

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

**OPEN PUBLIC MEETINGS NOTICE**

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

**ROLL CALL:** Present – Mr. Bloom; Mr. Coranato; Ms. Kanzenbach; Mr. Pepperman; Mr. Willis  
Absent – None  
Also Present – Mr. Morris, Mayor; Mr. Oostdyk, Township Attorney; Mrs. Macchia,  
Municipal Clerk  
Public Present – 5

**PRESENTATIONS**

**Eagle Project**

Zach Morris discussed color choices for his project of refurbishing the Municipal Gazebo. He has submitted his proposal to the Eagle Scout Board for review and approval.

**Adoption of 2015 Municipal Budget  
Resolution 062-15 Self Examination of Budget**

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

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

WHEREAS, N.J.S.A.40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and,

WHEREAS, N.J.A.C.5:30-7 was adopted by the Local Finance Board on February 11, 1997; and,

WHEREAS, pursuant to N.J.A.C.5:30-7.2 thru 7.5 the Township of Mine Hill has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Township of Mine Hill meets the necessary conditions to participate in the program for the 2015 budget year, so now therefore,

BE IT RESOLVED, by the Township Committee of the Township of Mine Hill, in the County of Morris and State of New Jersey that, in accordance with N.J.A.C.5:30-7.6a & b, and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A.40A:45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" law.)
3. That the budget is in such form, arrangement and content as required by the Local Budget Law and N.J.A.C.5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:

- a. All estimates of revenue are reasonable, accurate and correctly stated;
  - b. Items of appropriation are properly set forth;
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A.40A:4-5, shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

**Resolution 063-15 Budget to Be Read by Title Only**

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

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

WHEREAS, N.J.S.A. 40A:4-8 provides that the budget be read by title only at the time of public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing a complete copy of the approved budget as advertised has been posted in the Municipal Building, the local public library, and copies have been made available by the Clerk to persons requesting them; and

WHEREAS, these conditions have been met.

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 budget shall be read by title only at the public hearing on May 7, 2015.

**Resolution 064-15 Adoption of Municipal Budget**

Mr. Bloom opened the public hearing on the Municipal Budget. Seeing no discussion, the public hearing was closed.

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

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

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 statements of revenues and appropriations shall constitute the Municipal Budget for the year 2015:

**2015 MINE HILL TOWNSHIP MUNICIPAL BUDGET**

Surplus anticipated general revenues	\$ 465,000.00
Total Miscellaneous revenue	668,178.00
Receipts from Delinquent Taxes	238,000.00
Local Property Taxes	<u>3,356,751.00</u>
Total General Revenues	<u>\$ 4,727,929.00</u>
Salaries & Wages	\$ 647,591.00
Other Expenses	2,992,475.00
Capital Improvements	118,000.00
Debt Service	431,744.00
Statutory Expenditures	153,412.00
Reserve for Delinquent Taxes	<u>384,707.00</u>

Total 2015 Municipal Budget	\$ <u>4,727,929.00</u>
2015 Municipal Tax Rate	\$0.756

**2015 MINE HILL TOWNSHIP MUNICIPAL WATER UTILITY BUDGET**

Surplus anticipated general revenues	\$ 124,100.00
Water Rents	<u>487,700.00</u>
Total General Revenues	\$ <u>611,800.00</u>
Salaries and Wages	\$ 59,800.00
Other Expense	350,000.00
Operating Surplus - Current Fund	65,000.00
Capital Improvement	26,000.00
Debt Service	102,000.00
Statutory and Deferred Charges	9,000.00
Total 2015 Municipal Budget	\$ <u>611,800.00</u>

**2015 MINE HILL TOWNSHIP MUNICIPAL SEWER UTILITY BUDGET**

User Fees and Charges	\$ 376,171.00
NJ Environmental Savings Credit	28,000.00
Total Miscellaneous revenue	<u>15,000.00</u>
Total General Revenues	\$ <u>419,171.00</u>
Salaries and Wages	\$ 19,000.00
Other Expense	180,000.00
Debt Service	206,220.00
Statutory and Deferred Charges	13,951.00
Total 2015 Municipal Budget	\$ <u>419,171.00</u>

**2015 MINE HILL TOWNSHIP SOLID WASTE BUDGET**

Amount Raised By Taxation	\$ 377,000.00
Surplus anticipated general revenues	<u>30,000.00</u>
Total General Revenues	\$ <u>407,000.00</u>
Salaries and Wages	\$ 22,000.00
Other Expense	10,000.00
Contractual Services	342,000.00
Operating Surplus - Current Fund	30,000.00
Statutory and Deferred Charges	3,000.00
Total 2015 Municipal Budget	\$ <u>407,000.00</u>

BE IT FURTHER RESOLVED, that the Budget set forth for 2015 is hereby adopted.

**Support of American Legions' and VFWs' Eligibility for Funding – Resolution 065-15**

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

WHEREAS, the Veterans of Foreign Wars (VFW) and the American Legion, through local posts, provide a host of invaluable services to veterans in New Jersey and all across the United States, including benefits assistance, career services, financial assistance, homeless outreach, and comforting and support services; and

WHEREAS, VFW and American Legion posts also provide several important services for local communities, including various youth, educational, and patriotic programs, as well as scholarships; and

WHEREAS, VFW and American Legion posts have also served as warming and charging stations for the public during emergencies such as Superstorm Sandy and Hurricane Irene, and have provided shelter for people in need; and

WHEREAS, notwithstanding the critical services provided by VFW and American Legion posts to veterans and the public, some posts may be deemed ineligible for federal Community Development Block Grant (CDBG) funding for public facilities and improvements under the current Housing and Urban Development (HUD) regulations; and

WHEREAS, Mine Hill Township Mayor Sam Morris is disappointed in the lack of support provided to our veteran organizations through HUD regulations; and

WHEREAS, Assemblyman Anthony M. Bucco has submitted letters to New Jersey's congressional delegation calling for changes to federal law to ensure that all VFW and American Legion posts are eligible for CDBG public facilities and improvements funding, which the Mayor and Township Council of the Township of Mine Hill support; and

WHEREAS, given the extraordinary contributions of our veterans, both during and after their military service, it is altogether fitting and proper for the Township Council of the Township of Mine Hill to call on its congressional representatives to seek changes to federal law to ensure that all VFW and American Legion posts are eligible for CDBG public facilities and improvements funding.

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, hereby supports the efforts of Assemblyman Anthony M. Bucco and respectfully requests that the Congress of the United States revise federal law to ensure that all VFW and American Legion posts are eligible for CDBG public facilities and improvements funding; and

BE IT FURTHER RESOLVED that copies of the Resolution be forwarded to each member of the Congress of the United States elected thereto from the State of New Jersey.

#### **Skin Cancer Awareness Month Proclamation – Resolution 066-15**

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

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

Nays: none

Absent: none

Abstentions: none

WHEREAS, Skin Cancer is the most common form of cancer in the United States, affecting 5 million individuals each year; one in five Americans will develop skin cancer in the course of a lifetime, and one in fifty will develop melanoma, which makes it the most common form of cancer in the United States; and

WHEREAS, the two most common forms of skin cancer are basal cell and squamous cell carcinomas are highly curable; melanoma the third most common form of skin cancer is the deadliest skin cancer and one of the most common cancers for young adults and is on the rise nationwide and worldwide; and

WHEREAS, recent studies indicate sun damage in childhood can lead to skin cancer later in life, it also shows young people are not using proper protection and melanoma will account for more than 80,000 cases of skin cancer in 2015, and

WHEREAS, Melanoma is the most common form of cancer for young adults 25-29 years old and the second most common form of cancer for young people 15-29 years old; Over the past 33 years, more people have been diagnosed with skin cancer than ALL other cancer combined; and

WHEREAS, more women are diagnosed with melanoma before the age of 45, by age 60, the rate is more than two times higher in men, and by age 80, the rate in men is nearly three times higher than in women. Melanoma rates are 24 times higher in white people than black people; and

WHEREAS, the overall death rates from all cancers has decreased in the last three years, the incidence of all cancers continues to increase by over 4% with a rise in melanomas of the skin, especially in Morris and Somerset County; and

WHEREAS, rates of sunburn remain high, affecting nearly 37 percent of Americans each year as a result of overexposure to UV rays Indoor tanning is especially dangerous, resulting in an estimated 400,000 cases of skin cancer in the US each year; and

WHEREAS, skin cancer is a serious public health concern, the regional chronic disease coalition of Morris and Somerset and its partners are promoting skin cancer awareness month, everyone especially young people are encouraged to take advantage of skin cancer prevention and early detection opportunities and activities throughout the counties all year long with a focus on having “safe fun in the sun” and outdoors without compromising skin health.

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, does hereby support and recognize the state of New Jersey proclaiming May Skin Cancer Awareness Month, and urges all residents to talk with family and friends about the importance of early detection and prevention measures and to educate ourselves and others about this disease and to offer compassion and understanding to people living with cancers of the skin.

#### **APPROVAL OF MINUTES**

A motion was made by Ms. Kanzenbach and seconded by Mr. Coranato to approve the minutes of April 2, 2015, and April 16, 2015, as presented. The roll was called, and the minutes were approved by the following vote:

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

Nays: none

Absent: none

Abstentions: none

#### **COMMUNICATIONS & PETITIONS**

The following items of correspondence were noted:

- a. Rogut McCarthy re: Results of BAN Sale
- b. NJ Transit re: Notice of Public Hearing
- c. 2014 Tonnage Report

#### **CONSIDERATION & APPROVAL OF VOUCHERS**

##### **Bills List**

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

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

Nays: none

Absent: none

Abstentions: none

##### **Approval of Partial Payment to Vektor Corporation**

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

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

Nays: none

Absent: none

Abstentions: none

#### **PUBLIC HEARING ON ORDINANCES PREVIOUSLY INTRODUCED**

##### **Ordinance 16-15 Amendment to Abandoned Properties Ordinance**

Mr. Bloom opened the public hearing on this ordinance.

John Paschal of Thomastown Road asked if this Ordinance was in keeping with recent State legislation. Mr. Morris responded that this Ordinance allows the Township to invoke that legislation.

Seeing no further discussion, the public hearing 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: Mr. Coranato; Ms. Kanzenbach; Mr. Pepperman; Mr. Willis; Mr. Bloom

Nays: none

Absent: none

Abstentions: none

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

SECTION 1. Chapter 390 of the Revised General Ordinances of the Township of Mine Hill, “Property Maintenance”, shall be amended with regard to the following particulars only:

§ 390-27. Fee schedule.

The registration fee for each building that has become vacant or abandoned property shall be \$250.00.

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 provided the following report:

- Randolph sidewalk Phase I is 90% complete, remaining items are 3 retaining walls, some additional top soil and dirt and 4 driveways to finish paving.
- Phase II of the sidewalk project from Bassett to Fairfield Ave is ready to go out to bid and should go out to bid next week
- Phase III is almost done being designed and will have to submit to the DEP for a waiver near the Mine Hill Market due to a wetlands buffet right-of-way that is needed
- We ordered the tennis court hardware – net, posts and mounting hardware – and will be proceeding with analysis of restoring the court. The posts have to go in first followed by court repairs.
- DPW has been filling potholes and repaired some storm basins etc
- We were declined for the paving grant for Hurd St. by the DOT
- I’m doing analysis on extending a sewer line on Bassett Lane for houses with failing septic and cesspools, will be working on that with the engineer for costs and design
- DPW built new rafts for the beach, they are SWEET
- We are giving thought to having bonfires at the beach
- We have been rigorously enforcing stacking and fire code violations
- The Fire Marshall and Katelyn prepared a mailing on grilling safety in condominiums
- I met with the Thomastown Home owners about gas expansion and we are contacting contractors to get conversion estimates
- I have been working street by street on getting more sign-ups for natural gas to have streets included, Canfield, Dolores and Howard have been active in this
- We will be proceeding with additional speed bumps on Green, Edith, Janet, Indian Falls and S 2<sup>nd</sup> and S 1st

Mr. Morris added that he and Zoning Officer Jennifer Blouse are in discussions with businesses on Route 46 to meet zoning requirements. He would like Council to consider legislation to require car dealers to license with the Township annually.

#### **REPORTS OF COUNCIL LIAISONS**

##### **Recreation/Community Committee**

Mr. Morris note that the committee is preparing for Memorial Day festivities.

##### **Board of Education**

Mr. Coranato reported that the Board selected a new Superintendent from the final candidates. He added that the budget was approved with a \$56/year increase to the average home.

##### **Fire & First Aid**

Mr. Pepperman reported that the First Aid Squad is preparing for the King of the Hill Car Show, and that the Fire Department is preparing to celebrate their 100<sup>th</sup> anniversary.

**Police**

No report.

**Open Space Committee**

Mr. Bloom reported that meetings are being moved to the second Thursday of each month at 7 PM.

Mr. Morris added that Township ID Cards are being ordered for trail maintenance volunteers.

**Planning Board**

Mr. Willis reported that a C variance was approved at the last meeting, and that the D variance currently before the Board is on hold until a qualified interpreter can be retained by the applicant.

**CDBG**

Ms. Kanzenbach reported that all applications were voted on, and that Mine Hill's applications will not be funded.

Mr. Morris added that he is nearing closing out the grant used for the Dolores walking path.

**OPEN TO THE PUBLIC**

None.

**INTRODUCTION OF ORDINANCES**

None.

**CONSENT RESOLUTIONS**

None.

**NON-CONSENT RESOLUTIONS**

**Resolution 067-15 Approving Raffle License Application – Mine Hill Soccer Club 50/50**

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

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

Nays: none

Absent: none

Abstentions: none

BE IT RESOLVED by the Township Council of the Township of Mine Hill, in the County of Morris and State of New Jersey that a License be issued to Mine Hill Soccer Club to conduct an off-premise cash raffle (50/50) on June 6, 2015.

BE IT FURTHER RESOLVED, that the municipal license fee be and is hereby waived.

**Resolution 068-15 Approving Change Order – Blue Diamond Disposal**

Sam explained: yard waste pick up in house isn't working out so we're going back to blue diamond.

A motion was made by Ms. Kanzenbach 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; Ms. Kanzenbach; Mr. Pepperman; Mr. Willis; Mr. Bloom

Nays: none

Absent: none

Abstentions: none

WHEREAS, the Township of Mine Hill solicited bids for curbside collection of solid waste and vegetative waste services on December 30, 2014; and

WHEREAS, Blue Diamond Disposal, Inc. submitted the lowest responsible and responsive bid pursuant to the Notice to Bidders for collection and disposal of the Township's curbside collection of solid waste and vegetative waste services for a three (3) year term; and

WHEREAS, the Township Council awarded the contract for the curbside collection of solid waste to Blue Diamond Disposal, Inc. in accordance with its Bid Proposal for a three (3) year term but did not award the contract for vegetative waste at that time; and

WHEREAS, the Township Council has determined that it is in the best interest of the Township to amend its contract with Blue Diamond Disposal, Inc. to now include vegetative waste collection and Blue Diamond Disposal, Inc. has agreed to hold its original bid price; 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. A contract for curbside collection of solid waste awarded to Blue Diamond Disposal, Inc., is hereby amended to include vegetative waste in accordance with its Bid Proposal for a three (3) year term, for the lump sum price of \$73,400.00.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Blue Diamond Disposal, Inc. in accordance with its Bid Proposal dated December 30, 2014.
3. This Resolution shall take effect immediately.

**Resolution 069-15 Regarding RVRSA Resolution 15-008**

Bob: explained both – these are answers RVRSA’s resolutions to get the record straight. We need to have this opposition on record.

Sam discussed plans for meter installation – being done because it’s in our best interest, not because they’re requiring it.

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

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

WHEREAS, the RVRSA, by Resolution 15-008, declared a breach in the 1987 agreement between the RVRSA and the Township of Mine Hill (hereinafter “the Agreement”) based on an alleged failure of Mine Hill to comply with provisions of the Agreement pertaining to metering; and

WHEREAS, the RVRSA, in declaring this breach, is basing its claim on a provision of the Agreement which it has not enforced in over twenty five years; and

WHEREAS, the RVRSA participated in the design and execution of the construction of the Jackson Brook Interceptor and their engineers were well aware of the alternating design of connections from Mine Hill, Dover and Randolph making single meter metering completely impractical; and

WHEREAS, correspondence from RVRSA attorney Joseph J. Maraziti, Jr. to the attorney representing Mine Hill, dated February 18, 1987 (a copy of which is attached hereto) , specifically stated that Mine Hill’s flow would not be determined by meter; and

WHEREAS, subsequent amendments to the Agreement failed to make any changes to the metering requirement or the position established in the February 18, 1987 correspondence from Mr. Maraziti; and

WHEREAS, the attempt by the RVRSA to enforce a provision of an agreement it has ignored for over twenty five years is patently unfair and inconsistent with the previous position of the RVRSA and the Township respectfully disagrees that it has breached its agreement with the RVRSA.

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, while Mine Hill wishes to work with the RVRSA to resolve all outstanding issues including metering, it adamantly disagrees with the content and objects to declaration of breach contain in RVRSA Resolution 15-008; and

BE IT FURTHER RESOLVED, Mine Hill is nevertheless proceeding with metering installation at this time because it is a prudent for it to do so; and

BE IT FURTHER RESOLVED, the Township Clerk shall forward a certified copy of this Resolution to the County of Morris, the Morris County Planning Board, the RVRSA and all member municipalities, and the NJDEP.

**Resolution 070-15 Regarding RVRSA Resolution 15-009**

A motion was made by Ms. Kanzenbach 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; Ms. Kanzenbach; Mr. Pepperman; Mr. Willis; Mr. Bloom

Nays: none

Absent: none

Abstentions: none

WHEREAS, the Water Quality Management Planning Rules (N.J.A.C. 7:15) adopted by the New Jersey Department of Environmental Protection require that all areas in New Jersey be addressed by wastewater management plans; and

WHEREAS, the Morris County Planning Board is currently preparing the Wastewater Management Plan (“WMP”) for Morris County municipalities which are not within the Highlands Region including the Township of Mine Hill; and

WHEREAS, the WMP for Morris County includes the Rockaway Valley Regional Sewerage Authority (RVRSA) and establishes the existing and future sewer service area and capacity demands for the RVRSA which includes the Township of Mine Hill; and

WHEREAS, the Township of Mine Hill was included in a Federal grant the RVRSA obtained for design and construction and by agreement dated July 7, 1987, has continuously allowed sewage flow generated in Mine Hill to be treated through the RVRSA system; and

WHEREAS, in 2012 the RVRSA adopted Resolution No. 12-065 consenting to provide sewer service in the future to those areas designated as within the Rockaway Valley Regional Sewerage Authority Wastewater Service Area as depicted on a map entitled “Future Wastewater Service Area map for Morris County amending the following Areawide Water Quality management Plans: Northeast, Upper Delaware, Upper Raritan, Sussex, Date of Current Submittal: March 14, 2012”; and

WHEREAS, it came to the attention of Mine Hill that portions of the Township were not included within the RVRSA future wastewater service area; and

WHEREAS, Mine Hill, consequently, brought this issue to the NJDEP, the County of Morris, and the RVRSA, and requested that the RVRSA wastewater service area be revised to include additional portions of Mine Hill; and

WHEREAS, the NJDEP has determined that these additional areas in Mine Hill should be included in a revised future wastewater service area as set forth on a map entitled “Mine Hill Township NJDEP Revised Future Wastewater Service Area”; and

WHEREAS, the RVRSA adopted Resolution No. 15-009 which purported to consent to the NJDEP approved revision of the Mine Hill portion of the wastewater service area, but proceeded to condition its consent on terms which would discriminate against Mine Hill in contravention of the Federal Grant Agreement as well as conditions which have no bearing on the inclusion of Mine Hill within the wastewater service area; and

WHEREAS, it is important for Mine Hill to memorialize its disagreement with certain conditions set forth in Resolution No. 15-009 and clarify that it in no way has agreed to the imposition of these conditions which in some cases are directly in conflict with its agreement with the RVRSA and its participation in the Federal Grant; and

WHEREAS, it is the opinion of the Mayor and Township Council of the Township of Mine Hill that the Federal grant agreements prevent the RVRSA from discriminating between its “member municipalities” and Mine Hill Township and this attempt to legitimize such discrimination when determining future needs is unacceptable.

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 Mine Hill specifically rejects the following conditions in the Consenting Resolution:

1. Mine Hill specifically objects to the RVRSA conditioning the approval of the revised service area on the expansion of the RVRSA sewage treatment plant capacity or related plan approval by the NJDEP.
2. Mine Hill objects to the attempt by the RVRSA to condition its consent on the NJDEP making policy or rule making changes sought by the RVRSA but having nothing to do with the Water Quality Management Planning process and specifically the adoption of the revised WMP area.
3. Mine Hill adamantly disagrees with the conditions in the Resolution which indicate that the future sewerage needs of Mine Hill are relegated to a secondary status behind the perceived future needs of “member municipalities”.
4. Mine Hill objects to any attempt by the RVRSA to impose fees, charges, or metering requirements upon Mine Hill which are different from those imposed upon “member municipalities” as a condition of consent to the NJDEP determination of service area expansion.

BE IT FURTHER RESOLVED, that the Township of Mine Hill does not accept the conditions set forth in the RVRSA Resolution No. 15-009 and urges the NJDEP and the County of Morris to unconditionally approve of the revised future wastewater service area for Mine Hill Township as set forth on the map entitled “Mine Hill Township NJDEP Revised Future Wastewater Service Area” because there is no dispute that this area geographically belongs in the Service Area.

The Township Clerk shall forward a certified copy of this Resolution to the County of Morris, the Morris County Planning Board, the RVRSA and all member municipalities, and the NJDEP.

**NEW & OLD BUSINESS**

None.

**OPEN TO THE PUBLIC**

John Paschal of Thomastown Road noted seeing Mr. Pepperman’s picture in the newspaper.

Ms. Kanzenbach noted the “Game of Mine Hill, New Jersey” posted on the wall. Mr. Morris explained that the game was produced as a fund raiser in the 1980’s, but was stopped when Milton Bradley found out about it and closed down the project due to its similarity to Monopoly. He recently had the poster of the game board made.

Mr. Morris noted that excavation on the new Memorial will begin next week, and that the monuments will be moved after Memorial Day.

**CLOSED SESSION**

None.

**ADJOURNMENT**

There being no further business, a motion was made by Ms. Kanzenbach and seconded by Mr. Pepperman to adjourn the meeting at 8:38 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