

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

OPEN PUBLIC MEETINGS NOTICE

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

ROLL CALL: Present – Mr. Bloom; Mr. Coranato; Ms. Kanzenbach; Mr. Pepperman; Mr. Willis
Absent –
Also Present – Mr. Morris, Mayor; Mr. Bucco, Township Attorney; Mr. Thompson,
Township Administrator
Public Present – Unknown

SWEARING IN OF COUNCIL MEMBER

Mr. Bloom was sworn in for the remainder of the unexpired term to which he was elected.

COMMUNICATIONS AND PETITIONS

Ms. Kanzenbach listed the following items of communication:

- a. NJ General Assembly re: DEP Tonnage Grant Award
- b. MCMUA re: Notice of Resolution to Amend Water Rates
- c. Randolph Township re: Notice of Land Development Ordinance
- d. Monthly Health Department Report

PUBLIC HEARING ON ORDINANCES PREVIOUSLY INTRODUCED

Ordinance 29-12 Establishing a Service Charge for Returned Checks

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

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

A motion was made by Mr. Bloom and seconded by Mr. Coranato to adopt this 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, and State of New Jersey, as follows:

SECTION 1. Title 3 of the Revised General Ordinances of the Township of Mine Hill entitled “Revenue and Finance” shall be amended by the inclusion of new Subsection 3.14 which shall be entitled “Checks returned for insufficient funds,” which shall read in its entirety as follows:

3.14 Checks returned for insufficient funds.

3.14.010 Service charge for checks returned for insufficient funds. There shall be a service charge of twenty five dollars (\$25.00) charged when a check or other instrument used to pay any township charge is returned for insufficient funds. This service charge shall be collected in the same manner prescribed by law for the collection of the account for which the check or other written instrument was tendered.

3.14.020 Future payments after check returned for insufficient funds. After a check or other written instrument used to pay any township charge is returned for insufficient funds on two (2) occasions by the same individual, all future payments for all municipal charges shall be tendered in cash or by certified or cashier’s check.

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 as required by law.

Ordinance 30-12 Revising Rental Property License Fees

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

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

A motion was made by Mr. Bloom and seconded by Mr. Coranato to adopt this 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, and State of New Jersey, as follows:

SECTION 1. Chapter 5.44 of the Revised General Ordinances of the Township of Mine Hill entitled “Rental Property Regulations and Licensing of Landlords” shall be amended by the following revision to Section 5.44.040 entitled “License fee,” which shall read in its entirety as follows:

5.44.040 License fee.

The annual license fee shall be one hundred fifty dollars (\$150.00) per year, provided that in the past year the licensee has not been convicted of any violation of the ordinance codified in this chapter or any other township ordinance, statute or regulation concerning rental property. In the event of any such conviction, the annual fee shall be five hundred dollars (\$500.00). The annual fee shall not decrease unless the landlord and all units in the rental property have been violation free for a period of one year.

In the event the rental property is a multiple dwelling requiring an annual renewal of the certificate of occupancy, the cost for the annual certificate of occupancy shall be included in this license fee unless the annual certificate of occupancy fee would be greater than the license fee in which case the greater fee shall be charged. This shall not apply to any certificate of occupancy required by change of tenant or owner, for which the normal fee shall be charged.

In the event ownership of the property is transferred during the license year, the new owner shall apply for a license within ten (10) days of transfer and the fee shall be prorated accordingly.

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 as required by law.

Ordinance 31-12 Revising Alcoholic Beverage Licensing Fees

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

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

A motion was made by Mr. Bloom and seconded by Mr. Coranato to adopt this 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, and State of New Jersey, as follows:

SECTION 1. Chapter 5.04 of the Revised General Ordinances of the Township of Mine Hill entitled “Alcoholic Beverage Licenses” shall be amended to include the following revision to the fees set forth in Subsection 5.04.030 which shall be as follows:

<u>Class of License</u>	<u>Annual License Fee</u>	<u>Number of Licenses</u>
1. Plenary retail consumption license	\$1,200.00	5
2. Plenary retail distribution license	\$750.00	1
3. Club license	\$63.00	1

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 as required by law.

Ordinance 32-12 Abolishing the Board of Adjustment

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

Gary Frank, resident of Thomastown Road and member of the Board of Adjustment, noted that there is one application pending before the Board of Adjustment that will need to be handled.

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

A motion was made by Mr. Bloom and seconded by Mr. Willis to adopt this 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, and State of New Jersey, as follows:

SECTION 1. Chapter 25 of the Revised General Ordinances of the Township of Mine Hill entitled “Land Development” shall be amended by the following revision to Section 25-4 entitled “Zoning Board of Adjustment,” which shall be amended to read in its entirety as follows:

25-4.1 Findings. The Zoning Board of Adjustment was created by ordinance pursuant to the terms of N.J.S.A. 40:55D-69. The aforementioned statute mandates the creation of a Zoning Board of Adjustment upon the adoption of a Zoning Ordinance unless the municipality is eligible for, and exercises, the option of creating a nine-member Planning Board to exercise all of the powers and duties of the Board of Adjustment as provided by N.J.S.A. 40:55D-25c. The Borough meets the criteria, established in N.J.S.A. 40:55D-25c and has determined that it is in the public's interest to abolish the Zoning Board of Adjustment and allow the Planning Board to exercise its powers and duties.

25-4.2 Abolishment of Zoning Board of Adjustment; discharge of members.

a. The Zoning Board of Adjustment is hereby abolished, and all of the powers and duties granted by law to the Board are hereby transferred to the Planning Board pursuant to the authority established in N.J.S.A. 40:55D-25c.

b. All members, officers and employees of the Zoning Board of Adjustment as of the effective date of this article shall be discharged from their positions, offices or employment.

25-4.3 Reference to Board of Adjustment. All references to "Board of Adjustment" contained in this chapter or elsewhere in the Township Code shall be deemed to refer to the Planning Board.

SECTION 2. Chapter 25 of the Revised General Ordinances of the Township of Mine Hill entitled "Land Development" shall be amended by the repeal in the entirety of Section 25-9 entitled "Appeals."

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 as required by law.

CONSIDERATION AND APPROVAL OF VOUCHERS

Bill List

Following brief discussion, Mr. Coranato made a motion to approve the bills list as presented. The motion was seconded by Mr. Bloom 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 distributed a report of water usage and cost comparisons from 2011 and 2012, noting that the numbers have improved with substantial savings due to leak repairs and water meter replacements. Mr. Willis asked if any further progress had been made in getting a meter or alarm placed on the MUA water tower. Mr. Morris noted that he would be asking Mr. Bloom to attempt to address that with the MUA in January.

Mr. Thompson noted that the new DPW storage shed has been ordered and will arrive in approximately 4 weeks.

Mr. Thompson reported that the brush pick up from the storm has taken longer than anticipated and will cost more than anticipated. The price difference will be negotiated.

Mr. Thompson also noted that Mr. Lakatos will be retiring at the end of this month. There has been a tremendous response to the ad placed to replace him. Interviewing will begin next week.

Mr. Morris added that DPW Contract negotiations have begun and are going well so far.

REPORTS OF STANDING AND SPECIAL COMMITTEES

School Board Committee

Mr. Bloom reported that recent test scores were much improved over last year. He noted that there have been lengthy heated discussions regarding a roller skating program and the associated liabilities.

Recreation Committee

Ms. Kanzenbach reported that basketball sign-ups are completed and games will be starting soon.

Fire Department / First Aid Squad

Mr. Pepperman reported that he is following up on a fire truck crew to carry Santa through town.

Police

Chief Fernandez reported that the Department's recently upgraded records management software will be able to generate statistical reports for the Council soon.

Planning Board

Mr. Willis noted that the review of the Land Use Code is ongoing.

OPEN TO THE PUBLIC

None at this time.

CLOSED SESSION

Resolution 128-12 Authorizing Council to Enter Closed Session

Mr. Bucco read the text of the standard authorizing resolution into the record, noting that the matter to be discussed is a Personnel Matter involving the termination of a Township employee. It was also noted this Closed Session matter does not pertain to the ongoing Police contract discussions, and that the Council would be returning from Closed Session to conduct further business.

A motion was made by Mr. Coranato and seconded by Mr. Bloom to approve the resolution. The roll was called, and the resolution was approved by the following vote:

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

OPEN SESSION

Upon conclusion of Closed Session discussion, by motion made, seconded and approved by a voice vote, the Council returned to Open Session.

RESOLUTIONS AND MOTIONS

Consent Resolutions

A motion was made by Mr. Pepperman and seconded by Mr. Coranato to adopt the consent agenda. Seeing no discussion, the motion was approved by the following vote:

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

Resolution 122-12 Redemption of Third Party Lien – 10 Bissell Street

WHEREAS, Tax Sale Certificate #10-12, was sold to US Bank Cust for Pro Capital I, LLC on June 24, 2010 on Block 1607, Lot 5 known as 10 Bissell Street; and

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

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 Treasurer shall refund \$1,851.35 for redemption of the Certificate to US Bank Cust for Pro Capital I, LLC.

Total \$1,851.35

US Bank Cust for Pro Capital I, LLC
US Bank TLSC
50 S 16th Street, Ste 1950
Philadelphia, PA 19102

Resolution 123-12 Redemption of Third Party Lien – 400-04 East Randolph Avenue

WHEREAS, Tax Sale Certificate #2012-23, was sold to FWDSL & Associates LP on August 15, 2012 on Block 1802, Lot 1, C0104 known as 400-04 E. Randolph Ave.; and

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

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 Treasurer shall refund \$499.44 for redemption of the Certificate to FWDSL & Associates LP. This amount includes the \$300.00 premium paid at time of sale by the lienholder.

Total \$499.44

FWDSL & Associates LP
5 Cold Hill Rd. S., Ste. 11
Mendham, NJ 07945

Resolution 124-12 Redemption of Third Party Lien – 10 Shawn Street

WHEREAS, Tax Sale Certificate #08-14, was sold to Christina Ng on June 19, 2008 on Block 812, Lot 6 known as 10 Shawn Street; and

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

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 Treasurer shall refund \$3,830.78 for redemption of the Certificate to Christina Ng.

Total \$3,830.78

Christina NG
8 El Shaer Ct.
Randolph, NJ 07869

Resolution 125-12 Redemption of Third Party Lien – 8 Valley View Drive

WHEREAS, Tax Sale Certificate #10-09, was sold to US Bank Cust for Pro Capital I, LLC on June 24, 2010 on Block 1404, Lot 18 known as 8 Valley View Drive; and

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

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 Treasurer shall refund \$2,196.81 for redemption of the Certificate to US Bank Cust for Pro Capital I, LLC.

Total \$2,196.81

US Bank Cust for Pro Capital I, LLC
US Bank TLSC
50 S 16th Street, Ste 1950
Philadelphia, PA 19102

Resolution 126-12 Refund of Tax Overpayment – 74 Thomastown Road

WHEREAS, there was an overpayment made in the 4TH quarter of 2012 on this parcel; and

WHEREAS, the mortgage lender has confirmed the overpayment and requested a refund be sent to the homeowners.

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Mine Hill, County of Morris, and State of New Jersey, that the Treasurer shall refund \$1,300.95 to Trygve & Catherine Arnesen.

Total amount of refund \$1,300.95

Trygve & Catherine Arnesen
74 Thomastown Road
Mine Hill, NJ 07803

Non-Consent Resolutions

Resolution 127-12 Refund of Duplicate Payment from Thomastown Phase II

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

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

Nays: none

Absent: none

Abstentions: none

WHEREAS, there was a duplicate payment for Thomas Town Phase II water connections: and

WHEREAS, Ryan Homes has requested a refund.

THEREFORE, BE IT RESOLVED by the Mine Hill Township Council, County of Morris, and State of New Jersey, that the CFO shall refund \$8,160.00 to Ryan Homes.

Total amount of refund \$8,160.00

Ryan Homes

1451 Highway 34 – Suite 201
Farmingdale, NJ 07727

Resolution 129-12 Termination of Employment Settlement with Mary Williams

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

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

Nays: none

Absent: none

Abstentions: Mr. Willis

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 Termination Agreement and General Release between the Township of Mine Hill and Mary N. Williams is hereby approved and the Mayor is hereby authorized and directed to execute same on behalf of the Township. A copy of the Agreement is on file in the Office of the Township Clerk.

This Resolution shall take effect immediately.

NEW BUSINESS

Meadowbrook Farms

Mr. Morris reported that he received an email from Meadowbrook Farms asking that the Township review policies with regard to reimbursement of services, namely plowing and street lighting, in their private community. Mr. Bucco will be researching the matter with regard to their specific developer's agreement and will advise the Council at a future meeting.

Traffic Matters

Mr. Morris noted that the County has placed construction barrels to slow traffic coming from Canfield Avenue through the curve onto West Randolph Avenue. These barrels are the precursor to changing the alignment of that intersection to require traffic to slow down. He will be sending a note to the County agreeing with the concept presented.

Mr. Morris also noted that Township Engineer Paul Sterbenz is working on a plan for installation of a crosswalk and landings at the intersection of Thomastown Road and West Randolph Avenue. Mr. Sterbenz will pursue County approval on this project, and then it can be completed by our DPW.

OLD BUSINESS

Suggestion Form

Mr. Morris discussed the complaint/suggestion form that will be added to the Township website. Information entered into this form will flow into a spreadsheet for Ms. Macchia and matters can be disseminated and addressed from there.

Police Contract

Mr. Bucco recused himself from this topic and left the meeting at this time. Mr. Lavery took Mr. Bucco's seat as Special Counsel.

Ms. Kanzenbach invited representatives from Wharton to review their proposal for the public. Wharton Borough Administrator Jon Rheinhardt reported that the Borough has calculated a new base price for the Police Services Contract. This base price does not include pension and benefit numbers, and it is proposed that Wharton and Mine Hill would share in actual cost increases and decreases in pension and benefit costs going forward. The base contract price would be increased annually by a flat 2%. Having recently received the pension and benefits figures, and applying this formula, the increase in the contract for the coming year would be 2.46% total, which is a savings to Mine Hill of approximately \$40,000 when compared to the current contract. With the hope that pensions and benefits numbers stabilize, the estimated savings of this proposal over the next 7 years is \$1.5 million when compared to the current contract.

Mr. Morris discussed the Council's preference for paying for Police Services on a basis of percentage of population, which would result in Mine Hill paying for approximately 34% of Wharton's Police budget. Chief Fernandez responded that while Mine Hill is only 34% of the total population of the two towns, it receives 50% of the services of the Police Department under the current structure of the Department.

Mr. Pepperman noted that Mine Hill is currently paying approximately 40% of Wharton's Police budget, and that our auditor recommended that the Township should be paying approximately 36%. Under the new proposal, Mine Hill would be paying 38%, so the numbers seem fair. Mr. Rheinhardt added that there are costs to the Police Department that are not included in the "Police budget" number that was used as the basis for Mine Hill's calculations; missing items include fuel costs, communications costs, and capital improvements to the Department such as computer upgrades. Mr. Morris agreed that this is a fair point.

Ms. Kanzenbach invited representatives from Roxbury to speak. Roxbury Township Administrator Chris Rath noted that none of Roxbury's proposed numbers have changed since the presentation made at the October 25th meeting. Mr. Rath added that, based on Mine Hill's current contract with Wharton (not the revisions currently being proposed), Roxbury's proposal saves Mine Hill approximately \$1.4 million over the next seven years. Mr. Rath reiterated that Mine Hill would have access to all of the excellent additional services that Roxbury is able to provide. Roxbury's proposal is based on Mine Hill paying 13.6% of costs based on percentage of population. At Mr. Morris's request, Mr. Rath estimated that Mine Hill could also save an additional \$30,000 annually by utilizing Roxbury's Municipal Court.

Chief Simmonetti addressed service and coverage questions that were raised at the October 25th meeting and provided a handout illustrating those responses. He emphasized that overlapping shifts would ensure that Mine Hill would never be left empty of an officer.

The issue of hiring officers let go from Wharton was reiterated. Chief Simmonetti noted that any officer let go from Wharton would be given every opportunity to enter Roxbury's hiring process, and that the written exam requirement would be waived, but that he couldn't outright promise jobs without ensuring that the officers met the basic requirements to be hired.

Mr. Willis asked if the officer assigned to Mine Hill would be pulled from his post in the event of a large incident, such as a fatality, in Landing. Chief Simmonetti responded that Roxbury's traffic division would respond to such an incident and Mine Hill's assigned officer would remain in Mine Hill. Backup is coordinated by the shift supervisor with the intention that no zone is ever left without an officer present.

Conversation continued regarding various coverage scenarios with both departments.

Roxbury representatives asked for a copy of Wharton's revised proposal so that they could recalculate their analysis of Mine Hill's savings with each proposal. Mr. Lavery was directed to send the Wharton proposal to Roxbury.

OPEN TO THE PUBLIC AND COUNCIL COMMENTS

Tom Heller, Bissell Street

Mr. Heller noted that one of the coverage scenarios discussed involved Wharton's ability to respond to other calls while they were manning downed live wires on 7th Avenue after the hurricane. Mr. Heller expressed his belief that the wires could have been tended to by the Fire Department to make the Police more available. He added that he felt as though Mr. Morris had an agenda to discredit Wharton's department.

Mr. Morris responded that his agenda throughout this process has been better financial stability. Regardless of which proposal Mine Hill accepts, the cost savings over the next seven years will be significant compared to the current contract.

Mr. Heller added that he has concerns about the learning curve for Roxbury officers, assuming not all of the officers covering Mine Hill will be former Wharton officers. He noted that he felt the same concerns when Mine Hill's Police Department was disbanded, but that he has been very happy with the service received from Wharton.

Pat Korpos, Kenville Resident

Ms. Korpos asked if anyone had approached the Morris County Assignment Judge yet to ask their permission to leave the Dover Court and join with Roxbury's Court in the event that Mine Hill signs with Roxbury's Police Department. She would like to see the Council research what the added back costs would be if Mine Hill is not permitted to leave Dover's Court, as well as whether or not personnel in Dover's Court would lose jobs if Mine Hill left.

Edna Deacon, Randall Avenue

Ms. Deacon, as President of the Mine Hill First Aid Squad, noted that Wharton's response time and assistance in first aid calls goes above and beyond. She thanked Wharton Officers for following her home when she returns from late night first aid calls to make sure she gets home safely. She expressed her desire for Mine Hill to remain with Wharton Police Department.

Warren Kirshner, Gillen Street

Mr. Kirshner asked what would happen at the conclusion of a seven year contract with Roxbury if Roxbury did not want to renew the contract. He is concerned that Mine Hill would become like Victory Gardens, having no police department. He believes that we know what we have and we don't know what we're going to get. He believes that this is more important than saving money.

Eric Kranz, Fifth Avenue

Mr. Kranz reiterated Mr. Kirshner's concern that Mine Hill would just become a little piece of Roxbury, as opposed to the partnership that we have with Wharton.

Warren Kirshner, Gillen Street

Mr. Kirshner added that he appreciates everything that they Mayor has done to improve the financial situation for the residents of Mine Hill, but he asked if the residents were being heard. He noted that every resident that he has heard speak has been in favor of paying a little more to keep the service we have from Wharton.

Mr. Bloom responded that he spoke with many residents in the last couple of months leading up to the election. A common theme among residents was that fixed incomes make it difficult to pay taxes and that as long as the town has 24/7 coverage those residents would be content with whatever the Council had to do to save money. Another common theme was residents expressing that they like the service we have and would like to stay with Wharton. Mr. Pepperman added that we can't put a price tag on safety.

Joe Trongone, Thomastown Road

Mr. Trongone is a former Roxbury resident, and his parents live in Berkshire Valley. He has observed Roxbury police patrols as he has driven back and forth between these areas, and he believes that Mine Hill would end up being nothing more than a "side yard" to Roxbury, an area that would be driven through. He would like to see Mine Hill stay with Wharton.

Unidentified Resident

An unidentified resident asked why Roxbury wants to provide services to Mine Hill. Mr. Morris responded that when that question was asked at the last meeting, Roxbury's answer was that it would help them offset the cost of adding more officers to their department which is something they would like to do anyway.

Gary Colucci, Williams Street

Mr. Colucci agreed with the Council that the financial environment is completely different from ten years ago when the contract with Wharton was signed and that it is a good thing to be reexamining and reducing that contract cost now. However, he believes that the per capita basis of the proposed Roxbury contract is far more unpredictable and difficult to budget for than the fixed number and fixed increase of the proposed Wharton contract.

Mr. Pepperman asked for a Resolution to be added to the agenda and approved authorizing entering the amended contract with Wharton. He read a proposed Resolution into the record. Mr. Lavery advised the Council that they need to work with the Mayor to agree on the same contract. The Council will eventually pass a Resolution to enter a contract that the Mayor proposes, but they cannot pass a Resolution compelling the Mayor to sign a contract. Mr. Lavery added that the addition of a preconceived resolution to the agenda is inappropriate as a matter of law.

It was concluded that Mr. Pepperman would work with Mr. Lavery to put together the appropriate resolution for the next meeting.

ADJOURNMENT

There being no further business, a motion was made by Ms. Kanzenbach and seconded by Mr. Bloom to adjourn the meeting at approximately 10:00 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____

Council President