

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. Bucco, Township Attorney; Mrs. Macchia,
Municipal Clerk
Public Present – 7

PRESENTATIONS

Mr. Morris and Mr. Bucco presented citations to members of the First Aid Squad and Police Department for their participation in a successful CPR save.

Additionally, First Aid Squad member Edna Deacon was recognized for 40 years of service to the Squad.

APPROVAL OF MINUTES

A motion was made by Ms. Kanzenbach and seconded by Mr. Willis to approve the minutes of May 21, 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

None.

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

PUBLIC HEARING ON ORDINANCES PREVIOUSLY INTRODUCED

Ordinance 17-15 Land Sale Ordinance

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

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

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

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-13, et seq., authorizes the sale by municipalities of any real property, capital improvements or personal property, or interests therein, not needed for public use by sale in the manner provided by law; and

WHEREAS, the Township of Mine Hill is the owner of certain real property not needed for public use, and the Township Council has determined that it is in the best interest of the Township to sell the same.

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

1. The following property shall be offered for sale, pursuant to N.J.S.A. 40A:12-13(b)(5), to the owners of real property contiguous to the property listed for sale. Bids from contiguous property owners shall be submitted to the office of the Township Clerk by July 2, 2015, at 10:00 a.m.

BLOCK	LOT	MINIMUM BID
403	21	\$5,000
1407	20	\$25,000

2. The property sold shall be subject to the following restrictions in term of sale:
- i. To conduct all necessary title searches prior to the date of sale.
 - ii. That no representations of any kind are made by the Township of Mine Hill as to the condition of the property, said premises are being sold in their present condition "as is".
 - iii. The property being sold will be merged with the existing contiguous lot of the successful bidder. A deed restriction precluding any future subdivision will be required.
3. That the sale is made subject to such state of facts as an accurate survey may disclose, existing tenancies, rights of persons in possession, easements, conditions, covenants and restrictions and any other encumbrances of title which the Township Council may impose on any parcel at the time of the sale, including but not limited to restrictions on the use to be made of such real property, capital improvements of personal property and any conditions of sale as to buildings or structures, or as to the type, size or other specifications of buildings or structures to be constructed thereon, or as to the demolition, repair or reconstruction of buildings or structures, and the time within such conditions shall be operative, or any other conditions of sale in like manner to the same extent as by any other vendor.
4. The sale is made subject to all applicable laws and ordinances of the State of New Jersey and the Township of Mine Hill.
5. That should the title to the property prove to be unmarketable for any reason, the liability of the Township shall be limited to the repayment to the purchaser of the amount of deposit and any portion of the purchase price paid and shall not extend to any further costs, expenses, damages or claims. Notice of any alleged defect in title or claim of un-marketability must be served on the Township Clerk, by the purchaser, in writing no later than thirty (30) days after the sale is approved by the Township Council, failure upon the part of the purchaser to give written notice within said time shall be deemed conclusive proof that the purchaser accepts the title in its present condition.
6. That no employee, agent or officer of the Township of Mine Hill has any authority to waive, modify or amend any of the conditions of sale.
7. The successful bidders agree to the following conditions:
- i. To deposit cash, check or money order in an amount not less than 25% of the bid price at the time that the bid is submitted.
 - ii. To submit with the bid, a copy of the Deed for the contiguous property.
 - iii. To pay by the time of closing:
 - a. The balance of the purchase price.
 - b. The cost of preparation of all legal documents, including any special property description.
 - c. The proportionate cost of advertisement of the sale.
 - d. The cost of recording Deeds and agree that Deeds shall be recorded on behalf of the purchaser by the Township Attorney.
 - iv. To pay prorated real estate taxes for the balance of the current year as of the date of closing.
 - v. To abide by appropriate zoning, subdivision, health and building regulations and codes and stipulations that this sale will not be used as grounds to support any variance from or realization of said regulations.
 - vi. That the failure to close title as agreed shall forfeit to the Township of Mine Hill any and all money deposited with the Township.
 - vi. That the purchase price shall not be used before any County Board of Taxation, Tax Court of New Jersey, or in any Court of this State as grounds to support a challenge of the existing assessment of the subject property, nor shall the purchase price be used as a comparable sale to challenge assessments with regard to other properties.
8. The Township reserves the right to withdraw the offer of sale and reject any and all bids.

9. All sales are subject to final approval by the Township Council. Parties interested in submitting bids and who require additional information should contact:

Amanda Macchia, Township Clerk
Township of Mine Hill
Baker Street, Mine Hill, New Jersey 07803

10. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

11. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

12. This Ordinance shall take effect after final passage and publication in the manner provided by law.

Ordinance 18-15 Noise Ordinance

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

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

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

Nays: none

Absent: none

Abstentions: none

WHEREAS, excessive sound is a serious hazard to the public health, welfare, safety, and the quality of life; and

WHEREAS, a substantial body of science and technology exists by which excessive sound may be substantially abated; and

WHEREAS, the people have a right to, and should be ensured of, an environment free from excessive sound,

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

SECTION 1. Chapter 344 of the Revised General Ordinances of the Township of Mine Hill, "Noise", shall be amended and shall read, in its entirety, as follows:

Noise Control

344-1 Definitions

The following words and terms, when used in this ordinance, shall have the following meanings, unless the context clearly indicates otherwise. Terms not defined in this ordinance have the same meaning as those defined in N.J.A.C. 7:29.

"Construction" means any site preparation, assembly, erection, repair, alteration or similar action of buildings or structures.

"dBC" means the sound level as measured using the "C" weighting network with a sound level meter meeting the standards set forth in ANSI S1.4-1983 or its successors. The unit of reporting is dB(C). The "C" weighting network is more sensitive to low frequencies than is the "A" weighting network.

"Demolition" means any dismantling, destruction or removal of buildings, structures, or roadways.

"Department" means the New Jersey Department of Environmental Protection.

"Emergency work" means any work or action necessary at the site of an emergency to restore or deliver essential services including, but not limited to, repairing water, gas, electricity, telephone,

sewer facilities, or public transportation facilities, removing fallen trees on public rights-of-way, dredging navigational waterways, or abating life-threatening conditions or a state of emergency declared by a governing agency.

"Impulsive sound" means either a single pressure peak or a single burst (multiple pressure peaks) that has a duration of less than one second.

"Minor Violation" means a violation that is not the result of the purposeful, reckless or criminally negligent conduct of the alleged violator; and/or the activity or condition constituting the violation has not been the subject of an enforcement action by any authorized local, county or state enforcement agency against the violator within the immediately preceding 12 months for the same or substantially similar violation.

"Motor vehicle" means any vehicle that is propelled other than by human or animal power on land.

"Muffler" means a properly functioning sound dissipative device or system for abating the sound on engines or equipment where such device is part of the normal configuration of the equipment.

"Multi-dwelling unit building" means any building comprising two or more dwelling units, including but not limited to, apartments, condominiums, co-ops, multiple family houses, townhouses, and attached residences.

"Multi-use property" means any distinct parcel of land that is used for more than one category of activity. Examples include, but are not limited to:

1. A commercial, residential, industrial or public service property having boilers, incinerators, elevators, automatic garage doors, air conditioners, laundry rooms, utility provisions, or health and recreational facilities, or other similar devices or areas, either in the interior or on the exterior of the building, which may be a source of elevated sound levels at another category on the same distinct parcel of land; or
2. A building, which is both commercial (usually on the ground floor) and residential property, located above, below or otherwise adjacent to.

"Noise Control Officer" (NCO) means an employee of a local, county or regional health agency which is certified pursuant to the County Environmental Health Act (N.J.S.A. 26:3A2-21 et seq.) to perform noise enforcement activities or an employee of a municipality with a Department-approved model noise control ordinance. All NCOs must receive noise enforcement training as specified by the Department in N.J.A.C. 7:29 and is currently certified in noise enforcement. The employee must be acting within his or her designated jurisdiction and must be authorized to issue a summons.

"Noise Control Investigator" (NCI) means an employee of a municipality, county or regional health commission that has a Department-approved model noise control ordinance and the employee has not received noise enforcement training as specified by the Department in N.J.A.C. 7:29. However, they are knowledgeable about their model noise ordinance and enforcement procedures. A Noise Control Investigator may only enforce sections of the ordinance that do not require the use of a sound level meter. The employee must be acting within his or her designated jurisdiction and must be authorized to issue a summons.

"Plainly audible" means any sound that can be detected by a NCO or an NCI using his or her unaided hearing faculties of normal acuity. As an example, if the sound source under investigation is a portable or vehicular sound amplification or reproduction device, the detection of the rhythmic bass component of the music is sufficient to verify plainly audible sound. The NCO or NCI need not determine the title, specific words, or the artist performing the song.

"Private right-of-way" means any street, avenue, boulevard, road, highway, sidewalk, alley or easement that is owned, leased, or controlled by a non-governmental entity.

"Public right-of-way" means any street, avenue, boulevard, road, highway, sidewalk, alley or easement that is owned, leased, or controlled by a governmental entity.

"Public space" means any real property or structures thereon that are owned, leased, or controlled by a governmental entity.

"Real property line" means either (a) the vertical boundary that separates one parcel of property (i.e., lot and block) from another residential or commercial property; (b) the vertical and horizontal boundaries of a dwelling unit that is part of a multi-dwelling unit building; or (c) on a multi-use property as defined herein, the vertical or horizontal boundaries between the two portions of the property on which different categories of activity are being performed (e.g., if the multi-use property is a building which is residential upstairs and commercial downstairs, then the real property line would be the interface between the residential area and the commercial area, or if there is an outdoor sound source such as an HVAC unit on the same parcel of property, the boundary line is the exterior wall of the receiving unit). Note- this definition shall not apply to a commercial source and a commercial receptor which are both located on the same parcel of property (e.g., a strip mall).

"Sound production device" means any device whose primary function is the production of sound, including, but not limited to any, musical instrument, loudspeaker, radio, television, digital or analog music player, public address system or sound-amplifying equipment.

"Sound reduction device" means any device, such as a muffler, baffle, shroud, jacket, enclosure, isolator, or dampener provided by the manufacturer with the equipment, or that is otherwise required, that mitigates the sound emissions of the equipment.

"Weekday" means any day that is not a federal holiday, and beginning on Monday at 7:00 a.m. and ending on the following Friday at 6:00 p.m.

"Weekends" means beginning on Friday at 6:00 p.m. and ending on the following Monday at 7:00 a.m.

344-2 Applicability

(A) This noise ordinance applies to sound from the following property categories:

1. Industrial facilities;
2. Commercial facilities;
3. Public service facilities;
4. Community service facilities;
5. Residential properties;
6. Multi-use properties;
7. Public and private right-of-ways;
8. Public spaces; and
9. Multi-dwelling unit buildings.

(B) This noise ordinance applies to sound received at the following property categories:

1. Commercial facilities;
2. Public service facilities;
3. Community service facilities (i.e. non-profits and/or religious facilities)
4. Residential properties;
5. Multi-use properties;
6. Multi-dwelling unit buildings.

(C) Sound from stationary emergency signaling devices shall be regulated in accordance with N.J.A.C. 7:29-1.4, except that the testing of the electromechanical functioning of a stationary emergency signaling device shall not meet or exceed 10 seconds.

344-3 Exemptions

(A) Except as provided in Sections 344- 9 and 10 below, the provisions of this ordinance shall not apply to the exceptions listed at N.J.A.C. 7:29-1.5.

(B) Sound production devices required or sanctioned under the Americans with Disabilities Act (ADA), FEMA or other government agencies to the extent that they comply with the noise requirement of the enabling legislation or regulation. Devices which are exempted under N.J.A.C. 7:29-1.5 shall continue to be exempted.

(C) Construction and demolition activities are exempt from the sound level limits set forth in tables I and II and III except as provided for in Section 344-9 below.

344-4 Enforcement Officers

(A) Noise Control Officers shall have the authority within their designated jurisdiction to investigate suspected violations of any section of this ordinance and pursue enforcement activities.

(B) Noise Control Investigators shall have the authority within their designated jurisdiction to investigate suspected violations of any section of this ordinance that do not require the use of a sound level meter (i.e., plainly audible, times of day and/or distance determinations) and pursue enforcement activities.

(C) Noise Control Officers and Investigators may cooperate with NCOs and NCIs of an adjacent municipality in enforcing one another’s municipal noise ordinances.

344-5 Measurement Protocols

(A) Sound measurements made by a Noise Control Officer shall conform to the procedures set forth at N.J.A.C. 7:29-2, except that interior sound level measurements shall also conform with the procedures set forth in Section 344-6 (B) of this ordinance and with the definition of "real property line" as contained herein.

(B) When conducting indoor sound level measurements across a real property line the measurements shall be taken at least three feet from any wall, floor or ceiling and all exterior doors and windows may, at the discretion of the investigator, be closed. The neighborhood residual sound level shall be measured in accordance with N.J.A.C. 7:29-2.9(b)2. When measuring total sound level, the configuration of the windows and doors shall be the same and all sound sources within the dwelling unit must be shut off (e.g., television, stereo). Measurements shall not be taken in areas which receive only casual use such as hallways, closets and bathrooms.

344-6 Maximum Permissible Sound Levels

(A) No person shall cause, suffer, allow, or permit the operation of any source of sound on any source property listed in 344-3 (A) above in such a manner as to create a sound level that equals or exceeds the sound level limits set forth in Tables I, II or III when measured at or within the real property line of any of the receiving properties listed in Tables I, II or III except as specified in 344-4 B.

(B) Impulsive Sound

Between 7:00 a.m. and 10:00 p.m., impulsive sound shall not equal or exceed 80 decibels. Between 10:00 p.m. and 7:00 a.m., impulsive sound which occurs less than four times in any hour shall not equal or exceed 80 decibels. Impulsive sound which repeats four or more times in any hour shall be measured as continuous sound and shall meet the requirements as shown in Tables I and II.

**TABLE I
 MAXIMUM PERMISSIBLE A-WEIGHTED SOUND LEVELS
 WHEN MEASURED OUTDOORS**

RECEIVING PROPERTY CATEGORY	Residential property, or residential portion of a multi-use property		Commercial facility, public service facility, non-residential portion of a multi-use property, or community service facility
TIME	7 a.m.-10 p.m.	10 p.m.-7 a.m.	24 hours
Maximum A-Weighted sound level standard, dB	65	50	65

**TABLE II
 MAXIMUM PERMISSIBLE A-WEIGHTED SOUND LEVELS
 WHEN MEASURED INDOORS**

RECEIVING PROPERTY CATEGORY	Residential property, or residential portion of a multi-use property		Commercial facility, public service facility, non-residential portion of a multi-use property, or community service facility
TIME	7 a.m.-10 p.m.	10 p.m.-7 a.m.	24 hours
Maximum A-Weighted sound level standard, dB	55	40	55

Note: Table II shall only apply when the source and the receptor are separated by a real property line and they also share a common or abutting wall, floor or ceiling, or are on the same parcel of property.

**TABLE III
 MAXIMUM PERMISSIBLE OCTAVE BAND
 SOUND PRESSURE LEVELS IN DECIBELS**

Receiving Property Category	Residential property, or residential portion of a multi-use property		Residential property, or residential portion of a multi-use property		Commercial facility, public service facility, non-residential portion of a multi-use property, or community service facility	Commercial facility or non-residential portion of a multi-use property
	OUTDOORS		INDOORS		OUTDOORS	INDOORS
Octave Band Center Frequency, Hz.	Octave Band Sound Pressure Level, dB		Octave Band Sound Pressure Level, dB		Octave Band Sound Pressure Level, dB	Octave Band Sound Pressure Level, dB
Time	7a.m.-10p.m.	10p.m.-7a.m.	7a.m.-10p.m.	10p.m.-7a.m.	24 hours	24 hours
31.5	96	86	86	76	96	86
63	82	71	72	61	82	72
125	74	61	64	51	74	64
250	67	53	57	43	67	57
500	63	48	53	38	63	53
1,000	60	45	50	35	60	50
2,000	57	42	47	32	57	47

4,000	55	40	45	30	55	45
8,000	53	38	43	28	53	43

Note: When octave measurements are made, the sound from the source must be constant in level and character. If octave band sound pressure level variations exceed plus or minus 2 dB in the bands containing the principal source frequencies, discontinue the measurement.

344-7 Sound Production Devices

No person shall cause, suffer, allow, or permit the operation of any sound production device in such a manner that the sound crosses a property line and raises the total sound levels above the neighborhood residual sound level by more than the permissible sound level limits set forth in Table IV when measured within the residence of a complainant according to the measurement protocol in 344-6(B) of this ordinance. These sound level measurements shall be conducted with the sound level meter set for "C" weighting, "fast" response.

**TABLE IV
MAXIMUM PERMISSIBLE INCREASE IN TOTAL SOUND LEVELS
WITHIN A RESIDENTIAL PROPERTY**

Week Nights 10:00 p.m. – 7: a.m. Weekend nights 11:00 p.m. and 9:00 a.m.	All other times
3 dB(C)	6 dB(c)

344-8 Restricted Uses and Activities

The following standards shall apply to the activities or sources of sound set forth below:

A. Excluding emergency work, power tools, home maintenance tools, landscaping and/or yard maintenance equipment used by a residential property owner or tenant shall not be operated between the hours of 8:00 p.m. and 8:00 a.m., unless such activities can meet the applicable limits set forth in Tables I, II or III. At all other times the limits set forth in Tables I, II or III do not apply. All motorized equipment used in these activities shall be operated with a muffler and/or sound reduction device.

B. Excluding emergency work, power tools, landscaping and/or yard maintenance equipment used by nonresidential operators (e.g. commercial operators, public employees) shall not be operated on a residential, commercial, industrial or public (e.g. golf course, parks, athletic fields) property between the hours of 6:00 p.m. and 8:00 a.m. on weekdays, or between the hours of 6:00 p.m. and 9:00 a.m. on weekends or federal holidays, unless such activities can meet the limits set forth in Tables I, II or III. At all other times the limits set forth in Tables I, II or III do not apply. All motorized equipment used in these activities shall be operated with a muffler and/or sound reduction device.

C. All construction and demolition activity, excluding emergency work, shall not be performed between the hours of 6:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 6:00 p.m. and 9:00 a.m. on weekends and federal holidays, unless such activities can meet the limits set forth in Tables I, II or III. At all other times the limits set forth in Tables I, II or III do not apply. All motorized equipment used in construction and demolition activity shall be operated with a muffler and/or sound reduction device.

D. Motorized snow removal equipment shall be operated with a muffler and/or a sound reduction device when being used for snow removal. At all other times the limits set forth in Tables I, II or III do not apply.

E. All interior and exterior burglar alarms of a building or motor vehicle must be activated in such a manner that the burglar alarm terminates its operation within five (5) minutes for continuous airborne sound and fifteen (15) minutes for intermittent sound after it has been activated. At all other times the limits set forth in Tables I, II or III do not apply.

F. Self-contained, portable, non-vehicular music or sound production devices shall not be operated on a public space or public right-of-way in such a manner as to be plainly audible at a distance of 50 feet in any direction from the operator between the hours of 8:00 a.m. and 10:00 p.m. Between the hours of 10:00 p.m. and 8:00 a.m., sound, operated on a public space or public right-of-way, from such equipment shall not be plainly audible at a distance of 25 feet in any direction from the operator;

G. It shall be unlawful for any property owner or tenant to allow any domesticated or caged animal to create a sound across a real property line which unreasonably disturbs or interferes with the peace, comfort, and repose of any resident, or to refuse or intentionally fail to cease the unreasonable noise when ordered to do so by a Noise Control Officer or Noise Control Investigator. Prima facie evidence of a violation of this section shall include but not be limited to:

(1) Vocalizing (howling, yelping, barking, squawking etc.) for five (5) minutes without interruption, defined as an average of four or more vocalizations per minute in that period; or,

(2) Vocalizing for twenty (20) minutes intermittently, defined as an average of two vocalizations or more per minute in that period.

It is an affirmative defense under this subsection that the dog or other animal was intentionally provoked to bark or make any other noise.

344-9 Motor Vehicles

Violations of each paragraph of this section shall be considered purposeful and therefore non-minor violations.

(A) No person shall remove or render inoperative, or cause to be removed or rendered inoperative or less effective than originally equipped, other than for the purposes of maintenance, repair, or replacement, of any device or element of design incorporated in any motor vehicle for the purpose of noise control. No person shall operate a motor vehicle or motorcycle which has been so modified. A vehicle not meeting these requirements shall be deemed in violation of this provision if it is operated stationary or in motion in any public space or public right-of-way.

(B) No motorcycle shall be operated stationary or in motion unless it has a muffler that complies with and is labeled in accordance with the Federal Noise Regulations under 40 CFR Part 205.

(C) Personal or commercial vehicular music amplification or reproduction equipment shall not be operated in such a manner that it is plainly audible at distance of 25 feet in any direction from the operator between the hours of 10:00 p.m. and 8:00 a.m.

(D) Personal or commercial vehicular music amplification or reproduction equipment shall not be operated in such a manner that is plainly audible at a distance of 50 feet in any direction from the operator between the hours of 8:00 a.m. and 10:00 p.m.

344-10 Enforcement

(A) Violation of any provision of this ordinance shall be cause for a Notice of Violation (NOV) or a Notice of Penalty Assessment (NOPA) document to be issued to the violator by the Noise Control Officer or Noise Control Investigator.

(B) Any person who violates any provision of this ordinance shall be subject to a civil penalty for each offense of not more than the maximum penalty pursuant to N.J.S.A. 40:49-5, which is \$2,000 as of December 2014. If the violation is of a continuing nature, each day during which it occurs shall constitute an additional, separate, and distinct offense.

(C) Upon identification of a violation of this Ordinance the Noise Control Officer or Noise Control Investigator shall issue an enforcement document to the violator. The enforcement

document shall identify the condition or activity that constitutes the violation and the specific provision of this Ordinance that has been violated. It shall also indicate whether the violator has a period of time to correct the violation before a penalty is sought.

(D) If the violation is deemed by the Noise Control Officer or Noise Control Investigator to be a minor violation (as defined in Section 344-2 of this ordinance) a NOV shall be issued to the violator.

1. The document shall indicate that the purpose of the NOV is intended to serve as a notice to warn the responsible party/violator of the violation conditions in order to provide them with an opportunity to voluntarily investigate the matter and voluntarily take corrective action to address the identified violation.

2. The NOV shall identify the time period (up to 90 days), pursuant to the Grace Period Law, N.J.S.A. 13:1D-125 et seq. where the responsible party's/violator's voluntary action can prevent a formal enforcement action with penalties issued by the Health Department. It shall be noted that the NOV does not constitute a formal enforcement action, a final agency action or a final legal determination that a violation has occurred. Therefore, the NOV may not be appealed or contested.

(E) If the violation is deemed by the Noise Control Officer or Noise Control Investigator to be a non-minor violation, the violator shall be notified that if the violation is not immediately corrected, a NOPA with a civil penalty of not more than the maximum penalty allowed pursuant to N.J.S.A. 40:49-5, which is \$2,000 as of December 2014, will be issued. If a non-minor violation is immediately corrected, a NOV without a civil penalty shall still be issued to document the violation. If the violation occurs again (within 12 months of the initial violation) a NOPA shall be issued regardless of whether the violation is immediately corrected or not.

(F) The violator may request from the Noise Control Officer or Noise Control Investigator, an extension of the compliance deadline in the enforcement action. The Noise Control Officer or Noise Control Investigator shall have the option to approve any reasonable request for an extension (not to exceed 180 days) if the violator can demonstrate that a good faith effort has been made to achieve compliance. If an extension is not granted and the violation continues to exist after the grace period ends, a NOPA shall be issued.

(G) The recipient of a NOPA shall be entitled to a hearing in a municipal court having jurisdiction to contest such action.

(H) The Noise Control Officer or Noise Control Investigator may seek injunctive relief if the responsible party does not remediate the violation within the period of time specified in the NOPA issued.

(I) Any claim for a civil penalty may be compromised and settled based on the following factors:

1. Mitigating or any other extenuating circumstances;
2. The timely implementation by the violator of measures which lead to compliance;
3. The conduct of the violator; and
4. The compliance history of the violator.

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 upon publication in accordance with law.

ADMINISTRATIVE AGENDA

Mr. Morris provided the following report:

- Meeting tomorrow with Maurice Rachad from Maser regarding the installation locations of speed bumps on Hurd Street.
- 3 of the homes on Bassett Lane have been certified in failure. We are having residents there discuss the issue with the health department.
- Natural gas expansion is continuing. Wharton Avenue is actively being worked for sign ups and interest.
- Zack Morris' Eagle Project has been approved by the Scouting Council Advisor. He will start on June 13th.
- Final design/discussion on the Randolph sidewalk Phase # is almost done. The design element in front of the market is being discussed.
- Sewer Meter Proposals are being distributed.
- We need some engineering support in our discussion with the RVRSA on the length of time metering will occur before they will certify our flow. I am seeing engineering data from Heiner Associates & Teledyne
- I'm getting proposals for paving Randall Avenue and Gillen Street. I want to get a proposal for paving Hurd Street as well to see if it's feasible this year.
- We will be moving forward with installations of speed humps on about a dozen streets by July 4th
- We have nixed the idea of partnering with Lake Hopatcong on beach participants, the chief said we can't handle the volume that would come here
- Memorial Day was a great success

REPORTS OF COUNCIL LIAISONS

Recreation/Community Committee

Mr. Morris reported that Memorial Day was a success and the committee is now focused on Mine Hill Day.

Board of Education

No report.

Fire & First Aid

Mr. Pepperman reported that both Fire and First Aid are looking into some new equipment.

Police

Mr. Pepperman reported that 115 tickets were issued and 10 arrests were made in the month of May.

Open Space Committee

No report.

Planning Board

No report.

OPEN TO THE PUBLIC

Mr. Bloom noted that a resident approached him before the meeting to discourage the partnership with Lake Hopatcong.

INTRODUCTION OF ORDINANCES

Ordinance 19-15 Construction Fees Ordinance

A motion was made by Ms. Kanzenbach and seconded by Mr. Coranato to introduce the ordinance. It was noted that the ordinance would be further considered at the next meeting on June 18, 2015. The roll was called, and the ordinance was introduced 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 235 of the Revised General Ordinances of the Township of Mine Hill, "Fees", shall be amended with regard to the following particulars only:

A. CONSTRUCTION CODE FEES:

PLAN REVIEW FEE:

(1)

The fee for plan review shall be twenty-five percent (25%) of the amount to be charged for the construction permit. Plan review fees are not refundable and may be required to be paid upon application.

(2) The basic construction permit fee shall be the sum of the parts computed on the basis of the volume or cost of construction, the number of plumbing fixtures and pieces of equipment, the number of electrical fixtures and devices, the number of sprinklers, standpipes, and detectors (smoke and heat), specialty equipment at the unit rate provided herein. The minimum fee for a basic construction permit covering any or all of the building, plumbing, electrical or fire protection work shall be \$ 50.

(3) All construction permit fees and the State of New Jersey Training Surcharge Fees for the construction, reconstruction, alteration or improvements of any building owned and operated by the following government entities and agencies listed below and designed to solely promote accessibility shall be waived:

A. List of entities and agencies:

- a. Township of Mine Hill
- b. County of Morris
- c. State of New Jersey
- d. Federal Government
- e. Mine Hill Township Board of Education
- f. Rockaway Valley Sewerage Authority
- g. Mine Hill Township Fire Department
- h. Mine Hill Township First Aid Squad

B. Designs taken to solely promote accessibility by the disabled person, or a parent or sibling of a disabled person to an existing structure to which they own and live in.

B. BUILDING SUBCODE FEES:

(1) The fees for new construction shall be based upon volume of the structure. Volume shall be computed in accordance with N.J.A.C. 5:23-2.28. The new construction fee shall be in the amount of \$.035 per cubic foot of volume for buildings and structures of all use groups as classified in the Building Subcode. The minimum for new construction shall be two hundred dollars (\$200.)

a. Foundations for modular homes and relocated homes shall be one hundred dollars (\$100) per thousand of estimated cost of construction.

(2) Fees for renovation, alterations and repairs, shall be based upon the cost of the work. The fee shall be in the amount of thirty five (\$35) dollars per thousand dollars (\$1,000) up to \$ 50,000. From \$ 50,001 and up, the fee shall be \$25 per thousand of the estimated cost. For the purpose of determining estimated cost, the applicant shall submit to the Construction Official such cost data as may be available produced the architect or engineer of record or by a recognized estimating firm or by the contractor. A contractor’s bid or contract, if available shall be submitted. The construction official shall make the final decision regarding estimated cost. Minimum fee shall be one hundred dollars (\$150).

(3) Fees for additions shall be computed on the same basis as for new construction for the added portion, except that the minimum fee shall be two hundred dollars (\$200).

(4) Fees for combination renovation and additions shall be computed as the sum of the fees computed separately in accordance with Section B(1) and B(2) above.

(5) Roofing and Siding:

- 1. Group R-5, Flat Fee
\$100.
 - 2. Group R-2, R-3, R-4, Flat Fee
\$250.
3. All other groups, Cost of Construction per \$1,000.

See Section B(2)

(6) Sheds:

- 1. 0 to 100 Square Feet
Zoning Permit Only
- 2. Over 100 Square Feet
\$ 75.

(7) Fences greater than six feet in Height (other than pool barriers):

- 1. Group R-5, Flat Fee
\$ 75.
- 2. All other groups Cost

of Construction per each \$ 1,000

See Section B(2)

Note: Fences less than 6’ in height with no pool
Zoning Permit Only
Fences less than 6’ in height with pool

See Pools, #17 Below

(8) Retaining walls less than 4’ in height
Zoning Permit Only

Retaining walls greater than 4’ in height as follows:

- 1. Walls less than 550 square feet, flat fee (Group R-5) \$ 85.

2. Walls more than 550 square feet, flat fee (Group R-5) \$175.
3. All other groups Per Cost of Construction, per \$
1,000
See Section B(2)

- (9) Fees for Demolition of (per structure):
1. Group R-5, flat fee \$125.
2. All Other Groups \$500.
3. Group R-5, fuel tanks (per tank) \$100.
4. All other Groups, fuel tanks (per tank) \$400.
5. Accessory/Miscellaneous structures, pools, sheds, etc. \$ 75.

(10) Fee for removal of a building or a structure from one lot to another or to a new location on the same lot shall be \$ 200 for demolition of original foundation. New foundation and for placement in a completed condition in the new location shall be computed as in B(1)(a) above. Mechanical, plumbing electrical and fire subcode fees shall be computed separately.

- (11) Fees for the installation of storage tanks are as follows:
1. 0 to 550 gallons \$125.
2. 551 to 1,000 gallons \$250.
3. 1,001 to 4,999 gallons \$500.
4. Over 5,000 gallons \$1,000.

(12) Signs (Ground & Wall):
Minimum fee is \$ 100. The fee shall be \$ 2.50 per square feet of the surface area of the sign. In the case of a double-faced sign, the area of the surface of only one side of the sign is used for purposed of the fee computation.

(13) Radon Mitigation (exclusive of electric); flat fee (all groups) \$75.

(14) Asbestos Abatement, flat fee (all groups) \$100.

(15) Lead Abatement, flat fee (all groups) \$100.

(16) Towers and Monopoles:
(1) Group R-5, flat fee \$100.
(2) All other Groups, flat fee \$800.
(3) Cellular, antenna, radio antennas, satellite dishes or similar devices, per device regardless of group, per device \$ 60.

(17) Fees for installing swimming pools, hot tubs, spas (including the required barrier):
(1) Group R-5, Above ground pool, flat fee \$100.
(2) Group R-5, In ground pool, flat fee \$250.
(3) All other groups \$500.

(18) Flag poles, greater than 12' Feet in height:
(1) Group R-5, flat fee \$ 50.
(2) All other groups, flat fee \$100.

(19) Fireplace, stove & furnaces and other specific appliances:
(1) Group R-5 \$ 50.

(2) All other Groups Per Cost of Construction per \$1,000

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See Section B(2)

(20) Temporary Structures, tents, trailers, air supported structures,
etc.:

- (1) Group R-5, flat fee \$100.
- (2) All other groups \$250.

(21) Permits based on approved PROTOTYPE shall have the fee reduced by 20%. Permits based on an approved state-wide PROTOTYPE shall have the fee reduced by 15%.

(22) Fees not listed. Any fee not mentioned herein shall be changed in accordance with N.J.A.C. 5.23-4.18 through 4.20.

(23) Application for variation, fees per structure:

- (1) R.C.S. Structures \$250.
- (2) I.C.S. Structures \$700.
- (3) H.H.S Structures \$1,000.

(24) Fee for certifications and other miscellaneous items:

- (1) Certificate of Occupancy:
 - a. Group R-5 \$ 60.
 - b. All other groups \$150.
- (2) Certification of Continued Occupancy
 - a. Group R-5 \$100.
 - b. All other groups \$200.
- (3) Temporary Certificate of Occupancy and for each renewal (“R”):
 - a. Group R-5 \$ 50. R/25.
 - b. All other groups \$150. R/50.
- (4) Certificate of Approval No Charge
- (5) Certificate of Compliance No Charge
- (6) Certificate of occupancy at completion of asbestos abatement \$ 39.
- (7) Certificate of occupancy at completion of lead abatement \$ 39.
- (8) Change of Contractor, per subcode \$ 50.

C. STATE PERMIT SURCHARGE

In order to provide for the training, certification and technical support programs required by the State Uniform Construction Code Act N.J.S.A. 52:27D-119 et seq. an enforcing agency, including the Department when acting as the local agency, shall collect a Surcharge Fee to be based upon the volume of new construction with the municipality. Said fee shall be accounted for and forwarded to the Bureau of Regulatory Affairs. This fee shall be in conformance with N.J.A.C. 5:23-4.19.

D. THIRD PARTY ADMINISTRATIVE FEE

In the event the township is required to call upon a third party agency, the Township shall have the authority to add 15% to the appropriate subcode fee to cover administrative costs.

E. ELEVATORS

Inspections for elevators, escalators and dumbwaiters shall be in compliance with N.J.A.C. 5:23-12.6. The fees for witnessing acceptance tests and performing inspections shall be as follows:

- (1) The basic fees for elevator devices in structures not in Use Group R-3 or R-4, or in an exempted R-2 structure, shall be as follows:
 - (a) Traction and winding drum elevators:
 - [1] One to 10 floors: \$330.
 - [2] Over 10 floors: \$550.
 - (b) Hydraulic elevators: \$ 95.
 - (c) Roped hydraulic elevators: \$ 30.
 - (d) Escalators, moving walks: \$295.

- (e) Dumbwaiters: \$ 75.
- (f) Stairway chairlifts, inclined and vertical wheelchair lifts/manlifts: \$ 75.

(2) Additional charges for devices equipped with the following features shall be as follows:

- (a) Oil buffers (charge per oil buffer): \$ 60.
- (b) Counterweight governor and safeties: \$150.
- (c) Auxiliary power generator: \$110.

(3) Elevator devices:

(a) The fee for elevator devices in structures in Use Group R-3 or R-4, or otherwise exempt devices in R-2 structures, shall be \$220. This fee shall be waived when signed statements and supportive inspection and acceptance test reports are filed by an approved qualified agent or agency in accordance with N.J.A.C. 5:23-2.19 and 5:23-2.20.

(b) The fee for plan review for elevator devices in structures in Use Group R-3 and R-4 and for elevator devices wholly within dwelling units in R-2 structures shall be \$ 60.

(c) The fee for plan review in structures in use groups other than R-3 and R-4, and devices in the R-2's exempted by N.J.A.C. 5:23-4.20(c)6, shall be, for each device, \$310.

(4) The fee for witnessing acceptance tests of and performing inspections of minor work shall be \$ 75.

(5) The fees for routine and periodic tests and inspections for elevator devices in structures not in Use Group R-3 or R-4, or otherwise exempt devices in R-2 structures, shall be as follows:

(a) The fee for six-month routine inspections are as follows:

- [1] Traction and drum elevators:
 - [a] One to 10 floors: \$205.
 - [b] Over 10 floors: \$265.
- [2] Hydraulic elevators: \$150.
- [3] Roped hydraulic: \$205.
- [4] Escalators, moving walks: \$205.

(b) The fees for one-year periodic inspection and witnessing of tests of elevator devices, which shall include a six-month routine inspection, shall be as follows:

- [1] Traction and drum elevators:
 - [a] One to 10 floors: \$295.
 - [b] Ten plus floors: \$350.
- [2] Hydraulic elevators: \$220.
- [3] Roped hydraulic elevators: \$255.
- [4] Escalators, moving walks: \$470.
- [5] Dumbwaiters: \$120.
- [6] Manlifts, stairway chairlifts, inclined and vertical wheelchair lifts: \$180.

(c) Additional yearly periodic inspection charges for elevator devices equipped with the following features shall be as follows:

- [1] Oil buffers (charge per oil buffer): \$ 60.

- [2] Counterweight governor and safeties: \$120.
- [3] Auxiliary power generator: \$ 75.

(d) The fee for the three-year or five-year inspection of elevator devices shall be as follows:

- [1] Traction and winding drum elevators:
 - [a] One to 10 floors five-year inspection): \$500.
 - [b] Over 10 floors five-year inspection): \$555.
- [2] Hydraulic and roped hydraulic elevators:
 - [a] Three-year inspection: \$375.
 - [b] Five-year inspection: \$220.

F. ELECTRICAL SUBCODE FEES:
 Minimum Fee

\$ 50.

1. For all fixtures, receptacles, switches, fractional motors, air conditioners, dishwasher, water heaters, communication points, detectors, alarm devices, FAC panels, bells, horns/strobes, water flow or tamper switch, pull stations, security items such as security points for door/window, alarm points, card readers, magnetic locks, etc.

- a. 1 to 20 devices \$ 50.
- b. For each additional 20 devices \$ 20.

2. Solar/Photovoltaic Systems (Number of Kilowatts)

- a. Zero to 50 \$
- b. Fifty one to 100 \$115.
- c. Over One Hundred + \$575.
- d. Micro-inverters, 1-20 \$ 50.
- For each additional 20 devices \$ 20.

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e. Inverters			\$
75.	f. Meter		
	\$ 25.		
3.	Services, Subpanels & Disconnects		
	a. Amperage		
	i. Up to 200	\$ 75.	
	ii. 201 to 500	\$150.	
	iii. 501 to 1000	\$225.	
	iv. Over one thousand	\$650.	
	b. Replacement of services exceeding three meters		
	i. Each additional meter	\$ 25.	
4.	Generator/Transformers/Vaults/Enclosures/Substations		
(Number of Kilowatts)			
a. One to 10			\$
20.			
b. 10.1 to 45			\$
75.			
c. 45.1 to 112.5		\$125.	
d. Over 112.5		\$600 .	
5.	Heat Pumps		
a. For the first ten pumps		\$ 50.	
b. Each additional pump		\$ 10.	
c. All other groups		\$ 100.	
6.	Motors (Horsepower)		
a. 1 to 10			\$
20.			
b. 10.1 to 50			\$
75.			
c. 50.1 to 112.5		\$ 125.	
d. Over 112.5			\$
600.			
7.	Signs: Free standing or on a structure, flat fee of		
	\$ 75.		
8.	Inspection of Elevator (per)		
	\$ 100.		
9.	Light Poles		
a. Under eight feet in height	Regular/Fixture/Device		
b. Over eight feet in height, each	\$ 25.		
10.	Swimming Pools		
a. Residential Above Ground Pool	\$ 75.		
b. Residential Inground Pool	\$100.		
c. Residential Spa/Hot Tub*	\$ 50.		
d. Public Spa/Hot Tub*		\$150.	
e. Annual pool, spa, hot tub inspection*	\$150.		
*Each additional pool, spa or hot tub on site	\$ 50.		

G. FIRE SUBCODE FEES:
Minimum Fee

\$ 50.

1. Sprinkler system, each new installation and/or relocation; relocation; fire alarm systems; (horns, strobes, bells, smoke/carbon monoxide, heat, pulls, duct smoke detectors, electronic door locks).

Note: In computing the fee for heads or devices, the number of each shall be counted separately and two fees, one for heads, and one for devices, shall be charged:

a. One to 20 heads and devices	\$ 75.
b. 21 to 100 heads and devices	\$175.

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- c. 101 to 200 heads and devices \$300.
- d. 201 to 400 heads and devices \$800.
- e. 401 to 1000 heads and devices \$1,400.
- f. Over 1000 heads and devices \$1,800.

2. Standpipe systems, each new installation, relocation and/or repair, each: \$ 250.

3. Pre-action valves, dry pipe valve each: \$ 150.

4. Yard hydrants or underground piping, per loop: \$ 200.

5. Central Control Station, per each station: \$ 200.

6. Central Fire Control Center, each: \$1,000.

7. Fire Pump, each: \$ 500.

8. Installation of hazardous or smoke exhaust systems:

a. Atriums exhaust system, each: \$ 400.

b. Commercial kitchen hood system, each: \$ 200.

c. Hazardous exhaust system, each: \$ 200.

d. Commercial kitchen hood suppression, each: \$ 200.

9. Pre-engineered system including carbon dioxide foam, dry or wet chemical, inert gas, FM200 or other chemical or special systems (except commercial kitchen hood systems), each: \$ 200.

10. Installation of emergency generator, each:

a. Group R-5: \$

75.

b. All other groups: \$200.

11. Fire Water Storage Tank, each: \$ 300.

12. Crematorium Fee, each: \$ 500.

13. Incinerator Fee, each: \$ 500.

14. Heating and cooling equipment (furnaces, air handlers, dryers, ovens, space heaters, pool heaters, boilers, fuel-burning appliances, fireplaces, chimney liner and metal vents):

a. First device, each: \$ 60.

b. Additional device, each: \$ 15.

15. Flammable/Combustible storage tanks: \$ 100.

a. Each tank, 0 to 999 gallons \$ 300.

b. Each tank, 1000 to 4999 gallons \$ 400.

c. Each tank, 5000 gallons or more

16. Field Inspection/Location of sprinkler heads and/or fire extinguisher placement, \$ 100.

H. PLUMBING SUBCODE FEES:

Minimum Fee

\$ 50.

1. For all fixtures or devices, except those listed in Subsection H2 hereafter, including but not limited to backflow preventers up to one inch, backwater valves, bathtubs, bidets, clothes washers, dishwashers, drinking fountains, floor drains, garbage disposals, floor sinks, hose bibs, soda dispensing equipment, ice cream or yogurt makers, ice making equipment, kitchen sinks, laundry tubs, lavatories, shower stalls, slop sinks, vent stacks, roof/overflow drains, urinals, utensil washers, vacuum breakers, water closets and whirlpools shall be (each): \$ 25.

2. For special devices, including backflow preventers, 1 1/4 inches and up, condensate pumps, dental chairs and related dental equipment, eye washers, fixture ejector or pump, garbage can washers, grease traps, neutralizing devices, water softeners, humidifiers, oil recovery tanks, oil and sand interceptors, sewer ejectors, sump pumps, emergency showers, spas, hot tubs, tank less

heater, drip or safe pans, hose reels and indirect waste receptors, pool drains, solar systems or other specialty device shall be (each): \$ 75.

3. Each oil or gas appliance, including but not limited to broilers, clothes dryers, coffee and tea urns, deep fryers, grills, ovens, radiant heater, steam tables or kettles, log lighters and/or fireplaces, each device or fixture shall be: \$ 20.

4. Water heater, furnace, rooftop units, steam/hot water boiler, heat pumps, pool heaters:
a. Group R-5: \$ 75.
b. All other groups: \$ 100.

5. Replacement, repair, removal or new installation of a building water service shall be: \$ 75.

6. Replacement, repair, removal or new installation of a building sewer service shall be: \$ 75.

7. Air conditioning, refrigeration and condensate systems, each unit shall be: \$ 75.

8. Required inspection and certificate of compliance for the annual backflow preventer, each device shall be: \$ 75.

9. Each abandoned septic tank and/or pit shall be: \$ 100.

10. Installation of each liquefied petroleum (propane) gas tank/cylinder shall be as follows:
a. Each tank 0 to 999 gallons \$ 100.
b. Each tank 1000 to 4999 gallons \$ 500.
c. Each tank 5000 gallons or more \$ 800.

(I) MECHANICAL INSPECTIONS:

Minimum fee \$ 75.

1. Performed by mechanical/plumbing inspector for the installation and replacement of mechanical equipment in existing buildings, group R-5, R-4, R-3:

- a. First piece of equipment each: \$ 75.
- b. Additional equipment, each: \$ 20.

No separate fee shall be charged for gas, fuel oil or water connections associated with the mechanical equipment.

(J) ANNUAL PERMIT FEES:

1. Fees to be charge for an annual construction permit shall be charged on an annual basis. This fee shall be per maintenance worker primarily employed in an appropriate subcode:

- a. From 1 to 25 workers, each \$ 933.
- b. Over 25 workers, each additional worker \$ 329.

1. Prior to the issuance of an annual permit, a training registration fee of \$196 per subcode and a list of not more than three individuals to be trained per subcode shall be submitted by the applicant to the Township’s Construction Code Official who shall forward the fee to the Department of Community Affairs, Bureau of Construction Code Enforcement, Training Section, along with copies of the Construction Permit (form F-170). Checks shall be made payable to Treasurer, State of New Jersey.

Note: Annual permit fees are not refundable.

(K) MISCELLANIOUS FEES

Miscellaneous Fees: Special inspections not enumerated above shall be performed by the appropriate subcode official at an hourly rate of \$ 100 with a minimum of four hours. (Example: inspections requested to be performed after hours)

(L) ZONING FEES:

Zoning fees enumerated as follows:

- (1) Zoning letter of compliance
\$ 50.
- (2) Zoning permit NOT requiring construction permit
\$ 50.

NOTE:

Except as numerated above, all checks shall be made payable to the Township of Mine Hill.

All fees collected pursuant to this ordinance are nonrefundable.

(M) SEARCH EXAMINATION

Search, examination and reproduction of code enforcement records. The Construction Official is designated as the deputy custodian of all Building Department and building subcode records. Duplicating costs and special service charges related to the reproduction of any Building Department records and documents shall be in accordance with provisions of the Open Public Records Act as specified under § 125-9, entitled "Open Public Records Act," under Chapter 125 of the Code of the Township, entitled "Fees."

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.

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 resolutions were approved by the following vote:

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

Nays: none

Absent: none

Abstentions: none

Resolution 075-15 Redemption of Third Party Lien

WHEREAS, Tax Sale Certificate #2014-014, was sold to FWDSL & Associates LP on September 5, 2014 on Block 1403, Lot 18 known as 19 Valley View 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 \$3,515.66 to FWDSL & Associates LP. This includes the redemption amount of \$2,515.66 and the return of premium paid at time of sale in the amount of \$1,000.00

Total \$3,515.66

FWDSL & Associates LP

5 Cold Hill Road So. #11

Mendham, NJ 07945

Resolution 076-15 Refund of Sewer Connection Fees

WHEREAS, the owner of the property located at 45 Randolph Avenue applied to connect to township sewers on July 23, 2014; and

WHEREAS, the connection to sewers was obstructed by multiple variables; and

WHEREAS, the property owner has installed a septic system and not connected to Township sewers.

THEREFORE, BE IT RESOLVED by the Mine Hill Township Council, County of Morris, and State of New Jersey, that the Treasurer shall refund \$5,727.00 to Todd & Ashley Drogo.

Total amount of refund \$5,727.00

Todd & Ashley Drogo

45 Randolph Ave.

Mine Hill, NJ 07803

NON-CONSENT RESOLUTIONS

Resolution 077-15 Approval of Raffle License – Mine Hill Fire Department

A motion was made by Ms. Kanzenbach 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; 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 Fire Department to conduct an off-premise cash raffle (50/50) on September 12, 2015.

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

Resolution 078-15 Approval of 2015 Salary Resolution

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

BE IT RESOLVED by the Mine Hill Township Council as follows:

Section 1: The salaries and wages of the following employees of the Township of Mine Hill for the Calendar Year 2015 shall be and are hereby fixed as follows:

Job Title	2015 Salary Amount	Name
Division of Administration:		
Mayor - Full Time	\$ 55,800.00	Sam Morris
Council President	\$ 2,500.00	David Bloom
Council Member	\$ 2,500.00	Fred Willis
Council Member	\$ 2,500.00	Bret Coranato
Council Member	\$ 2,500.00	Kristine Kanzenbach
Council Member	\$ 2,500.00	Conrad Pepperman
Administrative Clerk	\$ 20,000.00	Marcie Istvan
Administrative Assistant	\$ 4,567.50	Jennifer Blouse
Chief Financial Officer	\$ 25,375.00	Katelyn Wild (Acting)
Purchasing Manager	\$ 5,075.00	Katelyn Wild
Human Resource Director	\$ 8,120.00	Katelyn Wild
Township Clerk	\$ 35,000.00	Amanda Macchia
Deputy Township Clerk	\$ 17,700.00	Marcie Istvan
Registrar of Vital Statistics	\$ -	Amanda Macchia
Deputy Registrar of Vital Statistics	\$ 304.50	Katelyn Wild
Alternate Registrar of Vital Statistics	\$ 300.00	Marcie Istvan
Health Department Coordinator	\$ -	Katelyn Wild
Division of Taxation:		
Tax Assessor	\$ 20,724.00	Joseph Ferraris
Tax Collector	\$ 27,816.08	Judi O'Brien
Division of Construction:		
Construction Technical Assistant	\$ 39,077.50	Jennifer Blouse
Zoning Official	\$ 8,000.00	Jennifer Blouse
Code Enforcement and Housing Officer	\$ 10,000.00	Tom Trapasso
Emergency Management Coordinator	\$ -	Sam Morris
Fire Marshall	\$ 10,000.00	Tom Trapasso

*Effective 4.1.15

*Retroactive to 2.19.15

Construction Official	\$ 12,000.00	Sean Donlan
Electrical Subcode Official	\$ 10,872.00	Joe Bevacqua
Fire Subcode Official	\$ 7,000.00	Dave Manherz
Plumbing Subcode Official	\$ 9,100.00	Anthony Citarella
Building Subcode Official	\$ 2,000.00	Sean Donlan
Building Inspector	\$ 7,000.00	Dave Manherz
Smoke Detector Inspector	\$ 1,500.00	Jennifer Blouse
Administrator/Planning Board	\$ 3,000.00	Marcie Istvan
Recording Clerk/Planning Board	\$ 1,500.00	Marcie Istvan
Division of Community Programs:		
Director of Community Programs	\$ 10,150.00	Katelyn Wild
Beach Managers	\$ 8.50-\$20.00/hour	Various
Lifeguards	\$ 8.50-\$15.00/hour	Various
Snack Bar Employees	\$ 8.50-\$12.00/hour	Various
Bus/Van Drivers	\$ 18.31/hour	JoVanah DiGilio
Crossing Guards	\$ 18.72/hour	Debra Malson
Alt. Crossing Guard	\$ 14.50/hour	Laura White
Division of Water:		
Water Collector	\$ 20,277.41	Judi O'Brien
Water Secretary	\$ 7,211.58	Judi O'Brien
Water Administrator	\$ 8,000.00	Sam Morris
Water Treasurer	\$ 2,000.00	Katelyn Wild
Division of Sewer:		
Sewer Collector	\$ 5,385.50	Judi O'Brien
Sewer Administrator	\$ 14,000.00	Sam Morris
Special District Division:		
Special District Secretary	\$ 8,000.00	Marcie Istvan
Special District Treasurer	\$ 4,000.00	Katelyn Wild

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 Teamsters Local # 102.

Section 2: All salaries or compensation herein above fixed are annual rates and shall be effective January 1, 2015 unless otherwise stated. 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, who are paid quarterly.

Section 3: This Resolution shall take effect immediately after passage.

Resolution 079-15 Authorize Contract with Aquatic Analysis, Inc.

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 requires lake vegetation management services; and

WHEREAS, the Township obtained a quote from Aquatic Analysts, Inc. to provide the services as set forth in a proposal for lake vegetation management services dated April 23, 2015, and attached hereto; and

WHEREAS, the Township Council desires to utilize the services of Aquatic Analysts, Inc. and the contract amount of \$400.00 per treatment is less than the bid threshold; 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 payroll and related services is hereby awarded to Aquatic Analysts, Inc. in accordance with a proposal for lake vegetation management services dated April 23, 2015 attached hereto
2. The Mayor and Township Clerk are hereby authorized and directed to execute an Agreement with Aquatic Analysts, Inc.
3. This Resolution shall take effect immediately.

Resolution 080-15 Authorize Lien on 400-34 Randolph Avenue

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

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

Nays: none

Absent: none

Abstentions: none

WHEREAS, the Township responded to a report of flooding due to a burst pipe at Block 1802, Lot 1 CO508 which was unoccupied resulting in imminent danger to surrounding properties; and

WHEREAS, the owner of these premises failed to address the emergency situation; and

WHEREAS, it was necessary for the Township to expend funds to render the property safe in the amount of \$3,414.70.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Mine Hill, in the County of Morris and State of New Jersey, that a lien in the amount of \$3,414.70 is hereby placed upon Block 1802, Lot 1 CO508 (400-34 East Randolph Avenue, Mine Hill, New Jersey), to reimburse for the remediation of a bust pipe and flooding damage; and be it further

RESOLVED that the Township Clerk shall present this Resolution to the Tax Collector who shall proceed to collect the foregoing as provided by law.

Resolution 081-15 Authorize Waiver of Water Connection Fee

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

Nays: none

Absent: none

Abstentions: none

WHEREAS, the Code of the Township of Mine Hill requires the payment of a connection fee prior to a permit being issued for the new connection of a property to the public water system; and

WHEREAS, the Code also requires that once public water becomes available, any property not connected to the public water system must pay a base fee for having a water connection available even when the property is not connected to the public water system and also pay a connection fee prior to actually connecting to the public water supply; and

WHEREAS, in order to encourage property owners who have been paying the base fee for water availability to actually connect to public water system the Council has decided to authorize a one year waiver of the connection fee for any property which has been paying the base fee for water connection availability if such property connects to the system within the one year period..

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. There shall be a waiver of the water connection fee for the connection of any unconnected property which, as of the date of this Resolution, has been paying the base fee for water service provided the connection shall be made no later than October 1, 2015.
2. This Resolution shall take effect immediately.

NEW & OLD BUSINESS

Dealer Licenses

Mr. Morris explained that he would like to see used car licenses come before the Township Council annually to be better able to control operational issues such as property maintenance. NJ DMV's position is that their licenses are a privilege, not a right, and we have the ability to follow this type of review process. An ordinance to implement this process will give the Township leverage to enforce zoning regulations. After discussion, it was concluded that the ordinance would be introduced on June 18th.

Fee Chapter

It was noted that Mr. Willis and Mr. Coranato reviewed the draft of the Fee Chapter from the General Code recodification manuscript. They have no changes to recommend.

Finance Officer

Mr. Morris requested that a special meeting be scheduled for June 11th to appoint a CMFO.

Route 46 and Canfield Intersection

Mr. Morris asked the Council if they would be interested in the inclusion of nicer street lighting with the ability to hang holiday decorations. The consensus was that if the budget allows for it to do it. It was suggested that businesses could donate lights. Discussion continued regarding plans for the corner property and the extension of the sidewalk to Wharton Avenue.

OPEN TO THE PUBLIC

John Paschal of Thomastown Road asked how much the Township will be paying for the sidewalk to Wharton Avenue. Mr. Morris responded that the Township is paying for the engineering and that Federal funds are covering the actual installation.

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 8:23 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