

The Public Meeting of the Mount Olive Township Council was called to Order at 9:02 pm by President Tepper with the Pledge of Allegiance.

**PLEDGE OF ALLEGIANCE & MOMENT OF REFLECTION**

**OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT**

According to the Open Public Meetings Act, adequate notice of this meeting has been given to the Mount Olive Chronicle. Notice has been posted at the Municipal Building, 204 Flanders-Drakestown Road, Mount Olive Township, New Jersey and notices were sent to those requesting the same.

**ROLL CALL**

**Present:** Mr. Roman, Mrs. Labow, Mr. Tepper, Mr. Greenbaum, Mr. Rattner, Mr. Perkins, Mr. Tobey

**Absent:** none

**Also Present:** David Scapicchio, Mayor; John Dorsey, Township Attorney; Sherry Maniscalco, CFO; Lisa Lashway, Township Clerk; Bill Sohl, Business Administrator

**Public Hearing - Community Hope Community Development Grant**

**President Tepper:** Okay, we'll now move into a public hearing on the Community Hope Community Development Grant. Mrs. Murphy?

**Mrs. Kathy Murphy:** We actually have two applications to discuss. The first one is going to be Community Hope, which is a non-profit organization. I'm going to invite the representative up. Community Development Grants are due at the end of this week. It is required by the terms of the grant that a public hearing, that the application be discussed in a public hearing although no separate legal advertising is required. So the first application is by Community Hope.

**Mike Armstrong, Executive Director:** We're applying to the Community Development Block Grant for about a little over \$50,000 to do some upgrades on a home that we own at 1 Locust Street. We're going to be doing the roof. We're going to be doing the windows. We'll make some upgrades to the kitchen, gutters and a few other things. So we're basically applying for \$50,309 or so for those upgrades.

**Mrs. Murphy:** This is a group home that has been in operation in Budd Lake since 2001. The important thing to realize is that Community Hope is a County wide organization, and under the terms of the program, any non-profit that is operating on a County wide basis would count as a separate application. It would not jeopardize the Town's single application that we are allowed to file.

**President Tepper:** Okay.

**Mrs. Murphy:** Okay? So if there's any comments we'll read them into the record and if not...

**President Tepper:** Any comments or questions from Council? Anyone from the public have anything? I'm sorry. Alex?

**Mr. Roman:** I'm assuming, do you have a contractor already lined up to do that work?

**Mr. Armstrong:** We have a bid, we have a contractor that we use but the money, the funds won't be available until September. So we have lots of time to line up a contract.

**Mr. Roman:** Just because I would like to see if at all possible that they use local contractors, if at all possible.

**Mr. Armstrong:** Certainly we can look into that. I don't think that'll be a problem at all.

**Mrs. Murphy:** They do have to get a certain number of quotes and then based on that, if they're funded, they'll know in April whether they get funding. Then it gets processed down to the federal government. It takes almost until September until you get all of your grant contracts awarded. At that point they can begin their project after any grant contract...

**Mr. Armstrong:** Yes, actually it may be as long as a year because the money we were awarded last April we're still waiting for. So it's usually a very lengthy process. So we have lots of time to look for local contractors.

**President Tepper:** I'll open it up to the public. Anybody have any questions or comments about this? Seeing no one, I'll close it to the public. Kathy, the next application is Mount Olive's?

**Mrs. Labow:** Thank you.

**President Tepper:** Thank you, sir. Thank you, Mike.

**Mrs. Murphy:** Let me just... Sorry, the Township application is going to be for some improvements at Budd Lake Beach where we of course demolished the two buildings that are at the Beach. At this point we'd like to put up a fence along the perimeter of the property over by the marina, the bank and behind DTA. We would like to put in something that's heavy duty, eight feet tall, provides screening, provides a little security for the property, and sort of be the first step in a phased reconstruction of the property. We're trying to get ideas together as to how we'll move forward on the Beach eventually, but this is number one. Then along this fence we'll also be trying to get some benches and some other small amenities that will go for the Beach this year.

**President Tepper:** Kathy, are we going to have a survey done before we go out for quotes on the fence, etc. so we at least understand what we own before we do it.

**Mrs. Murphy:** Yes, Tim has already done some pricing based on the type of fence that he had put in for the recycling center. He wants that heavy duty because it does get a lot of wind and other damage down there, heavy conditions. So based on some of the stuff he did with the recycling center, and also the cost of installation, that's what he based his price on, and then we already have a survey of the property. We'll probably shoot the line again just to verify where the fence actually gets placed if we were awarded that and we'll see. We also had, the Beach program did take a survey because even though the Beach is within an eligible area, because it's used by the entire Town, the program wants to be sure that at least 50% of the people using the Beach, for the most part, are low income residents from the area. So they've done a survey for the last several years and actually it's increased to 57% of people in low and moderate programs.

**President Tepper:** Mr. Tobey?

**Mr. Tobey:** Mr. President, that's exactly what I wanted to bring up about the survey, but in particular, Kathy, I know there were concerns in the past about the marina and possibly storing equipment on our property.

**Mr. Sohl:** Still are.

**Mr. Tobey:** Accurately defining the boundaries before we actually go ahead...

**Mr. Sohl:** The only...

**President Tepper:** Mr. Sohl.

**Mr. Sohl:** The only line of interest is the western border from where the creek is to 46. It's not a straight line. It obviously cuts around. The other is defined by the Lake.

**Mrs. Murphy:** The marina does actually have a right of way through our property. We have to grant them access.

**President Tepper:** Well, they have an easement.

**Mrs. Murphy:** The price of this fence would include at least one gate over by the marina, and possibly a second gate where people currently cut through at this point near the bank for an access issue.

**President Tepper:** I'll ask the Administration. I don't understand necessarily why we'd need to gate it. We'd put it towards the end of our property where they can still just drive through without having a gate, but I presume that they'll address that. Mr. Mayor, you had a comment?

**Mayor Scapicchio:** Yes, it appears based on the survey that I have in my office that they have two and a half to three boat slips that are on our Township owned property. So the first course of action is to have that staked.

**President Tepper:** So you'll basically notify them that those are there and asked that they be removed?

**Mayor Scapicchio:** We're going to have to move real quick because the fear is that they may try to move the stakes, okay?

**President Tepper:** I will defer that to you as that's something that you're responsible for.

**Mr. Sohl:** Once we know where those stakes are we'll make damn sure...

**Mayor Scapicchio:** You guys are laughing but I'm serious.

**Mr. Rattner:** Oh, no, I know you are.

**President Tepper:** The question would be that since the First Aid Squad, if I remember correctly, had money to buy a boat then why don't we park our own boat there?

**Mrs. Lashway:** I think Recreation has a boat, and First Aid. So if there are slips, why don't we put boats in those?

**Mr. Rattner:** And the Fire Department.

**President Tepper:** Again, we'll leave that to the Administration as to how to best defend our property. Mrs. Labow?

**Mrs. Labow:** Actually, I was going to add to that. What was it, three years ago that somebody cut off part of the bog and put it in the middle of the swimming area from that location? They couldn't get their boats through?

**Mayor Scapicchio:** I'm told every once in a while someone finds an abandoned boat at the bottom of the Lake and nobody knows how it got there.

**Mrs. Labow:** I have to ask Kathy, for the grant money that we're looking for we have 57% of the patronage at the Beach in the low income category. If we start charging a fee for the Beach is that going to have any impact on the grant?

**Mrs. Murphy:** I did ask that question and as long as we are charging moderate fees, reasonable fees, then they do allow us to charge fees. From my discussions with Jill, the proposed fees that she has in mind at this point are still lower than any other Town that has a Beach.

**Mrs. Labow:** Okay, so it won't impact the grant money. Okay, that's what I wanted to know. Thank you.

**President Tepper:** No other questions? Thank you, Kathy.

**Mrs. Murphy:** Okay, thank you and those resolutions are on with the Consent Resolutions later on. Thank you.

**President Tepper:** We'll open up that application for any comments from the public. Anyone from the public have anything they'd like to say on that? Seeing none, we'll close that. Mr. Greenbaum, would you approve the Minutes of the previous meetings?

**APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

**Mr. Greenbaum:** I'd like to move the Minutes of:

**Dec. 23, 2008 WS & PM & CS – All present**

**Jan. 6, 2009 PM & CS – All present**

**Mrs. Labow:** Second.

**President Tepper:** I have a second, Mrs. Labow. Can I have a Roll Call?

**ROLL CALL – Passed Unanimously**

**Questions on Bill List? - None**

**CORRESPONDENCE**

**LETTERS FROM RESIDENTS/ORGANIZATIONS**

1. Letter received December 22, 2008, from Laff, Campbell, Tucker & Gordon, LLP regarding “Lunch n Learn.” PDF Correspondence
2. Letter received December 29, 2008, from Rutgers regarding Municipal Elected Officials Training Programs Spring 2009. PDF Correspondence
3. Email received December 30, 2008, from Henry Guglielmi regarding Camelot Drive. PDF Correspondence
4. Letter received January 7, 2009, from the Municipal Clerks’ Association of Morris County regarding the election of Lisa Lashway as Corresponding Secretary of the Association for 2009 and 2010. PDF Correspondence
5. Letter received January 12, 2009, from the Mount Olive Area Chambers of Commerce regarding a January Business Meeting at Longhorn Steakhouse. PDF Correspondence
6. Letter received January 12, 2009, from MBI GlucksShaw regarding a new brochure. PDF Correspondence

**RESOLUTIONS / ORDINANCES / CORRESPONDENCE OTHER TOWNS**

7. Resolution received December 24, 2008, from the Township of Parsippany –Troy Hills opposing State proposal for the sale of Greystone Park. PDF Correspondence
8. Resolution received December 29, 2008, from the Township of Denville regarding opposition to State proposal to violate New Jersey State statutes and legislative intent to preserve surplus Greystone Park lands by offering Greystone State Hospital lands for private sale. PDF Correspondence
9. Notice received January 16, 2009, from the Hackettstown Planning Board regarding a Master Plan Reexamination Report Hearing. PDF Correspondence

**DOT / DEP / LOI / HIGHLANDS**

10. Letter received December 24, 2008, from the State of New Jersey Department of Environmental Protection regarding a no further action letter and covenant not to sue for 162 River Road. PDF Correspondence
11. Letter received December 24, 2008, from the State of New Jersey Department of Environmental Protection regarding a renewal of a recycling center general approval for class b & c Materials, Morris County MUA – Mount Olive Recycling Center. PDF Correspondence
12. Letter received December 29, 2008, from the State of New Jersey Department of Environmental Protection regarding an extension of time request for Morris Chase/Morris Hunt Public Community Water System. PDF Correspondence
13. Letter received December 29, 2008, from the State of New Jersey Department of Environmental Protection regarding the Economic Recovery Program for 2009 – Call for Projects. PDF Correspondence
14. Letter received December 29, 2008, from the State of New Jersey Department of Environmental Protection regarding Bartley Chester Business Park Inc. PDF Correspondence
15. Letter received December 29, 2008, from the State of New Jersey Transit Corporation regarding fiscal year 2009 request for Federal financial assistance. PDF Correspondence
16. Letter received December 29, 2008, from CMX regarding a Highlands Applicability Determination for Tinc Farm – Lynnwood – Goldmine Interconnection. PDF Correspondence
17. Letter received January 5, 2009, from the State of New Jersey Department of Environmental Protection regarding Maroon Abraham Home Development, 8 Third Street. PDF Correspondence
18. Letter received January 5, 2009, from Orth-Rodgers & Associated, Inc. regarding Assembly Bill No. 2731, New Procedure, Traffic Control Device Approvals. PDF Correspondence
19. Letter received January 7, 2009, from the New Jersey Farm Bureau regarding a challenge to the NJDEP rules for the Highlands Preservation Area. PDF Correspondence
20. Letter received January 12, 2009, from the State of New Jersey Department of Transportation regarding operational revisions to the signal at Route US 206 and Netcong-Flanders Road/Main Street. PDF Correspondence
21. Letter received January 12, 2009, from the State of New Jersey Department of Environmental Protection regarding the Morris County YMCA Dam. PDF Correspondence
22. Letter received January 12, 2009, from Redco Engineering & Construction Corp. regarding a Highlands Applicability Determination for Bartley Chester Business Park, Inc. PDF Correspondence
23. Letter received January 14, 2009, from the State of New Jersey Department of Environmental Protection regarding the Mine Hill Reservoir Dam. PDF Correspondence
24. Letter received January 16, 2009, from the State of New Jersey Department of Environmental Protection regarding the Rock Haven Property. PDF Correspondence

**LEAGUE OF MUNICIPALITIES**

25. E-mail received December 22, 2008, from the New Jersey State, League of Municipalities regarding Signature Event: NJLM Educational Foundation's 2009 Housing Summit. PDF Correspondence
26. Registration form received December 23, 2008, from the New Jersey State League of Municipalities regarding the 17<sup>th</sup> Annual Mayors Legislative Day. PDF Correspondence

27. E-mail received December 23, 2008, from the New Jersey State League of Municipalities regarding COAH Deadline Extension Denied. PDF Correspondence
28. E-mail received December 30, 2008, from the New Jersey State League of Municipalities regarding League Electronic Library of Ordinances. PDF Correspondence
29. Letter received December 31, 2008, from the New Jersey State League of Municipalities regarding a Seminar entitled, Orientation for Municipal Officials that are Newly Elected, Re-Elected, or Experienced. PDF Correspondence
30. E-mail received January 4, 2009, from the New Jersey State League of Municipalities regarding the League e-Bulletin. PDF Correspondence
31. E-mail received January 5, 2009, from the New Jersey State League of Municipalities regarding January Grant Page Posted and Census Opportunities. PDF Correspondence
32. E-mail received January 6, 2009, from the New Jersey State League of Municipalities regarding Affordable Housing/COAH Update NJLM Brief Filed, Free Guide to Energy Security, and CY 2008 Length of Service Award Programs (LOSAP) Cost of Living Increase Notice. PDF Correspondence
33. E-mail received January 6, 2009, from the New Jersey State League of Municipalities regarding Governor Proposes FY '09 Funding Cuts. PDF Correspondence
34. E-mail received January 7, 2009, from the New Jersey State League of Municipalities regarding From Time to Time - A Quarterly Report on the Activities of the New Jersey League of Municipalities, October - December 2008. PDF Correspondence
35. E-mail received January 8, 2009, from the New Jersey State League of Municipalities regarding Agendas for Stakeholder Meetings on Draft GWRA Recommendations, Federal Stimulus News, Library Funding, and Pinelands Commission Pinelands Model Septic System Management Ordinance. PDF Correspondence
36. E-mail received January 9, 2009, from the New Jersey State League of Municipalities regarding Urban Sociologist to Lecture on the Future of Suburbs. PDF Correspondence
37. E-mail received January 12, 2009, from the New Jersey State League of Municipalities regarding the 17th Annual Mayors' Legislative Day. PDF Correspondence
38. Email received January 12, 2009, from the New Jersey State League of Municipalities regarding an Urgent Notice for the Mayor. PDF Correspondence
39. Email received January 12, 2009, from the New Jersey State League of Municipalities regarding Important New Information from the Division of Local Government Services. PDF Correspondence
40. Email received January 13, 2009, from the New Jersey State League of Municipalities regarding Congressional City Conference and State of the State. PDF Correspondence
41. Email received January 13, 2009, from the New Jersey State League of Municipalities regarding Women in Municipal Government Committee Presents First Annual Celebration Day Brunch, Honoring the Contribution of Women in Public Service. PDF Correspondence
42. Email received January 14, 2009, from the New Jersey State League of Municipalities regarding Join the Mayors Wellness Campaign TODAY! PDF Correspondence
43. Email received January 14, 2009, from the New Jersey State League of Municipalities regarding Mayors' Legislative Day. PDF Correspondence

**UTILITIES**

- 44. Letter received January 5, 2009, from Jersey Central Power & Light regarding a proposed new Solar Financing program. PDF Correspondence
- 45. Letter received January 9, 2009, from Comcast regarding the Launch of Comcast Local Edition. PDF Correspondence

**DCA**

- 46. E-mail received January 6, 2009, from the State of New Jersey Department of Community Affairs regarding Help with Residential Foreclosures. PDF Correspondence

**MSA**

- 47. Letter received January 7, 2009, from the Musconetcong Sewerage Authority regarding allocations for the participating municipalities in the 4.31 MGD Water Pollution Control Plant. PDF Correspondence
- 48. Minutes received January 12, 2009, from the Musconetcong Sewerage Authority regarding their December 3<sup>rd</sup> Regular Meeting. PDF Correspondence
- 49. Minutes received January 12, 2009, from the Musconetcong Sewerage Authority regarding their December 16<sup>th</sup> Special Emergency Meeting. PDF Correspondence

**TORT**

- 50. Letter received December 22, 2008, from Scott J. Marum regarding Service of Summons and Complaint for Claimant: Barry J. Fitzpatrick, Date of Accident 9/27/06. PDF Correspondence
- 51. Notice of Motion to Show Cause received January 12, 2009 from Tonie Fry regarding Tonie Fry, Blue Bird Inn, LLC. vs. Township of Mount Olive. PDF Correspondence

**LETTERS FROM LEGISLATIVE REPRESENTATIVES**

- 52. Email received January 9, 2009, from Congressman Rodney Frelinghuysen regarding Frelinghuysen Begins Eighth Term in Congress, Receives Major Committee Assignment, Welcomes New Members of New Jersey Congressional Delegation, Supports Israel's Right of "Self Defense," Votes Against House Rule Changes, Opposes Increased Litigation, House to Consider Economic Stimulus Package, and Spread the eNews. PDF Correspondence

**COAH**

- 53. Letter received December 23, 2008, from the State of New Jersey, Council on Affordable Housing regarding Application of COAH Scarce Resource Restraint to Highlands Municipalities. PDF Correspondence
- 54. Letter received January 16, 2009, from the State of New Jersey, Council on Affordable Housing regarding a waiver granted November 12, 2008. PDF Correspondence

**MORRIS COUNTY**

- 55. Letter received January 8, 2009, from the Division of Aging, Disabilities & Veterans regarding the January 2009 Calendar of events. PDF Correspondence

**DEPARTMENT OF AGRICULTURE**

- 56. Letter received January 12, 2009, from the State of New Jersey Department of Agriculture regarding the fall gypsy moth egg mass survey. PDF Correspondence

**ORDINANCES FOR PUBLIC HEARING - None**

**ORDINANCES FOR FIRST READING – (Second Reading 2/3/09)**

**President Tepper:** I'm going to go back. Any questions on the Bill List? Anyone have any questions they would like to address to Sherry on the Bill List? I will open that to the public as well if anyone from the public has questions on the Bill List at this time they would like to ask. Seeing none, we'll move on. There's 56 pieces of Correspondence. Does anyone have any comments or questions about any of the Correspondence? Seeing none, we'll move on to Ordinances for Public Hearing, which are none. We'll move up for Ordinances for first reading, second reading of which will be on February 3, 2009. The next item on the Agenda for first reading is Ord. #1-2009, entitled:

**Ord. #1-2009** An Ordinance of the Township of Mount Olive Repealing Section 178-4 Entitled "Loitering; Loud, Offensive or Indecent Language" of the Township Code.

**President Tepper:** Mr. Tobey, would you move that?

**Mr. Tobey:** Yes, I move that Ord. #1-2009 be introduced by title and passed on first reading and that a meeting be held on February 3, 2009 at 7:30 p.m. at the Municipal Building, 204 Flanders-Drakestown Road, Mount Olive, NJ for a public hearing consideration of said reading and passage of said ordinance and that the Clerk be directed to publish, post and make available said ordinance in accordance with the requirements of law.

**Mr. Perkins:** Second.

**President Tepper:** Second on that from Mr. Perkins. Any Council discussion? Roll Call, please.

**ROLL CALL – Passed Unanimously**

**President Tepper:** The next item on the Agenda for first reading is Ord. #2-2009, entitled:

**Ord. #2-2009** Refunding Bond Ordinance of the Township of Mount Olive, in the County of Morris, New Jersey Providing for the Refunding of Certain General Improvement Bonds, Series 2002, Appropriating \$4,400,000 Therefor and Authorizing the Issuance of \$4,400,000 General Improvement Refunding Bonds of the Township for Financing the Cost Thereof.

**President Tepper:** Mr. Perkins, would you move that?

**Mr. Perkins:** Yes, Mr. President. I move that Ord. #2-2009 be introduced by title and passed on first reading and that a meeting be held on February 3, 2009 at 7:30 p.m. at the Municipal Building, 204 Flanders-Drakestown Road, Mount Olive, NJ for a public hearing consideration of said reading and passage of said ordinance and that the Clerk be directed to publish, post and make available said ordinance in accordance with the requirements of law.

**President Tepper:** Can I have a second for that, please?

**Mrs. Labow:** Second.

**President Tepper:** Mrs. Labow. Any Council discussion? Seeing none, please Call the Roll.

**ROLL CALL – Passed Unanimously**

**CONSENT RESOLUTIONS AGENDA:**

**Resolutions on the Consent Agenda List are considered to be routine and non-controversial by the Township Council and will be approved by one motion (one vote). There will be no separate discussion or debate on each of these resolutions except for the possibility of brief clarifying statements that may be**

offered. If one or more Council member requests, any individual resolution on the Consent Agenda may be removed from the Consent Agenda List and acted on separately.

#### CONSENT RESOLUTIONS

1. Resolution of the Township Council Of The Township Of Mount Olive Authorizing Execution Of The Consent Decree For The Settlement With Government Plaintiffs In The Consolidated Actions Entitled United States of America v. Beckman Coulter, et als. And New Jersey Department of Environmental Protection, v. American Thermoplastics corp., et als.
2. Resolution of the Township Council of the Township Of Mount Olive Authorizing the Use of Various Purchasing Contracts.
3. Resolution of the Township Council of the Township of Mount Olive Approving A Vendor Service Contract on A 'Non-Fair and Open' Basis Pursuant To The 'Pay-To-Play' Law. (Security Control Concepts 7)
4. Resolution of the Township Council of the Township Of Mount Olive Authorizing the Submission of the 2009 Community Development Grant Application.
5. Resolution Of The Township Council Of The Township Of Mount Olive Endorsing An Application By Community Hope To The Community Development Block Grant Program.
6. Resolution Of The Township Council Of The Township Of Mount Olive Authorizing The Business Administrator To Submit An Application And \$500 Payment To The New Jersey League Of Municipalities (NJLM) To Support The NJLM Legal Challenge To Set Aside The Proposed 3<sup>rd</sup> Round NJ Council On Affordable Housing (COAH) Regulations.
7. Resolution of the Township Council of the Township Of Mount Olive Authorizing Advent Insurance Services As The Township Risk Management Consultant With The Morris County Joint Insurance Fund.
8. Resolution of the Township Council of the Township Of Mount Olive Authorizing a Professional Services Agreement with CMX for Engineering Services In Connection With the Resurfacing Of Flanders-Bartley Road Phase I & II.
9. Resolution of the Township Council of the Township of Mount Olive Amending the Award of Contract to Walker Diving For Cleaning Of the Aeration Tank.
10. Resolution of the Township Council of the Township of Mount Olive Making Application to the Local Finance Board Pursuant to N.J.S.A. 40A:2-51 et.seq.
11. Resolution of the Township Council of the Township of Mount Olive Requiring the Fire Companies and the Budd Lake Rescue Squad to Obtain Insurance for Employment Practices Liability and to Provide that the Township Shall be an Also Insured Party.
12. Resolution of the Township Council of The Township Of Mount Olive Authorizing the Release of Performance Guaranties Submitted by Toys R Us in Connection with the Reconstruction of a Parking Lot.
13. Resolution of the Township Council of the Township of Mount Olive Authorizing the Person-to-Person Transfer of Alcoholic Beverage License No. 1427-33-021-007 Alpha Centauri, Inc. to Joseph Azzolino. (Amended – Pocket License Not Place-To-Place Transfer Until Located).
14. Resolution Authorizing Settlement of the 2007 and 2008 Tax Appeals Entitled Bendal Associates, LLC v. Township of Mount Olive, Involving Block 108, Lot 5 at 20 Route 46.

15. Resolution of the Township Council of the Township of Mount Olive Authorizing Settlement of the Tax Appeal Filed by Atrium Hospitality, Inc.

16. Resolution of the Township Council of the Township of Mount Olive RE: The State of New Jersey Department of State Division of Archives and Records Management PARIS Grant Program.

**President Tepper:** Are there any that you would like to see removed? And there's also an extra one, the 17<sup>th</sup> one that's being added for our discussion earlier on the settlement with the Board of Education and Budd Lake Fire.

17. Resolution of the Township council of the Township of Mount Olive Authorizing a Settlement with the Board of Education.

**Mrs. Lashway:** No, Budd Lake...

**President Tepper:** Budd Lake, I'm sorry. Right, it's the Board of Education litigation. 1 through 17, does anyone want any removed? Seeing none, Mr. Roman, would you move the Consent Resolutions 1 through 17?

**Mr. Roman:** Yes, Mr. President. I'd like to move for passage of Consent Resolutions 1 through 17.

**Mr. Perkins:** Second.

**President Tepper:** Any comments from the public on any of these resolutions? Any Council comments on any of the resolutions? Seeing none, Roll Call, please.

**PUBLIC PORTION ON CONSENT RESOLUTIONS - none**

**COUNCIL COMMENTS ON CONSENT RESOLUTIONS – none**

**ROLL CALL – Passed with the exception Mr. Tobey abstained on number 9**

**RESOLUTIONS NON CONSENT - none**

**PUBLIC PORTION ON INDIVIDUAL RESOLUTIONS - none**

**COUNCIL COMMENTS ON INDIVIDUAL RESOLUTIONS - none**

**MOTIONS**

**President Tepper:** We now have Motions, Approval of Raffle Applications. Mr. Rattner, would you move:

1. Approval of Raffle Application #2294 for the Mt. Olive Education Foundation, Inc. and an Application to Amend Raffle License #2273, #2274 & #2275 for the Sandshore Home and School Partnership

**Mr. Rattner:** So moved.

**Mrs. Labow:** Second.

**President Tepper:** I read it. I thought I'd be quick about it. I read faster than you speak.

**Mr. Rattner:** That's okay.

**Mr. Greenbaum:** He speaks more than you read.

**President Tepper:** That's true. I don't know. I do read a lot, but thank you. Roll Call, please.

**ROLL CALL – Passed Unanimously**

**President Tepper:** Mrs. Labow, would you move the appointment of Father Bob?

**Mrs. Labow:** Yes, so moved.

2. Appointment of Fr. Robert Mitchell to the Ethics Board for a 5 year term to expire 12/31/2013.

**Mr. Rattner:** Second.

**President Tepper:** Roll Call, please.

**ROLL CALL – Passed Unanimously**

**President Tepper:** Mr. Greenbaum, would you move the Bill List?

**Mr. Greenbaum:** I move the Bill List as presented.

3. Bill List.

**President Tepper:** Second?

**Mr. Rattner:** Second.

**President Tepper:** Roll Call, please.

**Mrs. Labow:** Don't you have to ask for any comments or anything or discussion?

**President Tepper:** Already did.

**Mrs. Labow:** No, that was preliminary.

**ROLL CALL – Passed Unanimously**

**ADMINISTRATIVE MATTERS**

**President Tepper:** Any Administrative Matters to be discussed, Mr. Sohl or Mr. Mayor?

**Mayor Scapicchio:** Just one and that is a piece of good news in these terrible economic times. We're going to be getting about \$60,000 from the MUA for 2008 recycling efforts. That's about \$17,000 more than we received last year.

**President Tepper:** That's excellent.

**Mrs. Labow:** Excellent.

**President Tepper:** Congratulations.

**Mr. Roman:** Do we anticipate that in this year coming that the fees would be less?

**Mayor Scapicchio:** I think we're going to end up probably with less. In fact in the budget, if you haven't seen it, the tonnage is down in terms of solid waste going to those transfer stations. We're going to see a reduction of about \$50,000, Sherry?

**Mrs. Maniscalco:** Yes, we're looking at a tax increase in Sanitation District of about \$45,000.

**Mayor Scapicchio:** But we don't see it going up.

**OLD BUSINESS - none**

**NEW BUSINESS - none**

**LEGAL MATTERS**

**President Tepper:** Any Old Business? Seeing none, Council members, is there any New Business? Seeing none, Mr. Dorsey, any Legal Matters other than what was discussed?

**Mr. Dorsey:** No, none.

**President Tepper:** Thank you. We'll go to Council Reports then. Recreation Report, Mr. Roman?

**COUNCIL REPORTS**

**Recreation Liaison Report**

**Mr. Roman:** There was no meeting held since our last meeting but I do anticipate at the next meeting we'll be discussing those Beach fees.

**President Tepper:** Okay. Board of Health, Mr. Perkins?

**Board of Health Report**

**Mr. Perkins:** Reorganization tomorrow, Mr. President.

**President Tepper:** Thank you. Planning Board Report, Mr. Greenbaum.

**Planning Board Report**

**Mr. Greenbaum:** Two meetings since our Reorganization meeting. The first was the Planning Board Reorganization meeting. Howie Weiss was elected Chairman. John Mania was elected Vice-Chairman. All the professionals were reappointed but for Roger Thomas. Ed Buzak was appointed as Planning Board Attorney. The second meeting I was not at. I was actually arguing a matter before the Warren County Ag Board that evening, but it was my understanding that there was one application related to Mohawk Oil. Apparently a landscaper is using that property in terms of storage of his equipment. Is he using the property for anything else, Dave?

**Mayor Scapicchio:** No, and they approved that application.

**Mr. Greenbaum:** They approved the application ultimately. That's the extent of the Planning Board Report.

**President Tepper:** Thank you. Board of Adjustment, Mr. Perkins.

**Board of Adjustment Liaison Report**

**Mr. Perkins:** Yes, Mr. President, Reorganization was postponed with an upcoming meeting this Monday.

**President Tepper:** Alright. Open Space Committee, Mrs. Labow.

**Open Space Committee Report**

**Mrs. Labow:** I'm going to defer to Mrs. Murphy. I was actually very ill that evening and couldn't attend. Nothing more than what we discussed already.

**President Tepper:** Okay. Legislative Committee, Mr. Rattner.

**Legislative Committee Report**

**Mr. Rattner:** I'm no longer Legislative.

**Mr. Perkins:** That should be me and there's no report, Mr. President.

**President Tepper:** Alright. Pride Committee, Mrs. Labow.

**Pride Committee Liaison Report**

**Mrs. Labow:** We meet next week.

**President Tepper:** Alright, Board of Education Liaison, Mr. Roman

**Board of Education Liaison Report**

**Mr. Roman:** Nothing of note to report.

**President Tepper:** Lake/Environmental, Mr. Rattner?

**Lake/Environment Issues Committee**

**Mr. Rattner:** Nothing to report.

**President Tepper:** Safety Committee Liaison was going to be Mr. Perkins reporting. I understand Mr. Rattner is going to do that report.

**Safety Committee Liaison**

**Mr. Perkins:** Yes, since I was unable to attend, Mr. Rattner went and you showed up an hour later.

**Mr. Rattner:** Mr. Sohl was there too. We might as well say everybody...

**President Tepper:** It's not that I don't trust Mr. Rattner.

**Mr. Rattner:** Anyway, it was actually a very good meeting, good cooperation between all of the different organizations. They accomplished the goal of getting a framework/draft of bid specs for hospital based, or third party ambulance. It's in the process of, Mr. Detoro is taking everybody's comments and is going to put it into a final draft for Council and legal review. A couple of things I just want to bring up. One, and maybe there was some misinterpretation in that in the bid specs there is not going to be any provision for the write off of bills for people without insurance or underinsured or could not afford it. Basically it is going to be up to the winner of the bid to use their normal collection practices. Everybody there said that, since I never attended one of the meetings in years, said that that was never part of the goal or agreements. It was something that was brought up by some of the perspective bidders saying that they do certain things, but I know that there was probably, out in the public, different comments going on. That is not going to be there. Hopefully the ambulance charges are small enough and most hospitals, for a few hundred dollars, don't go after people. They send you a couple of letters and that's it. Some other things that are of interest. It seemed that the Captain of Flanders and of Budd Lake have been working together trying to come up with some common solutions and I think that they did that. One of the things they looked at was possibly having staggered hours where one of the ambulances would start at 5:00 or earlier in the morning. One of the issues is when you look at 6:00 – 6:00 or 6:00 – 5:00 is that they still have a problem maybe around 5:00 in the morning when people are on their way to work between 5:00 and 6:00 and it's tough for them to get back. So they are looking at putting that in. Holidays were discussed and if a holiday falls on a weekday, it will be covered by the contracted ambulance service. One of the things that I think everybody would be real happy with is that in the contract they're going to put that the response time is that within 90 seconds of the call, the ambulance is rolling. Since they're with it it's not real hard. So that's going to be good. There was an issue with dispatching that the Police brought up about being able to keep track of who is actually on the radio making the calls, and how they can identify individual members or vehicles. It did come up that Budd Lake Fire actually implemented a very good system, and they're asking for Budd Lake to look at how they, some of the documentation of how they set it up, and maybe we'll do it town wide for all of the emergency groups. The bid specs will have a provision that they'll be available for special events like Mount Olive days or something like that. If they're here anyway they don't have to be necessarily at the rig at

**Mr. Rattner (Cont'd):** some other location. One of the things that did come up is that in the bid specs, they're going to put that the ambulance and the members have to be housed within five miles of Town hall. Why that was put in is that we know that one of the potential bidders actually has a location on Love Lane, and since we're still near the geographic center of Town, that didn't seem to be an issue. One of the things that did come up is that people were concerned about going out for a five year contract in case they didn't like the service. It was suggested, and we're going to have to see if it can pass muster, is possibly go out to bid and say it's one year with a certain amount of renewals that will be available. The thought on that was if they like the service, they don't have to go out to bid again. If we were unhappy with it but not enough where they actually voided the contract, then they could go. We have to see what it is when we get the final draft, but as I said, I think it was a, in fact I'm surprised it was a very good meeting. Everything was on a positive note with one goal, and that was to put together good bid specs.

**President Tepper:** Thank you, Mr. Rattner. Any comments or questions for Mr. Rattner? Seeing none, Mr. Rattner, Economic Development Committee Report.

### **Economic Development Committee Report**

**Mr. Rattner:** Nothing to report.

**President Tepper:** Solid Waste Advisory Committee, Mr. Perkins?

### **Solid Waste Advisory Committee Report**

**Mr. Perkins:** Nothing to report.

**President Tepper:** Library Board Liaison, Mr. Tobey?

### **Library Board Liaison**

**Mr. Tobey:** There was a meeting last week, last Wednesday. Mr. Scott Davan was appointed as the new Director. In addition there's going to be a list of 2008 accomplishments that are going to be emailed to everyone here with a presentation to follow at a later date, accomplishments on the Board's part. That's all.

**President Tepper:** Thank you. Senior Citizens, Mrs. Labow?

### **Senior Citizen Liaison**

**Mrs. Labow:** The only thing to really report at this time for Senior Citizens is that we had an issue with the building. A resident had reserved the Senior Citizens Center on Sunday for a birthday party. When the County Food Nutrition Center arrived the place was left in, basically a mess, shambles. There was a sticky substance spilled all over the counter. The cushions on the chairs had crumbs on them. The new carpet had crumbs on it and everything else. Needless to say they did not get their \$100 deposit returned. So it does present an issue that if we're going to be allowing the residents to use it, we need a deposit. There is a cost in cleaning up the mess. So that's basically what we're going through right now.

**President Tepper:** I think that's really an Administrative issue. We set a policy in place for use of the building as well as if it wasn't maintained that they were going to be charged their fee. Mr. Sohl had pointed that out at that time.

**Mr. Sohl:** We're actually reviewing because there was a recent incident with a private party.

**Mrs. Labow:** Yes, that just happened last week, another time.

**Mr. Sohl:** Frank Wilpert, Diane and I sat down briefly and we're going to come up with some suggestions.

**Mrs. Labow:** That's the only thing to report. Otherwise everything else is going well. Thank you.

**PUBLIC PORTION - none**

**President Tepper:** Great, thank you. Public Portion, anybody from the public like to speak or have anything to say? Seeing none, we'll close it to the public. Council comments? Final comments? Mr. Greenbaum.

**COUNCIL COMMENTS**

**Mr. Greenbaum:** None.

**President Tepper:** Mr. Tobey?

**Mr. Tobey:** Nothing, thank you.

**President Tepper:** Mr. Perkins?

**Mr. Perkins:** Nothing.

**President Tepper:** Mr. Roman?

**Mr. Roman:** Nothing.

**President Tepper:** Mr. Rattner?

**Mr. Rattner:** I have none.

**President Tepper:** Mrs. Labow?

**Mrs. Labow:** I just want to briefly say that Mrs. Lashway seemed to stumble on my name a few times this evening. I just want to say that my husband has decided to change the pronunciation of our last name to Labow, because he said after all of these years of telling people it's Labow, if you call him at work he now responds, "This is Mark Labow-y." I was really shocked. So either way is fine.

**President Tepper:** Since Mark Labow is not on Council we'll continue to have Labow.

**Mrs. Labow:** You can call me Colleen Labow, too.

**Mr. Greenbaum:** Sounds like an interesting issue for WRNJ to probe this evening after the meeting.

**Mrs. Labow:** There you go.

**President Tepper:** I have no comments. May I have a motion for adjournment, please?

**ADJOURNMENT**

Motion was made and seconded, all in favor and none opposed, the meeting was adjourned at 9:29 pm.

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Russell J. Tepper, Council President

I, Michelle Masser, Deputy Township Clerk of the Township of Mount Olive do hereby certify that the foregoing Minutes is a true and correct copy of the Minutes approved at a legally convened meeting of the Mount Olive Township Council duly held on February 3, 2009.

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Michelle Masser, Deputy Township Clerk