
The Public Meeting of the Mount Olive Township Council was called to Order at 9:57 pm by Vice President Labow 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. Greenbaum, Mr. Rattner, Mr. Perkins, Mr. Tobey

Absent: Mr. Tepper

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

Questions on Bill List?

Vice President Labow: Just let the record reflect that Mr. Tepper is out of Town on a business trip.

Mr. Perkins: Still?

Mr. Greenbaum: Sure, he puts on a controversial ordinance and then doesn't come.

Vice President Labow: Yes, I got the phone call this afternoon.

Mr. Greenbaum: Let the record reflect I said that.

Vice President Labow: Let the record reflect that Mr. Greenbaum protested the controversial ordinance. Alright, questions on the Bill List. Mr. Nelson Russell, did you have any questions on the Bill List for us this evening?

Nelson Russell: Yes, I do.

Vice President Labow: Alright, would you please come to the podium?

Mr. Roman: Sherry's not even here to answer them.

Vice President Labow: Well, she should... Bill can take down the notes. Bill? Mr. Sohl? Mr. Russell's going to have some questions for the Bill List.

Mr. Russell: Just one.

Vice President Labow: Just one.

Mr. Russell: On page 8, second item. Why did we spend \$1,300 on electricity for Turkey Brook restroom number three?

Mr. Perkins: That was my question.

Vice President Labow: Yes, I had the same question too.

Mr. Russell: I mean, I could do my whole house and electric driveway for that. I mean, this is a restroom.

Mr. Greenbaum: Did you get a permit for that driveway, Mr. Russell?

Mr. Russell: Yes.

Vice President Labow: Alright, Mr. Sohl, when Sherry comes back will you ask her for us?

Mr. Sohl: I mean, the specific question I can't answer right now as to why. I mean, obviously there's some electric going in there.

Mr. Russell: Isn't that closed in the winter?

Vice President Labow: We discussed this in the past. There's two bathrooms up there at Turkey Brook Park, and one is left open for our staff that works at the Park during the winter. It was supposed to be winterized in the past but I don't know if it's been winterized. So, Mr. Sohl, could you...

Mr. Sohl: Unfortunately, Mr. Quinn just left.

Vice President Labow: Yes, I know. Mr. Quinn just left. Is Sherry coming back?

Mr. Sohl: Yes, I'll ask her but she may not know the answer.

Vice President Labow: Okay, Sherry may have the answer to that question. If we don't get the answer tonight we'll send it to you, the answer. Mr. Perkins?

Mr. Perkins: It would be interesting. I mean, at \$1,300... The DPW is only at \$967 and our whole District 1 street lighting was only \$970.

Mr. Sohl: It may have something to do with lights.

Mr. Perkins: Something's wrong with the meter reading or something there.

Mr. Greenbaum: Well, we don't know what it accounts for. It could be a number of different things. It could be a period of time...

Mr. Perkins: It could be all of the buildings.

Mr. Greenbaum: Yes. It could be street lights. It could be the pumps. It could be everything. We don't know.

Mr. Tobey: It could be a neighbor.

Mr. Greenbaum: ...need an answer.

Mr. Perkins: It could be the well pumps. We'll get an answer.

Vice President Labow: Okay, we'll get the answer. Thank you, Mr. Russell.

Mr. Greenbaum: Maybe someone's living in there.

Mr. Rattner: Pretty close.

Vice President Labow: Is that where you go when you get thrown out, Mr. Greenbaum? Just kidding.

Mr. Perkins: He's going to pick me up there tomorrow.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Vice President Labow: Alright, next item on the Agenda. Do any Council members have questions for the Bill List? Okay, we settled that. Approval of Minutes from the Previous Meetings. Mr. Greenbaum, could you please move the Minutes?

Mr. Greenbaum: I move:

Feb. 14, 2009 Budget Hearing – Mr. Roman absent

Mar. 3, 2009 WS, PM & CS – All present except Mr. Perkins absent/recused from CS

Mr. Perkins: Second.

ROLL CALL – Passed with the exception Mr. Perkins abstained from the March 3rd Closed Session and Mr. Roman abstained from the February 14th Budget Hearing

CORRESPONDENCE**LETTERS FROM RESIDENTS/ORGANIZATIONS**

1. E-mail received February 27, 2009, from New Jersey 211 regarding NJ 211 Calls Increase – Top Three Needs.
2. E-mail received March 2, 2009, from NLC (National League of Cities) regarding the 2009 NLC Congressional City Conference and LTI Seminars.
3. Letter received March 9, 2009, from The Law Offices of Courter, Kobert, & Cohen regarding Charles G. Ort and 51 Drakestown Road, Washington Township.
4. Letter received March 9, 2009, from Charlie Wood Uhrmann regarding People's Choice '07 and LabowLetters.com.
5. Updated letter received March 11, 2009, from Charlie Wood Uhrmann regarding People's Choice '07 and LabowLetters.com.
6. Letter received March 11, 2009, from CMX regarding a recapitalization with American Capital.

RESOLUTIONS / ORDINANCES / CORRESPONDENCE OTHER TOWNS

7. E-mail received February 27, 2009, from the Township of Parsippany – Troy Hills regarding a Resolution Opposing Proposed Legislation Requiring Deferral of Pension Payments.
8. E-mail received February 27, 2009, from the Township of Parsippany – Troy Hills regarding a Resolution Supporting Assembly Bill A-3570.
9. E-mail received March 2, 2009, from the Township of Boonton regarding an NJLM Signature Event for Municipalities.
10. Letter received March 2, 2009, from the Township of Roxbury regarding Land Use Ordinance 01-09.
11. Letter received March 2, 2009, from the Borough of Stanhope regarding a Land Use Ordinance.
12. Letter received March 9, 2009, from the Township of Denville regarding a Resolution of the Township of Denville Opposing Legislation that Would Require Deferral of Half a Billion Dollars in Pension Payments.

DOT/ /DEP / LOI / HIGHLANDS

13. Letter received March 2, 2009, from the State of New Jersey Department of Environmental Protection regarding a Potable Well Water Analyses in the vicinity of Shell Service Station, 90 Rt. 206.
14. Letter received March 9, 2009, from the State of New Jersey Department of Environmental Protection regarding 112 Waterloo Road.
15. Letter received March 9, 2009, from the State of New Jersey Department of Environmental Protection regarding Mount Olive Industrial Realty Company, L.L.C (650 International Drive).
16. Letter received March 9, 2009, from the State of New Jersey Department of Environmental Protection regarding 5 Natures Court, Block 7100, Lot 53.12.
17. Letter received March 13, 2009, the State of New Jersey Department of Environmental Protection regarding RG – Waterloo, L.L.C. regarding Block 106 Lot 2 (28 Continental Drive).
18. Letter received March 13, 2009, the State of New Jersey Department of Environmental Protection regarding Farooq Subdivision, 4 Thirty First Street.

LEAGUE OF MUNICIPALITIES

19. E-mail received February 27, 2009, from the New Jersey State League of Municipalities regarding Cost Saving Ideas, Governor's Office of Economic Growth Resources, and Stimulus Transportation Funding News.
20. E-mail received March 3, 2009, from the New Jersey State League of Municipalities regarding NJLM Mayors Newslines.
21. E-mail received March 3, 2009, from the New Jersey State League of Municipalities regarding Budget and Cap Seminar.
22. E-mail received March 3, 2009, from the New Jersey State League of Municipalities regarding Five Mayors Letters, March Grant Page Posted, Women in Government Event – Last Chance to Register!, 2009 New Jersey Local Government Deskbook, 4% Tax Levy Cap, Federal Stimulus Funding US EPA - Clean Water and Drinking Water State Revolving Funds, and Federal Stimulus Act U.S. Department of Labor Programs and Opportunities.
23. E-mail received March 4, 2009, from the New Jersey State League of Municipalities regarding a 2009 Housing Summit.
24. E-mail received March 4, 2009, from the New Jersey State League of Municipalities regarding Municipal Library Contribution Relief, Federal Stimulus Funding U.S. Department of Justice Byrne Justice Assistance Grants, Important New Information from the Division of Local Government Services, 2008 Laws of Interest, and S-2485 Commercial Development Fee.
25. E-mail received March 5, 2009, from the New Jersey State League of Municipalities regarding Governor Signs Law Officers Suspension Bill and Legislative Alert.
26. E-mail received March 6, 2009, from the New Jersey State League of Municipalities regarding a Seminar Report.
27. E-mail received March 6, 2009, from the New Jersey State League of Municipalities regarding Grant Writing Seminar.
28. E-mail received March 9, 2009, from the New Jersey State League of Municipalities regarding Governor Corzine Announces Economic Recovery Website.
29. E-mail received March 10, 2009, from the New Jersey State League of Municipalities regarding Governor Corzine's Budget Message.
30. E-mail received March 11, 2009, from the New Jersey State League of Municipalities regarding the 2009 Housing Summit.
31. E-mail received March 11, 2009, from the New Jersey State League of Municipalities regarding the 2009 Housing Summit Update.
32. E-mail received March 11, 2009, from the New Jersey State League of Municipalities regarding Support Our Troops, Issue Alert and Governor Corzine's Preliminary Budget Analysis.
33. E-mail received March 12, 2009, from the New Jersey State League of Municipalities regarding Age Restricted Housing Conversion Bill and 4% Tax Levy Cap.
34. E-mail received March 12, 2009, from the New Jersey State League of Municipalities regarding New Pension Deferral Bill.
35. E-mail received March 13, 2009, from the New Jersey State League of Municipalities regarding New Pension Deferral Bill.
36. E-mail received March 13, 2009, from the New Jersey State League of Municipalities regarding State Property Tax Relief Numbers.

UTILITIES

37. Letter received March 4, 2009, from Comcast regarding Music Choice Changes.

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38. Letter received March 5, 2009, from First Energy regarding a Landowner Notification.
 39. Letter received March 11, 2009, from Comcast regarding the NFL Network.
 40. Letter received March 12, 2009, from Comcast regarding Channel Changes effective on or about April 14, 2009.

MSA

41. E-mail received March 5, 2009, from the Musconetcong Sewerage Authority regarding Reorganization and Regular Meeting Minutes of February 4, 2009.

DCA

42. E-mail received March 10, 2009, from the State of New Jersey Department of Community Affairs regarding CY 2009 Budget Deadline Extensions.
43. E-mail received March 13, 2009, from the State of New Jersey Department of Community Affairs regarding Local Finance Notice 2009-06.

LETTER FROM LEGISLATIVE REPRESENTATIVES

44. E-mail received February 27, 2009, from Congressman Rodney P. Frelinghuysen regarding Move to Nationalization? The President's Address, Frelinghuysen Votes Against Omnibus Appropriations Act, Statement on the Budget Proposal, Supporting our Mission in Iraq, New Jersey Congressmen Send Letter to Governor Corzine, Visits American Legion, Spread the eNews, and Contact Rep. Frelinghuysen.
45. E-mail received March 6, 2009, from the 24th Legislative District regarding Governor Corzine Announces Allocation of Millions in Federal Justice Assistance Grants for New Jersey.
46. E-mail received March 6, 2009, from Congressman Rodney P. Frelinghuysen regarding The Week Just Past, A Bloated Omnibus Bill will become law...eventually, Frelinghuysen Votes against Mortgage "Cram down," Pressing the Energy Department to Change, Defense Subcommittee studies soldier injuries, Meets with Veterans, Spread the e-News, and Contact Rep. Frelinghuysen.

MORRIS COUNTY

47. Letter received March 3, 2009, from the Morris County Economic Development Corporation regarding the 6th Annual Morris County Municipal Summit.
48. Letter received March 5, 2009, from the Morris County Economic Development Corporation regarding Featured Site: Morris Crossroads, Mt. Olive, NJ.
49. Letter received March 9, 2009, from the Morris County Board of Taxation regarding a Final Equalization Table for the County of Morris for the Year 2009.
50. E-mail received March 9, 2009, from the Morris County Prosecutor's Office regarding a St. Patrick's Day Celebration.
51. E-mail received March 10, 2009, from Morris County Chamber of Commerce regarding the 6th Annual Morris County Municipal Summit, Affordable Housing and Your Community.
52. E-mail received March 12, 2009, from the Morris County Prosecutor's Office regarding a St. Patrick's Day Celebration Program.

Vice President Labow: On our Correspondence we have, let's see. How many total items of Correspondence this evening? We have 52 items of Correspondence. Would anyone like to address any one of the 52 items of Correspondence? Seeing none, we're going to move on to our Ordinances for Public Hearing.

ORDINANCES FOR PUBLIC HEARING

Vice President Labow: The first ordinance, Ord. #5-2009 is going to be reintroduced with an amendment. That's going to be Mr. Tobey.

Mr. Dorsey: Just introduce it.

Mrs. Lashway: Read it as first reading.

Vice President Labow: Read it as a first reading.

Mrs. Lashway: Amended ordinance.

Vice President Labow: Amended ordinance.

Ord. #5-2009 An Ordinance of the Township of Mount Olive, County of Morris, and State of New Jersey Amending Chapter 400, Land Use, Article III, General Administration; Building Construction; Permits, Section 400-18, Fees, of the Revised General Ordinances. (Revised 3/13/09) **(reintroduce as amended with a public hearing on 4/14/09)***

Mr. Tobey: Okay, I move Ord. #5-2009 to be introduced by title and passed on first reading and that a meeting be held on April 14th, 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 such ordinance in accordance with the requirements of law.

Mr. Perkins: Second.

Vice President Labow: Thank you. Roll Call, please.

ROLL CALL – Passed Unanimously

ORDINANCES FOR FIRST READING – (Second Reading 4/14/09)*

Vice President Labow: Okay, next item on our Agenda is Ordinances for First Reading. We have Ord. #6-2009, entitled:

Ord. #6-2009 An Ordinance of the Township of Mount Olive Establishing Recreation Fees for Various Township-Sponsored Recreational Activities.

Vice President Labow: Mr. Perkins, could you please move that ordinance?

Mr. Perkins: Yes, Madam Vice President. I move that Ord. #6-2009 be introduced by title and passed on first reading and that a meeting be held on April 14th, 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 such ordinance in accordance with the requirements of law.

Vice President Labow: Thank you. Do I have a second?

Mr. Tobey: Second.

Vice President Labow: Thank you. Do I open it to the public at this point?

Mrs. Lashway: No, it's a first reading.

Vice President Labow: It's a first reading. I'm sorry. There's no Council comments either? Oh, Council comments on this one, please. I'm sorry guys. I'm getting my feet wet here.

Mr. Perkins: Waiting to hear about the Beach fees.

Vice President Labow: I'm sorry, Mr. Perkins. What did you say?

Mr. Perkins: I said we're just wanting to know what they're doing with the nonresident Beach fees.

Vice President Labow: Right, Mr. Sohl, you're going to follow up on that for us and get the information? I'm sorry, I can't hear you.

Mr. Sohl: We're going to leave it in, but I think the question was what's the explanation for what the fee is.

Vice President Labow: Exactly, you're going to get clarification.

Mr. Sohl: But I would suggest you pass it on first reading and if it needs to be changed it would be...

Vice President Labow: That's exactly what Mr. Perkins brought up. We're going to move forward with this and you're going to get us clarification on the Beach fees. Thank you. Anyone else have any questions? Seeing none, Roll Call, please?

ROLL CALL – Passed Unanimously

Vice President Labow: We've removed Ord. #7-2009. It's no longer on the Agenda for this evening.

Ord. #7-2009 An Ordinance of the Township of Mount Olive Establishing Salaries of Mayor, Council, Department Heads, Supervisory Personnel and Employees of the Township Clerk's Office for the Year 2009. **(added)* REMOVED**

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 the Use of a Purchasing Contract. (Innovative Municipal Products)
2. Resolution of the Township Council of the Township of Mount Olive Amending the 2009 Temporary Budget for All Funds. **Amended***
3. Resolution of the Township Council of the Township of Mount Olive Reducing the Performance Guarantees Submitted by Paramount Plaza.
4. Resolution of the Township Council of the Township of Mount Olive Authorizing an Award of Contract to T. Slack Environment Services for a Truck Wash Water Recycling System. **(tabled to 3/31/09 to allow for discussion with Board of Education)***

Vice President Labow: We have the Consent Resolutions Agenda. We have four resolutions.

Mr. Roman: Three.

Vice President Labow: Oh, okay, we tabled number four.

Mr. Roman: I see no reason why we need to table resolution number four. Am I to assume that any discussions with the Board of Education, that we're going to re-bid this piece of equipment out?

Mr. Sohl: Probably not but I mean...

Mr. Roman: And are we under the clock to get this thing out?

Mr. Perkins: For the State.

Vice President Labow: The State already...

Mr. Sohl: We just opened the bids. I mean, we don't have an approved facility at this point.

Mr. Roman: Well this is to award a contract.

Mr. Greenbaum: Mr. Perkins wanted it...

Vice President Labow: Mr. Tepper.

Mr. Greenbaum: Mr. Tepper, I'm sorry.

Mr. Sohl: Tepper wanted it.

Mr. Perkins: Don't throw my name around like that.

Mr. Greenbaum: I haven't started yet.

Mr. Perkins: I have a good attorney.

Vice President Labow: Generally, the Consent Agenda is without discussing...

Mr. Sohl: I mean, Administration would not be opposed to seeing it pass.

Vice President Labow: Okay, so why don't we remove number four? Mr. Roman, could you please move the Consent Agenda, resolutions 1 through 3? Then we will discuss 4 separately.

Mr. Roman: I move for approval of Consent Resolutions 1 through 3.

Mr. Perkins: Second.

Vice President Labow: Thank you. Anyone have any discussion? I'll open it to the public. Is there any discussion on resolutions 1 through 3? Seeing none, can we have a 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 3

RESOLUTIONS NON CONSENT

Vice President Labow: Non Consent resolution number 4. Mr. Perkins, would you please move that for us?

Mr. Perkins: Yes, I move Non Consent resolution number 4.

4. Resolution of the Township Council of the Township of Mount Olive Authorizing an Award of Contract to T. Slack Environment Services for a Truck Wash Water Recycling System. **(tabled to 3/31/09 to allow for discussion with Board of Education)***

Mr. Roman: Second.

PUBLIC PORTION ON INDIVIDUAL RESOLUTIONS - none

COUNCIL COMMENTS ON INDIVIDUAL RESOLUTIONS

Vice President Labow: Okay, let's open it up for discussion for Council members. Do we want to...?

Mr. Rattner: Bill, what is the timing on that one? When do bids open because we have 60 days from the bid opening, right?

Mr. Sohl: A couple days, few days ago.

Mr. Rattner: So then we had been, timing is not an issue, what came up before?

Mr. Sohl: You've got a month until the next meeting. We probably have a 60 day notice in there?

Mr. Rattner: Yes, 60 days to issue, to make a decision, yes. So we'll be within the 60 days on the next meeting.

Mr. Sohl: Your call.

Mr. Rattner: Okay, we might as well just let it go.

Vice President Labow: Alright.

Mrs. Lashway: Well, it's been moved and seconded so take a Roll Call, unless someone motions to table it.

Mr. Rattner: I'll motion to table it.

Mr. Tobey: Second.

Vice President Labow: Okay, Mr. Dorsey?

Mr. Dorsey: No, Roll Call...

Mrs. Lashway: Mr. Greenbaum?

Mr. Greenbaum: It's a motion to table?

Vice President Labow: Yes, a motion to table.

Mr. Greenbaum: Yes.

ROLL CALL – Passed with the exception Mr. Roman voted no

MOTIONS

Vice President Labow: Moving on to our public portion... We did that already. I'm sorry, excuse me.

Mr. Perkins: Motions.

Vice President Labow: Yes, we're down to our Motions. Number 1, approval of:

1. Approval of Raffle Application #2298, #2299 & #2300 for PTA Mt. Olive; Raffle Application #2301 for the Budd Lake Vol. Fire Co. #1; Raffle Application #2302 & #2303 for the Mt. Olive High School Parents Club and *Raffle Application #2304 for the Scandinavian American Heritage Society.

Vice President Labow: Mr. Rattner, would you move those?

Mr. Rattner: So moved.

Mr. Perkins: Second.

Vice President Labow: Mrs. Lashway, can I have a Roll Call, please?

ROLL CALL – Passed Unanimously

Vice President Labow: Mr. Tobey, could you please move the Bill List for us?

Mr. Tobey: I move the Bill List.

2. Bill List.

Mr. Greenbaum: Second.

Mrs. Lashway: Sherry's here.

Vice President Labow: Mrs. Jenkins... Mrs..... I'm sorry, Maniscalco.

Mrs. Maniscalco: It's alright, Colleen. Just say Sherry.

Vice President Labow: Okay, I'll just say Sherry. Sherry, we had a question on the Bill List this evening from Mr. Russell.

Mrs. Maniscalco: What do you got?

Vice President Labow: He wanted to know what the cost is, why the electrical cost for the restroom at Turkey Brook Park, \$1,300 for a month.

Mrs. Maniscalco: What's the question? Are you asking why it's that?

Mr. Roman: Why is it so much?

Vice President Labow: Why is it so much?

Mrs. Maniscalco: I have to go back and look at the bill. I don't know off the top of my head. I mean, sometimes we get an estimated bill and then we get the actual and there's an adjustment, but I'll go back and look at it in the morning.

Vice President Labow: Okay, Mr. Roman?

Mr. Roman: Bill, I have a question with a request from Tim as to what exactly is on that meter and why it has to be on.

Mr. Sohl: Well, that's why I can't answer it tonight.

Mr. Roman: Right, so I wouldn't mind if you could have Tim e-mail whatever that response is.

Vice President Labow: Okay, Sherry and Bill, when you get the response for us could you notify the Council and let Mr. Russell also know?

Mrs. Maniscalco: Yes, I always do that.

Vice President Labow: Thank you. Do we have any other questions on the Bill List? Roll Call, please.

ROLL CALL – Passed Unanimously

ADMINISTRATIVE MATTERS

Vice President Labow: Mr. Sohl, do you have any Administrative Matters this evening?

Mr. Sohl: I'd just like to, on behalf of the Mayor and I, thank the Council for removing that one ordinance. The way it ended up on the Agenda to begin with was through no notification whatsoever to the Administration until we walked in the door Monday morning. Not the way to do business.

Mr. Dorsey: I don't know what that means.

Vice President Labow: Okay, thank you. Anything else, Mr. Sohl? Nothing else? Okay. Old Business. Anyone have Old Business this evening? Seeing none, New Business. Alright, Legal Matters, Mr. Dorsey?

OLD BUSINESS - none

NEW BUSINESS- none

LEGAL MATTERS

Mr. Dorsey: I would just say that last week we had a very serious hour discussion relative to utility rates. There were about ten or twelve people there. All I had to do was concede that Mr. Rattner was right on two points and that ended everything very amicably.

Mr. Roman: Will there be plaque presented?

Mr. Dorsey: I think there will be.

Vice President Labow: Thank you, Mr. Dorsey. Anything else?

Mr. Perkins: Two?

Mr. Dorsey: Two.

Vice President Labow: Two in a row.

Mr. Dorsey: I admitted I was wrong.

Mr. Roman: Steve looks like the cat that swallowed the canary.

Vice President Labow: Can we present you a plaque for that?

Mr. Perkins: Doesn't he look like the canary is in there?

COUNCIL REPORTS

Vice President Labow: Okay, Council Reports. Recreation Liaison Report, Mr. Roman?

Recreation Liaison Report

Mr. Roman: Yes, of substance to note, the Board of Education Business Committee, in efforts to reduce costs, has proposed that during the summer to be closed on Fridays. Recreation is looking, obviously that will impact some of the Recreation camps that go on during the summer. Recreation is waiting to see what the cost would be if those camps were to pay for the services of those days being closed. Also, it was brought up about putting a people bridge on Route 46 from the High Noon bar to the Beach area. There will be more information on that. That is it.

Vice President Labow: Thank you very much, Mr. Roman.

Mr. Sohl: Colleen?

Vice President Labow: Board of Health Report, Mr. Perkins?

Mr. Sohl: Mr. Roman's point on the people bridge.

Vice President Labow: Oh, sorry. Mr. Sohl?

Mr. Sohl: There is a request that we have sent down to Trenton and they are pondering it.

Vice President Labow: I can't hear you, Mr. Sohl.

Mr. Roman: ...response five years from now.

Vice President Labow: Mr. Sohl, we're not picking you up.

Mr. Sohl: The people bridge over Route 46 by the western end of the Lake. That request has been formally delivered a number of months back, actually, well into the '08 timeframe. We got what I'll call a form letter back that said they're looking into it.

Vice President Labow: Okay, thank you. Mr. Perkins, do you have the Board of Health Report?

Board of Health Report

Mr. Perkins: Madam Vice President, we have a special public meeting scheduled for the 30th.

Vice President Labow: For, I'm sorry I couldn't hear you. I couldn't hear you. I'm sorry.

Mr. Perkins: You couldn't hear me?

Vice President Labow: I couldn't hear you. Mr. Rattner and Mr. Dorsey are talking.

Mr. Perkins: We have a special public meeting scheduled for the 30th.

Vice President Labow: Thank you. 7:30?

Mr. Perkins: Yes, ma'am.

Vice President Labow: Planning Board Report, Mr. Greenbaum?

Planning Board Report

Mr. Greenbaum: Has no applications but had a lot of discussion matters on ordinances which are going to be coming to the Council. The first ordinance related to the driveway fee, and there was, I don't know if everyone saw, I think there was a memo with respect to some language which was proposed to be changed. I thought it was actually a very good change.

Vice President Labow: Yes, the slope.

Mr. Sohl: You just voted on it.

Mr. Greenbaum: Oh, we voted on it already?

Vice President Labow: Yes.

Mr. Greenbaum: Alright, so obviously everyone agreed with the Planning Board. Other ordinances which are coming, Land Use Ordinance Section 400-81, Fences and Walls, has to do with walls that are nonconforming properties. There was a discussion with respect to development fees and affordable housing contribution. We're going to be getting a new Tree Ordinance which is more workable according to our professionals. There was a discussion about an ordinance to include swimming pools as in the bulk standard for residential lots, which we're going to be getting. There was significant discussion with respect to the pending legislation to open up age restricted zones to allow for market rate units because of the glut of affordable...

Vice President Labow: Age restricted housing.

Mr. Greenbaum: ...of age restricted housing. There was a recommendation from the Planning Board that in fact we are going to get something from Ed Buzack to the Council indicating what the Planning Board's position was, that we oppose the bill and/or recommend that if the Legislature is going to consider opening up age restricted zones to market rental units, that the bill also take into account the cost of doing business to the Town, so that there would be a provision that would require anyone that took advantage of that to then pay for the implications that would occur as a result of opening it up, whatever it may be, things which are prohibited now to be included within the bill.

Vice President Labow: How would that affect the COAH?

Mr. Greenbaum: I believe that it would not increase the COAH obligation. That was one of the benefits of opening it up, that Legislators saw that it would not increase the COAH obligation. We'd still get the benefit of the set aside that's already on the property.

Vice President Labow: Thank you, Mr. Greenbaum. Board of Adjustment Liaison Report, Mr. Greenbaum.

Board of Adjustment Liaison Report

Mr. Greenbaum: Yes, they said the Pledge of Allegiance and the Open Public Meetings Act and after that they basically concluded the meeting.

Open Space Committee Report

Vice President Labow: Alright, Open Space Committee Report is myself. I spoke about it briefly in the Workshop session. We did have our meeting on Monday and we talked about the passing of Earl Spino and all of the great things Mr. Spino did for Township in terms of Open Space. One thing I did find out that evening that I did not know is that Mr. Spino had Mrs. Szwack and Mrs. Murphy over his house and actually sat at the kitchen table and crafted the Open Space ordinance. Definitely for everyone in the Township who has benefited greatly by all of his initiative in promoting Open Space throughout the Township. He will be missed. Other items of discussion for Open Space, we talked about what funding we would need for any projects coming up for the future, for this year 2010, 2009, sorry. I'm already on 2010. Alright, next Report we have Legislative Committee Report, Mr. Perkins.

Legislative Committee Report

Mr. Perkins: Nothing to report, Madam Vice President.

Pride Committee Report

Vice President Labow: Alright, Pride Committee, we meet next week. Board of Education Liaison Report, Mr. Roman. I understand you had a standing room only meeting last night.

Board of Education Liaison Report

Mr. Roman: No, I got a seat.

Vice President Labow: Oh, there you go.

Mr. Rattner: Rank has its privileges.

Mr. Roman: No, I got there late too. It was a great turnout. I do not envy the position of a Board of Education member nor do I envy Dr. Reynolds. He presented his budget to the Board of Education. The proposed tax increase as presented, he said it would be in the neighborhood of about \$300 for the average home. That was perceived by some residents as hogwash for lack of a better term. Some of the items that were proposed in order to cut stuff from the budget were elimination of a few supervisory positions, and a yearly charge of \$100 per student at the High School for participation in sports. That brought out a good amount of discussion. Also, one thing I found very interesting was staggering the opening of the Elementary Schools in which case Tinc Road was presented to be the one that would see the most drastic of change, which would be a 20 minute later opening. That was done in order to eliminate a couple of bus runs. That is it.

Vice President Labow: Thank you very much. Next on the Agenda we have our Lake/Environment Issues Committee Report. Mr. Rattner?

Lake/Environment Issues Committee

Mr. Rattner: Yes, we met last week planning the semi annual cleanup for May 16th. One of the big issues that came up that is related to tonight's discussion was the fact that there's a lot more heavy garbage. We're talking about pieces of docks, boats, things like that in the Lake and whether we were going to attempt to try to take it out. If it was, would we be able to get equipment from the Town, like one time we got a garbage truck with a wench on it to actually pull some of the heavy stuff out. I don't have my notes with me. I'll report next meeting and see where we're going with it, but it is a major concern because of all of the stuff. It doesn't look like too much along the shoreline that we can see right now, but that's because a lot of stuff is floating on the back side of the Lake, and when the weather clears up the wind changes and blows everything toward 46. So we expect to see a lot more.

Vice President Labow: Okay, very good. Thank you. Safety Committee Liaison Report, Mr. Perkins?

Safety Committee Liaison

Mr. Perkins: No meeting, Madam Vice President.

Vice President Labow: Okay, thank you. Economic Development Committee Report, Mr. Rattner.

Economic Development Committee Report

Mr. Rattner: Three month hiatus. We met again last week. The Clerk swore in a new member from a representative from the Wyndham Motel. We're moving with the marketing plan we're trying to do for Mount Olive, trying to get more of the business, especially the four realtors are now competing against each other in the Trade Zone itself. One of them is doing very good. We'd love to get him. The guy who bought 500 International filled up the building right away. He was able to go out and market and that's 100% occupied. What they're hoping is he's looking, he uses smaller areas of space. As the company gets successful, they'll move them into other areas in the Trade Zone itself. One thing I did want to bring up is that the County has its municipal summit scheduled for tomorrow night. It's 5:00 this year. It's at the School for the Blind in Denville. They're looking for a free place. We were hoping to get it in the BASF building but it was too far out.

Vice President Labow: Thank you. Next report we have Solid Waste Advisory Committee Report, Mr. Perkins?

Solid Waste Advisory Committee Report

Mr. Perkins: Nothing to report.

Vice President Labow: Mr. Tobey, Library Board Liaison Report.

Library Board Liaison

Mr. Tobey: There was a meeting last Wednesday. Mr. Scott Davan, the Director, gave what I thought was a pretty detailed and professional report of the happenings for the month of February. The Library is in good hands with the Board and Mr. Davan. That's all.

Senior Citizen Liaison

Vice President Labow: They're doing an excellent job. Thank you. Senior Citizen Report, myself. I have nothing to report on that this evening. And now we'll open it to the public. Mr. Russell, would you please come to the podium?

PUBLIC PORTION

Nelson Russell, Budd Lake: Every meeting we ask for a Solid Waste Advisory Report. That Committee hasn't met in six months. It was reestablished when the trash center was raising their rates. We all got our underwear in a twist and there was really nothing about it. There really is no reason for that Committee to even exist and I'm on it.

Mr. Perkins: Are you resigning?

Mr. Russell: No, I'm not resigning. If it ever meets again, I'll show up.

Mr. Perkins: As a matter of fact, Mr. Tobey and I had spoken about that briefly at the last meeting, and we are anticipating probably within the next month, Nelson, of trying to get together with a meeting. There are some issues, as you know. The costs that keep going up and the price that we get on the tonnage is going down, and there's different things that we need to discuss.

Mr. Tobey: Nelson, excuse me. I have communicated with Mr. Quinn also with regards to a meeting, and since nothing was really pending, we just decided not to have the meeting. So he and I have communicated behind the scenes with regards to that.

Mr. Russell: Okay, I just know that I haven't been to a meeting in six months.

Mr. Perkins: Yes, we're going to have a meeting. Phil's bringing pizza.

Mr. Tobey: Thanks.

Mr. Russell: Okay, another point, I'm surprised that the Council voted in the affirmative for Ord. #6-2009, which theoretically is the fee schedule for Recreation. I guess these are individual fees. So if I decide to play men's softball, it's been \$1,000 and \$2,000 depending on what?

Mr. Roman: That's for a team.

Vice President Labow: That's for the teams.

Mr. Russell: It should say per team.

Vice President Labow: In the backup documentation it does.

Mr. Russell: What does it take to rent the Beach? Well, it's either \$30 or \$65 or more depending on what? This isn't a fee schedule. What are you voting on?

Mr. Roman: Well, if I interpret this, it allows Recreation to at least give them a range.

Mr. Russell: It's a budget perhaps, but it's not a fee schedule. I mean, this...

Mr. Roman: If it's determined that certain programs, you know, she says should be charged, let's say, \$75 and we put the cap at \$65 then she can't. So at least by putting that range, I mean, just an example. I participate in basketball and what I was charged last year was in between that range. If next year going forward she proposes that it should be, say, \$75...

Mr. Russell: Set the price and then vote on it, just don't have a...

Mr. Roman: Yes, but I think that's something for the Administrative position to set the exact price. We're just giving guidelines as to what the maximum or at least the minimum should be. I believe that would be micromanaging on our part.

Mr. Russell: I think what you voted on here is...

Mr. Sohl: It's worked out fine.

Vice President Labow: Mr. Russell, they also have families that are, you know, special considerations for financial needs and things like that. So in the past Jill has requested a range so that they have a little bit of flexibility.

Mr. Russell: I can understand scholarships but we should still have a fixed price on particular programs.

Mr. Greenbaum: It's hard to do that because you don't know what all of the costs are going to be. Generally, it's not the only area where we do give ranges. For instance, we have ranges for salaries between particular positions, between X and Y. Ultimately, this is the way that we always deal with Recreation so that she doesn't have to piecemeal it. She doesn't have to come to us. She can set it as the programs move forward.

Mr. Russell: Specifically, \$5 a day nonresident Beach, \$155 family season. I can see voting on that figure. \$1,000 to \$2,000 per team on softball.

Mr. Greenbaum: You know what? It's left to her discretion. We find that range to be acceptable and ultimately, if a particular team finds that that range is unacceptable, they're not going to play.

Vice President Labow: Okay, Mr. Perkins.

Mr. Perkins: Nelson, this is just introduced. So at the next meeting Jill will be here and you can ask a lot of those specific questions. Maybe she will have finitely come up with some more definitive numbers instead of so much range.

Mr. Russell: I'm just saying before it's voted on we should have some specific figures.

Mr. Perkins: Yes, we just introduced it tonight. So it doesn't get voted on until next meeting.

Mr. Russell: No, but it would be voted on with these figures.

Mr. Perkins: We voted to introduce it, alright? It still needs, at the next meeting, to be opened to the public for full discussion. The Department Head will be here to answer any questions, and hopefully some of those fees may be finitely tied down more by then, Nelson.

Mr. Greenbaum: I doubt it. It's not the way that it operates.

Mr. Roman: Nelson, I for one have extreme confidence in Jill charging whatever it is per program in order to attain the utmost, you know, the maximized attendance. If she feels she needs to lower it to increase the attendance and increase potential revenue, then I leave that up to her discretion.

Mr. Russell: But if I decide to rent the Beach for a party I'd like to know what it costs.

Mr. Roman: But you were at least given a range, and at least you were told if you wanted to rent the Beach for a party, she cannot go above a certain amount.

Vice President Labow: And it also depends, Nelson...

Mr. Russell: \$65 plus.

Vice President Labow: It depends on how many people you're going to have. They see how many lifeguards they have to have present also. So \$65 is probably the minimum amount, and if you go and have 30 to 40 people there she would have to have more lifeguards. So you'd have to discuss the particulars with Jill. This is what she's requested from us, the range that she needs to operate her Recreation program appropriately.

Mr. Russell: I just think they should be more specific.

Vice President Labow: Alright, thank you very much. We're not going to have Jill come to the April 14th meeting.

Mr. Perkins: It's up to you. I don't care. Well, Russ.

Vice President Labow: Yes, Mr. Russell, if you could just give Jill a call she could explain some of it to you.

Mr. Sohl: Do you want Jill at the next meeting?

Mr. Roman: No.

Vice President Labow: No, it's not necessary. Anybody else from the public? No one else from the public wants to come up to the podium and I close this portion of the meeting to the public. Next on the Agenda, Council Comments.

Mr. Dorsey: Council Comments.

Vice President Labow: Thank you, Mr. Dorsey. Council Comments. Mr. Greenbaum?

COUNCIL COMMENTS

Mr. Greenbaum: Yes, thank you. I'd like to comment first of all on the ordinance that we removed this evening. I have to say that I agree with Sherry and the employees, and I also agree with Dave Jones and the sentiment of the taxpayers in terms of what we're looking at this year, and the problems that everyone is facing. I'm not particularly happy with this particular ordinance ending up on the Agenda in the fashion that it ended up in. Russ, as Council President, has the right to set the Agenda and so be it. It ended up on the Agenda. I thought it was poorly handled by him but as Council President he had the right to do it. I think he made a mistake and I think it should have been taken off immediately by this Council when he was not here to defend his actions. I thought that the Council made a very bad decision this evening, at first, in not removing it simply because he was not here. There was no great rush to push this through which in fact is part of the problem that I have with the fact that it ended up on the Agenda in the fashion that it did. I think that the employees were absolutely 100% correct in terms of their reaction to the fact that this ended up on the Agenda without any discussion with the employees, without any discussion with the Administration. I think the fact that it ended up on the Agenda even though the Mayor was not here is just circumstance. I think had the Mayor been here it would have ended up on the Agenda, and the fact that he wasn't here had nothing whatsoever to do with the fact that it ended up on the Agenda. I know that because I did speak to Russ very briefly about his desire to put this on, and my objection to having it on for many of the reasons that we discussed in closed session. I just thought it was very poor timing and very poor, just poorly handled. I hope in the future that we learn from this particular... I'm not saying that the substance of what it attempted to achieve was incorrect. I pass no judgment on whether or not increases are appropriate or layoffs are appropriate. I simply pass on the timing and the way that it was handled. I think that was wholly inappropriate.

Vice President Labow: Thank you, Mr. Greenbaum. Mr. Tobey?

Mr. Tobey: No comment.

Vice President Labow: Mr. Perkins?

Mr. Perkins: No comment.

Vice President Labow: Mr. Roman?

Mr. Roman: Having freshly attended the Board of Education meeting last night and hearing the responses from the audience, starting to run through my mind were some of the comments that I've been getting from my customers. It is pretty bad out there. I know many people that have gotten laid off, are scared that they might be getting laid off, have made appointments and cancelled because they got laid off. This year when it came time to give my employees a raise, I approached them and I told them it can't happen this year. At first I was tentative about making that comment, you know, worried what it would do to morale. Frankly, he looked at me and said, "I wasn't expecting one." When I've been sending them home early on occasion, worried that they would be upset, that did not happen. Everybody's feeling it and they are, in my opinion, responding naturally the way it happens. This, frankly, I always thought that spending people's money, the taxpayer's money would be some of the easiest things to do, but it is not. It's harder for me to spend the taxpayer's money than it is to

Mr. Roman (Cont'd): spend my own money. I am cognizant of that fact and I hope that when decisions that are made that are perceived by the taxpaying public and the employees that it is not an easy decision. That is it.

Vice President Labow: Thank you, Mr. Roman. Mr. Rattner?

Mr. Rattner: I have no comment.

Vice President Labow: And I have no comments. Can I have a motion to adjourn, please?

Mr. Perkins: So moved.

Vice President Labow: Thank you, second? Any second?

Mr. Roman: Second.

Vice President Labow: All in favor?

AYE

Motion was made and seconded, all in favor and none opposed, the meeting was adjourned at 10:33 pm.

Russell J. Tepper, Council President

I, Lisa Lashway, 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 April 14, 2009.

Lisa Lashway, Township Clerk