

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; Ms. Kanzenbach; Mr. Pepperman; Mr. Willis
Absent – Mr. Coranato
Also Present – Mr. Morris, Mayor; Mr. Bucco, Township Attorney; Ms. Istvan, Deputy
Municipal Clerk
Public Present – 11

APPROVAL OF MINUTES

A motion was made by Mr. Pepperman and seconded by Ms. Kanzenbach to approve the minutes of June 26, 2014 as presented. The roll was called, and the minutes were approved by the following vote:

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

Nays: none

Absent: Mr. Coranato

Abstentions: none

COMMUNICATIONS & PETITIONS

The following items of correspondence were noted:

a. Paul Sterbenz – re: James Court

It was discussed that on James Street there is a cul-de-sac and the sidewalks do not go anywhere and they are in poor condition. Mr. Sterbenz, the Town Engineer recommended that they should be taken out and replaced with grass. It will save the Town at least \$50,000 because in addition to replacing the sidewalks, retaining walls would also be involved. Mr. Pepperman suggested doing the same on Xenia, but Mayor Morris explained that because the sidewalks on Xenia bring you to a main sidewalk, they should not be taken away. Mayor Morris discussed it with a few of the residents who live on James Street and they were in agreement with the idea. The Town will send a letter to the residents of James Street and it will most likely begin mid- September.

b. Morris County Board of Chosen Freeholders Resolution No. 47

The Board sent a letter and a copy of Resolution No. 47 urging municipalities to distribute and adopt a similar resolution. The resolution urges the President of the United States to utilize the full powers and authorities of his office to immediately secure the release of US Marine Sgt. Andrew Tahmooressi from Mexican custody to the United States and calls for a delegation of Congressional and State Department representatives, the Red Cross and American medical professionals to meet with Sgt. Tahmooressi while the details of his immediate release are being negotiated to assess his physical and emotional well-being. The Sergeant suffers from Post-Traumatic Stress Disorder, made a wrong turn and crossed the Mexican Border with legally registered firearms in his truck and immediately reported his error to 911, but was then arrested at the border for weapons trafficking.

A motion was made by Mr. Pepperman and seconded by Mr. Willis to take action and introduce a resolution in support of the Morris County Board of Freeholders Resolution No. 47. Other members of the Council want to reach out to the Board of Freeholders to obtain more information before taking action.

CONSIDERATION & APPROVAL OF VOUCHERS

Bills List

The Council asked for a breakdown of 16716, but Mayor Morris was not able to locate it at the time.

Following brief discussion, a motion was made by Mr. Pepperman and seconded by Ms. Kanzenbach to approve the bills list after pulling 16716. Seeing no discussion, the motion was approved by the following vote:

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

Nays: none

Absent: Mr. Coranato

Abstentions: none

Mr. Anthony Bucco arrived at this time 7:35pm.

Mayor Morris located the breakdown of 16716 and explained that it was for a bulk parts fire hydrant purchase order.

A motion was made by Mr. Bloom and seconded by Ms. Kanzenbach to include 16716 and approve the bills list in its entirety as originally presented. Seeing no discussion, the motion was approved by the following vote:

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

Nays: none

Absent: Mr. Coranato

Abstentions: none

PRESENTATIONS

Mr. Anthony Bucco presented Kathryn Vanderkooi with a Senate and Assembly Joint Citation and Mayor Morris presented a certificate from Mine Hill Township in recognition of her achievement as Dover High School Salutatorian for the 2014 Graduating Class.

PUBLIC HEARING ON ORDINANCES PREVIOUSLY INTRODUCED

Ordinance 15-14 Ordinance Amending Chapter 25 of the Revised General Ordinances of the Township of Mine Hill and Providing for the Regulations of Signs within the Township

Upon motion made and seconded and a voice vote, the public hearing on this ordinance was opened.

Ms. Kanzenbach mentioned that there are certain combinations of colors, for example, pink, blue and white that are on the LED light at the bottom of the hill that can be distracting when driving. Mayor Morris explained that the location has prior zoning approval so they are excluded from this ordinance. The Mayor explained it will not be a problem to go down and show them the ordinance, as they are very accommodating and cooperative having slowed down the sign and adjusting the colors when asked to in the past.

Seeing no further discussion, the public hearing on this ordinance was closed.

Mayor Morris explained the reason the Town started looking at the sign ordinance. The Town Attorneys said the old sign ordinance really did nothing, it had contradictory language and language that really negated people from putting up quality signage. One commercial resident read the ordinance when it was published and questioned why so much? Mayor Morris explained the Town has to set some new standards. The Town is trying to clean up Route 46, trying to make sure the commercial zones look nice and the residential zones are not taken advantage of by poor ordinances or laws. That was the real impetus. It is a big piece of legislation. This will give the residents guidance for zoning and the standard the Town wants. It will allow the public to know exactly what they can and cannot do. The Planning Board is very happy to see this has been cleaned up and it will allow them to do their job better.

Mr. Bucco stated that although the volume of the ordinance may be scary to the public, in fact it will help the public as it will allow them to know what can and cannot be done. It will be easier for the public to understand what is required and how far they can and cannot go. It is a benefit to the public. Mr. Bloom added with the recodification and putting everything on line will make it more accessible.

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

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

Nays: none

Absent: Mr. Coranato

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. Section 25-10.20 of the Revised General Ordinances of the Township of Mine Hill, entitled "Signs", shall amended to read in its entirety as follows:

25-10.20 Signs.

25-10.20.1 Purpose.

A. In all zoning districts within the jurisdiction of this Ordinance, signs may be used, erected, maintained, altered, relocated, removed or demolished only in compliance with the provisions of this Section and any and all ordinances and regulations of the municipality relating to the use, erection, maintenance, alteration, moving or removal of signs or similar devices.

1. The intent of these regulations are to:

(a) Control the size, location, character and other pertinent features of all exterior signs or interior signs visible from the exterior of the building;

- (b) Promote signage which is compatible with its surroundings, orderly, readable, appropriate, helpful and not distracting to motorists;
 - (c) Discourage and render unlawful signs which contribute to visual pollution and clutter, are in disrepair or of faulty construction, or are in any way detrimental to the public safety and welfare.
2. Standards set forth herein with respect to size, location, and number of signs constitute zoning regulations. Deviations from these sign standards with respect to size, number and/or location of signs shall require the granting of a bulk zoning variance by the approving Board. Deviations from all other sign standards shall require the granting of a design waiver by the approving Board.

25-10.20.2 Permits.

A sign permit shall be required before the erection, re-erection, construction, alteration, or placement or location of any permanent sign permitted by this Chapter. No sign shall be constructed or displayed unless a permit shall have been obtained from the administrative official, or unless the signs have been approved of as part of a site plan or subdivision. All applications shall be signed by the owner of the sign and the property owner on whose premises the sign is to be erected. All applications shall contain a sketch of the proposed sign, drawn to scale, the wording or message and, where the sign will be attached to a building. A plot plan shall also be provided showing the location of the proposed sign with dimensions to the nearest building, lot lines and existing freestanding signs within one hundred (100) feet of the proposed sign. All applications shall be accompanied by the appropriate fee. As soon as the sign has been erected, the applicant shall notify the Construction Official for a final inspection.

- A. A permit shall not be required for the following, provided such items are subject to all other provisions of this Chapter:
 - 1. Repainting or resurfacing of signs.
 - 2. Relocation of signs as required by the municipality.
 - 3. Exempt signs pursuant to this Section.
- B. In hearing any application for a variance or design waiver pertaining to signage, the Planning Board may consider modification to the overall sign design for the site. This may include a reduction in the quantity of signs, and/or a reduction in advertising area of signs in order to promote the purpose of this section and so the benefits of granting relief will outweigh the detriments.

25-10.20.3 Removal.

Signs shall be removed in the following instances:

- A. **Signs on Vacant Premises or for Discontinued Use.** The owner of a property shall remove, cover, or reverse the advertising, message, symbol or other information conveyed by signs within thirty (30) days after the activity, business or use it advertises or calls attention to is no longer conducted in or upon the premises.
- B. **Illegal Signs.** Any sign erected or applied in violation of this Chapter shall be immediately removed by the owner. Any sign illegally placed in a public right-of-way shall be subject to removal by the Township and forfeiture at the owner's expense.

25-10.20.4 Size Calculation.

Except where specifically prohibited, all signs may be double-faced, and the maximum area shall apply to each side. The area of the sign shall include each and every part of the sign, including moldings and frames, computed in a rectilinear area as the product of the largest horizontal width and the largest vertical height of the sign. Where the sign is supported by a post or pylon whose surface is being used for advertising purposes, the area of the post, pylon or other supporting members shall be considered as part of the total allowable sign area. Wherever the name or advertising message on a sign is divided between a number of panels or parts, the total area of all of the panels or parts shall be considered as one (1) sign, and where a sign consists of individual letters, logos or numbers attached to a building or structure, the area of the sign shall be considered as the total area encompassed by a rectilinear area of no more than six (6) sides which can collectively enclose all of the letters, logos or numbers.

25-10.20.5 Sign Replacement or Alteration.

If and when any sign is moved, altered or replaced, except for purposes of minor and nonstructural maintenance and/or repairs, the sign shall thereafter conform to all of the requirements of this Ordinance.

25-10.20.6 Design Standards and Requirements.

The following regulations shall be observed for all signs in all zoning districts in the municipality:

- A. Any sign not specifically permitted is hereby prohibited.
- B. No sign shall be erected on any lot or building which does not pertain to the use of the lot or building, unless provided for elsewhere in this section.
- C. Identification signs of a prototype design and corporation logos shall conform to the criteria established within this Ordinance.
- D. A sign should complement the architectural style, scale, and aesthetics of the building and should be designed as an integral architectural element of the site to which it principally relates. As an architectural element, the sign should reflect the period of architecture and should be in harmony with a building's character and use. It must not interfere with architectural lines and details and shall conform to landscape standards associated with signs. Components of signs (supporting structures, backs, etc.), not bearing a message shall be landscaped and constructed of materials or painted a neutral color, to blend with the natural environment.

- E. Where a building requires several different signs under circumstances where this ordinance would permit multiple signs, a consistent design theme shall be created utilizing similar elements such as material, size, background and lettering color, lettering style, illumination and borders.
- F. Any sign located along the right-of-way of a State or Federal highway shall comply with any more restrictive requirements of the State and Federal government relating thereto. No permit for signs along a State or Federal highway shall be issued unless and until all necessary approvals from the State or Federal Government are received. Limitations on signs as set forth in this Section shall not apply to any sign or directional device erected by the Federal, State, County or Township government or agency thereof.
- G. No sign shall be placed in such a position as to endanger traffic by obscuring view or by confusing with official street signs or signals because of position, color or reflective surface and no sign other than street signage or of governmental authority shall be placed within a sight triangle.
- H. No sign shall project over a public walkway, except for signs of governmental authority. For those exceptions where a sign is permitted, the lowest edge of such sign shall be at least eight (8) feet above the sidewalk elevation.
- I. Only one (1) sign of a permitted type for which a permit is required shall be erected on any one (1) premises held in single and separate ownership unless otherwise specified in this Ordinance.
- J. No sign shall have a dimension greater than as approved by the Board as part of site plan approval.
- K. Flags other than official national, State, County, or municipal flags shall be considered to be signs and shall comply with applicable regulations. Flagpoles shall not exceed thirty (30) feet in height nor be located closer than thirty (30) feet to a right-of-way.
- L. Every permitted sign must be constructed with durable materials, must conform with the requirements of the BOCA Building Code and the International Property Maintenance Code, and must be kept in good condition and repair. Any sign which is allowed to become dilapidated may be removed by the municipality at the expense of the owner or lessee of the property on which it is located.
- M. Except where more restrictive limitations apply, no sign or any part thereof shall be located closer than ten (10) feet to any Municipal, State, or Federal street right-of-way or lot line.
- N. All signs shall have a border a minimum of two (2) inches in width on all sides of the sign. The structural frame may be used to meet the requirement for a border.
- O. Parking, traffic control, directional and warning signs as approved or deemed necessary to the public welfare shall be permitted in all zones, provided that they do not exceed four (4) square feet in area and do not contain advertising.

25-10.20.7 Freestanding Signs.

- A. Only one (1) freestanding sign is permitted for each property.
- B. Freestanding signs shall be set back a minimum of thirty (30) feet from any residential district. Freestanding signs shall be placed in a location which will allow sufficient reaction time for drivers on the adjacent roads, and not obstruct the visibility of cars entering and exiting the site.
- C. In no case shall a freestanding sign be located closer than ten (10) feet to any street right-of-way or thirty (30) feet to any side or rear property line unless otherwise noted in the particular zone district.
- D. Freestanding signs shall comply with the freestanding sign setback requirement of the zone where the sign will be located.
- E. No freestanding, ground, monument or pylon sign shall have more than two (2) sign faces. The maximum distance between the faces of a double faced sign shall not exceed eighteen (18) inches.
- F. Freestanding sign components relating to an assemblage of businesses such as a shopping center shall be grouped in an aesthetically compatible and visually coordinated manner.
- G. Freestanding signs shall consist of materials and colors similar to and compatible with the primary structure.
- H. Freestanding signs shall be supported utilizing durable materials which may include concrete, steel, treated wood, other suitable material or combination of same. Supports for freestanding signs shall be set securely in the ground or concrete so that the sign will be capable of withstanding high winds.

25-10.20.8 Facade Signs.

- A. The width of a wall sign extending perpendicular from the building face shall not exceed twelve (12) inches. Signs erected flat against a building wall shall not extend above the height of a vertical wall, parapet or eave to which they are attached.
- B. There shall not be more than one (1) facade or wall sign as herein regulated to each separate tenant of the premises except where the tenant's unit fronts on two (2) streets, then one (1) facade or wall sign shall be permitted per frontage.
- C. No sign shall be placed upon any roof surface.
- D. The maximum height of any facade sign shall not exceed five (5) feet and the maximum width shall not exceed sixty-five (65%) percent of the width of the wall upon which the sign is erected, attached or painted.

25-10.20.9 Canopy and Awning Signs.

Where a business establishment has a canopy or awning, a sign may be attached to the face of the canopy or awning instead of a wall mounted sign provided the sign does not extend above the highest point of the canopy or awning and further provided that:

- A. Signs attached to, painted on or part of the face of the canopy or awning shall not extend above, below, or to the sides of the face of the canopy or awning nor extend more than four (4) inches from the face of the canopy or awning.

- B. For the purpose of this section, canopy or awning shall mean a covering extending from a building wall located at least eight (8) feet above the sidewalk or the ground below, but not including any extension of the building roof.
- C. Maximum sign area and size shall be determined by the size and dimensions of the wall to which the canopy or awning is attached.
- D. The maximum height of any canopy or awning sign shall not exceed three (3) feet and the maximum width shall not exceed seventy-five (75%) percent of the width of the canopy or awning upon which the sign is erected, attached or painted.

25-10.20.10 Time and Temperature Signs.

- A. Signs shall be non-rotating and contain no advertising.
- B. The area of the sign shall not exceed twenty-four (24) square feet nor be located on a lot with less than two hundred (200) feet of road frontage.
- C. There shall not be any other time and temperature sign within one thousand five hundred (1,500) feet of another such sign.

25-10.20.11 Illumination.

- A. Illuminated signs shall not be illuminated by means of any flashing, occulting or moving light, nor shall any sign be erected which either mechanically, by shimmering or any other means, gives the appearance of a flashing, occulting or moving light.
- B. No internally illuminated signs shall be permitted in any zoning district. Illumination shall be from an indirect source only, such as a spotlight or by means of backlighting. Back lighted signs shall be constructed so that the lighting itself is not directly visible and so that it shines upon the building at a level sufficient only to display the sign's features. Any lighting fixtures mounted on the sign or in the vicinity thereof for such purposes shall be installed so as to be shielded or unobtrusive to avoid glare and/or hazards to pedestrians and motorists.
- C. No sign shall contain or be illuminated by the use of neon tubes except as necessary for back lighted signs and, in any event, no neon tubes shall be visible.
- D. Any illuminated sign shall be designed and installed such that the light produced shines only upon the premises where they are located; exterior lighting shall be shielded where necessary to avoid glare or other hazards to motorists, pedestrians or adjoining properties. To the extent feasible, exterior sign lighting shall be directed so that such illumination is confined primarily to the sign features and not portions of the building facade unrelated to the sign.
- E. For all uses, regardless of the zoning district in which the property is situated, sign illumination shall be limited to the hours of operation of the business or use of the property, or shall be terminated by 10:00 p.m., whichever is later.

25-10.20.12 Prohibited Signs.

The following signs are prohibited in all zones in the municipality:

- A. Signs using red, yellow and green lights placed within one hundred (100) feet of any traffic control signal now or hereafter erected.
- B. Moving or revolving signs and signs using blinking, flashing, vibrating, flickering, tracer, sequential or intermittent lighting, with the exception of any time or temperature displays.
- C. Changeable copy displays and message boards except for public uses, quasi-public uses, theaters, and vehicular service station price signs.
- D. Signs using any material which sparkle, glitter, or uses neon or reflective colors, but nothing herein contained is intended to prohibit the use of reflective paint on signs directing traffic or identifying various locations within a lot or parcel. Signs which emit smoke, visible vapors or particles, sound or odor.
- E. Roof and projecting signs except as otherwise noted in this Section.
- F. Signs having more than two (2) sign faces.
- G. Signs or advertising matter of an obscene nature.
- H. Signs using words such as "stop", "look", "danger", etc., which are placed in a manner or position which in the judgment of the Chief of Police constitutes a traffic hazard or otherwise interferes with the free flow of traffic.
- I. Signs which in any way simulate official, direction or warning signs or otherwise cause confusion with those erected or maintained by the State of New Jersey, Morris County or Mine Hill Township or by any railroad, public utility or agency concerned with the protection of the public health or safety or signs which hide from view any traffic or street sign or signal.
- J. Any sign which may dangerously confuse or distract the attention of the operator of a motor vehicle.
- K. Except where specifically permitted, signs advertising a product or service not sold on the premises, signs advertising or directing attention to another premises and any other signs unrelated to the premises on which the sign is erected.
- L. Signs causing interference with radio or television reception.
- M. Signs obstructing doors, fire escapes or stairways or keeping light or air from windows used for living quarters.

N. Streamers, flags, banners, pinwheels, wind driven signs, flapping signs, rotating signs, inflatable signs, A-type signs, sandwich-type signs, sidewalk signs, curb signs and similar advertising devices, except as may otherwise be permitted in this Ordinance.

O. Signs which are portable or fixed on a movable stand; self-supporting without being firmly imbedded in the ground; supported by other objects; mounted on wheels or movable vehicle; or made easily movable in any other manner except as may otherwise be permitted in this Ordinance.

P. Signs attached, affixed or painted on trees, rocks, other natural features, utility poles, light poles, signs attached to other signs, and signs placed upon motor vehicles which are continuously or repeatedly parked in a conspicuous location to serve as a sign.

Q. Any series of two (2) or more signs placed along a street or highway carrying an advertising message, part of which is contained on each sign.

R. No billboard or billboard-type signs shall be erected.

S. Signs located in a public right-of-way, or approved site easement except those owned and maintained by a duly constituted governmental agency.

T. Signs located, painted or affixed on a water tower, storage tank, tower or other similar structure.

25-10.20.13 Exempt Signs - Signs Permitted Without a Permit.

The following signs do not require a sign permit and are exempt from the provisions of this Chapter provided they meet State requirements, where applicable:

A. Signs posted by governmental agencies or pursuant to governmental statute, order or regulation.

B. Temporary and permanent traffic signs and signals installed by the municipality, County and State for the purpose of directing and regulating the flow of traffic.

C. Signs indicating public transportation stops when installed by the municipality or a public transportation facility.

D. One non-illuminated or shielded illuminated residence designation sign attached to a wall, not exceeding one (1) square foot in surface area, shall be permitted for each single-family residence, multi-family residence or conditional home business use.

E. Parking, traffic control, directional, entrance, exit, loading zones, and warning signs when deemed necessary for the public welfare provided that they do not exceed four (4) square feet in area. With the exception of entrance and exit signs, traffic signage shall not contain advertising.

F. Non-illuminated or internally illuminated information or public service signs, such as those advertising the availability of rest rooms, telephone, or similar public conveniences, provided that such signs do not advertise any commercial establishment, activity, organization, product, goods or services, except those of public utilities.

G. Historic tablets, cornerstones, memorial plaques and emblems which do not exceed six (6) square feet in area and which are installed by government agencies or religious organizations.

H. Trespassing signs; signs indicating the private nature of a road, driveway, or premises; and signs prohibiting or otherwise controlling fishing or hunting upon a particular premises, provided that the area of one (1) side of any such sign shall not exceed two (2) square feet.

I. Flags or emblems of religious, educational, civic or governmental organizations flown from supports on the buildings or grounds occupied by the organization whenever and wherever flown in accordance with the laws and rules promulgated by the Federal government, except that no flag may be placed closer than thirty (30) feet to any right-of-way nor exceed a thirty (30) foot height.

J. One (1) lawn sign identifying the occupant and/or conditional home business use, not exceeding two (2) square feet in area for each side located ten (10) feet from the right-of-way and all property lines. A sign for a conditional home business use shall only indicate the name and profession of the resident.

K. Illuminated and non-illuminated signs which are an integral part of vending machines.

L. All temporary signs pursuant to the requirements of Section 25-10.20.14.

M. Signs lighting and displays erected in connection with the observance of holidays. Signs shall be removed within fifteen (15) days following the holiday.

25-10.20.14 Temporary Signs

The following regulations shall apply to temporary signs permitted in any zone unless otherwise specified:

A. Non-illuminated real estate signs announcing the sale, rental or lease of the premises on which the sign is located. The sign may be double-faced and, except as noted below, only one (1) sign shall be permitted on each lot or parcel unless it fronts on more than one (1) street whereby one (1) sign shall be permitted per frontage. The maximum size of the sign shall be in accordance with the following schedule:

1. Residential zones: six (6) square feet

2. Business zones: twelve (12) square feet

3. Industrial zones: twenty-four (24) square feet

4. Residential developments with six (6) or more homes for sale may be advertised on a non-illuminated real estate sign not to exceed thirty-two (32) square feet nor a ten (10) foot height and located within the development advertised.

5. The advertised use of the structure shall be in accordance with the zoning permitted in the district in which it is located.

6. All real estate signs shall be removed within fifteen (15) days after closing, expiration of listing, or settlement on said property or the execution of the lease.

B. Temporary signs for advertising public functions or fund raising events for charitable or religious organizations shall be permitted for a period of thirty (30) days prior to the event and shall be removed within fifteen (15) days after the event.

- C. Temporary political signs may be erected. Campaign signs shall be removed within fifteen (15) days after the election.
- D. Relocation information sign for a period of thirty (30) days. A relocation sign shall be restricted to the present location of the relocating business. The relocation sign shall be incorporated into the existing sign and shall not be in excess of standards set forth for the zone in which the business is located.
- E. Construction Signs. One (1) sign announcing the name of developer, architect, engineer, contractor, subcontractors, funding source, the building enterprise and related information shall be permitted at a site under construction, alteration or repair, provided the sign shall not exceed thirty-two (32) square feet in area and that the sign shall be removed before a Certificate of Occupancy is issued.
- F. Temporary window signs advertising or describing sales or special merchandise are permitted without a permit, only on the first floor, provided that the same sign does not remain visible from the exterior of the building for a period of longer than twenty (20) days and that all of the signs individually or collectively do not exceed thirty (30%) percent of all available window space on the first floor window on which the signs are located.

25-10.20.15 Temporary Special Event Signs.

- A. Notwithstanding any provision of this section, the Administrative Official may issue a temporary permit for a period not to exceed three (3) weeks for special signs advertising the opening of a new business or commercial enterprise subject to the following conditions:
 - 1. A temporary sign permit shall be obtained and specifically note the date of erection and removal.
 - 2. One (1) temporary sign not exceeding thirty-two (32) square feet shall be located on the same property as the business or enterprise they advertise and be set back a minimum of ten (10) feet from the street right-of-way and all adjoining property lines.
 - 3. The use of banners, pennants, flags, and similar advertising devices where it is determined by the Administrative Official that such signs can be erected without impairing the safety and welfare of the general public.
 - 4. Such signs shall be maintained in an orderly manner at all times.
 - 5. Such temporary signs shall be removed immediately upon expiration of the permit. Citation, violations and fines shall commence upon failure to remove the signage upon the expiration date of the permit.
 - 6. All other applicable portions of this section except number and size of signs shall apply.

25-10.20.16 Special Permit Signs.

Signs which either do not lend themselves to the ordinary processes of measurement or, because of their nature, require special control, may be permitted when the Board finds such signs to be in conformance with the intent of this Chapter and appropriate to the type of development or structure to which they are related. Signs of or similar to the following type require special permits:

- A. Signs integrated or structurally incorporated into the architecture of buildings.
- B. Signs formed by the arrangement of cutting of landscaping materials or plantings.

C. The permit may limit the period of time for which the signs may remain.

25-10.20.17 Maintenance.

- A. All signs with all their supports, braces, hooks, anchors and other fastening devices, shall be of substantial and sturdy construction, shall be kept in good repair, and shall be painted or cleaned as often as necessary to maintain a clean, neat, safe and orderly appearance. In the event that the Zoning Officer of the municipality determines that any sign now hereafter erected has fallen into a state of disrepair, has become dilapidated or constitutes a safety hazard, the sign owner and property owner shall be given written notice to correct the condition within thirty (30) days from the date of the mailing of the notice. Failure to correct the condition or file an appeal within the time provided shall constitute a violation of this Section.
- B. All signs shall be maintained in good repair. Lack of proper maintenance shall be considered abandonment and the sign shall be removed upon notification by the Construction Official.
- C. If a sign other than a billboard advertises a business, service, commodity, accommodation, attraction, or other enterprise or activity that is no longer operating or being offered or conducted, that sign shall be considered abandoned and shall, within thirty (30) days after such abandonment, be removed by the sign owner, owner of the property where the sign is located, or other party having control over such sign.
- D. If the message portion of the sign is removed, leaving only the "shell" of the sign of the supporting braces, anchors, or similar components, the owner of the sign or the owner of the property where the sign is located or other person having control over such sign shall, within thirty (30) days of the removal of the message portion of the sign, either replace the entire message portion of the sign or remove the remaining components of the sign. This shall not be construed to prevent the changing of the message of a sign.

25-10.20.18 Signs in Residential Zoning Districts.

Only the following signs shall be permitted:

- A. One (1) name plate sign attached to a wall. The sign shall not be more than one (1) square foot in area, and shall be located within the property lines. A sign for conditional home business use shall indicate only the name and profession of the resident.
- B. One (1) lawn sign identifying the occupant and/or conditional home business use, not exceeding two (2) square feet in area on each side located ten (10) feet from the right-of-way and all property lines. A sign for a conditional home business use shall indicate only the name and profession of the resident (not telephone numbers, web addresses or any other information).

C. One (1) permanent sign to identify the name of a residential development of twenty-five (25) units or more. Such sign shall be a maximum of thirty-two (32) square feet in size, seven (7) feet in height and shall be located a minimum of fifteen (15) feet from any property line. Multi-family developments shall be permitted one (1) freestanding sign per development for each public street frontage.

D. At the rental or sales office of the residential development, one (1) temporary freestanding sign advertising the office, not to exceed fifteen (15) square feet in area and not more than five (5) feet in height.

E. Religious institutions, nursing homes, assisted living facilities, private schools, service organizations and public buildings and facilities may have one (1) freestanding sign or bulletin board, not more than twenty-four (24) square feet in area, not to exceed six (6) feet in height, on each major street bordering the property. The source of light from any such sign, if illuminated, shall not be visible from any adjacent property or from any street.

F. Signs deemed necessary by the Governing Body.

G. With the exception of signs as noted in paragraph F. above, no sign permitted in the residential districts shall be located closer than ten (10) feet to any road right-of-way or adjoining property.

25-10.20.19 Signs in Nonresidential Zoning Districts. Only the following signs shall be permitted:

1. One (1) façade, canopy, awning or permanent window sign per nonresidential occupant. The total aggregate area of all such signs shall not exceed ten (10%) percent of the area of the face of the wall upon which such sign or signs are erected, attached or painted.

2. One (1) freestanding sign per lot, in the ED and C Districts only, not to exceed the following standards, based upon the predominant exposure:

Maximum Freestanding Size	Minimum Freestanding Sign Setback	Maximum Freestanding Sign Height
32 sq. ft.	10 feet	15 feet

25-10.20.20 Nonconforming Signs.

A. Subject to the restrictions of this section, nonconforming signs that were otherwise lawful on the effective date of this Article may be continued except as provided below.

1. No person may engage in any activity that causes an increase in the extent of nonconformity of a nonconforming sign. No nonconforming sign may be enlarged or altered in such a manner as to aggravate the nonconforming condition, nor may illumination be added to any nonconforming sign.

2. A nonconforming sign may not be moved or replaced except to bring the sign into complete conformity with this Section.

3. If a nonconforming sign is destroyed by natural causes, it may not thereafter be repaired, reconstructed, or replaced except in conformity with all the provisions of this Chapter, and the remnants of the former sign structure shall be cleared from the land. For purposes of this Section, a nonconforming sign is "destroyed" if damaged to an extent that the cost of repairing the sign to its former stature or replacing it with an equivalent sign equals or exceeds fifty (50%) percent of the value (tax value if listed for tax purposes) of the sign so damaged.

4. The message of a nonconforming sign may be changed as long as it does not create any new nonconformities.

5. Subject to other provisions of this Section, nonconforming signs may be repaired and renovated as long as the cost of such work does not exceed within any twelve (12) month period fifty (50%) percent of the value (tax value if listed for tax purposes) of such sign.

6. If a nonconforming sign other than a billboard advertises a business, service, commodity, accommodation, attraction, or other enterprise of activity that is no longer operating or being offered or conducted, that sign shall be considered abandoned and shall be removed within thirty (30) days after such abandonment by the sign owner, owner of the property where the sign is located, or other party having control over such sign.

7. If a nonconforming billboard remains blank for a continuous period of one hundred eighty (180) days, that billboard shall be deemed abandoned and shall, within thirty (30) days after such abandonment, be altered to comply with this article or be removed by the sign owner, owner of the property where the sign is located, or other person having control over such sign. For purposes of this Section, a sign is "blank" if;

(a) It advertises a business service, commodity, accommodation, attraction, or other enterprise or activity that is no longer operating or being offered or conducted; or

(b) The advertising message it displays becomes illegible in whole or substantial part; or

(c) The advertising copy paid for by a party other than the sign owner or promoting an interest other than the rental of the sign has been removed.

SECTION 2. Section 25-2 of the Revised General Ordinances of the Township of Mine Hill, entitled "Definitions" shall be amended by the inclusion of the following additional definitions:

Billboard Sign shall mean a sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.

Facade shall mean the total wall surface, including door and window area, of a building's principal face. In computing permitted sign area, only one (1) face of a building may be used as the principal face.

Facade Sign - See wall sign.

Freestanding Sign shall mean any immovable sign not affixed to a building.

Ground or Monument Sign shall mean any sign, other than a pole sign, placed upon or supported by the ground independent of any other structure.

Pole or Pylon Sign shall mean a sign that is mounted on a freestanding pole or similar support so that the bottom edge of the sign face is three (3) feet or more above grade.

Portable Sign shall mean a sign that is not permanent, affixed to a building, structure or the ground.

Residence Designation Sign shall mean a sign or plate indicating the name of the property or occupants.

Roof Sign shall mean a sign erected above the facade or on the roof of a building.

Temporary Sign shall mean a sign that (a) is used in connection with a circumstance, situation, or event that is designed, intended, or expected to take place or to be completed within a reasonably short period of time after the erection of such sign, or (b) is intended to remain on the location where it is erected or placed for a period not more than fifteen (15) days. If a sign display area is permanent but the message displayed is subject to periodic changes, that sign shall not be regarded as temporary.

Wall Sign shall mean a sign attached to, painted upon or erected against an awning, canopy, the wall or facade of a building or structure and not extending more than twelve (12) inches from a building face or facade of the structure.

Window Sign shall mean a sign maintained in or painted upon a window which is clearly visible from the exterior of a structure through a window.

The following definition shall replace the existing definition of “sign”:

Sign shall mean any object, device, display or structure or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images

SECTION 3. This Ordinance may be renumbered for codification purposes.

SECTION 4. 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 5. 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 6. This Ordinance shall take effect as required by law.

Ordinance 19-14 An Ordinance to Amend Chapter 10 of the Revised General Ordinances of the Township of Mine Hill and to Establish Additional Stop Intersections at Various Locations and Reduce the Speed Limit to 25 MPH on Randall Avenue

Upon motion made and seconded and a voice vote, the public hearing on this ordinance was opened.

Mr. Bloom explained that an expert from Maser Consulting, the Town’s engineering company went out and examined all of the intersections and agreed that putting a stop sign at all of the intersections listed in the ordinance were valid, except for the intersection of Central Avenue and Shawn Street. Due to that recommendation, the Council needed to vote down Ordinance 19-14 and introduce Ordinance 21-14 in its place, which will be exactly the same except the Line “Central Avenue and Shawn St. Central Avenue-Southbound Only” will be removed.

Mr. Willis mentioned he would like to see “No Parking” on either side on Randall Avenue up by the church, with the exception of Sunday’s, as there is not enough room. Mr. Bucco said that should be done as a separate ordinance after talking with the engineers and police department.

Seeing no further discussion, the public hearing on this ordinance was closed.

Mr. Bloom asked for a roll call to defeat this ordinance with a vote of no. The roll was called, and the ordinance was defeated by the following vote:

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

Nays: none

Absent: Mr. Coranato

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. The Revised General Ordinances of the Township of Mine Hill are hereby amended by amending Chapter 10 entitled “Vehicles and Traffic”, Section 10.08.020 “Stop Intersection” to add the following intersections to Schedule VIII “Stop Intersections”:

Intersection	Stop Sign at
Clark St. and Bassett Avenue.	Both (Four Way)
Clark St. and Hillside Avenue	Both (Four Way)

Clark St. and Oakwood Avenue	Both (Three Way)
Hillside Avenue and Chestnut St.	Both (Four Way)
Bassett Ave. and Chestnut St.	Both (Four Way)
Bissell Avenue and 5 th Avenue	Bissell and 5 th Avenue Northbound Only (Three Way)
Dickerson Mine Road and Green Road	Both (Three Way)
Central Avenue and Shawn St.	Central Avenue – Southbound Only

SECTION 2. The Revised General Ordinances of the Township of Mine Hill are hereby amended by the following amendment to Chapter 10 entitled “Vehicles and Traffic”, Section 10.12 “Schedule XVI Speed Limits”:

Name of Street	Direction	Speed	Location
Randall Avenue	Both	25 mph	Entire length.

SECTION 3. This Ordinance may be renumbered for codification purposes.

SECTION 4. 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 5. 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 6. This Ordinance shall take effect as required by law.

Ordinance 20-14 An Ordinance to Amend the Revised General Ordinances of the Township of Mine Hill and to Establish Standards for Determining Individual Sewerage Disposal System Failure for Purposes of Requests to Connect to the Public Sanitary Sewer System

Upon motion made and seconded and a voice vote, the public hearing on this ordinance was opened.

Mayor Morris stated that this ordinance gives clear, while waiting for gallonage to be opened up with RVRSA, to be reallocated to us, once that gallonage is reallocated, what the ordinance does it takes the decision making for the ability to hook up to sewer and places it with the Health Department. It sets the standards established by the DEP as our standards. There is a case currently taking place. They inspected a place that was not clearly in failure. They did a low test, where they put a lot of water in the system. If failed very marginally. Under DEP rules they have the right to make them dig it up. It is actually sess pits not a field. This ordinance gives the Town the ability to really reinforce that. When the Town does start to reallocate gallonage one day, the Town has very clear, justifiable reasons why we do or don’t allocate.

Mr. Willis asked what was the criteria and distance to be able to hook to sewer. Mayor Morris responded if the system is failing and 100 feet from the sewer main. Ms. Kanzenbach what if it were more than a 100 feet. Mayor Morris responded that more than a 100 feet could be an exception. Under the law, once sewer gallonage is available and you are 99 feet or less, the Health Department cannot authorize a new septic, you have to go on sewer, because sewerage is considered ground pollution under law. Mr. Bloom mentioned that like previous ordinances, this gives clarity to the public as to what constitutes a failure.

Seeing no further discussion, the public hearing on this ordinance was closed.

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

- Ayes: Ms. Kanzenbach; Mr. Pepperman; Mr. Willis; Mr. Bloom
- Nays: none
- Absent: Mr. Coranato
- 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 1. The Revised General Ordinances of the Township of Mine Hill shall be amended by the inclusion of new Chapter 8.45 which shall be entitled “Individual Sewerage Disposal Systems – Standards to Determine Failure” which shall read in its entirety as follows:

Chapter 8.45

Individual Sewerage Disposal Systems – Standards to Determine Failure

- 8.45.10 A request to connect to the municipal sanitary sewer system based upon a failure of the individual sewerage disposal system servicing the property must be accompanied by proof of inspection by a qualified professional and adequate testing evidencing the failure.
- 8.45.11 The required inspection and tests of an individual subsurface sewage disposal system shall be made by a person engaged by the applicant who is licensed by the State of New Jersey either as a professional engineer or as a Registered Environmental Health Specialist. The person making the inspection and tests shall sign the report which shall be submitted to the Health Department
- 8.45.12 The status of the system shall be determined by one of the following methods.
- (1) On-Site Inspection. The on-site inspection shall consist of a visual check of the ground surface of the subject property both above and in the vicinity of the individual subsurface sewage disposal system for purposes of determining whether there is any evidence of recent overflow of the system or any seepage from the system into any water course as such term is defined in N.J.A.C. 7:9A-2.1.

OR

- (2) Hydraulic Load Test. The Hydraulic Load Test shall be conducted to ascertain whether the system can accept an appropriate discharge of water into the system without creating evidence of the system being non-compliant as defined in NJAC 7:9A3.4. The test shall be conducted in compliance with NJAC 7:9A 12.7. In no case shall the design capacity, as defined in NJAC 7:9A 7.4, of the system be exceeded during the test.
- 8.45.13 The report of inspection and tests shall be filed with the Township before any request for a connection based on the hardship of a failed individual sewerage system is considered by the Township.

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.

ADMINISTRATIVE AGENDA

Mayor Sam Morris discussed the work that is taking place with NJ Natural Gas. Work is being done to try and get more gas mains run. Through the use of Swiftreach and mailings the Town is trying to obtain a list of interested residents per street. The idea is to get enough people to make it profitable for NJ Natural Gas. A map will be created with color of the houses that will be potentially interested. The difficult streets are Alan Lane, Valley View Drive and Hurd Street because the houses are more spread out. Xenia Court, and James Street have a number of interested residents in addition to Hurd Street where there are close to 40 interested residents. Alan Lane has been slow and Valley View Drive has been decent. There will be a meeting with their sales people sometime in August. Paul Sterbenz and Mayor Morris have a meeting on 7/18/2014 with the gas company on the project in the flats.

Paving was completed on Thomastown, South First, North First and the back parking lot behind Town Hall. Total cost was \$96,000. (\$81,000 for the streets, \$15,000 parking lot)

Speed Tables or Speed Bumps are being put in by DPW. One was put in on Oakwood since there is a speeding problem. A template was and will be continued to be used which the representative from Maser was impressed. Speed bumps will be put back on South First and Thomastown.

The digging has begun for Delores Lights.

The bids for the sidewalk on West Randolph (West Randolph to Delores) were too high. We have \$170,000 and the lowest bid was \$233,000. Some alternatives are: a) there is a lot of money in rebuilding the storm basins on Randolph Avenue - The Town will look at how much that is and if it is something DPW can do, we will do that and it will save some money; b) Paul Sterbenz also suggested to a re-bid, taking out some of the items and see if the bids go down; c) talk with the Division of Local Aide for Department of Transportation, there is \$180,000 grant for the piece of sidewalk on Route 46. We will see if they will let us borrow \$60,000 of that to use, it has been done in other towns.

Amanda Macchia is working on the Recodification. Marcie Istvan is filling in while Amanda is out.

A list of Tax Title Lean properties was sent to Joe Ferraris, the Assessor and to Paul Sterbenz. They are ghost/digital properties that don't really exist. Both Mr. Ferraris and Mr. Sterbenz will work together to rectify the situation as it will help take burden off the Town's books.

The Town is working on the revision of the sewer service area map. There is a discrepancy with the DEP as to where the red line is on the map. For now the Town is going to make our service area meet with the red line. Then the Town will come to terms of how to really do the final correction. In addition a representative from Maser will be coming out on 7/21/14 to look at the placement of the sewerage meter on the Jackson Brook Interceptor by the gates of Hedden Park. It is Mine Hill's responsibility to put in the meter. Randolph is to run a camera through the whole pipe to make sure no one is hooked up illegally. Mine Hill will do the subtraction method, the Town takes our reading which is the highest reading and then subtract off all of their readings.

Mayor Morris asked everyone to take a moment of silence in honor of Mr. Ed Boots Iverson, former Mine Hill Fire Chief back in 1973 who passed away recently. His grandson Michael Iverson is the current Fire Chief.

Ms. Kanzenbach asked about the Gillen Street Sanitary Sewer Extension project. Mayor Morris stated the application has been deemed complete and we are waiting on the permit. The Town is also waiting on quotes as no one is returning calls.

REPORTS OF COUNCIL LIAISONS

Recreation/Community Committee

Mayor Morris reported that the Recreation/Community Committee met along with the Fire Department and are planning a 100th Anniversary celebration next September. The theme will be Antique Fire Day. No equipment older than 1960 will be put out for viewing. The budget was also discussed.

Board of Education

No report.

Fire & First Aid

Mr. Pepperman reiterated the 100th Anniversary of the Fire Department and the passing of Mr. Iverson. The Fire Department responded to a minor fire that happened in the kitchen at Cinders. No one was hurt and after six hours it was deemed safe to return.

Nothing new with First Aid

Police

Mr. Pepperman reported that he spoke with Lt. Young and they were okay with the stop signs as long as the engineer approved them in addition to the speed bumps. They should be moving back into the building sometime the end of the summer or in September. The department just obtained two new police cars. They applied for the DWI Grant.

Open Space Committee

Mr. Bloom reported that they met last Tuesday. They are getting signs for the Mulch Site in order to warn motorists to watch out for hikers and bikers. They discussed where the kiosk will be placed and about getting new gates and true case hardened chains with number 8 steal and number 8 steal locks which will not be able to be broken. Also, some additional man traps may be put in so that bikers can get through but not ATVs.

Planning Board

Mr. Willis reported that at the last meeting the Sign Ordinance was reviewed. There is one application coming back. Mayor Morris added there is a Planning Board application for a massage parlor that will be heard in September.

OPEN TO THE PUBLIC

John Gangemi, a resident of Route 46, spoke on behalf of the Jr. Knights team of which Mine Hill is a part. He wanted to follow up what he spoke on at the last meeting in regards to the athletic program that they share with Wharton. Mr. Gangemi provided a memo from Wharton's attorney that advised Wharton that they could pay. Mr. Bucco said that there are specific laws that deal with municipalities giving money to not for profits, Boy Scouts etc. and sports activities is not one of those things listed in that law. What the Wharton attorney is saying does not really address the issue. Mayor Morris asked if is possible to consider a piece of legislation to amend that. Mr. Bucco said sure you could amend that State statute. Mr. Bucco said he will talk to the Office of Legislative Services. The auditor needs to be comfortable with the procreation as well and Mine Hill's auditor is not because of the laws that Mr. Bucco cited. Mayor Morris said that supporting these programs is not something the Town disagrees with but other towns are supporting it through other mechanisms, like fund raising programs. In the past, the Town used to allocate a grand for baseball etc. out of tax money, which a town is not supposed to do. It was caught in 2012 by the Town's auditor and it was deemed non-compliance and the Town had to fix it. The Town makes a contribution to the Senior Citizen's club because legislatively it is allowed. They lobbied, they got a bill passed and Mine Hill can start that here.

There have already been two out of Mine Hill. It is not that the Town does not support the children, we just have to follow the rules.

John Pascal of Thomastown Road asked how many gallon of sewage have been made available to Mine Hill. Mayor Morris responded that we don't have that number. He explained that back in the 1980s Mine Hill was required to hook up a meter to monitor our gallonage. The Town never did it. So, we are on a theoretical basis. So on a house your size you are supposed to use say 300 gallons a day, a house my size say 400. We don't really use that. Say my house uses 150 gallons a day, yours 50. So we are going to go off a theoretical basis onto an actual metered basis. Mine Hill has a 101,000 contractual gallons a day of available sewage to us, but it is on the basis of theory, but when it goes onto reality we are hoping to get back a significant amount so that we can start sewer options for more houses. Mr. Paschal asked if there will be any grants available to install the sewer lines. Mayor Morris said the State has some type of a leasing program. The interest is like a ¼% on the money, so you pay almost nothing on the money, but you do borrow it. There are some grants out there, but they are more inner city or for repairs.

INTRODUCTION OF ORDINANCES

Ordinance 21-14 An Ordinance to Amend Chapter 10 of the Revised General Ordinances of the Township of Mine Hill and to Establish Additional Stop Intersections at Various Locations and Reduce the Speed Limit to 25 MPH on Randall Avenue

A motion was made by Ms. Kanzenbach and seconded by Mr. Willis to introduce the ordinance. It was noted that the public hearing on this ordinance will take place on July 31, 2014. The roll was called and the ordinance was introduced by the following vote:

Ayes: Ms. Kanzenbach; Mr. Pepperman; Mr. Willis; Mr. Bloom
Nays: none
Absent: Mr. Coranato
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. The Revised General Ordinances of the Township of Mine Hill are hereby amended by amending Chapter 10 entitled “Vehicles and Traffic”, Section 10.08.020 “Stop Intersection” to add the following intersections to Schedule VIII “Stop Intersections”:

Intersection	Stop Sign at
Clark St. and Bassett Avenue.	Both (Four Way)
Clark St. and Hillside Avenue	Both (Four Way)
Clark St. and Oakwood Avenue	Both (Three Way)
Hillside Avenue and Chestnut St.	Both (Four Way)
Bassett Ave. and Chestnut St.	Both (Four Way)
Bissell Avenue and 5 th Avenue Way)	Bissell and 5 th Avenue Northbound Only (Three Way)
Dickerson Mine Road and Green Road	Both (Three Way)

SECTION 2. The Revised General Ordinances of the Township of Mine Hill are hereby amended by the following amendment to Chapter 10 entitled “Vehicles and Traffic”, Section 10.12 “Schedule XVI Speed Limits”:

Name of Street	Direction	Speed	Location
Randall Avenue	Both	25 mph	Entire length.

SECTION 3. This Ordinance may be renumbered for codification purposes.

SECTION 4. 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 5. 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 6. This Ordinance shall take effect as required by law.

CONSENT RESOLUTIONS

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

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

Nays: none

Absent: Mr. Coranato

Abstentions: none

Resolution 086-14 Cancellation of Water Charges Account #11066-400-39 E Randolph Ave.

WHEREAS, the Water Collector was contacted by the owner of this property regarding fees charged for turning on and off the water; and

WHEREAS, after auditing the “Water Department Work Order” slips for this property, found that there had been an extra fee for on/off charged causing an overbill.

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 in the amount of \$100.00 and that the Water Collector be required remove this charge from billing

Resolution 087-14 Redemption of a Third Party Tax Lien – Block 1308, Lot 1

WHEREAS, Tax Sale Certificate #2013-011, was sold to FWDSL & Associates, LLC on August October 24, 2013 on Block 503, Lot 29 known as 3 Janet Drive; 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 \$3,597.51 to FWDSL & Associates, LLC. This amount includes the redemption amount of \$2,097.51 and the return of the premium paid at the time of sale in the amount of \$1,500.00

Total \$3,597.51

FWDSL & Associates, LLC
5 Cold Hill Rd. South #11
Mendham, NJ 07945

NON-CONSENT RESOLUTIONS

Resolution 088-14 A Resolution Authorizing the Award of a Contract to RJR Solutions for Computer Consulting 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: Ms. Kanzenbach; Mr. Pepperman; Mr. Willis; Mr. Bloom

Nays: none

Absent: Mr. Coranato

Abstentions: none

WHEREAS, RJR Solutions provides computer consulting services and hardware and software; and

WHEREAS, the Township Council wishes to enter into a contract with RJR Solutions pursuant to its proposal dated June 18, 2014 in an amount of \$9,024.40; 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 appropriate municipal officials are hereby authorized to enter into an agreement with RJR Solutions in the amount of \$9,024.40 pursuant to the proposal dated June 18, 2014.
2. This Resolution shall take effect immediately.

Resolution 089-14 A Resolution Requesting Approval of Items of Revenue and Appropriation N.J.S.A. 40A:4-87

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

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Mine Hill of in the County of Morris, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$120,000.00, which is now available from the State of New Jersey Department of Transportation in the amount of \$120,000.00.

BE IT FURTHER RESOLVED, that the like sum of \$120,000.00 is hereby appropriated under the caption Randolph Avenue Phase 3; and

BE IT FURTHER RESOLVED that the above is the result of funds from the NJ DOT in the amount of \$120,000.00.

Resolution 090-14 J & J Jacmar, Inc. T/A Morgan's Tavern

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

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

WHEREAS, the applicant for Alcoholic Beverage Control License set forth below has been duly investigated; and

WHEREAS, the Township Council of the Township of Mine Hill is satisfied that all the rules and regulations of the Alcoholic Beverage Law, Title 33, Chapter 1 of the Revised Statutes of New Jersey, 1937, as amended and supplemented, including P.L. 1970, Ch. 77, have been duly complied with:

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 hereby agrees to issue to the following applicant, the following permanent license under the aforesaid State Statutes for the following annual fee, said license to commence July 1, 2014 and to expire at midnight on June 30, 2015.

<u>APPLICANT:</u>	<u>ADDRESS:</u>	<u>FEE:</u>
J&J Jacmar, Inc. T/A Morgan's Tavern For Plenary Retail Consumption License No. 1420-33-004-005	384 Route 46	\$1,200.00

BE IT FURTHER RESOLVED that the Township Clerk is hereby authorized to issue the aforesaid license in the form approved by the Department of Alcoholic Beverage of the State of New Jersey to the aforesaid applicant.

Resolution 091-14 Resolution Authorizing the Award of a Contract to Optimum for Telephone Service

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

WHEREAS, the Township requires a telephone service which has previously been provided through Magellan Hill Technologies; and

WHEREAS, the lease with Magellan Hill Technologies will expire on August 16, 2014; and

WHEREAS, the Township has obtained quotes from Magellan Hill Technologies to continue with the current service as well as sought quotes from AT&T and Verizon as well as from Optimum; and

WHEREAS, the lowest quote has been received from Optimum in the amount of \$239.60 per month which will be a cost savings over the current contract with Magellan Hill Technologies; and

WHEREAS, the Township Council has wishes to enter into a contract with Optimum pursuant to the Business Sales Order Form attached hereto in an amount of \$239.60 per month; 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 appropriate municipal officials are hereby authorized to enter into a Business Sales Order Form Contract with Optimum for telephone service in the amount of \$239.60 per month with no minimum contract period.
2. This Resolution shall take effect immediately.

Resolution 092-14 Resolution Authorizing the Award of a Contract to Safari Telecom, Inc. for Telecommunications Equipment

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

Nays: none

Absent: Mr. Coranato

Abstentions: none

WHEREAS, the Township requires the installation of new telecommunications equipment; and

WHEREAS, the Township has obtained a quotation from Safari Telecom, Inc. for telecommunications equipment; and

WHEREAS, the Township Council has wishes to enter into a contract with Safari Telecom, Inc. pursuant to the quotation dated July 9, 2014 attached hereto in an amount of \$9,042.90; 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 appropriate municipal officials are hereby authorized to enter into a contract with Safari Telecom, Inc. for telecommunications equipment in the amount of \$9,042.90.
2. This Resolution shall take effect immediately.

NEW & OLD BUSINESS

Mr. Bloom reported there was a request to change the date for when the Rental Property Registration is due each year. Currently it is due July 1st of each year. It is proposed to be changed to February 1st of each year. Discussion took place and Mayor Morris said he would talk to Ms. Blouse and Mr. Trapasso.

Mayor Morris asked if the Council would please consider having a Special Town Council Meeting so that Ordinance 21-14 will be adopted and work can begin and be completed installing the stop signs before the start of school. It was agreed to have a Special Meeting on July 31st at 7:00PM.

Mayor Morris mentioned that the Town purchased a line stripper for \$3,500 that will allow DPW to put lines down by the stop signs with reflective beads.

Mr. Pepperman asked if a member of Council could not be present physically could they attend via a phone conference. Mr. Bucco said yes as long as they are able to hear, speak and participate in the meeting.

Mr. Bloom reported that a resident on Canfield said their well is running dry. Mayor Morris said this individual wants the Town to run a water line down there, it is about 1/4 or 1/3 of a mile. The Town is not obligated. They have a legal renting situation there with a lot of water users. They need a deeper well.

OPEN TO THE PUBLIC AND COUNCIL COMMENTS

Mr. Gary Frank from Thomastown said that everyone drove slow at first, but now they are driving 40 miles an hour. Mayor Morris said DPW will be putting in a speed bump there. Mr. Frank also noted that on Green Road and there are a lot of people on foot around 6:00PM and people were flying around the bends, 35 to 40 mph. It is the residents who are speeding in both locations. Mayor Morris mentioned that enforcement has been increased.

Mr. Bloom mentioned that Ms. Judi O'Brien gave a copy of the water that was used January through March and April through June. It was discovered there are some leaks around Thomastown. Mayor Morris said DPW fixed three significant leaks that were unmetered (before the meters, between the street and the service). A comparison was done with last year and the Town is up about 1.5 million gallons. Her recommendation is to listen to the pipes. Mayor Morris said they have been doing that. Mayor Morris said they are up 1.5 million gallons purchased. Mr. Bloom said gallons consumed. Mayor Morris said that does not mean they are unmetered as people are watering. He said the comparison you want to make is what did the Town did not bill for. That is not that number. There is a significant difference from last year. Mayor Morris mentioned that on Anderson Place there was a service that was open and by time DPW found out about it, it took a week and a half to fix it and there were a couple of complication and by time they got into the ground it was really broken, but none of it was really coming to the surface, but their pressure dropped. Mr. Bloom mentioned that it is great that they are watching it and know what to do now.

ADJOURNMENT

There being no further business, a motion was made by Ms. Kanzenbach and seconded by Mr. Pepperman to adjourn the meeting at 8:56 PM. The motion was approved by a voice vote.

Respectfully Submitted,

Marcia H. Istvan
Mine Hill Deputy Municipal Clerk

Approved on this _____ day of _____, 20____

Council President