

Council President Fred Willis 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. Willis announced that adequate notice for this meeting had been given as required by law.

ROLL CALL: Present – Mr. Bloom; Mr. Coranato; Ms. Kanzenbach; Mr. Willis
Absent – Mr. Pepperman
Also Present – Mr. Morris, Mayor; Mr. Bucco, Township Attorney; Mr. Thompson, Township Administrator; Ms. Macchia, Township Clerk; Mr. Ardito, Auditor
Public Present – 6

PUBLIC HEARING AND ADOPTION OF MUNICIPAL BUDGET

Resolution 082-13 Municipal Budget to be read by Title Only at Public Hearing

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

Ayes: Mr. Bloom; Mr. Coranato; Ms. Kanzenbach; Mr. Willis
Nays: none
Absent: Mr. Pepperman
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 April 18, 2013.

Public Hearing on 2013 Municipal Budget

A motion was made by Mr. Coranato, seconded by Ms. Kanzenbach and approved by a voice vote to open the public hearing on the 2013 Municipal Budget.

Mr. Willis asked the amount of the budget dedicated to debt service. Mr. Ardito responded that debt service is approximately 10% of the budget. Discussion followed regarding specific debts, reserve for uncollected taxes, and availability of sewer gallonage. It was noted that the tax rate is increasing from 72.17 cents in 2012 to 74.27 cents in 2013.

Seeing no further discussion, a motion was made by Ms. Kanzenbach, seconded by Mr. Bloom and approved by a voice vote to close the public hearing.

Resolution 083-13 Adoption of 2013 Municipal Budget

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

Ayes: Mr. Bloom; Mr. Coranato; Ms. Kanzenbach; Mr. Willis
Nays: none
Absent: Mr. Pepperman
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 2013:

2013 MINE HILL TOWNSHIP MUNICIPAL BUDGET

Surplus anticipated general revenues	\$ 270,000.00
Total Miscellaneous revenue	668,360.00
Receipts from Delinquent Taxes	237,743.00
Local Property Taxes	<u>3,274,096.00</u>
Total General Revenues	\$ <u>4,450,199.00</u>

Salaries & Wages	\$ 565,615.00
Other Expenses	2,840,446.00
Capital Improvements	6,000.00
Debt Service	429,064.00
Statutory Expenditures	169,989.00
Reserve for Delinquent Taxes	439,085.00
Total 2013 Municipal Budget	\$ <u>4,450,199.00</u>
2013 Municipal Tax Rate	\$0.743

2013 MINE HILL TOWNSHIP MUNICIPAL WATER UTILITY BUDGET

Surplus anticipated general revenues	\$ 30000.00
Water Rents	512,000.00
Total Miscellaneous revenue	<u>952.00</u>
Total General Revenues	\$ <u>542,952.00</u>
Salaries and Wages	\$ 80,000.00
Other Expense	350,000.00
Operating Surplus - Current Fund	30,000.00
Capital Improvement	26,000.00
Debt Service	47,952.00
Statutory and Deferred Charges	<u>9000.00</u>
Total 2013 Municipal Budget	\$ <u>542,952.00</u>

2013 MINE HILL TOWNSHIP MUNICIPAL SEWER UTILITY BUDGET

User Fees and Charges	\$ 335,086.00
NJ Environmental Savings Credit	28,000.00
Total Miscellaneous revenue	<u>25,000.00</u>
Total General Revenues	\$ <u>388,086.00</u>
Salaries and Wages	\$ 24,000.00
Other Expense	145,000.00
Debt Service	208,238.00
Statutory and Deferred Charges	<u>10,848.00</u>
Total 2013 Municipal Budget	\$ <u>388,086.00</u>

2013 MINE HILL TOWNSHIP SOLID WASTE BUDGET

Amount Raised By Taxation	\$ <u>377,000.00</u>
Total General Revenues	\$ <u>377,000.00</u>
Salaries and Wages	\$ 30,200.00
Other Expense	10,000.00
Contractual Services	334,000.00
Statutory and Deferred Charges	<u>3,000.00</u>
Total 2013 Municipal Budget	\$ <u>377,000.00</u>

BE IT FURTHER RESOLVED, that the Budget set forth for 2013 is hereby adopted.

APPROVAL OF MINUTES

A motion was made by Mr. Bloom and seconded by Ms. Kanzenbach to approve the minute of April 4, 2013 as presented. The roll was called and the minutes were approved by the following vote:

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

COMMUNICATIONS & PETITIONS

Mr. Willis noted the following items of correspondence:
 a. County Concrete re: Depletion Report
 b. Randolph Township re: Land Use Ordinances

CONSIDERATION & APPROVAL OF VOUCHERS

Bills List

Following brief discussion, a motion was made by Ms. Kanzenbach and seconded by Mr. Coranato to approve the bills list as presented. Seeing no discussion, the motion was approved by the following vote:

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

ADMINISTRATIVE AGENDA

Mr. Thompson reported that water losses are down from 52% to 21%. The monitoring system is working very well; a detailed water report was recently able to prove that a resident experienced two usage spikes, most likely from running toilets.

Mr. Morris reported that the first “meter cheater” was caught recently. The meter was identified when it reported “no read” and DPW went to check on it. The battery had been disconnected, made obvious by a pin that needs to be ripped out to access the battery. The meter also continued to record the water usage and the reading spiked upon reconnection of the battery. Tampering with meters is covered by the municipal ordinance and the individual will be fined.

Mr. Morris added that the goal is to be below 10% water loss. Toward that end, the Township will be purchasing four fixtures that can be moved around the water system throughout town to detect leaks in the mains. The water tower will also have to be discussed.

Mr. Morris noted that he has appointed Bill Donnerstag as Zoning Officer effective immediately. This will allow Mr. Donnerstag to begin enforcement so that Mr. Thompson will not have any pending court cases upon his retirement.

REPORTS OF COUNCIL LIAISONS

Recreation Committee

No report.

Board of Education

Mr. Bloom reported that the principal recently finished his doctorate. Police have been working with school officials to coordinate enforcement of the traffic pattern and parking in the school parking lot.

Fire & First Aid

Ms. Kanzenbach relayed information provided by the First Aid Squad pertaining to ambulance calls over the last several months. Mr. Morris reported that he met with members of the Squad pertaining to daytime coverage. Consensus of opinion is to have a professional service serve as third call during the daytime hours when coverage is limited. Discussion followed regarding the possibility of having a professional third call all day and night. It was concluded that Mr. Morris would pursue daytime coverage and see how it works out before pursuing nighttime coverage as well.

Police

No report.

Rockaway River Watershed

No report.

Open Space Committee

Mr. Bloom reported that the trails have been cleared and trail markers have been installed. Signage and maps are in progress. Parking/access is planned for Dickerson Mine Road, the beach, the school and the mulch site.

Community Committee

Mr. Morris reported that the committee has Earth Day events planned. The committee is also working on a portion of the Memorial Day celebration and Mine Hill Day.

Planning Board

The Board is currently working on two variance applications.

OPEN TO THE PUBLIC

None at this time.

INTRODUCTION OF ORDINANCES

Ordinance 08-13 Prohibiting Motorcycles and All-Terrain Vehicles on Public Property

A motion was made by Ms. Kanzenbach and seconded by Mr. Coranato to introduce the ordinance. The roll was called and the ordinance was introduced by the following vote:

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

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

SECTION 1. Chapter 10.36 of the Revised General Ordinance of the Township of Mine Hill, entitled “Motorized Vehicles, Off Road,” is hereby amended by the following amendment to Subsection 10.36.030 (“Prohibited Acts”) which shall read in its entirety as follows:

A. It shall be unlawful for any person to operate or permit to or suffer to be operated a motorized sports bike, as defined herein, on any public grounds or property, including playgrounds and recreational areas. It shall be unlawful for any person to operate or permit to suffer to be operated a motorcycle on public grounds or property (including playgrounds and recreational areas) except on public streets or highways as defined in NJSA 39:1-1 and public parking areas.

B. To operate a motorized sportbike or motorcycle, as a licensed or unlicensed operator, on private property other than with the written consent of all of the owners of said property. When such written consent has been obtained, the operator shall keep same on his or her person for display to the authorities. The failure to present such written consent upon request or demand shall constitute a violation hereunder.

C. To operate a motorized sportbike or motorcycle other than in accordance with the general regulations set forth in Section 10.26.040 of this chapter.

D. To operate a motorized sportbike or motorcycle in such a way as to harass or disturb farm animals, domestic livestock or wildlife or further to destroy or damage crops, cropland, soils or vegetation.

E. To operate a motorized sportbike or motorcycle without the same being in “proper operating condition,” which is defined as the presence of all original operating equipment specified therefore by the original manufacturer or with the same in operating condition at least equal to the manufacturer’s requirements for the proper operation thereof or the equivalent thereof.

F. To operate a motorized sportbike or motorcycle in a careless, reckless or negligent manner so as to endanger the safety or property of any person or public or private property, or in violation of the provisions of the Township’s noise ordinance, Chapter 8.32. (Ord. 20-06 § 1 (part), 2006).

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 20 days after final passage and approval by the Mayor and upon publication in the manner provided by law.

NON-CONSENT RESOLUTIONS

Resolution 085-13 Special Appropriation for Recodification

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

WHEREAS, it has been found necessary to make an Emergency Appropriation to meet certain extraordinary expenses incurred, or to be incurred, by revision and codification of the Township’s ordinances and,

WHEREAS, N.J.S.A. 40A:4-53 provides that it shall be lawful to make such appropriation, which appropriation and/or the “special emergency notes” issued to finance the same shall be provided for in

succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act.

NOW, THEREFORE BE IT RESOLVED, (by not less than two-thirds of all governing body members affirmatively concurring) that in accordance with the provisions of NJS 40A:4-55:

1. An emergency appropriation is hereby made for revision and codification of the Township's ordinances in the total amount of \$21,200.00.
2. That the emergency appropriation shall be provided for in the budgets of the next succeeding years by the inclusion of not less than \$4,240.00 (must be at least one-fifth of the total amount).
3. That the statement required by the Local Finance Board has been filed with the Clerk and a copy will be transmitted to the Director of the Division of Local Government Services
4. That two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services; however, no approval is required from the Division.

Resolution 084-13 Authorization of Contract with General Code

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

WHEREAS, the Township Council of the Township of Mine Hill finds that it is in the best interest of the Township to purchase codification services from General Code, LLC, pursuant to a proposal dated February 26, 2013; and,

WHEREAS, public bids are not required in accordance with N.J.S.A. 40A:11-1 et seq. (the "Local Public Contracts Law") because of an exception in N.J.S.A. 40A:11-5 for ordinance codification services; and

WHEREAS, the maximum amount of the contract is \$21,200.00, and the Township's CMFO has certified that funds are available for this purpose; and

WHEREAS, the Township Council wishes to authorize the execution of the proposal for codification services dated February 26, 2013.

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 contract is hereby awarded to General Code, LLC, in the amount of \$21,200.00; and

BE IT FURTHER RESOLVED that the appropriate municipal officials are hereby authorized and directed to execute the "Proposal for Codification Services" in the form attached hereto.

Resolution 086-13 Redemption of Third Party Lien

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

WHEREAS, Tax Sale Certificate #2012-028, was sold to ActLien Holding Inc. on August 15, 2012 on Block 2008, Lot 2 known as 30 Hurd St.; 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 \$18,431.25 to ActLien Holding Inc.. This amount includes the redemption amount of \$6,931.25 and the return of the premium paid at the time of sale in the amount of \$11,500.00

Total \$18,431.25

ActLien Holding
45 West 45th Street, Ste. 1402
New York, NY 10036

NEW & OLD BUSINESS

None at this time.

OPEN TO THE PUBLIC AND COUNCIL COMMENTS

John Paschal, Thomastown Road

Mr. Paschal asked the purpose of the ordinance that was introduced. Mr. Morris responded that it will keep motorcycles and quads off of Township owned property including trails and the school. Mr. Paschal also inquired about holes by storm drains at the corner of Autumn Drive and Central Avenue. Mr. Morris responded that the Township was aware of the holes and that they would be addressed when the new backhoe arrived.

Mr. Morris reported that he attended the JCP&L rate increase hearing. He put into their record that, while not in favor of rate increases, he is in favor of empowering utilities in matters of communication with each other. He charged the Board of Public Utilities with installing a mechanism for communication between the various utilities. He also noted support for legislation to permit utilities to practice more drastic tree cutting measures to protect lines in an emergency.

ADJOURNMENT

There being no further business, a motion was made by Ms. Kanzenbach and seconded by Mr. Bloom to adjourn the meeting at 8:30 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