

Council President Fred Willis 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

Mr. Willis announced that adequate notice for this meeting had been given as required by law.

ROLL CALL: Present – Mr. Bloom; Ms. Kanzenbach; Mr. Pepperman; Mr. Willis
Absent – Mr. Coranato
Also Present – Mr. Morris, Mayor; Mr. Bucco, Township Attorney; Mr. Thompson,
Township Administrator; Ms. Macchia, Township Clerk
Public Present – 9

APPROVAL OF MINUTES

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

- a. August 16, 2012
- b. October 4, 2012
- c. October 25, 2012
- d. December 20, 2012
- e. January 3, 2013

The roll was called, and the minutes were approved by the following vote:

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

COMMUNICATIONS & PETITIONS

Mr. Willis noted the following items of correspondence:

- a. County Concrete: Depletion Report

PUBLIC HEARING ON ORDINANCES PREVIOUSLY INTRODUCED

Mr. Willis announced that Ordinances 01-13 (Cap Ordinance) and 02-13 (Right to Farm) would have their public hearings and adoptions at the next regular meeting on February 7, 2013.

CONSIDERATION & APPROVAL OF VOUCHERS

Bills List

Following brief discussion, a motion was made by Ms. Kanzenbach and seconded by Mr. Bloom to approve the bills list with the removal of item #4539. Seeing no discussion, the motion was approved by the following vote:

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

ADMINISTRATIVE AGENDA

Mr. Thompson reported that the Construction Department collected \$133,000+ in permit fees in 2012, much of that due to the Ryan Homes project which will be completed in 2013.

Mr. Thompson also reported that a resident questioned their water usage and Ms. O'Brien was able to identify a single day in which he used over 3,000 gallons of water, most likely due to a leak. The new system can identify leaks and Ms. O'Brien can send notices when indicated. He added that the entire town's system can be read in approximately 90 minutes; it previously took the entire DPW approximately a week each quarter.

Mr. Morris asked for the Council to confirm the following appointments to the Recreation Committee:
Dave Ake, Chris Cole, Jason Kriswicki, Tom Miller, John Cooper, Pete Bruseo, Michelle Murphy, Javier Diaz, Cindy Trowbridge, and Fred Fernandez.

A motion was made by Mr. Willis and seconded by Mr. Pepperman to confirm the appointments. The roll was called and the appointments were approved by the following vote:

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

Mr. Morris announced that Congressman Lance would be leasing space at Town Hall to have a District Office here; he asked the Council to approve a resolution entering into the lease agreement.

Resolution 039-13 A Resolution Authorizing the Execution of a Lease between the Township of Mine Hill and Honorable Leonard Lance for a District Office

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

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

WHEREAS, Hon Leonard Lance has requested that the Township permit him to lease 350 square feet of office space in the municipal building for a congressional district office which will be nonexclusive; and

WHEREAS, N.J.S.A. 40A:12-14 authorizes a municipality to lease space to a public entity for nominal consideration; and

WHEREAS, the Township Council finds that it would be in the best interest of the Township and it's residents to host a congressional district office in the municipal building; and

WHEREAS, pursuant to 2 U.S.C. 57 and the regulations of the Committee on House Administration a District Office Lease has been forwarded to the Township for execution.

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 appropriate municipal officials are hereby authorized to enter into a District Office Lease with Hon. Leonard Lance in the form attached hereto.

This Resolution shall take effect immediately.

REPORTS OF COUNCIL LIAISONS

Recreation Committee

No report.

Board of Education

Mr. Bloom announced that the next Board of Education meeting would be on January 30, 2013.

Fire & First Aid

No report.

Police

Mr. Pepperman deferred to Chief Fernandez who reported that statistics from the new record keeping software would be available soon. It was also noted that Police headquarters would be relocating.

Rockaway River Watershed

No report.

Open Space Committee

Mr. Bloom reported that Open Space met on January 8th to reorganize and discuss upcoming initiatives. The markers have come in and will be installed on the main trail loop, and a new member of the Committee is eager to start on trail maps. Parking areas will also be worked on this year. It was noted that there were a few trees down on the trails, but no significant storm damage.

Community Committee

Ms. Kanzenbach reported that the Committee is off to a good start with a lot of new ideas to work on.

Planning Board

Mr. Willis noted that the Planning Board has been continuing to review the Land Use Ordinance; the process will take a few more months.

OPEN TO THE PUBLIC

None at this time.

INTRODUCTION OF ORDINANCES

Ordinance 03-13 Canfield Avenue School Traffic Enforcement

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

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

Nays: none

Absent: Mr. Coranato

Abstentions: none

Mr. Willis announced that the public hearing on this ordinance would be held on at the next regular meeting on February 7th 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 amending Chapter 10 entitled “Vehicles and Traffic” to include the following additional Chapter 10.38 which shall be entitled “Traffic Regulations at the Canfield Avenue School” and shall read in the entirety as follows:

10.38 Traffic Regulations at the Canfield Avenue School.

10.38.010. Purpose; Site Plan.

The purpose of this Chapter is to control and regulate parking and traffic at the Canfield Avenue School pursuant to Title 39 of the Statutes of the State of New Jersey. The site plan showing the regulations established in this Chapter and referenced herein is dated September 20, 2012 and is on file in the Office of the Township Clerk.

10.28.020. Parking.

The following parking regulations shall apply at the Canfield Avenue School property.

- A. All vehicles must park in designated areas and between the lines provided.
- B. No person shall stop or stand a vehicle upon any of the streets or parts of streets described below, except in areas covered by other parking restrictions.

Name of Street	Sides	Hours	Location
All roads and aisles	Both	All	As indicated on site plan

C. Handicapped parking. All stalls shall be 12 feet wide as shown on the attached site plan and signed with the R7-8 and R7-8P (Reserved Parking Sign and Penalty Plate), in the designated parking areas for persons who have been issued the handicapped parking permit by the Division of Motor Vehicles.

D. Reserved parking. All vehicles that are granted specialty parking in this section such as police vehicles, ambulances, teachers, etc., must be properly identified and the reserved parking spaces must be shown on the attached site plan.

10.38.030. Through streets and stop intersections.

A. Through streets. The following streets or parts of streets are hereby designated as through streets. Stop signs shall be installed on the near right side of each street intersecting the through street except where yield signs are provided for in the designation.

Name of Street	Limits
Road "A"	Entire length
Road "B"	Entire length

B. Stop intersections. The following described intersections are hereby designated as stop intersections. Stop signs shall be installed as provided therein.

Intersection	Stop Sign(s) on
Road “A” at	Exit 1

- Road "A" at Exit 2
- Road "B" at Road "A" Road B
- Road "C" and Aisle "C" Aisles "C" (both intersects)

10.38.040. One-way streets. The following described streets or parts of streets are hereby designated as one-way streets in the direction indicated.

Name of Street	Direction	Limits
Road "A"	Clockwise	Entire length
Road "B"	Counterclockwise	Entire length
Road "C"	Counterclockwise	Entire length

10.38.050. Speed limits.

- A. The speed limit for both directions of traffic in the parking lot(s) shall be 15 miles per hour.
- B. The speed limit for both directions of travel on the following roadways are:

Name of Roadway	Speed Limit (m.p.h.)	Location
All roads and aisles	15	Entire length

C. Regulatory and warning signs shall be erected and maintained to effect the above-designated speed limits authorized by the Department of Transportation.

10.38.060. Tow-away zones. Any vehicle parked or standing that obstructs or impedes a normal flow of traffic, blocks, entrances or exitways, loading zones, oil fills, any grassy area, or pedestrian walkway, or presents in any way, a safety or traffic hazard may be removed by towing the vehicle at the owner's or operator's expense.

10.38.070. Loading zone(s). The locations described are hereby designated as loading zones. No person shall park a vehicle in said location during the times indicated other than for the loading or unloading of goods and materials.

Name of Street	Sides	Hours	Location
Road "B"	East	All	As indicated on site plan

-10.38.080. Authorized vehicles only. The following streets or parts of streets shall be designated as use for authorized vehicles only. No vehicle other than an authorized vehicle shall enter upon the below roadway.

Name of Street	Limits
Service road	As indicated on site plan

10.38.090. Signage. All signs, posts or other necessary materials be installed and paid for by the Board of Education. All signing shall conform to the current Manual on Uniform Traffic Control Devices, pursuant to N.J.S.A. 39:4-198 and 39:183.27.

10.38.100. Penalty. Unless another penalty is expressly provided for by New Jersey Statute, every person convicted of a violation of this section or any supplement thereto shall be liable to a penalty of not more \$100 or imprisonment for a term not exceeding 15 days or both.

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.

CONSENT RESOLUTIONS

A motion was made by Mr. Bloom and seconded by Ms. Kanzenbach to approve the consent agenda. Mr. Bucco recommended that Resolutions 29-13 and 34-13 be tabled until they could be reviewed with Ms. O'Brien; the motion was amended to reflect this action. Seeing no further discussion, the roll was called, and the consent agenda, as amended, was approved by the following vote:

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

Nays: none

Absent: Mr. Coranato

Abstentions: none

Resolution 026-13 Refund of Prior Year Tax Overpayment

WHEREAS, there was an overpayment made in the 4th quarter of 2009 on this parcel; and

WHEREAS, The Tax Collector has verified that the overpayment was not made by the current homeowners, but the previous homeowner and/or his representatives; and

WHEREAS, The Tax Collector has made a good faith effort in locating the previous homeowner, Juan Carlos Montoya, but has been unable to do so.

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 cancel the overpayment of \$68.40 and transfer these funds into the general account.

Total amount of cancellation \$68.40

Resolution 027-13 Refund of Prior Year Tax Overpayment

WHEREAS, there was an overpayment made in the 4th quarter of 2002 on this parcel; and

WHEREAS, The Tax Collector has verified that the overpayment was not made by the current homeowners, but the previous homeowner and/or his representatives; and

WHEREAS, The Tax Collector has made a good faith effort in locating the previous homeowner, Joseph & Kerryann Trainor, but has been unable to do so.

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 cancel the overpayment of \$10.02 and transfer these funds into the general account.

Total amount of cancellation \$10.02

Resolution 028-13 Refund of Prior Year Tax Overpayment

WHEREAS, there was an overpayment made in the 4th quarter of 2003 on this parcel; and

WHEREAS, The Tax Collector has verified that the overpayment was not made by the current homeowners, but the previous homeowner and/or his representatives; and

WHEREAS, The Tax Collector has made a good faith effort in locating the previous homeowner, Diego & Brenda Montoya, but has been unable to do so.

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 cancel the overpayment of \$1,262.16 and transfer these funds into the general account.

Total amount of cancellation \$1,262.16

Resolution 030-13 Refund of Prior Year Tax Overpayment

WHEREAS, there was an overpayment made in the 4th quarter of 2003 on this parcel; and

WHEREAS, The Tax Collector has verified that the overpayment was not made by the current homeowners, but the previous homeowner and/or his representatives; and

WHEREAS, The Tax Collector has made a good faith effort in locating the previous homeowner, Nancy Tuarez, but has been unable to do so.

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 cancel the overpayment of \$1,427.10 and transfer these funds into the general account.

Total amount of cancellation \$1,427.10

Resolution 031-13 Refund of Prior Year Tax Overpayment

WHEREAS, there was an overpayment made in the 4th quarter of 2003 on this parcel; and

WHEREAS, The Tax Collector has verified that the overpayment was not made by the current homeowners, but the previous homeowner and/or his representatives; and

WHEREAS, The Tax Collector has made a good faith effort in locating the previous homeowner, Ochs Soumilas and Jami Lyn Theoharis, but has been unable to do so.

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 cancel the overpayment of \$1,343.88 and transfer these funds into the general account.

Total amount of cancellation \$1,343.88

Resolution 032-13 Refund of Prior Year Tax Overpayment

WHEREAS, there was an overpayment made in the 4th quarter of 2004 on this parcel; and

WHEREAS, The Tax Collector has verified that the overpayment was not made by the current homeowners, but the previous homeowner and/or his representatives; and

WHEREAS, The Tax Collector has made a good faith effort in locating the previous homeowner, Yung AE Canfield, but has been unable to do so.

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 cancel the overpayment of \$16.98 and transfer these funds into the general account.

Total amount of cancellation \$16.98

Resolution 033-13 Refund of Prior Year Tax Overpayment

WHEREAS, there was an overpayment made in the 4th quarter of 2002 on this parcel; and

WHEREAS, the Tax Collector has verified that the overpayment was not made by the current homeowners, but the previous homeowner and/or his representatives; and

WHEREAS, the Tax Collector has made a good faith effort in locating the previous homeowner, Michael & Yvette Berta, but has been unable to do so.

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 cancel the overpayment of \$1,470.50 and transfer these funds into the general account.

Total amount of cancellation \$1,470.50

Resolution 035-13 Cancellation of Water Charges

WHEREAS, the Water Collector received a bulk payment from Ryan Homes for connection fees for the Thomastown Phase II water connections; and

WHEREAS, there was an overpayment in that bulk payment in the amount of \$164.00; and

WHEREAS, the collector posted this overpayment into what was to be a unit in the next building going up, but has received correct and consistent payments for all of the fees to follow; and

WHEREAS, this account is unnecessary and continues to carry the original overpayment amount.

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 above account be considered overpaid in the amount of \$164.00 and that the Water Collector be required to return the funds to Ryan Homes and cancel all transaction to the account closing it.

NON-CONSENT RESOLUTIONS

Resolution 036-13 Approve New Member of Mine Hill Fire Department

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

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

Nays: none

MINUTES OF THE MINE HILL TOWNSHIP COUNCIL
REORGANIZATION MEETING – January 17, 2013

7-2013-01-17

Absent: Mr. Coranato

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 the Township Council accepts the following new members of the Mine Hill Township Fire Department:

Jason Bermudez

NEW & OLD BUSINESS

Mr. Willis asked if there was an updated on the installation of sewers in Gillen Street. Mr. Thompson responded that it is included in the County's sewer plan which is currently on hold at the NJDEP pending a public hearing on the entire plan.

Mr. Bloom noted that the lines have been drawn for the changes of the intersection of West Randolph Avenue and Canfield Avenue, and asked if there was any reason that the project wasn't progressing. Mr. Morris responded that he will call the County Engineer to follow up, but that it is most likely a weather related delay.

The Environmental Commission was briefly discussed. IT was concluded that the Commission would be kept on the books and would be filled at a future meeting.

OPEN TO THE PUBLIC AND COUNCIL COMMENTS

John Paschal, Thomastown Road

Mr. Paschal asked how much the Township contributed to the Rockaway River Watershed. Mr. Thompson responded that no contribution had been made for this year. A brief discussion of water pollution followed. Mr. Willis will obtain information from the watershed regarding their projects and make it available to the public.

Mr. Paschal also asked why some of the sidewalks on Canfield Avenue had not been shoveled. Mr. Morris responded that the Police have been following up with ticketing properties that are not shoveled.

ADJOURNMENT

There being no further business, a motion was made by Mr. Pepperman and seconded by Mr. Bloom to adjourn the meeting at 8:23 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