rider

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenue received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, to NJS 40A:50-29 allows municipalities to receive amounts for costs incurred for the Township Food Bank, and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider.

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 Council hereby requests permission of the Director of the Division of Local Government Services to set up a Food Bank Donation Trust Fund.
2. The Municipal Clerk of the Township of Mine Hill is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

Resolution 051-12 Dedication by Rider

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenue received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, to PL 2001, c. 138 allows municipalities to reserve amounts for future costs for snow removal, and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider.

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 Council hereby requests permission of the Director of the Division of Local Government Services to set up a Snow Removal Trust Fund.
2. The Municipal Clerk of the Township of Mine Hill is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

Resolution 052-12 Cancellation of Water Charges

WHEREAS, the property owner of the above account had concerns regarding the increase in his water bill; and

WHEREAS, a review of the water meter at the property shows that the owner was overcharged by 3,000 gallons; and

WHEREAS, the error in billing has been traced to inaccurate input of numbers from the reading book to the system and the property owner would like the funds he paid returned to him because the error was on the Township's end.

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Mine Hill in the County of Morris that the Water Collector be required to return \$11.94 to Frederick Cerisano and enter the proper reading on Account Number 9349, representing the amount of overbilling to the property owner.

Amount to be refunded: \$11.94

Frederick Cerisano
8 S. First Avenue
Mine Hill, NJ 07803

Resolution 053-12 Cancellation of Water Charges

WHEREAS, after having received a billing notification for \$55.38 the property owner complained that the bill was too high; and

WHEREAS, a review of the account shows that an estimated billing was done on the property; and

WHEREAS, the property owner states that the home is unoccupied and the water is shut off internally since the death of his father, providing supporting readings from the water meter itself confirming no usage causing an overbill of \$7.96.

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Mine Hill in the County of Morris that the Water Collector be relieved of collecting \$7.96 and place a credit of \$7.96 on Account Number 3763, representing the amount of overbilling to the property owner.

NEW BUSINESS

Right to Farm

It was noted that the Right to Farm ordinance has been sent to the Planning Board and Engineer, as well as to the County Board of Agriculture, for their input. Once all input is received, an ordinance will be drafted.

Capital Projects

Mr. Morris reported that Mr. Thompson and Ms. Congleton have worked with him on a list of capital projects, ranked by necessity. Repairs are needed for Town Hall, the Fire House, and the Civic Center, and the problem area outside of the salt shed needs to be excavated and investigated. Some of these projects already have funds dedicated by ordinances. These projects need to be prioritized and executed. DPW is currently ahead of schedule, so this is a good time for projects.

Township Historian

Mr. Morris would like to formally create the position of Township Historian. The position would most likely be a volunteer role, but may include a small stipend and small budget.

2012 Beach Season

Mr. Morris and Ms. Wild have been learning from the lifeguards who have staffed the beach in previous years and have identified areas of loss: labor waste (in the past guards have been paid on rainy days; this year they will only be paid if the beach is open); supply waste (past lifeguard bathing suits were bought at a substantial markup, etc.); gate cash tracking (cash tracking will be improved with the use of wristbands). It was noted that weekday attendance is minimal and in the past has not covered the costs of being open.

Changes to the use of the grills, possible addition of more picnic tables, and possible addition of a paddle boat for renting were all discussed.

Recreation Committee

Mr. Morris asked for Council confirmation of the following appointments for a two year term expiring 12/31/13:

- Dave Ache
- Chris Cole
- Jason Kriswicki of Wharton
- Mike Watt
- Tom Miller
- Becky Burton
- Jonathan Cooper
- Pete Bruseo

A motion was made by Mr. Coranato, seconded by Mr. Pepperman and approved by a voice vote to confirm these appointments.

Community Committee

Mr. Morris asked for Council confirmation of the following appointments

- Marci Austin
- Katie Bartnik
- Deb Larson
- Lauri Betz
- Tim Beyrant

Mr. Morris asked that a Council Liaison also be appointed. Mr. Coranato volunteered for this position.

A motion was made by Mr. Bloom, seconded by Mr. Willis and approved by a voice vote to confirm these appointments.

Mr. Morris noted that Beach Committee may be disbanded and its functions merged with the Community Committee.

OLD BUSINESS

None at this time.

OPEN TO THE PUBLIC AND COUNCIL COMMENTS

None at this time.

CLOSED SESSION

A motion was made by Mr. Bloom, seconded by Mr. Coranato, and approved by a vote of all ayes to approve Resolution 055-12 to enter closed session for the purposes of discussing a matter of Attorney Client Privilege (Affordable Housing), a matter of Litigation (Bartek), and a matter of Contract Negotiation (Police).

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

ADJOURNMENT

There being no further business, a motion was made by Mr. Willis and seconded by Mr. Bloom to adjourn the meeting at 10:35pm. The motion was approved by a voice vote.

Respectfully Submitted,

Amanda G. Macchia, RMC
Mine Hill Municipal Clerk

Approved on this _____ day of _____, 20____

Council President