

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; Ms. Macchia,
Township Clerk; Ms. Istvan, Deputy Clerk
Public Present – 5

PRESENTATIONS

None

APPROVAL OF MINUTES

A motion was made by Ms. Kanzenbach and seconded by Mr. Coronato to approve the minutes of April 3, 2014 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. Boonton Township re: Notice of Resolution - Healthcare Benefits
- b. Parsippany – Troy Hills re: Notice of Resolution – Transportation Infrastructure
- c. Monthly Health Report

CONSIDERATION & APPROVAL OF VOUCHERS

Bills List

Following brief discussion, a motion was made by Ms. Kanzenbach and seconded by Mr. Pepperman to approve the bills list as presented. Seeing no discussion, the motion 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 11-14 Amendment to Street Excavation Regulations

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

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

Mr. Morris explained that Maser Consulting has been pushing for this to ensure that roads, sidewalks, properties, etc. that are damaged during road openings are restored. Money would be held in escrow and no further permits would be issued until repairs are made.

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, County of Morris and State of New Jersey, as follows:

SECTION 1. The Revised General Ordinances of the Township of Mine Hill, Chapter 12.08 entitled Street Excavations, Section 12.08.050 entitled Fees shall be amended to read in its entirety as follows:

“§ 12.08.050 Fees

Fees for street opening permits shall be as follows:

1. Review fee.

Disturbed Area (square feet)	Fee
Less than 50	\$ 50.00
51 to 500	\$150.00
More than 500	\$150.00, plus 5% of cost of Restoration

2. Inspection escrow account.

Disturbed Area (square feet)	Fee
Less than 50	\$100.00
51 to 500	\$350.00
More than 500	\$350.00, plus 5% of cost of Restoration and backfill

3. Any balance remaining in the inspection escrow account after the final approval of the excavation and opening by the Township Engineer, shall be refunded to the applicant after the Township shall have deducted therefrom any costs associated with the inspection thereof.”

SECTION 2. The Revised General Ordinances of the Township of Mine Hill, Chapter 12.08 entitled “Street Excavations”, Section 12.08.060 entitled “Deposit or bond required” shall be amended to read in its entirety as follows:

“§ 12.08.060 Deposit or bond required.

A. No person shall be granted a permit pursuant to this chapter, until and unless there shall be deposited with the Township Clerk a performance guarantee in the form of cash, certified check, or performance bond to secure the cost of repairing, replacing and restoring the street or public place, or appurtenances thereto, to be opened, affected or disturbed by the proposed work.

B. The applicant must either have on file with the Township Clerk a performance guarantee in the amount of \$3,000.00 covering all openings or excavations made or to be made in a calendar year or furnish a performance guarantee in the amount of \$1,000.00 covering the proposed opening or excavation set out in the application. If bonds are posted as the performance guarantee, they shall be approved by the Township Attorney and shall be conditioned to indemnify the Township for any loss, liability or damage that may result or accrue from or because of the making, existence or manner of guarding or constructing any such opening or excavation during the term of said bond. The Township Engineer shall then review the cost required to restore the specific excavation or opening, and if it is determined that the cost of restoration is in excess of the amounts of the bonds posted as stated above or that the aggregate cost to restore any previously issued but uncompleted permits also exceeds the above stated amounts, then the applicant shall furnish to the Township an additional amount of a performance guarantee sufficient to provide for restoration by the Township. The Township Engineer shall state to the applicant the supplemental requirements for any such performance guarantee.”

SECTION 3. The Revised General Ordinances of the Township of Mine Hill, Chapter 12.08 entitled “Street Excavations”, Section 12.08.140 shall be retitled “Reconstructed and resurfaced streets” and shall be amended to read in its entirety as follows:

“§ 12.08.140 Reconstructed and resurfaced streets.

Whenever the Township Council enacts any ordinance or resolution providing for the reconstruction and resurfacing of any street, the Township Engineer shall promptly mail a written notice thereof to each person, firm or corporation owning any sewer, main or conduit or other utility in or under said street. Such notice shall notify such persons, firms or corporations that no excavation permit shall be issued for openings, cuts or excavations in said street for a period of five years after the date of enactment of said ordinance or resolution, except as set forth below. Such notice shall be submitted promptly so that the owners of utilities can make repairs or improvements prior to the completion of the Township’s roadway improvement project.

A. Emergency. During the five-year period, an excavation permit shall be issued to open, cut or excavate in said street if, in the judgment of the Township Engineer, an emergency exists which makes it absolutely essential that the excavation permit be issued.

B. New construction and restoration. During the five-year period, an excavation permit shall be issued to open, cut or excavate said street for the purpose of providing utility or other service to a newly constructed residence or other newly constructed structure adjacent to a newly paved street or for the purpose of providing utility or other service to a preexisting residence or structure which is being reconstructed and for which the reconstruction encompasses 60% or more of the structure.

C. Waiver. During the five-year period, an excavation permit may be issued to open, cut or excavate in said street for the purpose of providing utility or other service to a preexisting residence or structure, but only upon application to the Township Council and for good cause shown.”

SECTION 4. The Revised General Ordinances of the Township of Mine Hill, Chapter 12.08 entitled “Street Excavations”, Section 12.08.220 entitled “Violation – Penalty” shall be amended to read in its entirety as follows:

“§ 12.08.220 Violation – penalty.

Any person who shall violate any provision of this chapter shall be liable for a penalty not to exceed a fine of two thousand five hundred dollars (\$2,500.00).”

SECTION 5. This Ordinance may be renumbered for codification purposes.

SECTION 6. 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 7. 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 8. This Ordinance shall take effect as required by law.

ADMINISTRATIVE AGENDA

Mr. Morris reported on the work that took place on Xenia Court and Dolores Walking Path. He also handed out pictures of streetlamps, which he is looking into putting along the path from the corner of Canfield School up to the firehouse and along Baker Street. They are about \$680.00 apiece. Banners will be able to be hung from them along Baker Street. Discussion ensued about having them donated and a plate with the benefactor's name placed on them. Community Block Grant was denied to pave South First Street, but may apply for the same grant for the lights. We have to put in a water main on Hurd Street. Paul Sterbenz is putting together a Safe Routes to Schools and Highway Beautification project through DOT. The intention is to have a sidewalk constructed Route 46 from Spartan Gas station down the hill along with a retaining wall and rail. It will be presented in May. Easter Egg Hunt is Saturday, April 19th at 1:00pm, Fireman's Field.

REPORTS OF COUNCIL LIAISONS

Recreation/Community Committee

Mr. Coranato reported there has been no meeting of the joint committee yet. Soccer has started and there are nine teams.

Board of Education

Mr. Coranato reported the budget will be presented at the next meeting. The County Administrator has approved it. A survey was sent out online to parents about getting school uniforms, 42% said yes and 58% no.

Fire & First Aid

Mr. Pepperman reiterated the Easter Egg Hunt is on Saturday, April 19th. He mentioned the First Aid Squad will be having their 26th King of the Hill Car Show on May 17th with a rain date of May 18th. He thanked the Mayor and Council for donating a trophy for it.

Police

Mr. Pepperman reported everything is going well with the police department move, which should be completed within six months. They are applying for a Click-it or Ticket grant to hire extra officers or provide overtime to make sure people are wearing their seatbelts. It will also help with cutting down on DWI and texting while driving.

Open Space Committee

Mr. Bloom reported that the committee met and they are working on updated maps. The gate to the trails by the beach was vandalized; they informed the police and are working with the police to correct the situation. April 26th at 9:00am at the beach, Mine Hill is part of the Raritan Water Basin Valley cleanup. The target areas being cleaned are the land around the beach and lake, and along the Dickerson Mine Road path up to the sports facilities. A Swiftreach message will go out to announce the event. Mr. Morris mentioned Swiftreach is up to 903 which is 72% of households which Swiftreach said is very good.

Planning Board

Mr. Willis reported they had 2 C and 1 D variances. He could not comment on the D variance, but said the 1 C variance was denied and the other will be discussed at the next Planning Board meeting

OPEN TO THE PUBLIC

John Pascal, Thomastown Road, expressed his appreciation for the email that went out explaining the guidelines and rules for the mulch site as everyone knows what to expect now and there has been an improvement already. Mr. Morris mentioned he has been discussing with Mayor Chegwidden the possibility of combining with Wharton for garbage collection and we would share the mulch site.

INTRODUCTION OF ORDINANCES

None

CONSENT RESOLUTIONS

None

NON-CONSENT RESOLUTIONS**Resolution 056-14 Redemption of Third Party Lien – Block 1305, Lot 6**

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, Tax Sale Certificate #2013-009, was sold to FWDSL & Associates, LLC on August October 24, 2013 on Block 1305, Lot 6 known as 5 Bassett Ave.; 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 \$3,971.49 to FWDSL & Associates, LLC. This amount includes the redemption amount of \$2,271.49 and the return of the premium paid at the time of sale in the amount of \$1,700.00

Total \$3,971.49

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

Resolution 057-14 Appointment of Deputy Municipal Clerk – Marcia Istvan

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 position of Deputy Township Clerk is establish in Chapter 2.32 of the Township Code and is presently vacant; and

WHEREAS, Township Clerk Amanda Macchia has advised the Township Council of her plans to be absent on medical/family leave in the upcoming months; and

WHEREAS, the Township Council finds that it would be appropriate to fill the position of Deputy Township Clerk at this time and desires to appoint Marcia Istvan and provide for a stipend to be paid during the period when the Municipal Clerk is out on leave.

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

1. The Township Council appointments Marcia Istvan as Deputy Township Clerk for the Township of Mine Hill.
2. During the leave of absence of the Municipal Clerk Ms. Istvan shall also perform the duties of Registrar, Planning Board Administrator and Secretary, Special District Secretary, and Recycling Coordinator.
3. A weekly stipend in the amount of \$250.00 shall be paid to the Deputy Township Clerk in addition to her regular salary during the period when the municipal clerk is out on a leave of absence.
4. This Resolution shall take effect immediately.

Resolution 058-14 Approval of Raffle License Application – Mine Hill First Aid Squad

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 First Aid Squad for an On-Premise Merchandise Raffle to be drawn on May 17, 2014.

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

Resolution 059-14 Authorization of Contract – Aquatic Technologies, 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;

WHEREAS, the Township obtained a quote from Aquatic Technologies, Inc. to provide the services as set forth in a proposal for lake vegetation management services dated February 25, 2014 and attached hereto; and

WHEREAS, the Township Council desires to utilize the services of Aquatic Technologies, Inc. and the contract amount of \$2,624.00 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 Technologies, Inc. in accordance with a proposal for lake vegetation management services dated February 25, 2014 attached hereto
2. The Mayor and Township Clerk are hereby authorized and directed to execute an Agreement with Aquatic Technologies, Inc.
3. This Resolution shall take effect immediately.

NEW & OLD BUSINESS

Discussion of Water Connections

Mr. Morris explained that the Township has 48 houses that have water service in front of them, 40 have a curb box, and 8 do not. Residents with water available to them pay a quarterly base fee even if they do not use water service. A resident approached Mr. Morris wanting to hook up but questioning the hookup fee since he has been paying the base fee for years. Mr. Morris is proposing the Township offer a 1 year amnesty and waive the fees to encourage residents to hookup. Mr. Bucco will look into the State statute to see if this is allowable. Concern was expressed if some people may have hooked up illegally and it should be looked into.

Discussion of Sign Ordinance

Mr. Bloom mentioned we will table this discussion for a future date, but added that the current ordinance is very weak. Discussion followed. It was concluded that examples would be taken from other towns, modified to meet Mine Hill's needs and introduced at the next meeting. Ms. Kazenbach mentioned a resident complained that the sign prohibiting motorized vehicles on the trails was too small. Mr. Morris stated that as long as sign is posted and visible, it is enforceable. Ms. Kazenbach also mentioned that the flashing light by the school is working sporadically and there is an issue of people not slowing when children are present.

OPEN TO THE PUBLIC AND COUNCIL COMMENTS

Mr. Bloom reported he spoke with resident, Pat Burbridge, prior to the night's meeting and said he would share his concerns with the Council. Mr. Burbridge complained that Thomastown Road needs to be paved. Mr. Bloom informed him that the Township is aware and has been trying to budget for it and it will be paved eventually. Mr. Morris explained that South and North First Street need to be paved first this year and then Thomastown will be paved either in the fall or sometime next spring. It was not eligible for any grants and the Township should have the money next year once the ladder truck is paid off. Mr. Burbridge also complained that the trees that were trimmed to prevent taking down power lines are unsightly. Mr. Morris said that safety is the priority. Mr. Burbridge also complained about the possible beach purchases.

ADJOURNMENT

There being no further business, a motion was made by Ms. Kanzenbach and seconded by Mr. Coranato to adjourn the meeting at 8:25 PM. The motion was approved by a voice vote.

Respectfully Submitted,

Marcia H. Istvan, Deputy Clerk

Approved on this _____ day of _____, 20____

Council President