

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; Mr. Coranato; Ms. Kanzenbach; Mr. Pepperman; Mr. Willis
Absent –
Also Present – Mr. Morris, Mayor; Mr. Oostdyk, Township Attorney; Mr. Thompson,
Township Administrator; Ms. Macchia, Township Clerk
Public Present – 32

APPROVAL OF MINUTES

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

- a. December 12, 2012
- b. February 7, 2013

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

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

COMMUNICATIONS & PETITIONS

Mr. Willis noted the following items of correspondence:

- a. Monthly Health Department

Mr. Willis asked if the tire situation on Iron Mountain had been resolved. Mr. Thompson responded that it was taken care of.

CONSIDERATION & APPROVAL OF VOUCHERS

Bills List

Following brief discussion, a motion was made by Ms. Kanzenbach and seconded by Mr. Pepperman to approve the bills list as presented. Seeing no discussion, the motion was approved by the following vote:

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

REPORTS OF COUNCIL LIAISONS

Recreation Committee

No report.

Board of Education

Mr. Bloom reported that the principal of Dover High School will be making a presentation about how the school is improving SAT scores. Full day kindergarten at CAS will be starting in September.

Fire & First Aid

Mr. Pepperman announced that the annual Captain's Dinner is this weekend.

Police

Chief Fernandez announced that the assessment will be this Sunday and the public is invited to call between 1pm and 3pm to make remarks about the department.

Chief Fernandez expressed concern that the contract proposal that was received is vastly different from what was agreed to previously. Discussion followed. Mr. Morris explained that the intention at this time is to remain with Wharton and he is continuing to work with the attorneys to agree on the price of the contract.

Rockaway River Watershed

No report.

Open Space Committee

Mr. Bloom reported that the committee’s last meeting was spent recapping plans for the spring.

Community Committee

Mr. Morris reported that the committee is working on its budget and plans for the year.

Mr. Morris asked to appoint Ellen Kelly to the committee. A motion was made by Ms. Kanzenbach, seconded by Mr. Bloom, and approved by a voice vote to accept this appointment.

Planning Board

No report.

OPEN TO THE PUBLIC

Pat Burbridge, Thomastown Road

Mr. Burbridge expressed concerns with construction on Thomastown Road. Mr. Willis responded that the trucks will continue to be going up and down the road until the construction at the end of the road is completed.

Tom Heller, Bissell Street

Mr. Heller asked Mr. Willis why a resolution has taken so long to be put on the agenda for the police contract. He expressed concern with the delays in the process.

Cheryl Dolts, Williams Street

Ms. Dolts commended Police Chief Fernandez. She expressed additional concerns over the length of the process.

Eric Kranz,

Mr. Kranz asked if the public could see the current proposal on the table. Mr. Willis responded that he would need to check with the attorney to see if the current proposal can be released or if it is still a matter of attorney client privilege. The special counsel for the police contract is not present. Mr. Kranz also asked how much is being paid in legal fees. Mr. Morris responded that approximately \$2,300 has been spent so far.

Robert Keller, Frank Street

Mr. Keller asked how the current proposal was changed from the agreed upon proposal coming out of the last meeting. Mr. Willis responded that numbers were being adjusted and he is anticipating that Wharton will come back with a counter to the current proposal next week.

Mr. Morris added that the Township has decided to stay with Wharton and now it is a matter of negotiating the price. It is hoped that there will be a contract to be voted on at the next meeting.

Anthony Fernandez, Wharton Police Chief

Chief Fernandez expressed concern with some of the terms that were included in the most recent proposal and job security for his officers.

Edna Deacon, Randall Avenue

Ms. Deacon expressed her concern that a contract be arrived at soon so that the First Aid Squad could feel secure in calling on the Police when needed.

INTRODUCTION OF ORDINANCES

Ordinance 04-13 Amending Food Handler’s License Fees

A motion was made by Ms. Kanzenbach 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; Mr. Coranato; Ms. Kanzenbach; Mr. Pepperman; Mr. Willis
Nays: none
Absent: none
Abstentions: none

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

SECTION 1. Chapter 8.36 of the Revised General Ordinances of the Township of Mine Hill, entitled “Retail Food Establishment Code”, shall be amended by the repeal of subsection D of Section 8.36.010. Subsection E shall be recodified as 8.36.010 D.

SECTION 2. Chapter 8.36 of the Revised General Ordinances of the Township of Mine Hill, entitled “Retail Food Establishment Code”, shall be amended by the following amendment to subsection B of Section 8.36.020 which shall read, in its entirety, as follows:

B. License Fees. Fees for license of retail food establishments are as follows:

Annual License Fee:	
Prepackaged goods	\$50.00 annually
Temporary food and drink, non-seating & mobile	\$75.00 annually
Restaurants, seating capacity	
0-25 seats	\$150.00 annually
26-100 seats	\$200.00 annually
Over 100 seats	\$250.00 annually
Supermarket (more than 2,500 s.f.)	\$300.00 annually
Re-inspection of premises:	
First re-inspection	½ of annual license fee
Second and subsequent re-inspection	full annual license fee
Plan review fee :	\$100.00

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 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.

Ordinance 05-13 Amending Chapter Regarding Individual Sewage Systems

A motion was made by Ms. Kanzenbach 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; Ms. Kanzenbach; Mr. Pepperman; Mr. Willis
Nays: none
Absent: none
Abstentions: none

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

SECTION 1. Chapter 8.44 of the Revised General Ordinances of the Township of Mine Hill, entitled “Individual Sewage Disposal System”, shall be amended to read in its entirety as follows:

Chapter 8.44

INDIVIDUAL SEWAGE DISPOSAL SYSTEM
CODE ADOPTED

Sections:

- 8.44.010 Purpose.
 - 8.44.020 Short title.
 - 8.44.030 Public record.
 - 8.44.040 Permit required.
 - 8.44.050 Certificate of compliance required.
 - 8.44.060 License required for business of cleaning septic tanks.
 - 8.44.070 Denial of license, permit or certification—Hearing.
 - 8.44.080 Order to stop work.
 - 8.44.090 Fees and charges.
 - 8.44.100 Violations—Penalties.
-
- 8.44.010 Purpose.

The purpose of this chapter is to set forth a code regulating the location, construction, use, maintenance and method of emptying or cleaning individual sewage disposal systems. The issuance of licenses and permits to locate, construct, empty or clean the systems and fixing penalties for the violation thereof is adopted pursuant to Chapter 188, P.L. 1950 (N.J.A.C. 7:9A). A copy of the code is annexed hereto and made a part of this chapter without inclusion of the text thereof in this chapter.

8.44.020 Short title.

The code established and adopted by this chapter is described and commonly known as the "Standards for Individual Subsurface Sewage Disposal Systems."

8.44.030 Public record.

Three copies of the Standards for Individual Subsurface Sewage Disposal Systems have been placed on file in the office of the secretary, clerk or other similar officer of the department of department of health upon the introduction of this chapter and will remain on file in the office for the use and examination of the public.

8.44.040 Permit required.

No person shall locate, construct or alter any individual sewage disposal system until a permit for the location, construction or alteration of the sewage disposal system shall have been issued by the department of department of health.

8.44.050 Certificate of compliance required.

New individual disposal systems shall not be placed in operation nor shall new dwellings or buildings or additions thereto be sold or occupied, which must rely on such a system for sewage disposal, until the department of department of health shall have issued a certificate indicating that the disposal system has been located and constructed in compliance with the terms of the permit issued and the requirements of the code.

8.44.060 Denial of license, permit or certification—Hearing.

In case any license, permit or certification required by this chapter is denied by the department of department of health, a hearing shall be held thereon before the department within fifteen (15) days after the request therefor is made by the applicant and upon such hearing the department of department of health shall affirm, alter or rescind its previous determination and take action accordingly within fifteen (15) days after the date of such hearing.

8.44.070 Order to stop work.

The department of department of health may order all further work in and about any individual sewage disposal system, which is being erected or installed in violation of the code, to be stopped forthwith, except such work as shall be necessary to remedy such violation, and thereafter, the work continued without any violation of any of the provisions of the code, and after issuance of any such order and the service of a copy thereof upon any person connected with or working in and about the erection or installation of any such disposal system, or any part thereof, no further work shall be done thereon except as aforesaid.

8.44.080 Fees and charges.

The following fees and charges are established in order to defray the cost to the township for the filing of plans, processing, and inspection of sewage disposal systems:

A. Residential

Repair Application	\$ 50.00
Alteration Application	\$100.00
New System Application	\$200.00

B. Commercial

Repair Application	\$100.00
Alteration Application	\$200.00
New System Application	\$400.00

C. The permits under this section shall expire one year from the date of issue. The renewal fee for the reissuance of the aforesaid permits shall be fifty dollars (\$50.00).

D. Re-inspection fee \$50.00

8.44.090 Violations Penalties.

Any person violating any of the provisions of or any order promulgated under this chapter or the Standards for Individual Subsurface Sewage Disposal Systems made a part hereof shall, upon conviction thereof, be subject to the general penalty as established in Chapter 1.08 of this code.

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.

CONSENT RESOLUTIONS

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

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

Resolution 046-13 Redemption of Third Party Lien – Block 302, Lot 5

WHEREAS, Tax Sale Certificate #2012-001, was sold to Stuart Lasher on August 15, 2012 on Block 302, Lot 5 known as 52 Wharton Avenue; 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 \$320.32 to Stuart Lasher. This amount includes the redemption amount of \$320.32 and the return of the premium paid at the time of sale in the amount of \$200.00

Total \$520.32

Stuart Lasher
P.O. Box 83
Milltown, NJ 08850

Resolution 047-13 Redemption of Third Party Lien – Block 403, Lot 5

WHEREAS, Tax Sale Certificate #2012-002, was sold to US Bank Cust for Pro Capital I, LLC on August 15, 2012 on Block 403, Lot 5 known as South First Avenue; 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 \$119.73 to US Bank Cust for Pro Capital I, LLC.

Total \$119.73

US Bank Cust for Pro Capital I, LLC
U.S. Bank TLSG
50 South 16th St., Ste. 1950
Philadelphia, PA 19102

Resolution 048-13 Redemption of Third Party Lien – Block 1405, Lot 3

WHEREAS, Tax Sale Certificate #2012-014, was sold to FWDSL & Associates LP on August 15, 2012 on Block 1405, Lot 3 known as 2 Xenia Court; 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 \$2,185.10 to FWDSL & Associates LP. This amount includes the redemption amount of \$1,585.10 and the return of the premium paid at the time of sale in the amount of \$600.00

Total \$2,185.10

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

Resolution 049-13 Redemption of Third Party Lien – Block 1603, Lot 4

WHEREAS, Tax Sale Certificate #2012-018, was sold to US Bank Cust for Pro Capital I, LLC on August 15, 2012 on Block 1603, Lot 4 known as 22 Bassett Avenue; and

WHEREAS, the amount required to redeem was received by the Tax Collector on the forementioned 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 \$1,971.849 to US Bank Cust for Pro Capital I, LLC. This amount includes the redemption amount of \$1,271.84 and the return of the premium paid at the time of sale in the amount of \$700.00

Total \$1,971.84

US Bank Cust for Pro Capital I, LLC
U.S. Bank TLSG
50 South 16th St., Ste. 1950
Philadelphia, PA 19102

Resolution 050-13 Redemption of Third Party Lien – Block 1611, Lot 2

WHEREAS, Tax Sale Certificate #2012-019, was sold to US Bank Cust for Pro Capital I, LLC on August 15, 2012 on Block 1611, Lot 2 known as 62 Route 46; 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 \$633.19 to US Bank Cust for Pro Capital I, LLC. This amount includes the redemption amount of \$333.19 and the return of the premium paid at the time of sale in the amount of \$300.00

Total \$633.19

US Bank Cust for Pro Capital I, LLC
U.S. Bank TLSG
50 South 16th St., Ste. 1950
Philadelphia, PA 19102

Resolution 051-13 Redemption of Third Party Lien – Block 1802, Lot 3

WHEREAS, Tax Sale Certificate #2012-026, was sold to FWDSL & Associates LP on August 15, 2012 on Block 1802, Lot 3 known as 300 Randolph Avenue; 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 \$2,666.95 to FWDSL &

Associates LP. This amount includes the redemption amount of \$2,066.95 and the return of the premium paid at the time of sale in the amount of \$600.00

Total \$2,666.95

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

NON-CONSENT RESOLUTIONS

Resolution 052-13 Approval of Junk Yard License

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

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

Nays: none

Absent: none

Abstentions: none

WHEREAS, John Paschal, who resides at 35 Thomastown Road, has made application for a Junk Dealer Permit renewal for the year 2013; and

WHEREAS, the application fee of \$50.00 has been paid; and

WHEREAS, the Zoning Officer has made an inspection of the property and reports that conditions are satisfactory for the issuance of a permit renewal.

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 Municipal Clerk is hereby authorized and directed to issue a 2013 Junk Dealer Permit to John Paschal of 35 Thomastown Road.

Resolution 053-13 Approval of Health Services Contract

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

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

Nays: none

Absent: none

Abstentions: none

WHEREAS, the Township of Randolph has offered to provide the Township of Mine Hill with Health Services; and

WHEREAS, Mine Hill wishes to utilize said services; and

WHEREAS, the Township Council of the Township of Mine Hill wishes to enter into an interlocal services agreement with Randolph 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. An interlocal services agreement for the receipt of Health Services from the Township of Randolph is hereby approved.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute said interlocal services agreement on behalf of the Township.
3. The Municipal Clerk is hereby authorized and directed to provide a copy of the fully executed agreement and resolution to Mark Caputo, Director of Health for Randolph Township.

Resolution 054-13 Approval of Cleaning Services Contract

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

Nays: none

Absent: none

Abstentions: none

WHEREAS, the Township of Mine Hill wishes to award a contract for cleaning services for the Township Offices and the Mine Hill Civic Center; and

WHEREAS, a proposal in the amount of \$118.00 per weekly cleaning has been provided by Four Seasons Cleaning Service; and

WHEREAS, the contract agreement has been reviewed and approved by the Township Council.

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 Council does hereby authorize the Mayor and Municipal Clerk to execute an agreement with Four Seasons Cleaning Service for cleaning services for the Township Offices and the Mine Hill Civic Center.

NEW & OLD BUSINESS

None at this time.

OPEN TO THE PUBLIC AND COUNCIL COMMENTS

Robert Keller, Frank Street

Mr. Keller is confused as to the Chief saying the proposal is substantially different and the Council is saying it is different but not substantial. Mr. Willis responded that Wharton is free to completely decline this proposal and move forward with the previous proposal. Mr. Morris hopes that this proposal will lead to a sit-down discussion that results in a contract.

Cheryl Doltz, Williams Street

Ms. Doltz expressed concern with a house on Williams Street that had a fire several years ago and is currently uninhabitable. The house's padlocked door is pushed open and is attracting wildlife. Across the street from this house is a home that is being used as a business. Both of these houses are lowering property values on the street. Mr. Thompson responded that he has issued a summons to the home running a business and will be in court with them next week. He added that the fines will likely be substantial and may actually result in prison time for them. Mr. Oostdyk responded that the house that burned is being investigated by his firm to learn what is on the title search. Once the title search comes back, action can be taken.

Pat Burbridge, Thomastown Road

Mr. Burbridge thanked the Police Department, Fire Department and First Aid Squad for their work during the hurricane.

Mr. Burbridge asked why Congressman Lance is not paying rent to have his office here. Mr. Morris responded that it is costing us nothing to have him here so there is no reason for him to pay rent.

ADMINISTRATIVE AGENDA

Mr. Morris reported that we would be receiving two grants for sidewalks. The engineer is recommending preparing the RFP for the work and waiting until next fall/winter to go out to bid to get better prices. The project would then be executed in 2014. He added that the project at Thomastown and West Randolph will be worked on when the frost thaws in the spring.

Mr. Coranato asked if the Township could pay for the Rutgers Safety course and make donations to the Junior Knights. Mr. Morris responded that the safety course could be paid for only for Township residents. He also responded that the Township is not permitted to make donations to outside organizations such as the Junior Knights.

Mr. Morris announced that the budget workshop meeting would be held all day during the day next Wednesday.

Mr. Thompson reported that the building inspector/fire sub-code official Bill Donnerstag would be replacing him as zoning officer when he retires. Various current zoning violations were discussed.

MINUTES OF THE MINE HILL TOWNSHIP COUNCIL
REORGANIZATION MEETING – February 21, 2013

9-2013-02-21

ADJOURNMENT

There being no further business, a motion was made by Mr. Bloom and seconded by Mr. Coranato to adjourn the meeting at 9:04 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