

Council President Bloom called the regular meeting of the Mine Hill Township Council to order at 7:30 pm and led those present in the Pledge of Allegiance.

OPEN PUBLIC MEETINGS NOTICE

Mr. Bloom announced that adequate notice for this meeting had been given as required by law.

ROLL CALL: Present – Mr. Bloom; Mr. Coranato; Mr. Willis
Absent – Ms. Kanzenbach; Mr. Pepperman
Also Present – Mr. Morris, Mayor; Mr. Bucco, Township Attorney; Mrs. Macchia,
Municipal Clerk
Public Present – 7

PRESENTATIONS

None.

APPROVAL OF MINUTES

The minutes of February 26th and March 5th were tabled until the next meeting.

COMMUNICATIONS & PETITIONS

None.

CONSIDERATION & APPROVAL OF VOUCHERS

Bills List

A motion was made by Mr. Coranato and seconded by Mr. Willis to approve the bills list as presented. The roll was called, and the minutes were approved by the following vote:

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

PUBLIC HEARING ON ORDINANCES PREVIOUSLY INTRODUCED

Ordinance 07-15 Fire Prevention Fees

Mr. Bloom opened the public hearing on this ordinance. Seeing no discussion, the public hearing was closed.

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

Ayes: Mr. Coranato; Mr. Willis; Mr. Bloom
Nays: none
Absent: Ms. Kanzenbach; Mr. Pepperman;
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 inspection fee for Fire Prevention Non-life hazard annual inspections shall be amended and shall be as follows:

1. Premises under 3,000 square feet: \$65.00
2. Premises over 3,000 square feet and under 6,000 square feet: \$150.00
3. Premises over 6,000 square feet and under 12,000 square feet: \$250.00
4. Premises over 12,000 square feet: \$400.00
5. Multi-level premises with up to and including three stories; \$250.00
6. Multi-family dwellings (R-2 as defined in the Uniform Construction Code): \$75.00
7. Garages or storage areas within multi-family dwelling units; \$40.00 per area

SECTION 2. The fee for fire extinguisher training shall be as follows:

1. Group of one to five people: \$100.00
2. Group of six to ten people: \$150.00
3. Group of eleven or more people: \$200.00

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

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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 08-15 Land Acquisition from Mine Hill Board of Education

Mr. Bloom opened the public hearing on this ordinance. Seeing no discussion, the public hearing was closed.

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

Ayes: Mr. Coranato; Mr. Willis; Mr. Bloom

Nays: none

Absent: Ms. Kanzenbach; Mr. Pepperman;

Abstentions: none

WHEREAS, the Mine Hill Township Board of Education is the current owner in fee of a certain lot of land on the Tax Map of Mine Hill Township known as a Lot 1, Block 1401 ("Lot"); and

WHEREAS, the Mine Hill Township Board of Education (the "Board") has determined that it no longer needs the entire Lot for school purposes and desires to sell to the Mine Hill Township ("Township") the portion of the Lot as more fully described as Tract III in the surveyor report provided by Maser Consulting P.A., dated December 29, 2014 ("Property"); and

WHEREAS, pursuant to N.J.S.A. 18A:20-2 the Board is permitted to dispose of its real estate by sale, if such property is no longer needed for school purposes N.J.S.A. 18A:20-5; and

WHEREAS, the Board may transfer property to a municipality for a nominal amount without public bidding as provided by N.J.S.A. 18A:20-9; and

WHEREAS, the Township may, pursuant to N.J.S.A. 40A:12-5, acquire property for public use through the adoption of an ordinance and has determined that it wishes to acquire the property from the Board of Education; and

WHEREAS, prior to the acquisition of the Property, the Board is required, pursuant to N.J.A.C. 6A:26-7.4, to file for approval with the Division of Finance of the Department of Education ("Division"); and

WHEREAS, upon Division approval, and prior to the disposal of the Property, the Board has determined that it is required to file for subdivision approval with the Mine Hill Township Planning Board ("Planning Board") and;

WHEREAS, upon Division and Planning Board approvals, the Board and the Township will execute a contract of sale thereby transferring such Property ownership to the Township.

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

SECTION 1. The Township shall acquire a portion of Block 1401, Lot 1 from the Mine Hill Board of Education and the appropriate municipal officials are hereby authorized and directed to enter into a contract with the Board of Education, for the acquisition of a portion of Block 1401, Lot 1, for public use, for nominal consideration and a reimbursement to the Board of Education of the costs incurred in the transfer subject to certification of available funding.

SECTION 2. All Ordinances of the Township of Mine Hill which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

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

Ordinance 09-15 Fire Insurance Ordinance

This ordinance was briefly explained and discussed.

Mr. Bloom opened the public hearing on this ordinance. Seeing no discussion, the public hearing was closed.

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

Ayes: Mr. Coranato; Mr. Willis; Mr. Bloom

Nays: none

Absent: Ms. Kanzenbach; Mr. Pepperman;

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:

§ 247-1. Payment of claims.

A. No insurance company authorized to issue fire insurance policies in the State of New Jersey shall pay any claims for fire damages in excess of \$2,500 on any real property in the Township of Mine Hill unless:

(1) The anticipated demolition costs, and all taxes and assessments, and all other municipal liens or charges due and payable appearing on the official certificate of search have been paid by the owner of the real property or by the insurance company as set forth in § 247-2; or

(2) The Township submits to the insurance company a copy of a resolution, adopted pursuant to § 247-3, establishing an agreement with the owner of the fire-damaged property for payment by installments of all charges and liens, including any anticipated costs of demolition.

B. Any request for an official certificate of search, pursuant to this chapter, shall specify that the search concerns fire-damaged property.

C. All search fees incurred, pursuant to the search, shall be the responsibility of the owner of the fire-damaged property.

D. The Construction Code official for the Township of Mine Hill shall file, on a form prescribed by the Township, a statement with the Township officer authorized to issue an official certificate of search of municipal liens and other charges of the anticipated costs of demolition.

§ 247-2. Payment by insurance company; appeal.

A. Unless a resolution is received from the municipality authorizing an installment agreement, pursuant to § 247-3, with the real property owner to pay liens, charges and anticipated demolition costs, an insurance company writing fire insurance policies in the Township of Mine Hill is required, prior to payment of any claims in excess of \$2,500, to pay the amount of the anticipated demolition costs to the Township, which shall hold said funds in an interest-bearing escrow account in a state or federally chartered bank, savings bank or savings-and-loan association in the State of New Jersey and to pay to the Township the amount of the liens appearing on the official certificate and on such other recorded liens or related charges as may be certified to the insurance company.

B. If an appeal is taken on the amount of any lien or charge, other than an appeal on the assessed valuation of real property, pursuant to N.J.S.A. 54:3-21, the insurance company shall issue a draft payable to the court of record to be held by the court in an interest-bearing escrow account in a state or federally chartered bank, savings bank or savings-and-loan association in the state, in an amount totaling 75% of the full amount of the lien or charge being contested but not to exceed the proceeds payable under the insurance policy, and the insurance company shall issue a draft payable to the Township for the remaining 25% of the lien or charge being contested, with the full amount paid by the insurance company to the court and the Township not to exceed the proceeds payable under the insurance policy, pending termination of all proceedings, at which time such moneys and all interest accruing thereon, at a rate paid on interest-bearing accounts in state- or federally chartered banks, savings banks or savings-and-loan associations in the state, shall be disbursed in accordance with the final order or judgment of the court.

§ 247-3. Resolution of agreement.

A. The Township may enter into an agreement with the owner of any fire-damaged property to pay, in full, all delinquent taxes, assessments or other municipal liens by installment, pursuant to N.J.S.A. § 54:5-19, or for the redemption of the tax sale lien by installment payments, pursuant to Article 7 of Chapter 5 of Title 54 of the Revised Statutes, or for the payment in full of any anticipated costs of demolition by installment, if the Township Council of the Township of Mine Hill is satisfied that the claim for fire damages is to be used to restore or improve the fire-damaged property.

B. An insurance company receiving a copy of a resolution of agreement from the Township Council of the Township of Mine Hill is authorized to make full payment on the claim to the insured person.

§ 247-4. Authorization.

A. The terms and provisions of N.J.S.A. 17:36-8 et seq. are hereby adopted by reference and incorporated herein as if they were set forth with particularity, including all amendments and supplements thereto.

B. Nothing herein shall be construed to alter or affect any other remedy available to the Township of Mine Hill under any other law of the State of New Jersey.

C. The amendments to Chapter 247 of the Municipal Code of the Township of Mine Hill, as set forth herein, shall be effective upon the Township Clerk filing a certified copy of this chapter with the Commissioner of Insurance of the State of New Jersey.

SECTION 2. This Ordinance may be renumbered for codification purposes.

SECTION 3. All Ordinances of the Township of Mine Hill which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

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

Ordinance 10-15 Implementing the State of NJ Foreclosure Policy

This ordinance was briefly explained and discussed.

Mr. Bloom opened the public hearing on this ordinance. Seeing no discussion, the public hearing was closed.

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

Ayes: Mr. Coranato; Mr. Willis; Mr. Bloom

Nays: none

Absent: Ms. Kanzenbach; Mr. Pepperman;

Abstentions: none

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

SECTION 1. Chapter 390 of the Revised General Ordinances of the Township of Mine Hill, "Property Maintenance", shall be amended by the inclusion of new Article V, entitled "Vacant Residential and Nonresidential Premises", and new Article VI, entitled "Buildings Pending Foreclosure", which shall read as follows:

"Article V, Vacant Residential and Nonresidential Premises

§ 390-24. Definitions.

As used in this Chapter, the following terms shall have the meanings indicated:

ABANDONED PROPERTY - As defined in accordance with the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19-78, et seq., shall mean the following:

A. Except as provided in section 6 of P.L.2003, c. 210 (N.J.S.A. 55:19-83), any property that has not been legally occupied for a period of six months and which meets any one of the following additional criteria may be deemed to be abandoned property upon a determination by the public officer that:

- (1) The property is in need of rehabilitation in the reasonable judgment of the public officer, and no rehabilitation has taken place during that six-month period;
- (2) Construction was initiated on the property and was discontinued prior to completion, leaving the building unsuitable for occupancy, and no construction has taken place for at least six months as of the date of a determination by the public officer pursuant to this section;
- (3) At least one installment of property tax remains unpaid and delinquent on that property in accordance with Chapter 4 of Title 54 of the Revised Statutes as of the date of a determination by the public officer pursuant to this section; or
- (4) The property has been determined to be a nuisance by the public officer in accordance with Section 5 of P.L.2003, c. 210 (N.J.S.A. 55:19-82).

B. A property which contains both residential and non-residential space may be considered abandoned pursuant to P.L.2003, c. 210 (N.J.S.A. 55:19-78 et al.) so long as two-thirds or more of the total net square footage of the building was previously legally occupied as residential space and none of the residential space has been legally occupied for at least six months at the time of the determination of abandonment by the public officer and the property meets the criteria of either subsection (1) or subsection (4) of this section.

EVIDENCE OF VACANCY - Any condition that on its own, or combined with other conditions present would lead a reasonable person to believe that the property is or has been vacant for three (3) or more months. Such evidence would include but is not limited to, evidence of the existence of two or more of the following conditions at a property: overgrown or dead vegetation; accumulation of newspapers, circulars, flyers or mail; past due utility notices or disconnected utilities; accumulation of trash, junk or debris; the absence of window coverings such as curtains, blinds or shutters; the absence of furnishings or personal items consistent with residential habitation; statements by neighbors, delivery agents, or government employees that the property is vacant or abandoned; infestation by insects, vermin, rats or other pests; windows or entrances that are boarded up or closed off; multiple window panes that are damaged, broken or unrepaired; doors that are smashed, broken, unhinged or continuously unlocked; a risk to the health, safety or welfare of the public, or any adjoining or adjacent property owners, exists due to acts of vandalism, loitering, criminal conduct, or the physical destruction or deterioration of the property; or any uncorrected violation of a municipal building, housing or similar code during the preceding year. Property determined to be "abandoned property" in accordance with the meaning of such term in the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19-78, et seq, shall also be deemed to be vacant property for the purposes of this ordinance.

OWNER - Shall include the title holder, any agent of the title holder having authority to act with respect to a vacant property, any foreclosing entity subject to the provisions of C.46:10B-51 (P.L. 2008, c. 127, Sec. 17), or any other entity determined by the Township of Mine Hill to have authority to act with respect to the property.

VACANT PROPERTY - Any building used or to be used as a residence which is not legally occupied or at which substantially all lawful construction operations or residential occupancy has ceased for a period of at least three months, and any commercial property that has not been legally occupied or at which substantially all lawful construction operations have ceased for a period of at least three months, and which exhibits evidence of vacancy such that a reasonable person would believe that the property is vacant. Any property that contains all building systems in working order, is being maintained on a regular basis, has not been cited by the Township for any violation of municipal ordinance within such time and is being actively marketed by its owner for sale or rental shall not be deemed vacant.

§ 390-25. General Requirements.

- A. The owner of any vacant property, as defined herein, shall within thirty (30) days after the building becomes vacant property or within 30 days after assuming ownership of the vacant property, whichever is later, file a registration statement for each such vacant property with the Township of Mine Hill Clerk on forms provided by the Clerk for such purposes, as well as any additional information that the Clerk may reasonably request. The registration shall remain valid until the end of the calendar year. The owner shall be required to renew the registration annually, no later than January 31 as long as the building remains vacant property and shall pay a registration or renewal fee in the amount of \$50.00 for each vacant property registered.
- B. Any owner of any building that meets the definition of vacant property prior to the date of adoption of this ordinance shall file a registration statement for that property on or before May 31, 2015. The registration statement shall include the information required under Section 390-26 of this Article, as well as any additional information that the Township may reasonably require.
- C. The owner shall notify the Clerk within thirty (30) days of any change in the registration information by filing an amended registration statement on a form provided by the Clerk for such purpose.
- D. The registration statement shall be deemed prima facie proof of the information therein contained in any administrative enforcement proceeding or court proceeding instituted by the Township of Mine Hill against the owner or owners of the property.

§ 390-26. Registration statement requirements; property inspection.

- A. After filing a registration statement or a renewal of a registration statement, the owner of any vacant property shall provide the Township of Mine Hill Construction Official or Code Enforcement Official with access to the property, following reasonable notice, during the period covered by the initial registration or any subsequent renewal. If an inspection is required of the interior of the property due to complaints or other cause, the fee for such inspection shall be the same as that for a Certificate of Occupancy inspection.
- B. The registration statement shall include the name, street address, and telephone number of a natural person 21 years of age or older, designated by the owner or owners as the authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceeding, on behalf of such owner or owners in connection with the enforcement of any applicable code. The designated agent must have a contact number that will be available 24 hours per day on an emergency basis. The statement shall also include the name of the person responsible for maintaining and securing the property, if different from the designated agent.
- C. An owner who is a natural person and who meets the requirements of this Ordinance as to availability of a contact number on a 24-hour emergency basis may designate him or herself as agent.
- D. By designating an authorized agent under the provisions of this section, the owner consents to receive any and all notices of code violations concerning the registered vacant property and all process in any court proceeding or administrative enforcement proceeding brought to enforce code provisions concerning the registered building by service of the notice or process on the authorized agent. Any owner who has designated an authorized agent under the provisions of this section shall be deemed to consent to the continuation of the agent's designation for the purpose of this section until the owner notifies the Township of Mine Hill of a change of the authorized agent or until the owner files a new annual registration statement. The designation of an authorized agent in no way releases the owner from any requirement of this ordinance.

§ 390-27. Fee schedule.

The registration fee for each building that has become vacant or abandoned property shall be \$50.00.

§ 390-28. Requirements for owners and other persons as to vacant and abandoned property.

- A. The owner of any building that has become vacant or abandoned property, and any person maintaining, operating or collecting rent for any such building that has become vacant, shall immediately post a sign affixed to the inside of the building indicating the name, address and telephone number of the owner, the owner's authorized agent for the purpose of service of process (if designated pursuant to Section 390-26), and the person responsible for the day-to-day supervision and management of the building, if such person is different from the owner holding title or authorized agent. The sign shall be of a size and placed in such a locations so as to be legible, to the extent possible, from the nearest public street or sidewalk, whichever is nearer, but shall be no smaller than 15" x 17".
- B. Basic equipment and facilities. Every unoccupied or vacant residential or nonresidential property must comply with the following minimum standards for basic equipment and facilities:
- (1) Plumbing. All plumbing fixtures shall be properly installed and be in sound condition and good repair. The property shall be winterized, by the cessation of water service to the property, and the draining of water lines.

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- (2) Electricity. Every existing outlet and fixture shall be properly connected. Wiring and service lines shall be maintained in good and safe working condition.
- (3) Heating plant. The heating plant shall be maintained in a safe condition.
- (4) Cooking equipment. All cooking equipment shall be maintained in a safe condition.
- (5) Electrical and gas utility services shall be discontinued until the property is again legally occupied or demolished, or until repair or rehabilitation of the property is complete.

C. Storage and boarding up of building.

- (1) No room within any vacant or unoccupied property shall be used for storage or junk, rubbish or wastes, furniture or building materials not intended to be used in the existing property.
- (2) The boarding up of doors and windows shall not be permitted except with the permission of the enforcement officer in emergency situations. When doors and windows are boarded up, they shall be covered with no less than one-half-inch exterior plywood or equivalent.
- (3) Buildings on vacant properties shall be secured against unauthorized entry until the building is again legally occupied or demolished, or until repair or rehabilitation of the property is complete.

D. Safe and sanitary maintenance. All unoccupied or vacant properties shall comply with the following minimum standards for safe and sanitary maintenance:

- (1) Every foundation, exterior wall or exterior roof shall be weathertight, watertight and rodent-proof, shall be kept in sound condition and good repair and shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon.
- (2) Every floor, interior wall and ceiling shall be substantially rodent-proof, shall be kept in sound condition and good repair and shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon.
- (3) Every window, exterior door and basement or cellar door and hatchway shall be weathertight, watertight, rodent-proof and locked and shall be kept in sound condition and good repair.
- (4) Every inside and outside stair, porch and any appurtenance thereto shall be safe to use and capable of supporting the load that normal use may cause to be placed thereon and shall be kept in sound condition and good repair.
- (5) Every yard shall be properly graded so as to prevent the accumulation of stagnant water.
- (6) There shall be a controlled method of disposing of water from roofs by use of gutters and downspouts, which shall be installed and maintained in sound condition, free of leaks and obstructions.
- (7) Every dwelling's cellar, basement and crawl space shall be maintained from excessive dampness and leakage.
- (8) The exterior of every structure or accessory structure shall be maintained free of broken windows, loose shingles, crumbling stone or brick or excess peeling paint.
- (9) The exterior of the premises and the condition of accessory structures shall be maintained so that the appearance of the premises and all buildings thereof shall reflect a level of maintenance in keeping with the standards of the neighborhood and such that the appearance of the premises and structures shall not constitute a blighting factor for adjoining property owners nor an element leading to the progressive deterioration and downgrading of the neighborhood with the accompanying diminution of property values.

E. Further responsibilities of owners. All owners of unoccupied or vacant buildings shall be required to comply with the following standards:

- (1) Any yard area (front, side and rear) adjacent to an unoccupied or vacant building shall be cleared and maintained free of trash, solid debris or any other materials that cause litter to accumulate to unhealthy and blighting proportions.
- (2) Grass and weeds shall not be permitted to grow or remain on the side, front and/or rear yards of any unoccupied or vacant building so as to exceed a height of 10 inches.
- (3) Unoccupied or vacant buildings shall not be utilized for storage of any hazardous materials, whether solid or liquid, including the yard portion of that building.
- (4) When a vacant dwelling is found to be infested with rats, termites, roaches and/or any other insects and vermin, the owner shall undertake an expedient means of extermination of such nuisances.
- (5) All doors and/or lids on appliances, on furniture utilized for storage or on heating furnaces shall be locked in order to deny entry to an individual where the potential for physical harm or death may result should said door or lid close and prevent the individual's escape.
- (6) Provision shall be made for the cessation of the delivery of mail, newspapers and circulars to the property.

F. The standards and requirements of this section shall apply as long as any dwelling remains vacant or unoccupied. Upon occupancy, the other appropriate sections of this chapter shall prevail.

§ 390-29. Administration; enforcement.

- A. The Township of Mine Hill Mayor and Council may issue rules and regulations for the administration of the provisions of this Article.
- B. The provisions of this article shall be enforced as set forth and pursuant to Article IV of this Chapter to the full extent applicable.

§390-30. Violations; penalties.

- A. Any owner who is not in full compliance with this Article or who otherwise violates any provision of this ordinance or of the rules and regulations issued hereunder shall be subject to a fine of not less than \$100.00 dollars and not more than \$2,000.00 for each offense. Every day that a violation continues shall constitute a separate and distinct offense. Fines assessed under this ordinance shall be recoverable from the owner and shall be a lien on the property.
- B. For purposes of this ordinance, failure to file a registration statement in time, failure to provide correct information on the registration statement, failure to comply with the provisions of Section 390-26, or such other matters as may be established by the rules and regulations of the Council of the Township of Mine Hill shall be deemed to be violation of this ordinance.

§ 390-31. Compliance with other provisions

Nothing in this ordinance is intended to nor shall be read to conflict or prevent the Township of Mine Hill from taking action against buildings found to be unfit for human habitation or unsafe structures as provided in applicable provisions of the Township Code and/or the Uniform Construction Code. Further, any action taken under any such code provision other than the demolition of a structure shall not relieve an owner from its obligations under this Article."

"Article VI, Buildings Pending Foreclosure

§ 390-32. Purpose.

The intent of this Article is to provide for the enforcement of Township property maintenance standards and the State Housing Code against vacant properties pending foreclosure, and to provide for responsibility on the part of foreclosing creditors for the care, maintenance, security and upkeep of residential properties.

§ 390-33. Service of notice, contents.

- A. A creditor serving a summons and complaint in an action to foreclose on a mortgage on property located with the Township of Mine Hill shall serve the Township Clerk with a notice indicating that a summons and complaint in an action to foreclose on a mortgage has been filed against the subject property. The Notice may contain information about more than one property and shall be provided by mail or electronic communication at the discretion of the Township Clerk.
- B. The Notice shall be served within 10 days of service of a summons and complaint in an action to foreclose on a mortgage against the subject property.
- C. By May 31, 2015, any creditor that has initiated a foreclosure proceeding on any residential property which is pending in Superior Court shall provide to the Township Clerk with a notice as described below for all residential properties in the Township for which the creditor has pending foreclosure actions.
- D. The notice shall contain:
- (1) The name and contact information for the representative of the creditor who is responsible for receiving complaints of property maintenance and code violations;
 - (2) Whether the property being foreclosed on is an affordable unit pursuant to the "Fair Housing Act";
 - (3) The street address, lot and block number of the property; and
 - (4) The full name and contact information of an individual located within the state authorized to accept service on behalf of the creditor.
 - (5) In the event the creditor that has served a summons and complaint in an action to foreclose on a residential property is located out-of-state, the notice shall also contain the full name and contact information of an in-state representative or agent who shall be responsible for the care, maintenance, security, and upkeep of the exterior of the property if it becomes vacant and abandoned.

§ 390-34. Creditor responsibility.

- A. Pursuant to the provisions of N.J.S.A. 40:48-2.12s and N.J.S.A. 46:10B-51, a creditor filing a summons and complaint to foreclose a lien on a residential property that is vacant and abandoned, whether the filing of the summons and complaint is made before or after the determination that the property is vacant and abandoned, shall be responsible for the care, maintenance, security, and upkeep of the exterior of the residential property. This obligation applies whether the determination that the property is vacant and abandoned is made by a public officer pursuant to the provisions of this Chapter or other applicable law.

§ 390-35. Violation of state or local law at property on list; responsibility of creditor.

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A. The appropriate local public officer shall notify the creditor if:

(1) the owner of a property vacates or abandons any property on which a foreclosure proceeding has been initiated or if a property is otherwise vacated subsequent to the filing of the summons and complaint, but prior to the vesting of title in any third party; and

(2) If the property is found to be nuisance or in violation of any applicable state or local code.

B. The creditor shall have the responsibility to abate the nuisance or correct the violation in the same manner and in the same extent as the title owner of the property, to such standard or specification as may be required by State law or by ordinance.

§ 390-36. Notification of violation.

In the event of a violation of state law or a local ordinance, the Township shall serve the creditor with a notice that shall include a description of the condition(s) that gave rise to the violation and the state law or local ordinance that has been violated, and shall provide a period of not less than 30 days from the creditor's receipt of the notice for the creditor to remedy the violation, provided that in the event that the violation presents an imminent threat to public health and safety, the notice may, in the discretion of the Township, provide that the violation shall be remedied within 10 days of the creditor's receipt of the notice.

§ 390-37. Repair by Township.

If the Township expends public funds in order to abate a nuisance or correct a violation at a property in which the creditor was given notice pursuant to the provisions of Section 390-47, but failed to abate the nuisance or correct the violation as directed, the Township shall have the same recourse against the creditor as it would have had against the title owner of the property, including but not limited to the recourse provided at N.J.S.A. 55:19-100.

§ 390-38. Violations and penalties.

A. An out-of-State creditor subject to this Article found by the municipal court, or by any other court of competent jurisdiction, to be in violation of the requirement to appoint an in-State representative or agent pursuant to this Article shall be subject to a fine of \$2,500 for each day of the violation. Any fines imposed on a creditor for the failure to appoint an in-State representative or agent shall commence on the day after the 10-day period set forth in paragraph (1) of subsection a. of Section 17 of P.L.2008, c.127 (N.J.S.A. 46:10B-51) and Section 390-44 of this Ordinance for providing notice to the Township Clerk that a summons and complaint in an action to foreclose on a mortgage has been served.

B. A creditor subject to this Article found by the municipal court, or by any other court of competent jurisdiction, to be in violation of the requirement to correct a care, maintenance, security, or upkeep violation cited in a notice issued pursuant to this Article shall be subject to a fine of \$1,500 for each day of the violation. Any fines imposed pursuant to this paragraph shall commence 31 days following receipt of the notice, except if the violation presents an imminent risk to public health and safety, in which case any fines shall commence 11 days following receipt of the notice."

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 as provided by law.

ADMINISTRATIVE AGENDA

Mr. Morris discussed the recent roof repairs to Town Hall and the Civic Center, updates to plans for the Veterans' Memorial, updates in Town Hall IT, and the NJ Natural Gas mailing.

Mr. Morris announced that the budget would be introduced on April 2nd. The total increase to the average house will be \$9.50 for the year.

REPORTS OF COUNCIL LIAISONS

Recreation/Community Committee

Mr. Morris reported that the Committee is working on the 100th Anniversary of the Fire Department and Breakfast with the Easter Bunny. Another food drive will occur sometime this spring.

Board of Education

Mr. Coranato reported that the Board is interviewing for the new superintendent and that the preliminary budget has been introduced.

Fire & First Aid

No report.

Police

No report.

Open Space Committee

The next meeting will be March 24th.

Planning Board

No report.

CBDG

No report.

OPEN TO THE PUBLIC

None at this time.

INTRODUCTION OF ORDINANCES

Ordinance 11-15 Salary Ordinance

A motion was made by Mr. Willis and seconded by Mr. Coranato to introduce the ordinance. It was noted that this ordinance will be further considered at the April 2nd meeting. The roll was called and the ordinance was introduced by the following vote:

Ayes: Mr. Coranato; Mr. Willis; Mr. Bloom

Nays: none

Absent: Ms. Kanzenbach; Mr. Pepperman;

Abstentions: none

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MINE HILL, IN THE COUNTY OF MORRIS, NEW JERSEY AS FOLLOWS:

Division of Administration:	Minimum Salary	Maximum Salary
Mayor - Part Time	\$0.00	\$7,000.00
Mayor - Full Time*	\$47,000.00	\$57,000.00
Council President	\$0.00	\$3,000.00
Council Member	\$0.00	\$3,000.00
Administrator (* not filled if Full Time Mayor)	\$35,000.00	\$75,000.00
Administrative Clerk	\$2,500.00	\$30,000.00
Administrative Assistant	\$3,000.00	\$7,500.00
Clerical Assistant	\$8.50	\$20.00
Chief Financial Officer	\$5,000.00	\$50,000.00
Assistant to the CFO	\$0.00	\$30,000.00
Treasurer	\$10,000.00	\$50,000.00
Purchasing Manager	\$2,000.00	\$6,000.00
Human Resource Director	\$2,000.00	\$10,000.00
Township Clerk - Full Time**	\$40,000.00	\$60,000.00
Township Clerk - Part Time**	\$20,000.00	\$40,000.00

MINUTES OF THE MINE HILL TOWNSHIP COUNCIL
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Deputy Township Clerk	\$0.00	\$30,000.00
Registrar of Vital Statistics	\$0.00	\$2,000.00
Deputy Registrar of Vital Statistics	\$0.00	\$600.00
Alternate Deputy Registrar of Vital Statistics	\$0.00	\$600.00
Health Department Coordinator	\$0.00	\$2,000.00
Seasonal Help - Department of Public Works	\$8.50	\$18.00
Division of Taxation:	Minimum Salary	Maximum Salary
Tax Assessor	\$12,000.00	\$25,000.00
Tax Collector	\$25,000.00	\$35,000.00
Division of Construction:	Minimum Salary	Maximum Salary
Construction Technical Assistant	\$15,000.00	\$40,000.00
Construction Secretary	\$0.00	\$18,000.00
Zoning Official	\$2,000.00	\$25,000.00
Zoning Official	\$2,000.00	\$25,000.00
Code Enforcement and Housing Officer	\$5,000.00	\$15,000.00
Emergency Management Coordinator	\$1,500.00	\$3,000.00
Construction Official	\$10,000.00	\$22,000.00
Electrical Subcode Official	\$5,000.00	\$12,000.00
Elevator Subcode Official	\$100.00	\$300.00
Fire Subcode Official	\$4,000.00	\$8,500.00
Plumbing Subcode Official	\$5,000.00	\$13,000.00
Building Subcode Official	\$2,000.00	\$6,000.00
Building Inspector	\$2,000.00	\$6,000.00
Fire Marshal***	\$5,000.00	\$18,000.00
Fire Safety Inspector	\$8.50	\$25.00
Smoke Detector Inspector	\$30.00	\$30.00
Administrator/Planning Board	\$3,000.00	\$6,000.00
Construction Records Clerk	\$8.50	\$20.00
Recording Clerk/Planning Board	\$1,500.00	\$3,000.00
Recording Clerk/Board of Adjustment		
Division of Community Programs:	Minimum Salary	Maximum Salary
Director of Community Programs	\$0.00	\$26,000.00
Beach Manager	\$8.50	\$20.00
Lifeguards	\$8.50	\$15.00

Snack Bar Employees	\$8.50	\$12.00
Bus/Van Drivers	\$8.50	\$25.00
Crossing Guards	\$10.00	\$25.00
Alt. Crossing Guard	\$10.00	\$25.00
Township Historian	\$0.00	\$1,000.00
Division of Water:	Minimum Salary	Maximum Salary
Administrator	\$1,000.00	\$20,000.00
Water Collector	\$10,000.00	\$20,000.00
Water Secretary	\$5,000.00	\$7,500.00
Water Treasurer	\$7,500.00	\$15,000.00
Water Operator	\$0.00	\$7,200.00
Division of Sewer:	Minimum Salary	Maximum Salary
Sewer Administrator	\$1,000.00	\$18,000.00
Sewer Collector	\$5,000.00	\$8,000.00
Sewer Treasurer	\$2,000.00	\$6,000.00
Special District Division:	Minimum Salary	Maximum Salary
Special District Administrator	\$1,000.00	\$10,000.00
Special District Secretary	\$12,000.00	\$15,000.00
Special District Treasurer	\$2,000.00	\$6,000.00
Recycling Coordinator	\$1,500.00	\$2,500.00

* The position of Full Time Mayor is in place of a full-time, separate Administrator. The Full Time Mayor assumes the responsibility for tasks that are typically performed by the Administrator including being accessible to Township staff and residents during regular Township business hours. The Full Time Mayor cannot be employed for more than 10 hours/ week by any other organization (public, private, or self-employed). If the Mayor changes status from full-time to part-time, the Council will amend this ordinance to add a salary range for the position of Administrator.

** The position of Township Clerk is filled either Full Time or Part Time, not both.

*** Fire Marshal salary paid from licensing fees collected.

Department of Public Works Personnel (Foreman, Operator, Laborer, and Maintenance) shall be compensated in accordance with the contract negotiated and in effect between the Township of Mine Hill and the International Brotherhood of the Teamsters Local #102.

Section 2. All ranges of salaries or compensation herein above fixed shall be effective January 1, 2015. When an hourly rate is stated, payment shall be made on the basis of properly approved time sheets. All salaries shall be payable bi-weekly except for Council members, the Emergency Management Coordinator and the Elevator Subcode Official, who shall be paid quarterly.

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

Section 4. This Ordinance shall take effect after final passage and in accordance with law.

CONSENT RESOLUTIONS

None.

NON-CONSENT RESOLUTIONS**Resolution 046-15 Norwescap Resolution**

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

Ayes: Mr. Coranato; Mr. Willis; Mr. Bloom

Nays: none

Absent: Ms. Kanzenbach; Mr. Pepperman;

Abstentions: none

WHEREAS, it is the sense of the Township Council to recognize that the quality and character of life in the communities across northwestern New Jersey are reflective of the concerned and dedicated efforts of the organization and individuals that are devoted to the welfare of the community and its citizenry; and

WHEREAS, attendant to such concern, and in full accord with its long-standing traditions, the Township Council is justly proud to commend NORWESCAP, upon the occasion of celebrating their 50th Anniversary of serving the community.

WHEREAS, since 1965, Northwest NJ Community Action Partnership, Inc. (NORWESCAP) has been providing invaluable and outstanding service to the citizens; and

WHEREAS, NORWESCAP is one of 23 Community Action Agencies in New Jersey State, and one of over 1,000 nationwide founded on a common purpose: to support low-income households as they develop their abilities to be self-supporting and develop family and community relationships that will sustain self-reliance; and

WHEREAS, Community Action was born out of the Equal Opportunity Act of 1964 that was initiated by President John F. Kennedy and brought to fruition by President Lyndon B. Johnson who, during a memorable State of the Union address 50 years ago, declared unconditional war on poverty; the Economic Opportunity Act was signed into law on August 20, 1964, and not only spurred the birth of Community Action, but also inspired the introduction of Head Start one year later; and

WHEREAS, NORWESCAP was created through these efforts and;

WHEREAS, half a century later, NORWESCAP operates fifteen major programs: has grown to 270 full and part-time employees and more than 30,000 individuals are served each year through a multitude of antipoverty services; and

WHEREAS, NORWESCAP is a community leader; its positive action changes people's lives, embodies the spirit of hope, improves communities, and makes New Jersey a better place in which to live; and

WHEREAS, it is the sense of the Township Council that when organizations and individuals of such noble aims and accomplishments are brought to our attention, they should be recognized and applauded by all the citizens of New Jersey.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Mine Hill, in the County of Morris and State of New Jersey, commends the Northwest NJ Community Action Partnership, Inc. (NORWESCAP), upon the occasion of celebrating the 50th Anniversary of Community Action; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be transmitted to Northwest NJ Community Action Partnership of Phillipsburg, Inc.

Resolution 047-15 Historic Grant

It was noted that this is resolution to allow application. It does not commit the Township to action once the grants are awarded.

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

Ayes: Mr. Coranato; Mr. Willis; Mr. Bloom

Nays: none

Absent: Ms. Kanzenbach; Mr. Pepperman;

Abstentions: none

WHEREAS, the Township of Mine Hill desires to restore the Bridget Smith House that it currently uses as its local museum; and

WHEREAS, the Township of Mine Hill has allocated such funds as may be necessary to make up the difference between the grant funds received and the cost of completing the work which will be used together with the construction grant for the purpose of restoration of the interior of the Bridget Smith House; and

WHEREAS, the Township of Mine Hill has discussed and approved this application at a public meeting on March 19, 2015.

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 Mayor is hereby authorized to sign the application on behalf of the Township

Resolution 048-15 Release of Sections of Closed Session Minutes

This resolution was tabled until the next meeting.

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 sections of executive session minutes, having previously been determined to be consultative and deliberative documents and held in confidentiality, with the passage of time or the resolution of the issues involved, are no longer deemed consultative, deliberative or sensitive, and are hereby approved for release as indicated:

Date	Matter
03/15/12	Zoning Litigation
03/15/12	Health Benefits Litigation
05/03/12	Zoning Litigation
05/17/12	Zoning Litigation
05/17/12	Police Contract Negotiation
06/07/12	Zoning Litigation
06/07/12	OPRA Litigation
10/18/12	Potential Litigation
02/07/13	Police Contract Negotiation
07/18/13	Land Acquisition
02/06/14	Potential Litigation
04/03/14	Potential Litigation
10/16/14	Sports Contract Negotiation
11/13/14	Sports Contract Negotiation
11/13/14	Board of Education Contract Negotiation

Sections of these minutes not specifically delineated above are hereby not released do to the continued need for confidentiality.

NEW & OLD BUSINESS

Mr. Morris discussed a proposal from the Music Den for amplification of the meeting dais.

Mr. Bloom discussed a letter in which a resident requested that the Township Council acknowledge April is Autism Awareness Month.

Mr. Willis discussed parking at the American Legion. Mr. Morris responded that he will look into it.

OPEN TO THE PUBLIC

John Paschal, Thomastown Road, asked about the Library plans. Mr. Morris discussed the costs of joining the Morris County system, and that a meeting will be held to discuss the feasibility of reopening the Township Library.

CLOSED SESSION

None.

14-2015-03-19

MINUTES OF THE MINE HILL TOWNSHIP COUNCIL
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ADJOURNMENT

There being no further business, a motion was made by Mr. Coranato and seconded by Mr. Willis to adjourn the meeting at 8:12 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