

Municipal Clerk Amanda Macchia called the reorganization 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. Macchia announced that adequate notice for this meeting had been given as required by law.

**INVOCATION**

The invocation was given by Pastor Alan Pirello of Budd Lake Chapel.

**STATEMENTS OF DETERMINATION AND OATHS OF OFFICE**

Ms. Macchia read the statements of determination that Mr. Bloom, Ms. Kanzenbach and Mr. Pepperman had been elected to new Council terms in the 2013 General Election. The three Council Members were sworn in by Mr. Morris.

**ROLL CALL:** Present – Mr. Bloom; Mr. Coranato; Ms. Kanzenbach; Mr. Pepperman; Mr. Willis  
Absent –  
Also Present – Mr. Morris, Mayor; Mr. Bucco, Township Attorney; Ms. Macchia,  
Township Clerk  
Public Present – Approximately 25

**ELECTION OF COUNCIL PRESIDENT**

Ms. Macchia opened the floor to nominations for Council President.

Ms. Kanzenbach nominated Mr. Bloom. The nomination was seconded by Mr. Pepperman.

Seeing no further nominations, the floor was closed to nominations. The roll was called, and Mr. Bloom was elected by the following vote:

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

**ELECTION OF COUNCIL VICE PRESIDENT**

Mr. Bloom opened the floor to nominations for Council Vice President.

Mr. Coranato nominated Mr. Willis. The nomination was seconded by Ms. Kanzenbach.

Seeing no further nominations, the floor was closed to nominations. The roll was called, and Mr. Willis was elected by the following vote:

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

**OATHS OF OFFICE OF THE MINE HILL FIRE DEPARTMENT OFFICERS AND FIRST AID SQUAD OFFICERS**

Mr. Morris swore in the officers and members of the Mine Hill Fire Department and First Aid Squad. Chief Fernandez spoke saying the police department would be out of their building by the end of the month due to renovations and would also use an office at the Mine Hill Municipal Building. Lieutenant Dave Young spoke and explained that they hired five new officers and promoted two others.

**MAYORAL ADDRESS**

Mayor Morris's wife, Nancy and their children, Zachery and Sarah made a donation to the Food Pantry of both food and a total of \$1,145.00 collected from the family's Christmas light display.

Councilman Dave Bloom spoke thanking the following: the Mine Hill Voters for putting their trust in the Council and Mayor to lead the community; the volunteers, especially the First Aid and Fire Department for all of their service; the Townhall staff; the Police, and the Mayor. The 2014 Focus is fiscal responsibility, community pride and transparency. It is all about making the town a better place that everyone is proud of.

The Mayor thanked the following: the Council, the staff, Chief Fernandez and the Police Department; and all of the volunteers. He mentioned that DPW work hard and have accomplished a lot. The Township had a pre-audit December 2, 2013 and they were pleased with what they found and reviewed. New hires are Marcie Istvan, Administrative Assistant, Tom Trapasso, Code Enforcement and Housing Officer, and Dave Mannherz, Construction Inspector. The proposed 2014 infrastructure improvements are, Randolph Avenue sidewalks, paving of South First Street, possibly Thomastown Road, and Fourth Avenue.

**APPOINTMENT OF MUNICIPAL PROFESSIONALS (CONSENT AGENDA #1)**

Mr. Morris appointed Anthony Bucco of Murphy McKeon, PC as Township Attorney, Steven Rogut of Rogut McCarthy, LLC as Bond Counsel and Paul Sterbenz of Maser Consulting as Municipal Engineer/Planner.

A motion was made by Ms. Kanzenbach and seconded by Mr. Pepperman to approve the consent agenda confirming these appointments. 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

**Resolution 001-14 Authorization of Professional Service Contract – Municipal Attorney**

WHEREAS, the Township of Mine Hill has a need to obtain the services of a Township Attorney and has determined to award this contract as a professional service without obtaining competitive bids or quotations pursuant to the provisions of *N.J.S.A. 19:44A-20.5*; and

WHEREAS, the Township has determined and certified in writing that the value of the service will exceed \$17,500.00; and

WHEREAS, the anticipated term of this contract is two years; and

WHEREAS, Anthony M. Bucco, Esq. has submitted a proposal indicating that he will provide the legal services of Township Attorney subject to the terms and conditions set forth in the attached proposal; and

WHEREAS, Anthony M. Bucco, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Township of Mine Hill for the previous one year, and that the contract will prohibit him from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law *N.J.S.A. 40A:11-1 et seq.* requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, the Chief Financial Officer has certified that the funds are available for this contract.

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 Township of Mine Hill hereby appoints Anthony M. Bucco, Esq. as Township Attorney and authorizes the execution of a contract with Mr. Bucco in accordance with the terms and conditions set forth herein; and

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and the Determination of Value associated with this contract be placed on file with this resolution; and

BE IT FINALLY RESOLVED a notice of this action shall be printed once in the legal newspaper of the Township of Mine Hill as required by law.

This Resolution shall take effect immediately.

**Resolution 002-14 Authorization of Professional Service Contract – Bond Counsel**

WHEREAS, the Township of Mine Hill has a need to obtain the services of Bond Counsel and has determined to award this contract as a professional service without obtaining competitive bids or quotations pursuant to the provisions of *N.J.S.A. 19:44A-20.5*; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, Rogut McCarthy, LLC has submitted a proposal indicating that they will provide the legal services of Bond Counsel subject to the terms and conditions set forth in the attached proposal; and

WHEREAS, Rogut McCarthy, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Township of Mine Hill for the previous one year, and that the contract will prohibit him from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law *N.J.S.A. 40A:11-1 et seq.* requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, the Chief Financial Officer has certified that the funds are available for this contract.

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 Township of Mine Hill hereby appoints Rogut McCarthy, LLC as Bond Counsel and authorizes the execution of a contract with Rogut McCarthy, LLC in accordance with the terms and conditions set forth herein; and

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification associated with this contract be placed on file with this resolution; and

BE IT FINALLY RESOLVED a notice of this action shall be printed once in the legal newspaper of the Township of Mine Hill as required by law.

This Resolution shall take effect immediately.

**Resolution 003-14 Authorization of Professional Service Contract Municipal Engineer/Planner**

WHEREAS, the Township of Mine Hill has a need to obtain the services of Municipal Engineer/Planner and has determined to award this contract as a professional service without obtaining competitive bids or quotations pursuant to the provisions of *N.J.S.A. 19:44A-20.5*; and

WHEREAS, the Township has determined and certified in writing that the value of the service will exceed \$17,500.00; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, Paul Sterbenz or Maser Consulting has submitted a proposal indicating that he will provide the services of Municipal Engineer/Planner subject to the terms and conditions set forth in the attached proposal; and

WHEREAS, Mr. Sterbenz has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Township of Mine Hill for the previous one year, and that the contract will prohibit him from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law *N.J.S.A. 40A:11-1 et seq.* requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, the Chief Financial Officer has certified that the funds are available for this contract.

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 Township of Mine Hill hereby appoints Paul Sterbenz of Maser Consulting as Municipal Engineer/Planner and authorizes the execution of a contract with Mr. Sterbenz in accordance with the terms and conditions set forth herein; and

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and the Determination of Value associated with this contract be placed on file with this resolution; and

BE IT FINALLY RESOLVED a notice of this action shall be printed once in the legal newspaper of the Township of Mine Hill as required by law.

This Resolution shall take effect immediately.

**APPOINTMENT OF THE MUNICIPAL PROFESSIONAL (Council Appointment)**

**Resolution 004-14 Authorization of Professional Service Contract – Municipal Auditor**

A motion was made by Ms. Kanzenbach and seconded by Mr. Coranato to approve the resolution. 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

WHEREAS, the Township of Mine Hill has a need to obtain the services of Municipal Auditor and has determined to award this contract as a professional service without obtaining competitive bids or quotations pursuant to the provisions of *N.J.S.A. 19:44A-20.5*; and

WHEREAS, the Township has determined and certified in writing that the value of the service will exceed \$17,500.00; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, Ardito & Co, LLP has submitted a proposal indicating that s/he will provide the services of Municipal Auditor subject to the terms and conditions set forth in the attached proposal; and

WHEREAS, Ardito & Co, LLP has completed and submitted a Business Entity Disclosure Certification which certifies that s/he has not made any reportable contributions to a political or candidate committee in the Township of Mine Hill for the previous one year, and that the contract will prohibit him/her from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law *N.J.S.A. 40A:11-1 et seq.* requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, the Chief Financial Officer has certified that the funds are available for this contract.

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 Township of Mine Hill hereby appoints Ardito & Co, LLP as Municipal Auditor and authorizes the execution of a contract with Ardito & Co, LLP in accordance with the terms and conditions set forth herein; and

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and the Determination of Value associated with this contract be placed on file with this resolution; and

BE IT FINALLY RESOLVED a notice of this action shall be printed once in the legal newspaper of the Township of Mine Hill as required by law.

This Resolution shall take effect immediately.

**REESTABLISHMENT AND APPOINTMENT OF THE TOWNSHIP COUNCIL TO COMMITTEES**  
**Resolution 005-14 A Resolution Reestablishing the Committees of the Township Council**

A motion was made by Mr. Coranato and seconded by Ms. Kanzenbach to approve the resolution. 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

**Appointment of Township Council to Committees**

Mr. Bloom made the following appointments:

Council Community Awareness Committee: Ms. Kanzenbach / Mr. Coranato

Council Finance Committee: Mr. Willis / Mr. Bloom

Council Interlocal Committee: Mr. Coranato / Mr. Pepperman

Council Police Committee: Mr. Willis / Mr. Pepperman

Council Taxi Review Committee: Mr. Coranato / Mr. Pepperman

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 following Committees of the Township Council are hereby reestablished for the year 2014:

Council Community Awareness Committee

Council Finance Committee

Council Interlocal Committee

Council Police Committee

Council Taxi Review Committee

Said Committees shall consist of two members of the Township Council as appointed by the Council President.

**APPOINTMENT OF COUNCIL LIAISONS**

Mr. Bloom made the following appointments:

Council Representatives to the Recreation Committee: Mr. Coranato / Ms. Kanzenbach  
Council Representatives to the Board of Education: Mr. Coranato / Mr. Kanzenbach  
Council Senior Citizen Liaisons: Mr. Coranato / Ms. Kanzenbach  
Council Fire and First Aid Liaisons: Mr. Pepperman / Ms. Kanzenbach  
Council Representatives to the Joint Court Committee: Mr. Bloom / Mr. Coranato  
Council Representatives to the Open Space Committee: Mr. Bloom / Ms. Kanzenbach  
Council Representatives to the Community Committee: Mr. Pepperman / Mr. Coranato

Mr. Morris acknowledged the presence of County Freeholders John Cesaro and William “Hank” Lyon. Mr. Morris and the Council thanked them for their attendance.

**APPOINTMENT OF MUNICIPAL OFFICIALS**

**Resolution 006-14 A Resolution Confirming Appointments of the Mayor and Municipal Officials**

Mr. Morris made the following appointments:

Recycling Coordinator: Ms. Macchia  
Code and Housing Enforcement Officer: Mr. Trapasso  
Zoning Officer: Ms. Blouse  
Morris County League Member: Mr. Morris  
Morris County League Alternate: Ms. Kanzenbach  
NJ Intergovernmental Insurance Fund Commissioner: Ms. Wild

A motion was made by Ms. Kanzenbach and seconded by Mr. Coranato to approve the resolution confirming these appointments. 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

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 confirms the following appointments of the Mayor:

Recycling Coordinator – Amanda Macchia  
Zoning Officer – Thomas Trapasso  
Zoning Officer – Jennifer Blouse  
Morris County League Member – Sam Morris  
Morris County League Alternate – Kristine Kanzenbach  
NJ Intergovernmental Insurance Fund Commissioner – Katelyn Wild

**APPOINTMENT OF PLANNING BOARD MEMBERS**

Mr. Morris made the following appointments:

Planning Board Class II Member Mr. Galarano  
Planning Board Alternate Members Ms. Goldstein

**APPOINTMENT OF CLASS III PLANNING BOARD MEMBER**

**Resolution 007-14 A Resolution Appointing Township Council Member of the Planning Board**

Mr. Bloom made the following appointment:

Planning Board Class III Member Mr. Willis

A motion was made by Mr. Coranato and seconded by Mr. Pepperman to approve the resolution. 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

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 appoints Fred Willis to be the Township Council Representative Member of the Planning Board (Class III Member) for the year 2014.

**APPOINTMENTS TO THE COMMUNITY DEVELOPMENT REVENUE SHARING COMMITTEE**

**Mayor’s Appointments**

Mr. Morris made the following appointments: Mr. Morris / Ms. Wild

**Council’s Appointment**

**Resolution 008-14 A Resolution Appointing Township Council Member to the Community Development Revenue Sharing Committee**

A motion was made by Ms. Kanzenbach and seconded by Mr. Pepperman to approve the resolution. 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

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 appoints Kristine Kanzenbach to be the Township Council Representative Member of the Community Development Revenue Sharing Committee for the year 2014.

**ADMINISTRATIVE AND FINANCIAL RESOLUTIONS (CONSENT AGENDA #2)**

A motion was made by Ms. Kanzenbach and seconded by Mr. Pepperman to approve the consent agenda. 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

**Resolution 014-13 Meeting Notice For The Township Council of the Township of Mine Hill January 2014 Through January 2015.**

WHEREAS, the Open Public Meetings Act N.J.S.A. 10:4-19 requires that every public body shall post and maintain posted throughout the year for the purpose of public inspection, a schedule of the regular meetings of the public body to be held during the succeeding year;

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 public meetings of the Mine Hill Township Council shall be held during 2014 at the Municipal Building, 10 Baker Street in said Township at 7:30 p.m. on the following dates:

- January 2, 2014 – Reorganization
- January 16, 2014
- February 6, 2014
- February 20, 2014
- March 6, 2014
- March 20, 2014
- April 3, 2014
- April 17, 2014
- May 1, 2014
- May 15, 2014
- June 12, 2014
- June 26, 2014
- July 17, 2014
- August 14, 2014
- September 4, 2014
- September 18, 2014
- October 2, 2014
- October 16, 2014
- November 13, 2014
- December 4, 2014
- December 18, 2014
- January 1, 2015 – Reorganization

BE IT FURTHER RESOLVED that the above schedule and any revision thereof shall be posted on the bulletin board in the Municipal Building and mailed to the Daily Record, and upon prepayment of mailing and processing costs, to all persons requesting copies of such schedule or any revision thereof.

BE IT FURTHER RESOLVED that the meetings shall be conducted in accordance with *Roberts Rules of Order*.

**Resolution 010-14 A Resolution Designating the Official Newspapers of the Township of Mine Hill and Fixing a Charge to Persons Requesting Individual Notice**

WHEREAS, N.J.S.A. 10:4-6 et. seq. known as the “Open Public Meetings Act” requires notices to be given on meetings of public bodies, as defined and prescribed in said statute and further provides for the fixing of a reasonable charge to be paid by any persons requesting such notices.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Mine Hill, County of Morris, State of New Jersey, that:

1. The Morris County Daily Record and the Newark Star Ledger, the newspapers having the greatest likelihood of informing the public of meetings to be held by the Township Council of the Township of Mine Hill, are hereby designated as the newspapers to receive notices of all meetings of this Township Council for the calendar year 2014 as required by the Open Public Meetings Act.
2. The bulletin board in the main hallway of the Municipal Building located at 10 Baker Street, Mine Hill, New Jersey, is hereby designated as the place where all official notices of public meetings of this Township Council are to be posted for the calendar year 2014.
3. A fee of twenty-five dollars (\$25.00) per annum is hereby fixed as the charge to any person requesting individual notice of public meetings of the Township Council of the Township of Mine Hill as provided for under the Open Public Meetings Act, but as provided in N.J.S.A. 10:4-19, no charge shall be made to any newspaper requesting the mailing of such notices to its business office.
4. This Resolution shall take effect immediately.

#### **Resolution 011-14 Cash Management Plan**

WHEREAS, it is in the best interest of the Township of Mine Hill to earn additional revenue through the investment and prudent management of its cash receipts; and

WHEREAS, the Local Fiscal Affairs Law N.J.S.A. 40A:5-2, N.J.S.A. 40A:5-14 and N.J.S.A. 40A:5-15.1 requires that each local unit shall adopt a cash management plan,

NOW, THEREFORE BE IT RESOLVED that the following shall constitute the Cash Management Plan for the Township of Mine Hill and the Treasurer shall deposit and manage its funds pursuant to this plan.

#### Definitions

1. Treasurer shall mean the Treasurer of the Township of Mine Hill.
2. Fiscal Year shall mean the twelve month period ending December thirty-one.
3. Cash Management Plan shall mean that plan as approved by resolution.

#### Designation of Depositories

At least once each fiscal year the governing body shall by resolution designate the depositories for the Township of Mine Hill in accordance with N.J.S.A. 40A:5-14. The depositories shall be GUDPA approved depository banks and the New Jersey Cash Management Fund.

#### Audit Requirement

The Cash Management Plan shall be designed to assure to the extent practicable the investment of local funds in interest bearing accounts and other permitted investments as allowed by Statute. The Cash Management Plan is subject to the annual audit conducted pursuant to N.J.S.A. 40A:5-4.

#### Investment Instruments

The Treasurer shall invest at his/her discretion in any investment instrument as approved by the State of New Jersey in accordance with N.J.S.A. 40A:5-15.1.

#### Records and Reports

The Treasurer shall report all investments in accordance with N.J.S.A. 40A:5-15.2.

At a minimum, the Treasurer shall:

1. Keep a record of all investments.
2. Keep a cash position record which reveals, on a daily basis, the status of the cash in its bank accounts
3. Confirm investments with the governing body at the next regularly scheduled meeting.
4. Ensure all moneys are deposited in accordance with N.J.S.A. 40A:5-15.

#### Cash Flow

The Treasurer is authorized and directed to invest surplus funds of the Township of Mine Hill as the availability of the funds permit. In addition, it shall be the responsibility of the Treasurer to minimize the possibility of idle cash by depositing the monies in interest bearing accounts wherever practical and in the best interest of the Township of Mine Hill.

The Treasurer is charged with the custody of monies of the Township of Mine Hill and shall deposit them as designated by the Cash Management Plan and shall thereafter be relieved of any liability for loss of such monies due to the insolvency or closing of any depository designated by, or the decrease in value of any investment authorized by, the Cash Management Plan pursuant to N.J.S.A. 40A:5-14F.

**Resolution 012-14 Designation of Official Depositories for Funds of the Township of Mine Hill**

BE IT RESOLVED by the Township Council of the Township of Mine Hill that the Official Depositories for the Township Funds shall be:

Lakeland Bank  
Bank of America  
Provident Bank  
Valley National Bank  
Hudson Savings Bank  
TD Bank  
Sovereign Bank

BE IT FURTHER RESOLVED that the following persons be authorized to transfer funds by wire, sign Township Bank Account checks and transfer to and from Township Bank Accounts:

Sam Morris, Mayor  
Katelyn Wild, Acting Chief Financial Officer  
Amanda G. Macchia, Municipal Clerk

**Resolution 013-14 A Resolution Fixing the Rate of Interest to Be Charged for Delinquent Payment of Municipal Charges Including But Not Limited to Taxes, Assessments, Water and Sewer Charges and Other Amounts That May be Assessed By the Township**

WHEREAS, N.J.S.A 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for non-payment of Taxes, Assessments, Water and Sewer charges and other amounts that may be assessed by the Township (hereinafter referred to as “Municipal Charges”) subject to any abatement or discount for the late payment of Municipal Charges as provided by law; and

WHEREAS, N.J.S.A 54:4-67 has been amended to permit fixing of said rate of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00 and 6% year end penalty on any delinquent Municipal Charges due the 31<sup>st</sup> day of December in excess of \$10,000.00.

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 Tax Collector is hereby authorized and directed to charge 8% per annum on the first \$1,500.00 of Municipal Charges becoming delinquent after the due date and 18% per annum on any amount of Municipal Charges in excess of \$1,500.00 becoming delinquent after the due date and if a delinquency is in excess of \$10,000.00 and remains in arrears beyond December 31<sup>st</sup> of each year an additional penalty of 6% shall be charged against the delinquency.
2. The ten (10) day grace period for Municipal Charges will remain in effect for 2013.
3. Any payments not made in accordance with paragraph 2 of this resolution shall be charged interest from the date set forth on paragraph 1 of this resolution.
4. This resolution shall be published in its entirety once in the official newspaper of the Township.

**Resolution 014-14 Authorizing Automatic Cancellation of Overpayments or Delinquencies Under \$10.00 Without Benefit of Specific Resolution**

BE IT RESOLVED, by the Township Council of the Township of Mine Hill, in the County of Morris and State of New Jersey, that on the recommendation of the Township Auditors all overpayments or delinquencies of taxes, water or sewer in the amount of ten dollars (\$10.00) or less be automatically cancelled by the Tax Office when they occur anytime during the current year without benefit of a specific resolution so canceling.

**Resolution 015-14 A Resolution Authorizing Defense of Tax Appeals by the Township Attorney**

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 Attorney is hereby authorized to file counterclaims with the Tax Court of New Jersey regarding any tax appeal filed with the Tax Court of New Jersey; and

BE IT FURTHER RESOLVED that the Township Attorney will do what is necessary or desirable to effectuate settlement of any case, without prejudice to the Township’s interest in any other pending or future tax assessment appeals.

**Resolution 016-14 A Resolution Authorizing Establishment and Maintenance of a Petty Cash Fund**

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund.

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 a petty cash fund shall be established and maintained in the Municipal Clerk’s Office in the amount of \$300.00. Such petty cash shall be used for purchases not to exceed \$25.00.



**Resolution 017-14 Authorizing Temporary Appropriations as Provided by N.J.S.A.40A:4-19**

WHEREAS, N.J.S.A. 40A:4-19, Local Budget Law, provides that temporary appropriations may be made prior to the adoption of the 2014 Budget for the purposes and amounts required, in the manner therein provided, and

WHEREAS, the total appropriations in the 2013 budget, less appropriations made for Capital Improvement Fund, Debt Service and Public Assistance are as follows:

CURRENT FUND	\$4,015,135.00
WATER UTILITY	\$ 469,000.40
SEWER UTILITY	\$ 179,848.00
SOLID WASTE DISTRICT	\$ 377,000.00

WHEREAS, 26.25% of the total appropriations in the 2013 Budget, less appropriations made for Capital Improvement Fund, Debt Service and Public Assistance is as follows:

CURRENT FUND	\$1,053,972.00
WATER UTILITY	\$ 123,112.00
SEWER UTILITY	\$ 47,210.00
SOLID WASTE DISTRICT	\$ 98,962.00

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Mine Hill, County of Morris, State of New Jersey, that the following attached temporary appropriations be made and a copy of this resolution shall be transmitted to the Chief Financial Officer for her records.

**INTRODUCTION OF ORDINANCES**

**Ordinance 01-14 Ordinance to exceed the Municipal Budget Appropriation Limits and Establish a Cap Bank (N.J.S.A 40A: 4-45.14)**

Mr. Bloom asked for a motion to introduce this ordinance. A motion was made by Mr. Kanzenbach and seconded by Mr. Pepperman to introduce the ordinance.

The roll was called and the ordinance will be further considered for adoption at the Township Council Meeting scheduled for February 6, 2014 at 7:30 pm:

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: 4-45.14, 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.

#### **NON-CONSENT RESOLUTIONS**

##### **Resolution 018-14 Cancellation of Water Charges – Account #3837 – 20 Anderson Place**

A motion was made by Mr. Willis and seconded by Mr. Coranato to approve the non-consent resolution. 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

WHEREAS, the above property was recently visited by the Water Technician due to an extremely high water consumption; and

WHEREAS, it was found that the meter had been tampered with via the seal being cut and the meter turned around; and

WHEREAS, the reading taken at the time of the visit was 9993460 and the reading at billing was 9996436 confirming the meter was running backwards; and

WHEREAS, the combination of the last correct meter read of 2681 and the backward flow is a total of 9220 gallons used causing an overbill; and

WHEREAS, since no payment was received, this overbill needs to be corrected in the records.

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 overbilled and the collector make an adjustment to show the billing for the period to be \$80.45 and move forward with filing tampering charges with the courts.

##### **Resolution 019-14 A Resolution Consenting to the Reappointment of Judi O'Brien as Township Tax Collector**

A motion was made by Ms. Kanzenbach and seconded by Mr. Coranato to approve the non-consent resolution. 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

WHEREAS, Judi O'Brien was appointed as Tax Collector with a term that commenced on January 1, 2010 for four years; and

WHEREAS, pursuant to N.J.S.A. 40A:9-141 the Township is required to appoint a Tax Collector for a term of four years; and

WHEREAS, Ms. O'Brien possesses the necessary certifications to serve in the office of Tax Collector and has requested reappointment to that position; and

WHEREAS, Ms. O'Brien will acquire tenure pursuant to N.J.S.A. 40A:9-145.8 upon reappointment; and

WHEREAS, Mayor Morris has reappointed Ms. O'Brien for a four year term as Tax Collector subject to the advice and consent of 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 Township Council consents to the reappointment of Judi O'Brien as Township Tax Collector for the Township of Mine Hill for a term of four years commencing on January 1, 2014.

This Resolution shall take effect immediately.

**OPEN TO THE PUBLIC AND COUNCIL COMMENTS**

John Paschal, Thomastown Road

Mr. Paschal asked what is the difference between a Class II and Class III Planning Board Member? Ms. Macchia explained a Class II is a member of another body, in this case he is a member of the Open Space Committee. A Class III Member is a member of the Township Council, in this case Mr. Willis. Class I is the Mayor and Class IV are the members at large.

Mayor Morris introduced Michael Bremski from JCP&L.

**ADJOURNMENT**

There being no further business, a motion was made by Ms. Kanzenbach and seconded by Mr. Pepperman to adjourn the meeting at 8:15 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