

Council President Bloom 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. Bloom 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; Ms. Macchia,  
Township Clerk  
Public Present – Approximately 5

**APPROVAL OF MINUTES**

A motion was made by Ms. Kanzenbach and seconded by Mr. Coranato to approve the minutes of December 5, 2013 and December 19, 2013 as presented. The roll was called and the minutes were approved by the following vote:

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

**COMMUNICATIONS & PETITIONS**

Mr. Bloom noted the following items of correspondence:  
a. Town of Dover re: Municipal Court Appointments  
b. Rockaway River Watershed re: Invoice

Following discussion, it was concluded that Mr. Morris would be calling the Rockaway River Watershed to advise them that the Township would be withdrawing from the Cabinet and not paying the dues invoice.

**CONSIDERATION & APPROVAL OF VOUCHERS**

**Bills List**

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

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

**PUBLIC HEARING ON ORDINANCES PREVIOUSLY INTRODUCED**

**Ordinance 01-14 Cap Ordinance**

A motion was made by Ms. Kanzenbach and seconded by Mr. Coranato to open the public hearing on this ordinance. Seeing no discussion from the Council or the Public, Mr. Bloom closed the public hearing.

A motion was made by Ms. Kanzenbach and seconded by Mr. Willis to adopt the ordinance. The roll was called and the ordinance was adopted by the following vote:

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

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 0.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Council of the Township of Mine Hill in the County of Morris and State of New Jersey finds it advisable and necessary to increase its CY 2014 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Council hereby determines that a 0.5% increase in the budget for said year, amounting to \$9,085.95 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of Mine Hill, in the County of Morris and State of New Jersey, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2014 budget year, the final appropriations of the Township of Mine Hill shall, in accordance with this ordinance and N.J.S.A. 40A: 4-5.14, be increased by 3.5%, amounting to \$63,601.62, and that the CY 2014 municipal budget for the Township of Mine Hill be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

**Ordinance 02-14 Amendment to Food Handlers License Fees**

A motion was made by Ms. Kanzenbach and seconded by Mr. Coranato to open the public hearing on this ordinance. Seeing no further from the Council or the Public, Mr. Bloom closed 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. Coranato; Ms. Kanzenbach; Mr. Pepperman; Mr. Willis; Mr. Bloom
- 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, 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:

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

\*The fee for any 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 03-14 Establishing the Position of Zoning and Housing Enforcement Officer**

A motion was made by Mr. Coranato and seconded by Mr. Willis to open the public hearing on this ordinance. Seeing no discussion from the Council or the Public, Mr. Bloom closed the public hearing.

A motion was made by Ms. Kanzenbach and seconded by Mr. Coranato to adopt the ordinance. The roll was called and the ordinance was adopted by the following vote:

Ayes: Mr. Coranato; Ms. Kanzenbach; Mr. Pepperman; Mr. Willis; Mr. Bloom  
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, that Section 2.76.030, "Construction Official and Subcode Officials", shall be amended by the inclusion of new subsection D. which shall read, in its entirety, as follows:

D. Code Enforcement and Housing Officer.

There shall be a Code Enforcement and Housing Officer who shall be appointed by the Mayor with the advice and consent of the Council for a term of one year commencing January 1. The Code Enforcement and Housing Officer shall be responsible for the enforcement of Municipal Ordinances as well as housing inspections and Certificate of Habitability Inspections together with such other duties as may be assigned by the Mayor or Department Head.

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 04-14 Amendment to Salary Ordinance**

A motion was made by Ms. Kanzenbach and seconded by Mr. Pepperman to open the public hearing on this ordinance. Seeing no discussion from the Council or the Public, Mr. Bloom closed the public hearing.

A motion was made by Ms. Kanzenbach and seconded by Mr. Willis to adopt the ordinance. The roll was called and the ordinance was adopted by the following vote:

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

Section 1. Ordinance No. 09-13 Fixing the Salary and Wage Ranges of Certain Officials and Employees is hereby amended in the following particulars only:

<u>Title</u>	<u>Salary Range</u>
Zoning and Housing Enforcement Officer	\$5,000 - \$15,000

Section 2. All ranges of salaries or compensation herein above fixed shall be effective January 1, 2014. When an hourly rate is stated, payment shall be made on the basis of properly approved time sheets. All salaries shall be payable bi-weekly except for Council members, the Emergency Management Coordinator and the Elevator Subcode Official, who shall be paid quarterly.

Section 3. All Ordinances inconsistent with the Ordinance are hereby repealed.

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.

**ADMINISTRATIVE AGENDA**

Mr. Morris provided brief updates on several topics:

- The housing officer has been successfully addressing stacking issues
- The Dolores Walking Path project is underway
- Site work has been completed for sidewalk on Randolph Avenue; project will go to bid
- Awaiting response from RVRSAs regarding proof submitted that Gillen Street needs sewers
- Municipal Budget preparation is underway
- A basement on Alan Court is collapsing along the same shaft as the Xenia collapse; the mining engineer is investigating
- NJDEP fined the Township \$8,000 for failure to submit a water report; the engineer is getting that fine reduced
- Discussion is ongoing regarding the possibility of having the entire Township be a no-overnight-parking zone from November to April
- Consideration is being given to establishing a debt cap by ordinance so that future Councils would have more difficulty undoing the progress toward being debt free that this administration has accomplished

**REPORTS OF COUNCIL LIAISONS****Recreation Committee**

Mr. Morris discussed the possibility of combining the recreation and community committees. It was noted that the beach no longer falls under a committee but rather is run like a Township department. Consensus of the Council was to proceed with combining the committees.

**Board of Education**

Administration is working to make sure requirements that are set forth by State with respect to finances are being met. Paperwork for in and out of district students is being worked on as it is important for collecting State aide. Principal and Board of Ed are developing a plan to help raise NJASK Language Arts scores. Snow days discussed.

**Fire & First Aid**

No report.

**Police**

It was noted that Headquarters has temporarily relocated to 23 Ross Street while renovations are underway.

**Open Space Committee**

No report.

**Planning Board**

No report.

**OPEN TO THE PUBLIC**

John Paschal of Thomastown Road discussed the decision not to remain a member of the Watershed Cabinet.

**INTRODUCTION OF ORDINANCES****Ordinance 05-14 Adoption of IPMC Code**

A motion was made by Ms. Kanzenbach and seconded by Mr. Pepperman to introduce the ordinance. Seeing no discussion, the roll was called and the ordinance was introduced by the following vote:

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

Nays: none

Absent: Mr. Willis

Abstentions: none

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

SECTION 1. The Revised General Ordinances of the Township of Mine Hill, Chapter 8.48 entitled "Property Maintenance" shall be amended by the inclusion of the following additional subsection :

§ 8.48.16 Adoption of the Property Maintenance Code

A certain document, three (3) copies of which are on file in the Township Clerk's Office, being marked and designated as the 2012 International Property Maintenance Code as published by the International Code Council, Inc., be and the

same is hereby adopted as the Property Maintenance Code of the Township of Mine Hill for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said 2012 International Property Maintenance Code are hereby referred to, adopted and made a part hereof, as if fully set out in this Ordinance.

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. Pepperman and seconded Mr. Coranato to approve the consent agenda. The roll was called and the consent agenda was adopted by the following vote:

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

Nays: none

Absent: none

Abstentions: none

#### **Resolution 024-14 Redemption of a Third Party Tax Lien – Block 2103, Lot 3**

WHEREAS, Tax Sale Certificate #09-33, was sold to Royal Tax Lien Services, LLC on June 18, 2009 on Block 2103, Lot 3 known as 143 Hurd 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 \$149,885.24 to Royal Tax Lien Services LLC. This amount includes the redemption amount of \$120,885.24 and the return of the premium paid at the time of sale in the amount of \$29,000.00

Total \$149,885.24

Royal Tax Lien Services, LLC  
115 West Avenue, Ste. 300  
Jenkintown, PA 19046

#### **Resolution 037-14 Redemption of a Tax Title Lien – Block 2103, Lot 3**

WHEREAS, Tax Sale Certificate #2013-026, was sold to US Bank Cust. For BV001 Trust on October 24, 2013 on Block 1802, Lot 1, Qualifier 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 \$3,747.05 to US Bank Cust. For BV001 Trust. This amount includes the redemption amount of \$1,947.05 and the return of the premium paid at the time of sale in the amount of \$1,800.00

Total \$3,747.05

US Bank Cust. For BV001 Trust  
50 S 16<sup>th</sup> St. Ste. 1950  
Philadelphia, PA 19102

### **NON-CONSENT RESOLUTIONS**

#### **Resolution 027-14 Authorizing Agreement with Roxbury Township for Animal Control Services**

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

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

Nays: none

Absent: none

Abstentions: none

WHEREAS, the Township of Roxbury has offered to provide the Township of Mine Hill with Animal Control 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 Roxbury 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 Animal Control Services from the Township of Roxbury 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 Amy Rhead, Township Clerk of Roxbury.

**Resolution 028-14 Authorizing Agreement with Risk Management Consultant**

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

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

Nays: none

Absent: none

Abstentions: none

WHEREAS, there exists a need for professional risk management consulting services in the Township of Mine Hill; and

WHEREAS, said services are of such a specialized and qualitative nature that it renders competitive bidding impractical; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., particularly N.J.S.A. 40A:11-5(1)(m) specifically provides that insurance, including insurance consultant services, is not subject to the requirements of public bidding; and

WHEREAS, the Township of Mine Hill wishes to appoint Fairview Insurance Agency Associates, Inc. as the Township's Risk Management Consultant; and

WHEREAS, the amount of the Risk Management Consultant's contract is six percent (6%) of the annual assessment imposed on the Township by the Joint Insurance Fund (JIF), plus any brokerage commissions paid by insurance companies on policies authorized by the Township which are outside the JIF; and

WHEREAS, the Chief Financial Officer of the Township of Mine Hill has certified as to the availability of funds for this purpose.

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 Mayor and Township Clerk are hereby authorized and directed to execute a contract with Fairview Insurance Agency Associates, Inc., for professional risk management consulting services, which contract is on file in the Office of the Township Clerk.
2. This contract is awarded without competitive bidding in accordance with the specific exemption for such services found in N.J.S.A. 40A:11-5(1)(m) of the Local Public Contracts Law, and because the services to be provided are extremely specialized in nature and require a degree of expertise, training and experience in the insurance industry. Additionally, the services to be provided are by their nature qualitative, and thus not susceptible of being described by written specifications.
3. A notice of this action shall be printed once in the Township's official newspaper according to law.

**Resolution 029-14 Authorizing Agreement with Municipal Software Inc.**

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

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

Nays: none

Absent: none

Abstentions: none

WHEREAS, Municipal Software, Inc. (MSI) provides information technology services to municipalities; and

WHEREAS, the Township Council wishes to enter into an agreement with MSI to provide said services pursuant to the attached; and

WHEREAS, the Chief Financial Officer of the Township of Mine Hill has certified that funds are available for this purpose.

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 attached agreement with MSI may be executed by the appropriate municipal officials for twelve month period.
2. This Resolution shall take effect immediately.

**Resolution 030-14 Authorizing Agreement with Onix Networking for Google Government Services**

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

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

Nays: none

Absent: none

Abstentions: none

WHEREAS, Onix Networking provides a subscription service for Google Apps and Google Vault to municipalities; and

WHEREAS, the Township Council wishes to enter into a Networking Government Customer Agreement with Onix Network in an amount of \$400.00 per year; and

WHEREAS, the Chief Financial Officer of the Township of Mine Hill has certified that funds are available for this purpose.

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 Onix Networking Government Customer Agreement with Onix Networking may be executed by the appropriate municipal officials for twelve month period for an annual subscription price of \$400.00.
2. This Resolution shall take effect immediately.

**NEW & OLD BUSINESS**

Mr. Coranato raised the issue of considering banning LED signs.

**OPEN TO THE PUBLIC AND COUNCIL COMMENTS**

Mr. Paschal asked if the Watershed Cabinet ever identified point source pollution where subsequent remedial action was taken. Mr. Morris will find out and respond.

**CLOSED SESSION**

**Resolution 031-14 Authorizing the Council to Enter Closed Session**

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

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

Nays: none

Absent: none

Abstentions: none

WHEREAS, N.J.S.A. 10:4-13 of the Open Public Meetings Act permits the exclusion of the public from a meeting under certain circumstances; and

WHEREAS, the Township Council is of the opinion that such circumstances presently exist.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MINE HILL, COUNTY OF MORRIS AND STATE OF NEW JERSEY as follows:

1. The public shall be excluded from discussion of the specified subject matter(s) set forth in paragraph 2 below.
2. The subject matter(s) to be discussed are as follows:
  - Litigation – Potential Matter
  - Personnel Matter – Township Administrator
  - Contract Negotiation – Specify
  - Attorney-Client Privilege – Specify
  - Collective Bargaining Agreement – Specify
  - Other – as authorized by N.J.S.A. 10:4-12 – Specify
3. Minutes of the closed session and any other information required to be shown in the minutes by law, shall be promptly available to the public when the matters discussed are resolved, to the extent that making such matters public shall not be inconsistent with section N.J.S.A. 10:4-12.
4. The Township Council may come back into open session and take further action.
5. This Resolution shall take effect immediately.

It was noted that no action will be taken upon return to open session.

**ADJOURNMENT**

There being no further business, a motion was made by Mr. Pepperman and seconded by Ms. Kanzenbach to adjourn the meeting at 9:45 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