

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
Absent – Mr. Willis
Also Present – Mr. Morris, Mayor; Mr. Oostdyk, Township Attorney; Ms. Macchia,
Township Clerk
Public Present – 5

PRESENTATIONS

Mr. Morris presented awards for the Festival of Lights.

PUBLIC HEARING ON ORDINANCES PREVIOUSLY INTRODUCED

Ordinance 13-13 Amendment to Food Handler License Fees

It was noted that this ordinance has significant errors with regard to its consistency with Ordinance 04-13. This ordinance will not be acted upon at this time, and will be reintroduced in its corrected form in the new year.

BE IT ORDAINED, by the Township Council of the Township of Mine Hill, in the County of Morris, and State of New Jersey, that Section 8.36.020, "Licensing of Retail Food Establishments", shall be amended by the following amendment to Subsection B which shall read, in its entirety, as follows:

SECTION 1. B. License Fees. Fees for license of retail food establishments are as follows:

Food and drink, non-seating	Thirty-five dollars (\$35.00) annually
Temporary food and drink, non-seating	Ten dollars (\$10.00)*
Supermarket (more than 2,500 square feet)	One hundred twenty-five dollars (\$125.00)
Restaurants, seating capacity	
1- 50 seats	Forty-five dollars (\$45.00)
51-100 seats	Sixty-five dollars (\$65.00)
Over 100 seats	Eighty-five dollars (\$85.00)

*The fee for a temporary food license shall be waived for any non-profit organization providing evidence of a federal tax exemption.

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 All Ordinances of the Township of Mine Hill which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.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 14-13 Amendment to Land Use Ordinance

A motion was made by Ms. Kanzenbach and seconded by Mr. Coranato to open the public hearing on this ordinance.

Mr. Paschal of Thomastown Road asked for some clarification as to the purpose of the ordinance. Mr. Bloom responded that it removes motels as a permitted use in the Commercial Zone.

Seeing no further discussion, a motion was made by Mr. Coranato and seconded by Ms. Kanzenbach to close the public hearing. A motion was made by Mr. Coranato and seconded by Ms. Kanzenbach to adopt the ordinance. The roll was called, and the ordinance was adopted by the following vote:

Ayes: Mr. Bloom; Mr. Coranato; Ms. Kanzenbach; Mr. Pepperman
Nays: none
Absent: Mr. Willis
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, “Land Use Regulations,” of the Revised General Ordinances of the Township of Mine Hill shall be amended to delete “Motels” as a permitted use in the Commercial zone so that Subsection 25-10.14.9.1 (“Principal Permitted Uses”) shall read, in its entirety, as follows:

25-10-14.9.1 Principal Permitted Uses.

- a. Retail goods and services stores; including food drugs, drink, household supplies, home appliances stores, barber and beauty shops, shoe shops, clothing and apparel sales;
- b. Furniture and household appliances sales;
- c. Professional Offices and Bank;
- d. Funeral Homes;
- e. Indoor theaters;
- f. Laundromat and Dry-cleaning stores;
- g. Printing and publishing shops;
- h. General office uses;
- i. RESERVED
- j. Schools; and
- k. Churches and similar houses of worship.

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.

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
- Nays: none
- Absent: Mr. Willis
- Abstentions: none

ADMINISTRATIVE AGENDA

Mr. Morris reported that the Dolores Street Walking Path project is expected to break ground after the holidays and that lampposts are being added to the design. The repairs to Xenia Court should also be occurring soon, but the weather has impacted that project.

Mr. Morris noted that the CBDG grant applications are due soon and that he is hoping to have Thomastown Road paved and possibly sidewalk installations completed with grant funding. He added that the Safe Routes to School grant has been closed out.

Mr. Morris announced that the year is ending with the budget in the black but he is unsure yet how much surplus has been generated.

REPORTS OF COUNCIL LIAISONS

Recreation Committee

It was noted that basketball practices are underway with games beginning after the holidays.

Board of Education

Mr. Bloom announced that a Mine Hill student earned a perfect score on the AP test.

Fire & First Aid

Mr. Pepperman reported that he attended the First Aid Squad’s holiday dinner.

Police

Mr. Pepperman reviewed the November statistical report.

Rockaway River Watershed

No report.

Open Space Committee

It was noted that work is ongoing on the trails and associated maps.

Community Committee

It was noted that 20 vendors participated in the Soup Sampler.

Planning Board

No report.

OPEN TO THE PUBLIC

None at this time.

NON-CONSENT RESOLUTIONS

Resolution 161-13 Cancellation of Water Charges – Account #7415

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

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

WHEREAS, the above property was sold in October of 2013; and

WHEREAS, a final water bill was generated and paid by the former owner's Attorney at the time of closing in the amount of \$126.58; and

WHEREAS, upon a review of payments made to the Township, the Water Collector finds that a payment of \$99.16 was received two days prior to this payment, partially paying off the account; and

WHEREAS, the combination of the two payments caused an overpayment in the amount of \$99.16.

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 \$99.16 and said overpayment be returned to the prior owner, Robert Ned DeWitt.

Resolution 162-13 Renewal of Wastewater Management Contract

Mr. Oostdyk pulled this resolution from the agenda so that he could further research the contract before the Council proceeds.

Resolution 163-13 Transfer of Appropriations

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

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

Whereas, under the provisions of the Local Budget Law, certain transfers are allowable in the 2013 Budget, if it shall become necessary to expend an amount in excess of the respective sums appropriated therefore; and there shall be an excess in one or more appropriations; and

Whereas, certain charges to be incurred or salaries and wages that must be paid as designated by the credits herein shown and affected in the appropriations reflected are to be paid before the end of the 2013 budget year:

NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MINE HILL that the Chief Financial Officer be authorized to make the following transfers so that the above mentioned bills and salaries may be paid in the 2013 budget year:

Account Name	Account #	From	To
General Administration – s/w	10510010		1,932.27
Admin – IT Communications – o/e	10510040		225.00
Human Resources – s/w	10510530	634.46	
Mayor & Council – s/w	10511010	980.79	
Municipal Clerk – s/w	10512010		1,326.67
Finance Administration – s/w	10513010		667.29
Finance Administration – o/e	10513020	69.88	
Tax Collection – s/w	10514510		1,176.80
Tax Collection – o/e	10514520	370.21	
Tax Assessment – s/w	10515010		705.27
Tax Assessment – o/e	10515020	209.68	
Planning Board – s/w	10518010		47.41
Plumbing Sub Code Official – s/w	10519410		313.93
Construction Official – s/w	10519510	2,200.84	
Building Sub Code Official – s/w	10519610	290.48	
Electrical Official – s/w	10519710	977.41	
Fire Sub Code Official – s/w	10519810		159.96
Police Dept – s/w	10524010	57.35	
Police Dept – o/e	10524020	100.00	
Emergency Management – s/w	10525210		5.23
Aid to Volunteer Fire Dept	10525520	24,619.55	
Contrib to First Aid Organization	10526020	2,500.00	
Uniform Fire Safety Official – s/w	10526510		1,846.33
Transportation – s/w	10527010		156.44
Dept of Public Works – s/w	10529010		18,000.00
Dept of Public Works – o/e	10529020		5,000.00
Director Community Programs – s/w	10535010		194.35
Recreation – o/e	10537020		1,253.70
Total		33,010.65	33,010.65

Resolution 164-13 Cancellation of Water Charges – Account #3837

A motion was made by Ms. Kanzenbach and seconded by Mr. Coranato to table this resolution until questions could be asked of the Utility Collector. Seeing no discussion, the roll was called, and the resolution was tabled by the following vote:

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

NEW & OLD BUSINESS

Mr. Morris announced that Marcie Istvan has become a full time employee of the Township and will be working in an administrative assistant and deputy clerk capacity.

OPEN TO THE PUBLIC AND COUNCIL COMMENTS

John Paschal, Thomastown Road
 Mr. Paschal referred to Resolution 160-13 which was discussed and approved at the last meeting. This resolution relates to billing practices for property maintenance conducted by the Township. He asked if the property owners were noticed before they are charged. Mr. Morris responded that they are.

Sandy Seibert, Maple Avenue
 Ms. Seibert asked who determines what constitutes “junk” in ordinances against having said junk on private property. Mr. Morris responded that the ordinance actually says that there can be no “storage” outdoors on property, which covers items kept in a driveway or on a front lawn that generally do not belong there, regardless of what they are.

MINUTES OF THE MINE HILL TOWNSHIP COUNCIL
REGULAR MEETING – December 19, 2013

5-2013-12-19

CLOSED SESSION

None.

ADJOURNMENT

There being no further business, a motion was made by Ms. Kanzenbach and seconded by Mr. Pepperman to adjourn the meeting at 8:18 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