

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 –
Also Present – Mr. Morris, Mayor; Mr. Bucco, Township Attorney (arrived late); Mrs. Macchia, Municipal Clerk
Public Present – Approximately 10

PRESENTATIONS

Mr. Morris conducted the swearing in of the officers of the Mine Hill First Aid Squad.

Mr. Bucco arrived at this time.

APPROVAL OF MINUTES

A motion was made by Ms. Kanzenbach and seconded by Mr. Pepperman to approve the minutes of January 22, 2015, as presented. The roll was called, and the minutes were approved by the following vote:

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

COMMUNICATIONS & PETITIONS

The following items of correspondence were noted:

- a. NJ Transit: Disparity Study
- b. Borough of Tinton Falls: Resolution Honoring Law Enforcement
- c. Town of Dover: Land Use Ordinance
- d. Township of Randolph: Land Use Ordinance

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 minutes 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

None.

ADMINISTRATIVE AGENDA

Mr. Morris announced the passing of former Township Administrator Al Thompson's wife, Barbara, and asked for a moment of silence in her memory.

Mr. Morris reported that DPW Foreman Bob Thrower will be out for 2 to 3 months following surgery, and that Assistant Foreman Dave Wells will be in charge. He complimented DPW on their snow removal efforts.

Mr. Morris discussed plans for the Memorial installation. A new target date has been set to unveil the Memorial at Mine Hill Day in the fall.

Mr. Morris is planning budget meetings for next week. It is anticipated that taxes will increase approximately \$23/year on the average home.

REPORTS OF COUNCIL LIAISONS

Recreation/Community Committee

No report.

Board of Education

The last meeting consisted of plans to keep the current board professionals, a discussion of meeting format, and planning to improve low test scores.

Mr. Morris plans to ask Dover BOE to come present a program about the high school.

Fire & First Aid

Mr. Pepperman reported that repairs have been made to the Fire Department Command Vehicle, and congratulated officers of the First Aid Squad.

Police

Mr. Pepperman reported that 78 tickets were issued and 9 arrests were made in Mine Hill in January.

Open Space Committee

No report.

Planning Board

No report.

OPEN TO THE PUBLIC

John Paschal of Thomastown Road asked if all of the tickets issued were to Mine Hill residents. Mr. Pepperman responded that they are tickets issued in the Township, regardless of whether they are to residents or non-residents.

INTRODUCTION OF ORDINANCES

It was noted that the three ordinances introduced will be further considered on February 19th, assuming adequate notice is possible.

Ordinance 02-15 Zoning Enforcement Ordinance

A motion was made by Ms. Kanzenbach and seconded by Mr. Pepperman to introduce the ordinance. 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 25, Section 25-13, of the Revised General Ordinances of the Township of Mine Hill, entitled “Administration, Enforcement, and Penalties”, is hereby amended to read, in its entirety, as follows:

25-13 ADMINISTRATION, ENFORCEMENT AND PENALTIES

23-13.1 Enforcement in General. This Chapter may be enforced by the Zoning Officer, Township Engineer, or any officer or employee directed by the Administration to enforce the provisions of this Chapter. Such officers or employees shall have the authority to investigate any alleged violation of this Chapter coming to their attention.

25-13.2 Zoning Permit.

a. Requirement to Obtain a Zoning Permit A zoning permit issued by the Zoning Officer shall be required for the following activities:

(1) No person shall commence the construction, reconstruction, demolition, alteration, conversion or installation of a fence, a wall four feet or greater in height, an interior or exterior structure, a swimming pool or a building without first obtaining a zoning permit.

(2) No person shall commence a use nor change an existing use of property without first obtaining a zoning permit. If the change is to a conforming use and does not affect existing circulation, drainage, relationship of buildings to each other, landscaping, buffering, lighting and other considerations of site plan review and does not increase the parking requirements, as determined by the Zoning Officer, a zoning permit may be issued without site plan approval.

(3) A person desiring to obtain an official acknowledgement that an existing building, lot or use meets the requirements of the current Township Zoning Ordinance shall do so by obtaining a zoning permit.

(4) A person desiring to obtain a certification pursuant to N.J.S.A. 40:55D-68 that a use or structure existed before the adoption of the ordinance that rendered the use or structure nonconforming may apply for a zoning permit. A zoning permit under this section may be issued only if an application is made within one year of the adoption of the ordinance that made the structure or use nonconforming. After one year, application shall be made to the Zoning Board of Adjustment pursuant to N.J.S.A. 40:55D-68.

(5) Prior to the issuance of a building permit, a zoning permit indicating that the request complies with the provisions of this Chapter shall be required .

(6) Prior to the issuance of a continued certificate of occupancy, a zoning permit indicating that the property is in compliance with the provisions of this Chapter shall be required. If a change of occupancy of a conforming use does not affect existing circulation, drainage, relationship of buildings to each other, landscaping, buffering, lighting and other considerations of site plan review and does not increase the parking requirements, as determined by the Zoning Officer, a zoning permit may be issued without site plan approval.

b. Application for a Zoning Permit. An application for a zoning permit shall be made to the Zoning Officer. The Zoning Officer is authorized to promulgate application forms to administer this Section. The Zoning Officer shall require two (2) sealed plot plans with an embossed seal prepared by a New Jersey licensed professional engineer, land surveyor or architect, as authorized by N.J.A.C., Subchapter 7 of Title 13, drawn to scale and showing the size and location of all existing and proposed buildings, structures and other facilities, all streams, wetlands, easements and other natural features sufficient to enable the Zoning Officer to determine whether all zoning requirements are met. The requirement for sealed plot plans may be waived for additions, alterations or accessory structures to existing single-family dwellings and a sketch, prepared by the owner or applicant, may be accepted except where there is a question as to the size, location or other zoning requirement. Upon the filing of an application for a zoning permit, the Zoning Officer shall have the right to enter the building or premises during the daytime in the course of duty after proper notification to the property owner or occupant of the property.

c. Criteria for the Issuance of a Zoning Permit. The Zoning Officer shall issue a zoning permit where it is determined that any approvals required under this Chapter have been obtained and at least one of the following conditions have been met:

(1) The use is permitted as a permitted use in the proposed location;

(2) The use is permitted as a conditional use in the proposed location and all conditional use provisions are met;

(3) The use exists as a nonconforming use and/or nonconforming structure or;

(4) The use is permitted by the terms of a variance and the structure and lot meet all required zone criteria

d. Records and Reports

(1) Records. It shall be the duty of the Zoning Officer to keep a record of all applications for zoning permits and a record of all permits issued, together with a notation of all special conditions involved. The Zoning Officer shall file and safely keep copies of all plans submitted, and the same shall form a part of the records of his office.

(2) Reports. The Zoning Office shall prepare a monthly report for the Township Council summarizing, for the period since his last report, all zoning permits issued, complaints of violations received and action taken by him with respect thereto. Such report shall be in a form and shall contain such information as the Township Council may direct. A copy of such reports shall be made available to the Construction Official and to the Tax Assessor.

e. Time for Decision. The Zoning Officer shall act upon all such applications within fifteen (15) days after receipt of a fully filled in application or shall notify the applicant, in writing, of his refusal to issue a permit and the reasons therefore. Failure to notify the applicant in case of such refusal within fifteen (15) days shall entitle the applicant to file an appeal to the Planning Board as in the case of a denial.

f. Revocation of Permit. If it shall appear at any time to the Zoning Officer that the application or accompanying plans is in any material respect false or misleading or that the work is being done upon the premises differing materially from that called for in the application previously filed with him and may be in violation of any provision of this chapter he may forthwith revoke the zoning permit.

- a. No person shall occupy or use any building or structure authorized by a construction permit without first obtaining a certificate of occupancy as required by the Uniform Construction Code
- b. No certificate of occupancy shall be issued until a zoning permit has been issued.
- c. No certificate of occupancy shall be issued for any use of land or structure requiring conditional use approval or a variance or requiring site plan approval as detailed in this Section 25-6.6 of this Chapter until such approval or variance has been granted and the Construction Official has been so notified in writing. In a case where a conditional use, variance or site plan has been approved, the certificate of occupancy shall detail any conditions of those approvals.

25-13.4 Continued Certificates of Occupancy for Non-Residential Properties.

- a. No person shall occupy or use or permit the occupancy or use of any portion of a non-residential building after such building or portion thereof has been vacated or sold, or in which there has been a change in use or a change in occupancy, until the landlord/owner shall have applied for and secured a certificate of continued occupancy from the Construction Official.
- b. Upon the application of the owner of an existing building or structure, the Construction Official, with the approval of the subcode officials, shall issue a certificate of continued occupancy provided that there are not violations of law or orders of the construction official pending and it is established after inspection and investigation of available municipal records that the alleged use of the building or structure has lawfully existed. The certificate of continued occupancy shall evidence only that a general inspection of the visible parts of the building has been made, and that no violations on NJAC 5:23-2.14 have been determined to have occurred and no unsafe conditions violative of NJAC 5:23-2.32(a) have been found.
- c. No certificate of continued occupancy shall be issued unless the applicant has obtained a zoning permit, a certification from the Health Department indicating that the occupancy is in conformance with all health regulations, and a certification indicating that the property is in compliance with all fire prevention and protection regulations. No certificate of continued occupancy shall be issued for any structure requiring conditional use approval, variance approval or site plan approval as detailed in Section 25.6.6 of this Chapter until such approval or variance has been granted and the Construction Official has been so notified in writing. In a case where a conditional use, variance or site plan has been approved, the certificate of continued occupancy shall detail all conditions of those approvals.
- d. The fee for a continued certificate of occupancy is set forth in the fee ordinance, Section 15.04.050 of the Township Code.

25-13-5 Temporary Use Permits. Recognizing, in certain instances, the necessity for certain temporary uses, the Planning Board, after hearing, may authorize temporary use permits pursuant to the authority of N.J.S.A. 40:55D-70b.

- a. Such permits may be issued for a period not to exceed one (1) year and, on future application to the Planning Board, may be extended, for good cause shown, for an additional period not to exceed one (1) year. Thereafter, such temporary use permit shall expire, and the use so permitted shall be abated. Any structures erected in connection therewith shall be removed. Where deemed appropriate, the Board may require such guaranties as it may deem sufficient to cause such abatement and/or removal.
- b. Where a building permit has been issued, a temporary certificate of occupancy for a dwelling house may be granted to a developer to permit such dwelling house to be used, temporarily, as a sales and management office for the sale of those homes within a subdivision, provided that all of the following requirements are met:
 - (1) The house to be used as such office is built upon a lot approved as part of a subdivision that has been approved by the Planning Board.
 - (2) The house is of substantially the same quality of construction as those homes to be sold within the subdivision.
 - (3) No other business than that which is accessory to the management and the sale of lands owned by the developer shall be permitted.
 - (4) The dwelling house shall meet all other requirements of the zone district in which it is located.
- c. Where a building permit has been issued, the Board may grant a temporary use permit for a nonconforming use incidental to construction projects on the same premises, such as the storage of building supplies and machinery and/or the assembly of building materials. For example, but not by way of limitation, such

temporary use permit may be issued to permit the parking of a construction trailer on such a site or a house trailer to be parked only during reconstruction of a building damaged by fire, flood or other casualty.

d. The Board may grant a temporary use permit for the erection and maintenance of temporary structures or buildings for the conduct of permitted uses where such permitted uses have been interrupted by reason of fire or other casualty. Such temporary use permit shall expire at the time the necessary repair or reconstruction of the permanent structures or buildings has been accomplished or within one (1) year, whichever occurs first.

e. The Board may grant temporary use permits for the location of temporary structures, in connection with permitted uses, on the site of such permitted use, which is either existing or about to be established, upon the construction of permanent facilities which are an addition to the permitted use or which will result in permanent facilities to house the permitted use. For example, but not by way of limitation, such temporary use permits may be issued to permit the parking of a trailer housing banking facilities, temporary office space, temporary classroom space and/or temporary warehouse space on such a site.

25-13.6 Sign Permits. A sign permit shall be required prior to the erection or alteration of any sign pursuant to Section 25-10.20.

25-13.7 Violations of Zoning, Subdivision or Site Plan Requirements.

a. Failure to Obtain Approval. It shall be a violation of this Chapter to use any land or building where subdivision or site plan approval is required under this Chapter without obtaining subdivision or site plan approval from the Planning Board. If, before final subdivision approval has been obtained, any person transfers or sells or agrees to sell, as owner or agent, any land which forms part of a subdivision on which, by ordinance, the Planning Board is required to act, such person shall be subject to a fine and penalty as provided for in this Chapter and each parcel or lot so disposed of shall be deemed to be a separate violation.

b. Zoning Violations. It shall be a violation of this Chapter to use any land or building in a manner not permitted under this Chapter.

c. Use of Property not in Conformance with Approval. It shall be a violation of this Chapter to use any property for which subdivision or site plan approval has been received in a manner inconsistent with the approval or in violation of any condition in the approval.

d. Civil Action. In addition to the penalties provided for under this Chapter, the Township may institute and maintain a civil action for injunctive relief.

25-13.8 Violations and Penalties.

A. The owner or agent of a building or premises where a violation of any provision of this Chapter shall have been committed or shall exist, or the agent, architect, builder, contractor, or any other person who shall commit, take part in, or assist in any such violation, or who shall maintain any building or premises in which any violation of this Chapter shall exist, shall be subject to the penalties set forth in this section. Each day the violation continues shall be considered a separate offense.

B. For a violation of any provision of this Chapter or supplement or addition thereto, the offender shall be subject to imprisonment in the County Jail for a period not to exceed ninety (90) days or by a period of community service not exceeding ninety (90) days, or by a fine of not less than One Hundred Dollars (\$100.00), nor exceeding One Thousand Two Hundred Fifty Dollars (\$1,250.00), or any combination of penalty.

C. Any person who is convicted of violating a provision of this Chapter within one (1) year of the date of a previous violation of this Chapter and who was fined for the previous violation, shall be sentenced by the Court to an additional fine as a repeat offender. The additional fine imposed by the Court upon a person for a repeated offense shall not be less than One Hundred Dollars (\$100.00) nor more than One Thousand Two Hundred Fifty Dollars (\$1,250.00) for a violation of any provision of this Chapter, but shall be calculated separately from the fine imposed for the violation of a provision of this Chapter.

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

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

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

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

Ordinance 03-15 Vacation of Paper Roads

A motion was made by Ms. Kanzenbach and seconded by Mr. Willis to introduce the ordinance. 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

WHEREAS, there exists in the Township of Mine Hill, County of Morris and State of New Jersey, certain portions of unimproved rights-of-way known as Byram Street, Tippet Street, and Bassett Street; and

WHEREAS, the public necessity and general welfare of the inhabitants of the Township of Mine Hill do not require that the aforementioned unimproved rights-of-way be opened and maintained as public streets; and

WHEREAS, the release and extinguishment of the public rights and interests in the aforementioned rights-of-way would be in the public interest.

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. The rights-of-way known as Byram Street, Tippet Street, and Bassett Street as shown on the Tax Map of the Township of Mine Hill be and the same are hereby vacated and the public rights therein be and the same are hereby forever extinguished, and the said lands referred to shall be held by the adjacent property owner or owners thereof free and discharged from any public rights, as if said public rights had never existed.

Section 2. Any and all rights and privileges now possessed by public utilities, including Township utilities, as defined in R.S. 48:2-13, and by any cable television company, as defined in the Cable Television Act, P.L. 1972, c. 1986 (N.J.S.A. 40A:5A-1, et seq.), to maintain, repair and replace existing facilities in, adjacent to, over and under the streets or portions thereof hereby vacated be and the same are hereby expressly reserved and excepted from said vacation.

Section 3. The Township Clerk shall, after the introduction and passage of this Ordinance on first reading, publish a copy of the Ordinance in the Township's official newspaper at least once not less than 10 days prior to the time fixed for further consideration and final passage pursuant to N.J.S.A. 40:49-6. The Township Clerk shall mail a copy of the Ordinance, along with a notice of its introduction, to the contiguous property owners as shown on the Official Tax Maps of the Township of Mine Hill. Said notice shall be mailed by certified mail, return receipt requested and shall indicate the time and place when the Ordinance will be further considered for final passage by the Township Council.

Section 4. A notice of the passage of this Ordinance shall be published by the Township Clerk in accordance with the requirements of N.J.S.A. 40:49-2.

Section 5. The Township Clerk shall, within 60 days after this Ordinance becomes effective, file a certified copy thereof under the seal of the Township of Mine Hill, together with a copy of the proof of publication thereof, in the Office of the Clerk of Morris County.

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 immediately upon final passage, approval and publication as required by law.

Ordinance 04-15 Establishing the Position of Fire Marshall

A motion was made by Mr. Pepperman and seconded by Mr. Willis to introduce the ordinance. 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 8.08, of the Revised General Ordinances of the Township of Mine Hill, entitled “State Uniform Fire Safety Act Enforcement” shall be re-titled “Uniform Fire Safety Code”, and the following Sections are hereby amended to read, in their entirety, as follows:

8.08.020 Local Enforcement

Pursuant to § 11 of the Uniform Fire Safety Act (P.L. 1983, c. 383), the New Jersey Uniform Fire Code (N.J.A.C. 5:70-1 et seq.) shall be locally enforced in the Township of Mine Hill.

8.08.030 Agency Designation.

The local enforcing agency shall be the Township of Mine Hill.

8.08.040 Duties

A. Within the established boundaries of the Township of Mine Hill, the local enforcing agency shall enforce the Uniform Fire Safety Code in all buildings, structures, and premises other than one- and two-unit owner-occupied buildings used exclusively for dwelling purposes and buildings, structures, and premises owned or operated by federal government, interstate agencies or the state.

B. The local enforcing agency shall faithfully comply with all the pertinent requirements of the Uniform Fire Safety Code.

8.08.060 Organization

The Fire Marshal shall be responsible for inspections and enforcement under the Uniform Fire Safety Code and shall be within the Division of Fire Protection in the Department of Public Safety.

8.08.070. Appointments, qualifications, term of office, removal.

A. Appointment and qualifications of the Fire Marshal. The Fire Marshal shall be certified by the state and appointed by the Mayor with the advice and consent of members of the Council.

B. Appointment and qualifications of inspectors and other employees. Inspectors and other employees of the enforcing agency may be appointed by the Mayor with the advice and consent of members of the Council upon recommendation of the Fire Marshal. All life hazard use inspectors shall be certified by the state.

C. Term of office. The Fire Marshal shall serve for a term of one year and until his/her successor shall be duly qualified for the office. Any vacancy shall be filled for the unexpired term.

D. Removal from office. The Fire Marshal, inspectors and other employees of the agency shall be subject to removal by the governing body for just cause. Before removal from office, all persons shall be afforded an opportunity to be heard by the governing body or a hearing officer designated by the same.

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

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

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

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

CONSENT RESOLUTIONS

A motion was made by Ms. Kanzenbach and seconded by Mr. Coranato 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 023-15 Redemption of Third Party Lien – Block 1402, Lot 16

WHEREAS, Tax Sale Certificate #2013-013, was sold to US Bank Cust for BV001 Trust on October 24, 2013 on Block 1402, Lot 16 known as 28 Alan Lane; 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 \$721.14 to US Bank Cust for BV001 Trust. This includes the redemption amount of \$521.14 and the return of premium paid at time of sale in the amount of \$200.00.

Total \$721.14

US Bank Cust for BV001 Trust
50 South 16th Street, Ste 1950
Philadelphia, PA 19102-2513

Resolution 024-15 Redemption of Third Party Lien – Block 1405, Lot 3

WHEREAS, Tax Sale Certificate #2013-014, was sold to US Bank Cust for Pro Cap III, LLC on October 24, 2013 on Block 1405, Lot 3 known as 2 Xenia Court; 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 \$3,668.54 to US Bank Cust for Pro Cap III, LLC. This includes the redemption amount of \$2,868.54 and the return of premium paid at time of sale in the amount of \$800.00.

Total \$3,668.54

US Bank Cust for Pro Cap III, LLC
50 South 16th Street, Ste 1950
Philadelphia, PA 19102-2513

Resolution 025-15 Redemption of Third Party Lien – Block 1407, Lot 22

WHEREAS, Tax Sale Certificate #2013-016, was sold to US Bank Cust for BV001 Trust on October 24, 2013 on Block 1407, Lot 22 known as 175 Randolph Avenue; 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 \$5,718.94 to US Bank Cust for BV001 Trust. This includes the redemption amount of \$4,118.94 and the return of premium paid at time of sale in the amount of \$1,600.00.

Total \$5,718.94

US Bank Cust for BV001 Trust
50 South 16th Street, Ste 1950
Philadelphia, PA 19102-2513

Resolution 026-15 Redemption of Third Party Lien – Block 1611, Lot 2

WHEREAS, Tax Sale Certificate #2013-023, was sold to US Bank Cust for Pro Cap III, LLC on October 24, 2013 on Block 1611, Lot 2 known as 64 Route 46; 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 \$5,718.94 to US Bank Cust for Pro Cap III, LLC. This includes the redemption amount of \$1,114.62 and the return of premium paid at time of sale in the amount of \$700.00.

Total \$1,814.62

US Bank Cust for Pro Cap III, LLC
50 South 16th Street, Ste 1950
Philadelphia, PA 19102-2513

Resolution 032-15 Redemption of Tax Title Lien – Block 812, Lot 10

WHEREAS, Tax Sale Certificate #2014-005, was struck off to the Township of Mine Hill as no bidder was September 5, 2014; 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 Mayor shall sign off on said certificate in the appropriate area and the Township Clerk shall verify said signature and seal with the Seal of the Township of Mine Hill to cancel said certificate.

NON-CONSENT RESOLUTIONS

Resolution 027-15 Approval of Contract with Risk Manager

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

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

Nays: none

Absent: none

Abstentions: none

WHEREAS, there exists a need for professional risk management consulting services in the Township of Mine Hill; and

WHEREAS, said services are of such a specialized and qualitative nature that it renders competitive bidding impractical; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., particularly N.J.S.A. 40A:11-5(1)(m) specifically provides that insurance, including insurance consultant services, is not subject to the requirements of public bidding; and

WHEREAS, the Township of Mine Hill wishes to appoint Fairview Insurance Agency Associates, Inc. as the Township's Risk Management Consultant; and

WHEREAS, the amount of the Risk Management Consultant's contract is six percent (6%) of the annual assessment imposed on the Township by the Joint Insurance Fund (JIF), plus any brokerage commissions paid by insurance companies on policies authorized by the Township which are outside the JIF; and

WHEREAS, the Chief Financial Officer of the Township of Mine Hill has certified as to the availability of funds 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. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Fairview Insurance Agency Associates, Inc., for professional risk management consulting services, which contract is on file in the Office of the Township Clerk.

2. This contract is awarded without competitive bidding in accordance with the specific exemption for such services found in N.J.S.A. 40A:11-5(1)(m) of the Local Public Contracts Law, and because the services to be provided are extremely specialized in nature and require a degree of expertise, training and experience in the insurance industry. Additionally, the services to be provided are by their nature qualitative, and thus not susceptible of being described by written specifications.

3. A notice of this action shall be printed once in the Township's official newspaper according to law.

Resolution 028-15 Approval of Raffle License – Mine Hill Fire Department

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 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 March 17, 2015.

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

Resolution 029-15 Approval of Social Affair Permit – Mine Hill American Legion

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, Mine Hill American Legion Memorial Post 391, which holds a club liquor license within the Township of Mine Hill, desires to apply for an Alcoholic Beverage Control Social Affair Permit for an event to be held on February 14, 2015; and

WHEREAS, the Township Council of the Township of Mine Hill is satisfied that all the rules and regulations of the Alcoholic Beverage Law, Title 33, Chapter 1 of the Revised Statutes of New Jersey, 1937, as amended and supplemented, including P.L. 1970, Ch. 77, have been duly complied with:

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 Township Council hereby approves of the application of Mine Hill American Legion Memorial Post 391 for a Social Affair Permit;

BE IT FURTHER RESOLVED that the Township Clerk is hereby authorized to execute the aforesaid application and forward it to the Department of Alcoholic Beverage of the State of New Jersey on behalf of the applicant.

Resolution 030-15 Salary Resolution for Plumbing Sub-code Official

A motion was made by Mr. Willis 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 Mayor has appointed Mr. Citarella to serve as Plumbing Sub-code official.

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:

Division of Construction:

| | | |
|----------------------------|------------|---------------|
| Plumbing Sub-code Official | \$9,100.00 | Mr. Citarella |
|----------------------------|------------|---------------|

This Resolution shall be retroactive to the date of appointment.

NEW & OLD BUSINESS

Mr. Morris noted that a mailer will be going out soon seeking commitments to hook up to NJ Natural Gas. He may offer a public session to help residents with the paperwork.

OPEN TO THE PUBLIC

Mr. Paschal asked about parking regulations on Canfield Avenue. Ms. Macchia provided him with a copy of the ordinance, and discussion followed.

CLOSED SESSION**Resolution 031-15 Closed Session**

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, N.J.S.A. 10:4-13 of the Open Public Meetings Act permits the exclusion of the public from a meeting under certain circumstances; and

WHEREAS, the Township Council is of the opinion that such circumstances presently exist.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MINE HILL, COUNTY OF MORRIS AND STATE OF NEW JERSEY as follows:

1. The public shall be excluded from discussion of the specified subject matter(s) set forth in paragraph 2 below.
2. The subject matter(s) to be discussed are as follows:
 - Litigation – Potential: RVRSA
 - Personnel Matter – Acting CFO; Municipal Clerk
 - Contract Negotiation – Sewers; Court
 - Attorney-Client Privilege – Specify
 - Collective Bargaining Agreement – Specify
 - Other – as authorized by N.J.S.A. 10:4-12 – Specify
3. Minutes of the closed session and any other information required to be shown in the minutes by law, shall be promptly available to the public when the matters discussed are resolved, to the extent that making such matters public shall not be inconsistent with section N.J.S.A. 10:4-12.
4. The Township Council may come back into open session and take further action.
5. This Resolution shall take effect immediately.

Upon conclusion of closed session discussion, a motion was made, seconded and approved by a voice vote to return to open session. It was noted that Ms. Macchia left the meeting during closed session prior to the personnel discussions.

ADJOURNMENT

There being no further business, a motion was made by Ms. Kanzenbach and seconded by Mr. Pepperman to adjourn the meeting at 10:00 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