

In compliance with the Open Public Meetings Act of the State of New Jersey adequate notice of this meeting has been mailed to The Daily Record and posted at the municipal building.

ROLL CALL:

Members Present: Joe Fleischner, Dan Nelsen, Mayor Robert Greenbaum (7:48), Nelson Russell, David Scapicchio, Jim Staszak, Scott Van Ness, Pat Walsh, Steve Bedell, Brad Zwigard, Howie Weiss

Professionals Attending: Chuck McGroarty, Planning Consultant, Eugene Buczynski, P.E., Edward Buzak, Esq., Catherine Natafalusy, Planning Administrator

Professionals Excused: Tiena Cofoni, Esq.

MRS. NATAFALUSY: The first order of business tonight is the nomination of a Chairman. May I have a motion?

MR. SCAPICCHIO: I would nominate Howie Weiss.

MR. FLEISCHNER: I'll second it.

MRS. NATAFALUSY: Any other nominations for Chairman? Okay.

- Joe Fleischner - yes
- Dan Nelsen - yes
- Nelson Russell - yes
- David Scapicchio - yes
- Jim Staszak - yes
- Scott Van Ness - yes
- Pat Walsh - yes
- Steve Bedell - yes
- Howie Weiss - yes

MR. WEISS: And gentlemen thank you very much for your vote of confidence I trust that I've been doing a fairly good job in the last couple of years. I enjoy what I do so let's look forward to a good year. Catherine thank you for taking over. At this point let's take a nomination for Vice Chairman of the Planning Board.

MR. VAN NESS: I nominate Jim Staszak.

MR. WEISS: Scott you nominate Jim Staszak, David was that a second?

MR. SCAPICCHIO: I'll second it.

MR. WEISS: Any other nominations? Seeing none, Catherine roll call.

- MRS. NATAFALUSY:
- Joe Fleischner - yes
 - Dan Nelsen - yes
 - Nelson Russell - yes
 - David Scapicchio - yes
 - Jim Staszak - abstain
 - Scott Van Ness - yes
 - Pat Walsh - yes
 - Steve Bedell - yes
 - Howie Weiss - yes

MR. STASZAK: Thank you gentlemen, thank you very much.

MR. WEISS: Secretary any nominations?

MR. RUSSELL: I nominate Catherine Natafalusy.

MR. NELSEN: Second.

MR. WEISS: Any other nominations? Seeing none Catherine roll call?

MRS. NATAFALUSY: Joe Fleischner - yes
 Dan Nelsen - yes
 Nelson Russell - yes
 David Scapicchio - yes
 Jim Staszak - yes
 Scott Van Ness - yes
 Pat Walsh - yes
 Steve Bedell - yes
 Howie Weiss - yes

MR. WEISS: The next nomination for Board attorney.

MR. STASZAK: I nominate Edward Buzak, Buzak Law Group.

MR. NELSEN: Second.

MR. WEISS: Thank you gentlemen any other nominations? Seeing none Catherine roll call?

MRS. NATAFALUSY: Joe Fleischner - yes
 Dan Nelsen - yes
 Nelson Russell - yes
 David Scapicchio - yes
 Jim Staszak - yes
 Scott Van Ness - yes
 Pat Walsh - yes
 Steve Bedell - yes
 Howie Weiss - yes

MR. BUZAK: Thank you very much I appreciate it.

MR. WEISS: Thank you Ed. Next nomination is for Planning Board Engineer. Do I hear any nominations?

MR. WALSH: I nominate Gene.

MR. BEDELL: I will second that.

MR. WEISS: Pat, Steve thank you very much. Do we have to be specific is it Gene or is it

MRS. NATAFALUSY: Gene Buczynski of Van Cleef Associates.

MR. BUCZYNSKI: Eugene Buczynski of Van Cleef Engineering.

MR. WALSH: Okay.

MR. WEISS: No, no I wasn't sure because we'll probably ask the same question for Chuck. Obviously Gene you're our engineer is it just officially is it you or with the firm?

MR. BUCZYNSKI: I think its Eugene Buczynski of Van Cleef Engineering of the firm.

MR. WALSH: Gene Buczynski of Van Cleef Engineering.

MR. WEISS: Thank you Pat, Steve you're good with that?

MR. BEDELL: Yes.

MR. WEISS: Okay any other nominations? Seeing none Catherine roll call?

MRS. NATAFALUSY: Joe Fleischner - yes
 Dan Nelsen - yes
 Nelsen Russell - yes
 David Scapicchio - yes
 Jim Staszak - yes
 Scott Van Ness - yes

Pat Walsh - yes
 Steve Bedell - yes
 Howie Weiss - yes

MR. BUCZYNSKI: Thank you gentlemen.

MR. WEISS: Gene our pleasure thank you again. Next nomination is for our Planning Consultant.

MR. NELSEN: I nominate Chuck McGroarty.

MR. WEISS: Of Banish Associates?

MR. NELSEN: Yes.

MR. STASZAK: Second.

MR. WEISS: Seeing no others Catherine roll call please?

MRS. NATAFALUSY: Joe Fleischner - yes
 Dan Nelsen - yes
 Nelson Russell - yes
 David Scapicchio - yes
 Jim Staszak - yes
 Scott Van Ness - yes
 Pat Walsh - yes
 Steve Bedell - yes
 Howie Weiss - yes

MR. MCGROARTY: Thank you very much.

MR. WEISS: And the final nomination for our Environmental Consultant I will nominate Dr. Jeffrey Keller of Habitat by Design.

MR. RUSSELL: I'll second it.

MR. WEISS: Thank you Nelson.

MR. FLEISCHNER: Could I have a question though?

MR. WEISS: Sure.

MR. FLEISCHNER: The rate that we're going to pay him is the same rate as we didn't pay him last year because I don't think he attended . . .

MRS. NATAFALUSY: He didn't attend any meeting last year.

MR. FLEISCHNER: No that's what I thought.

MRS. NATAFALUSY: It was the year before.

MR. WEISS: I think Joe to answer your question because I did have communication with Dr. Keller, I think his contract is up slightly but still down from where it was.

MRS. NATAFALUSY: It was down from where it was five or six years ago but it was up I think \$3.00 from last year's rate.

MR. FLEISCHNER: I was just wondering because he wasn't here last year.

MR. WEISS: Yeah well he's not going to try to make it up.

MR. FLEISCHNER: No and he wouldn't I don't think he would.

MR. WEISS: But no there was a slight increase, a very small increase. Any other questions?
 Seeing none roll call?

MRS. NATAFALUSY: Joe Fleischner - yes
 Dan Nelsen - yes
 Nelson Russell - yes
 David Scapicchio - yes
 Jim Staszak - yes
 Scott Van Ness - yes
 Pat Walsh - yes
 Steve Bedell - yes
 Howie Weiss - yes

MR. WEISS: And again I'm really very pleased at our group of professionals there is no doubt. I have seen other Planning Boards and Land Use Boards and I think we have by far the finest professionals and certainly as the Chairman I'm very comfortable sitting up here knowing you guys have our backs. All right gentlemen let's move right along the next item of business is the adoption of the 2012 Meeting Dates. If you recall we have a copy of that and based on a prior straw poll I think if you look at the ordinance that's presented we're calling for meetings to start at 7:00 starting next week, moving from the 7:30. So that's one thing I point out from the document. Does anybody have any second thoughts about that? Anyone have more conversation? Let's review, we start at 7:00 we will be done at 10:00 we'll use the same process that we were using somewhere about 9:30, 9:40 if we're running that late. I'll notify the applicant that we're going to be wrapping up at about 9:50 we'll finish any unfinished business and we'll be closing the doors at 10:00. Every now and then I think last year I think we went once past 10:30 so we did a very good job keeping to our schedule 7:00 to 10:00 seems to be what we wanted, we talked about it I think we've notified the one applicant who is carried over that it will be most likely at 7:00 and that's going to be in February. So any other conversation, any comment? Pat?

MR. WALSH: Do the meetings usually go to 10:00?

MR. WEISS: It's rare Pat we were starting at 7:30 and rarely did we get to 10:30.

MR. RUSSELL: I notice November only has one meeting is that the Municipal Alliance?

MRS. NATAFALUSY: That's the League of Municipalities.

MR. WEISS: Yeah with Thanksgiving.

MRS. NATAFALUSY: We always have one meeting in November.

MR. RUSSELL: Okay.

MR. WEISS: Anything else? So I'll entertain a motion to accept the adoption.

MR. WALSH: So moved.

MR. BEDELL: I'll second that.

MR. WEISS: Any other conversation? All right gentlemen thank you. Catherine roll call.

MRS. NATAFALUSY: Joe Fleischner - yes
 Dan Nelsen - yes
 Nelson Russell - yes
 David Scapicchio - yes
 Jim Staszak - yes
 Scott Van Ness - yes
 Pat Walsh - yes
 Steve Bedell - yes
 Howie Weiss - yes

MR. WEISS: Okay we're going to vote now on the adoption of the official newspaper for the Planning Board.

MRS. NATAFALUSY: Daily Record.

MR. WEISS: The Daily Record right we're voting to make the Daily Record the official newspaper for the . . .

MR. BEDELL: I'll make the motion we make the Daily Record the official newspaper of the Mt. Olive Planning Board.

MR. WEISS: Thank you Steve.

MR. VAN NESS: Second. Is it the Township's paper as well?

MRS. NATAFALUSY: Yes. Whatever the Council adopts as official newspaper.

MR. WEISS: Okay no other conversation seeing none Catherine roll call?

MRS. NATAFALUSY: Joe Fleischner - yes
Dan Nelsen - yes
Nelson Russell - yes
David Scapicchio - yes
Jim Staszak - yes
Scott Van Ness - yes
Pat Walsh - yes
Steve Bedell - yes
Howie Weiss - yes

MR. WEISS: The next item is Rules of Procedure I'm sure . . . the document has not changed from last year correct?

MRS. NATAFALUSY: No the only thing I did change in the document was to put it to 7:00 start. That's Item 1:3-1.

MR. WEISS: I know for new members Brad I think I gave this to you last year, a copy of it. Pat maybe a document just become familiar with you know . . . we haven't had to many adversarial applications but not to say there's not any coming it might be important just to understand how the Planning Board operates.

MR. WALSH: Great okay.

MR. WEISS: So again with very little changes to that is there any other questions on it? Seeing none motion to accept the Rules of Procedure?

MR. VAN NESS: So moved.

MR. BEDELL: I'll second.

MR. WEISS: Any more comments? Catherine roll call?

MRS. NATAFALUSY: Joe Fleischner - yes
Dan Nelsen - yes
Nelson Russell - yes
David Scapicchio - yes
Jim Staszak - yes
Scott Van Ness - yes
Pat Walsh - yes
Steve Bedell - yes
Howie Weiss - yes

MR. WEISS: Okay we're going to look to fill some of the committees. The first committee that we want to fill is the Ordinance Committee.

MR. BEDELL: I'll remain on that I was on that last year.

MR. FLEISCHNER: I'd like to do it again.

MR. WEISS: Okay so we have Steve, Joe and Jim. Now some of these meetings were they by day was that what we were looking for?

MR. BUCZYNSKI: Yeah.

MRS. NATAFALUSY: Yeah.

MR. WEISS: Does that work for you still?

MR. STASZAK: Yeah, yeah.

MR. WEISS: Okay.

MRS. NATAFALUSY: Jim you're staying on the ordinance committee?

MR. WEISS: So I have Steve, Joe and Jim.

MRS. NATAFALUSY: Okay.

MR. WEISS: And kind of like I did last year I'll pop in on those as well. So thank you gentlemen for stepping up there. Street naming committee?

MR. BEDELL: You did a great job last year you might as well stay on there.

MR. WEISS: You know what, that committee that's me I started that committee and the fact that we're not naming to many streets (inaudible) so I will continue to stay on the street naming committee. Anybody else? Actually what we really need to do is sit down with the Historical Committee and just make sure our records are in sync so there is a little bit of work to do. Scott was that a hand up?

MR. VAN NESS: Yes.

MR. WEISS: Thank you Scott.

MR. WALSH: If you want a third person I'll do it.

MR. WEISS: Thank you Pat. Anybody else? Okay we have three. Alternates can be on these committees correct?

MRS. NATAFALUSY: Yes.

MR. WEISS: Okay we're good. Site Inspection Review Committee I want to go over a little bit what that entails I know I have two quick hands with Scott and Joe. Catherine.

MRS. NATAFALUSY: I was just asking Chuck do we really need this committee. I don't think we've ever even utilized the site inspection review committee in the last few years.

MR. FLEISCHNER: We did when Toll Brothers was . . .

MR. WEISS: Didn't we do the horse farm?

MRS. NATAFALUSY: When we were doing Marveland Farms.

MR. FLEISCHNER: And also Toll Brothers when they were first breaking ground.

MR. WEISS: I guess for some of the large application it might be wise to at least know we have that.

MRS. NATAFALUSY: Okay.

MR. WEISS: I have Scott and Joe, Dave and Dan thank you. Environmental Commission?

MR. RUSSELL: I'll stay on it.

MR. WALSH: May I ask a question?

MR. WEISS: Sure.

MR. WALSH: When you have these groups like site inspection review and you have four does that mean like if you're going to inspect is it required that all four people do it?

MR. WEISS: No Pat as a matter of fact it's not that the committee is going to inspect anything it's a review of the plans.

MR. WALSH: Oh okay I gotcha okay.

MR. WEISS: And again as Joe kind of . . . good evening Mayor. Kind of what Joe kind of explained on larger applications when there's a lot of detail the applicant kind of appreciates a little insight from the Planning Board. An unofficial straw poll I guess we can call it that so that's why we put together the committee. So nobody has the lead and walk the site and being that you brought that up over historically Pat in the past as a Planning Board announced our meetings and gone out to a site to inspect it that's a different story.

MR. WALSH: Okay gotcha. Thank you.

MR. VAN NESS: This would have worked well with Panera Bread actually. We probably should have offered this to Panera Bread and their issue.

MR. WEISS: For what a review?

MR. VAN NESS: Yeah.

MR. WEISS: Or probably a site visit.

MR. VAN NESS: A site visit with the review of the plan.

MR. WEISS: Maybe because that one was so obvious when you think about it.

MR. FLEISCHNER: Initially it wasn't I went there and asked them, I said are you going to service this from the same kitchen? And the manager told me at that time he said no we're going to build a separate kitchen. So I had a little better understanding of it because I had . . . you know to me it made no sense what they originally proposed.

MR. WEISS: Well we'll keep that in mind Scott if anybody on the Planning Board thinks that we should inspect the site step right up. We need . . .

MRS. NATAFALUSY: Excuse me if you're talking about a site inspection then if there's a quorum we'd have to notice it.

MR. WEISS: I had mentioned that.

MRS. NATAFALUSY: Oh I'm sorry I missed it.

MR. WEISS: No if we do go out and visit a site we'd have to notice.

MRS. NATAFALUSY: Right.

MR. FLEISCHNER: Unless there's no quorum.

MRS. NATAFALUSY: Right.

MR. FLEISCHNER: If it's one or two people then it's . . . and that's what we've done in the past.

MRS. NATAFALUSY: Okay.

MR. WEISS: Okay Open Space Committee we certainly have been without representation since Rene . . . we really need to think about this gentlemen we need somebody to sit on the Open Space Committee.

MR. WALSH: Well what do you do, do you actually go their meetings and . . .

MR. WEISS: It's the liaison to the Open Space Committee and report back to the Planning Board what their trying . . .

MR. WALSH: Well I'm actually the liaison to the Board of Education for the Council; does it save time to have me be both so that only one person has to go? Or is that not allowed. Or does somebody here want to go because I don't want to take any spots either.

MR. WEISS: Well I know we skipped over Open Space Pat but that's a good question.

MR. WALSH: I only brought that up because that's . . .

MR. WEISS: The Board of Education Committee was started probably a year ago, Rene using here contact with the Board of Education on a once a year basis right Catherine?

MRS. NATAFALUSY: Yes.

MR. WEISS: I think it was just to sit down, and last year I met with the Superintendent with Rene and some of their members and we just kind of exchanged ideas this is where we're going, this is where they're going, this is what's in front of us, here's what's on the horizon. Not a very formal meeting just kind of a sharing of information.

MR. BEDELL: I think we had what two meetings last year? I know we had one with Larry but . . .

MR. WALSH: The only reason I brought it up is if I mean if somebody wants that they can have it but if I'm already there I'm happy to be that person if you need me to do it. And if not I can do the Open Space but whatever.

MR. WEISS: Well I got to tell you we don't have any other volunteers for Open Space I don't see.

MR. WALSH: Well I don't want to do both I got so much going right now.

MR. WEISS: I'm going to actually ask you for . . . I'll take you up on the Open Space.

MR. WALSH: Okay.

MR. WEISS: And then that leaves us with the Board of Education, Steve can I look your way and say . . .

MR. BEDELL: You can look my way yeah that's fine yeah.

MR. WEISS: Okay so we're going to put Steve on the Board of Education liaison and Pat as the Open Space Committee.

MR. WALSH: Okay and is that an every meeting type thing?

MR. WEISS: I think it's you have to be their point person I would tell you that . . . I'm not going to sit here and tell you you have to go to every meeting but make yourself available.

MR. WALSH: Basically just like with Council I'm the liaison to report back to you guys?

MR. WEISS: Correct. Rene enjoyed it and Rene went to every one of their meetings and I don't want to discredit anything I'm not going to tell you you don't have to go but I'm sure you can figure out the best way to work your schedule that you get that job done.

MAYOR GREENBAUM: Touch base with Kathy Murphy she'll be able to tell you exactly what you need to know.

MR. WEISS: Good advice Mr. Mayor. All right gentlemen thank you very much let's move on our next item on the agenda is the resolutions to authorize the award of non-fair and open contract for professional services. Are we going to do them all together Catherine?

MRS. NATAFALUSY: Can we just do all in favor on this?

MR. BUZAK: No I think we should have a roll call vote on it.

MRS. NATAFALUSY: On all of them together.

MR. BUZAK: Yes.

MRS. NATAFALUSY: Okay.

MR. WEISS: Okay so that's what we're going to do to save time. We have, obviously we have approved for professionals and there's contracts to go with them. One is for The Buzak Law Group for legal services, the other is for Van Cleef Engineering for engineering services, Banisch Associates for the planning services and Habitat by Design for the environmental consulting services. Those were the four professionals that we've already approved. We're now going to look for approval on the contracts. Everybody was given copies of those does anybody have any conversation about those? Comments? Would anyone like to make a motion?

MR. RUSSELL: I'll move that resolution authorizing the award of non-fair and open control for professional services be approved.

MR. WALSH: I'll second.

MR. WEISS: Comments? Seeing none, Catherine roll call.

MRS. NATAFALUSY: This is for all four.

MR. WEISS: All four.

MRS. NATAFALUSY: Joe Fleischner - yes
 Dan Nelsen - yes
 Mayor Greenbaum - yes
 Nelson Russell - yes
 David Scapicchio - yes
 Jim Staszak - yes
 Scott Van Ness - yes
 Pat Walsh - yes
 Howie Weiss - yes

MR. WEISS: I'm going to jump around a little. We have a discussion matter but maybe before we jump into that let's get into some committee report now that the Mayor is here. I'm just going to read down the line, if we have a Mayor's report Mayor Greenbaum?

MAYOR GREENBAUM: Yes very brief I apologize for being late this evening I actually had a legal matter in State College Pennsylvania that I had to attend to today and drove through the fog to make it as early as I could today. I just want to first of all I am very pleased to see all friends sitting up here and I think that this is going to be an excellent Board. Hopefully we'll get some real interesting applications this year. We had an Economic Development Committee Meeting last week or was earlier this week I forget which, earlier this week on Tuesday. It was something that I had asked to be scheduled one to kick off the year for the Economic Development Committee and two because I had been notified by the Board of Education that they were looking to sell the Administration Building on Route 46. Which raises a number of issues but the first issue which jumped to my mind is the fact that it is really the donut hole surrounded by the Simoff property. It's an attractive piece of property in that it is close to the existing obviously shopping center at the Trade Zone. With that piece of property I believe it makes Mr. Simoff's property somewhat more interesting in terms of commercial development. And the thought process being that we were going to contact Mr. Simoff to see if he had any interest in taking a second look at what his property could be used for and potentially rezoning the property in the event that there was some interest. I know he's got his approvals he can build whatever he has but he's sitting with his approvals and I don't know how long he's going to be sitting before that development ever gets built.

So I thought it was worthwhile taking a look at whether or not there were other development concepts he might be interested in light of the fact that the circumstances have changed so much. So that's something that we're going to be exploring. There are several other development matters which we're currently working on, rather than go into them this evening I would just let everyone know that 7:45 on Tuesday the 17th the Mt. Olive Chamber of Commerce has their breakfast meeting at the Longhorn Steakhouse and the topic will be how does my Administration intend to maintain the businesses that we have and develop new businesses in town. So if anyone has an interest I would suggest that you try and make it at 7:45 at the Longhorn Steakhouse on Tuesday the 17th. If not I will give a brief summary of my discussion at the next Planning Board meeting.

MR. WEISS: Thank you Mr. Greenbaum.

MAYOR GREENBAUM: Thank you Mr. Chairman.

MR. WEISS: Pat do you have any report from the Council, anything you might want to go over?

MR. WALSH: Not at this time no not today.

MR. WEISS: I'm sure there was nothing from the Ordinance Committee, nothing from the Street Naming Committee, Environmental Commission?

MR. RUSSELL: We meet Wednesday.

MR. WEISS: And of course we haven't had representation at the Open Space. Did I forget anybody? I don't think so. Should we continue with that conversation Mayor about . . . one of the things, and Chuck I'm going to direct this at you, one of the conversations came up about trying to make the Simoff property a little bit more appealing. It's a 65 acre tract and in the middle of it is about a 5 acre piece of property which is the Board of Education. The concept came up in that meeting Chuck if you were to sit back and go back to the way it started and look to rezone that property go back to commercial. And I know we have some pros and cons, it wouldn't affect Mr. Simoff he'd still have his approvals but he would be building nonconforming structures if he does go to build. And so we wanted to look at the reality I guess or the opportunity to turn that tract back into commercial, maybe make it more sellable, marketable. If you have any thoughts on that. Actually Pat has a question.

MR. WALSH: That's the problem was it going to be 55 and over housing at one point? Is that still zoned that way?

MR. WEISS: Well it's zoned that way and the state came in and allowed for a conversion it was a limited time period that he had to come in for a conversion.

MR. WALSH: To commercial or anything?

MR. WEISS: To market value homes.

MR. WALSH: To regular market okay.

MR. WEISS: And he did get that conversion so right now he's sitting on that approval.

MR. WALSH: Right. Is there any way, this is going to be a newbie question I'm just a rookie, you know obviously when you sell to homes that kids can go in it's going to cost us money. Is there any way to get money back from the State or something? Any credit appreciation, anything? I know it sounds newbie you all probably . . . it sounds silly but . . .

MR. WEISS: Mr. Mayor?

MAYOR GREENBAUM: No.

MR. WALSH: Okay.

MR. WEISS: So Chuck it goes back to you I mean I know we're throwing it at you but perhaps it's something we might want to investigate.

MR. MCGROARTY: Well we can look I mean we've talked about it in the past it was originally zoned commercial/light industrial and then it went to this. We've talked with Hal Simoff about potential changed back to . . . the question is he wasn't all that enthused in the . . . well let me rephrase that, he was interested but it was a question of what would work in the market today out there. Now that may have changed a little bit to. The other consideration is, and this is a much broader subject which I will absolutely not talk about indifference to Scott's instructions here this evening, but it will affect our Affordable Housing Plan. Because that site is included in the plan and if we change it we have to change the plan. We don't know where all of that's going and that's a whole other topic of discussion in terms of the affordable housing in the year 2012. But it's not insurmountable as an issue so we can look at that.

MR. WEISS: We kind of look at that piece of property as a total 70 acre parcel along the highway frontage and we thought that into itself is a marketable item. And I think all of us who sat here for the Simoff conversion are pretty well convinced that he's not happy, he wasn't real happy with that but did what he had to do.

MR. WALSH: He wasn't happy that they converted to market rate?

MR. WEISS: Well he did it because he had to do it.

MR. WALSH: Wouldn't that increase the value of his property?

MR. WEISS: If it's marketable. Obviously he felt that 55 and older wasn't going to happen.

MR. WALSH: Well my experience has been in new construction that if you have a piece of property if you could only do 55 and over it's worth a little less and then if you can do both you know market you can do anything it just adds a little to the value it depends on the market as to how much. But generally . . .because what it is your base of buyer's increases so whenever you have more buyers it's just . . . inevitably it's going to be slightly more. That's the only reason I ask.

MR. WEISS: Dan?

MR. NELSEN: If indeed you sell that property then what would the Board of Education use?

MAYOR GREENBAUM: I had the discussion with Larry Reynolds; the plan is to move the Board of Education offices to the High School, the pit area of the High School. I was advised that the appraisal on the Board of Education building was about three million dollars and I was further advised that the cost of renovating the High School to make it available for the Board of Education offices would be about 2.5 million dollars. And that the real justification for making the move was the two hundred thousand plus in yearly maintenance and operation costs that the Board of Education expends to run that building which obviously is very old and is not you know up to current standards in terms of heating, air conditioning, electric. So it's a very expensive building to maintain and to operate.

MR. NELSEN: And there's ample space in the High School?

MAYOR GREENBAUM: Yes according to . . . you know I didn't do a detailed study but that was the plan that the Board of Education told me. I can tell you further one of the problems with the property being sold is the fact that Mt. Olive Baseball uses the facility behind the school. We looked at it and thought that the most attractive thing about the property was not the building but the property itself and the development possibilities. Although it's a small tract it's only I think about 8 acres is that what we . . .

MR. WEISS: It's 5.

MAYOR GREENBAUM: its 5 acres. Today we had a discussion with the Board of Education and they said that they might be amenable to subdividing the property and to selling the Township the field which is another issue that we may look at. But you know it's really creating a conflict between the need for commercial development and this is one piece of property which ultimately may be very, very profitable. Not from the town's perspective necessarily but in terms of generating further development in the town. The Economic Development Committee is looking for that one piece of property, whether it be in the Trade Zone or on Route 46 that we can then hold out as the shining star and the excitement in Mt. Olive, here's what's happening. For instance let's assume that that property were developed commercially with some kind of entertainment complex, a movie theatre, then we can use that to try and lure further development within the town. So you know I have to look at it from both perspectives at this point. What happens if we lose that baseball field, what happens if we take that baseball field

then we lose a development opportunity. That may be settled very quickly by Hal Simoff who may tell us that he's not interested in doing anything with this property other than developing it from the residential perspective that he has his approvals for. And if that's the case then you know I'm going to take a different tract and see if we can purchase that back baseball field through the use of open space funds.

MR. FLEISCHNER: What about the rent that the Board of Education gets for the cell tower there?

MR. SCAPICCHIO: They lose it.

MR. WEISS: Or we could move it.

MAYOR GREENBAUM: I don't know the answer to that question I'm sure that Dave considered it. You know perhaps it can be moved; perhaps it would be part of their contract in terms of retaining you know some right to the income that they generate from the cell tower. You know every time I've raised this issue everyone has asked the same question, what about the income from the cell tower. I don't know the answer it was not my concern at the time that I spoke to Dr. Reynolds.

MR. BEDELL: So was that thought selling that tract of land and now with everybody in the Board of Education there's already space in the High School or add there?

MAYOR GREENBAUM: There's space in the High School which is not usable.

MR. BEDELL: Okay.

MAYOR GREENBAUM: There was an area in the High School, and Howie I'm sure would be in a better position to discuss the High School and the pit area, but prior to building the new performing arts center there was an area called the pit. The pit was condemned as being unsafe it's going to cost 2.5 million dollars to renovate that area to give sufficient space to the Board of Education to run their operations out of the building.

MR. BEDELL: Okay.

MR. WALSH: Is that property listed for sale, the Simoff is he marketing it right now?

MAYOR GREENBAUM: I'm sure I don't think he ever had an intent of building there. I don't know what

MR. WALSH: I'm just curious is he thinking of building himself or I mean I know other people have had

MR. BUCZYNSKI: He has some developers looking at it right now.

MR. WEISS: Say that again Gene?

MR. BUCZYNSKI: He has some developers looking at it.

MR. NELSEN: Toll Brothers likes that.

MAYOR GREENBAUM: I mean it may just be that he's not interested in which case you know that opportunity will have gone by the Board and there's nothing I can do about it he's got his approvals and

MR. WALSH: Yeah right.

MAYOR GREENBAUM: But we have to . . .

MR. WEISS: I'm not sure if you mentioned it Mayor that he was invited to next month's Economic Development Committee.

MR. WALSH: Oh okay.

MR. WEISS: So they've invited him for a conversation so that will happen in February.

MAYOR GREENBAUM: Yes.

MR. NELSEN: You'd have to separate the field area from the building area and you then make the building or the lot itself you cut the size of that considerably.

MAYOR GREENBAUM: At that point it's not my concern because obviously it's a privately owned piece of property by the Board of Education that's a consideration that they have to consider at the time that they would subdivide. From the township's perspective that piece of property being only 8 acres is not really commercially viable. I don't know someone would have to come in and totally gut that building and renovate it.

MR. NELSEN: But if you said the property and if you would use that for some kind of entertainment thing . . .

MAYOR GREENBAUM: It couldn't happen. Both concepts couldn't happen I couldn't develop it . . . I couldn't bring in a developer to develop . . . get someone interested in the property to develop it unless I had the entire property.

MR. NELSEN: Right.

MAYOR GREENBAUM: The 5 acres is not going to interest anybody to put any real development opportunity on the property. It's just too small so once I know that the Simoff tract is gone I'm probably going to move full steam ahead in terms of looking for Green Acres dollars to purchase the baseball field which obviously is in the interest of the residents of Mt. Olive.

MR. WALSH: And did you say that Simoff might be interested in buying it?

MAYOR GREENBAUM: Don't know.

MR. WALSH: Don't know.

MAYOR GREENBAUM: Simoff might be interested in buying that piece of property.

MR. WALSH: Has there ever been a discussion about that with him or anything?

MAYOR GREENBAUM: We haven't discussed anything with him, you know in advance of him.

MR. WALSH: Okay gotcha.

MAYOR GREENBAUM: We're going to bring him in on February and if we can help, if we can help sell that piece of property for the Board of Education by discussing it with Simoff and getting him interested in the property then so much the better for the township.

MR. WALSH: Okay. I'm just thinking we have to . . . he probably wants some sort of indication of what we'd let him do there if he wanted I guess right? Or no. Okay who knows.

MAYOR GREENBAUM: There's one other thing if I could I saw an email come across my desk this morning it's somewhat premature but we're looking at different areas along Route 46, something that Chuck has been working on in terms of redevelopment. Some of the eyesores on Route 46 including you know Blue Bird and some of the vacant buildings. So that's something that we're going to moving forward with as well and it will come . . . I assume it will come to a Planning Board Chuck when we get to that point?

MR. MCGROARTY: Yes.

MAYOR GREENBAUM: So that's another thing that we will be working on as the year unfolds.

MR. WEISS: Okay so we have some work to do and Chuck we brought it up because it's something we might have to readdress, that Simoff property.

MR. MCGROARTY: Yes okay.

MR. WEISS: All right we do have a discussion matter on the agenda and the first one is the State Plan. I know Chuck wanted to give us the details of what's happening with the State Plan.

MR. MCGROARTY: Very brief because the plan itself is very brief at this point. You have a memo from me, really this new plan which has been known as the State Strategic Plan is 43 pages long so it pales in comparison to two volumes of the State Development Redevelopment Plan. It has four goals and they're laid out in this memo and there are objectives associated with those goals. Again a very streamlined approach as opposed to the prior State Plans. Some of the key points, and some of this stuff this jargon may not be familiar and I'll explain it if you want but the State Plan presently has what are known as Planning Areas. And there are essentially five there are a few others which are State Parks and such. Mt. Olive is entirely in what's known as Planning Area 5 which is environmentally sensitive. It has caused problems over the years particularly in the Foreign Trade Zone, most particularly the BASF site to attract people to come in and take over that site. Because they are limited in terms of some of the insensitive programs that are available through the State of New Jersey in terms of employment, benefits and the like. We have been working for a number of years now to get that Planning Area 5 designation at least in Budd Lake changed to what's known as Planning Area 2 which recognizes that its sewer and water replace, it's a growth designation. This new plan does away with that whole concept; it will do away with Planning Areas and the mapping that goes with it. It will do away with the concept of creating and establishing what are known as centers. And so in a lot of ways it seems very promising I think in that it will allow a lot more flexibility on a municipal level for town's to figure out how they want to do things and where they're going to do things. I can't tell you a whole lot more than that I gave you just the bare bones outline in the memo of what the plan is. Again if you want to spend time discussing it there are public hearings coming up there is one here in Morris County which I note on the final page that will be on February 27 it will start at 6:00 p.m. it will be over at the Arboretum. I'm going to be there I mean . . . I've been in communication with the . . . they're known as the Office of Planning Advocacy they are the . . . they were once known as the Office of Smart Growth and I've been talking with the people there trying to get answers to certain questions and I think for Mt. Olive the particular concern may be among other things if you want . . . if the Township really does want that growth designation for the International Trade Center and Budd Lake generally which I think we'll certainly want to explore that, how will this new plan allow us to do that? It seems that there are the foundation in the new plan to do it it's the details and the mechanics that haven't been worked out yet. And I talked to the people down there about how they're going to go about facilitating this approach since they're doing away with center designation now we've got to do this new approach and we're still working out the details. So they will be a lot more about that as the year goes on but I just thought you would want to know about that at least it's out there now.

MR. WEISS: Thanks Chuck it seems like that's the first type of positive news you know going back (inaudible) that I've heard in a long time. Scott?

MR. VAN NESS: Chuck how is this going to apply with the Highlands? Do we know anything like that yet?

MR. MCGROARTY: Well yeah that's a very good question because they're supposed to recognize the fact that Highlands exists and these other Regional Planning Agencies (inaudible) exist and as I understand it they're not going to interfere with each other. But what's interesting is this new State Strategic Plan identifies what are called industry clusters and they're trying to look at areas where there are certain industries that are in place and those become logical growth areas, priority growth areas. I think that would be sort of like the new Planning Area 1 and 2 designation type of things. In Mt. Olive the mapping that they've done so far which is very generalized shows a lot of that industry concentration falls within the Preservation Area because of course 80 percent of the town falls in there. Now a lot of it of course if focused around the Foreign Trade Zone and some along the highway corridors so it will be interesting to see how these two things will co-exist. Because on the one hand the State Plan is recognizing the reality that there are these industries in place and then you've got Highlands saying we're going to treat you as if you're a pristine no-growth area. In the future it's going to be interesting to see how it works out. Good question I don't know and that's a question that we want to ask them at their public hearings.

MR. WEISS: Mayor?

MAYOR GREENBAUM: Yeah I had read your memo Chuck I have absolutely no idea what they're trying to do at the State I had a difficult time getting through the changes that are being made. I was just starting to feel somewhat comfortable understanding what the old State system was with the Planning Areas and the center designation so I think that we're going to need a further update after you've gotten some clarification at the . . . I know that it's going to be one of these processes that just unfolds and probably everybody is a little bit confused as to what's going on.

MR. WEISS: Anybody else? Joe.

MR. FLEISCHNER: Chuck I wonder are you aware of . . . I understand the discussions now in Trenton possibly to change the law that would allow empty foreclosed houses to be utilized for low and moderate income. I believe it was Sweeney who introduced the Bill or is about to introduce a Bill and how that would affect us in Mt. Olive. Because I know there are some empty, quite a few empty homes.

MR. MCGROARTY: I think its Senator Lezniak's legislation and Ed probably knows . . . I know a little bit but not that much. Ed?

MR. BUZAK: I really don't know anything about it.

MR. MCGROARTY: I don't know yet myself. I read that Senator Lezniak because he's been active over the past two years trying to introduce some things and alter this affordable housing approach. I understand . . . the bare minimum of it is that the town would be able to, the municipality would be able to use its Affordable Housing Trust Fund monies to purchase those units but we can do that now so I'm not really sure what this new Bill will accomplish. But we'll wait and see I mean I expect there's going to be a lot of activity Ed is that right you think in this area?

MR. BUZAK: Well you know I think that everybody is waiting for the Supreme Court to make a determination on the Affordable Housing end and things will fall out from that. There hasn't been oral arguments scheduled in the case yet so you know you're looking at at least half way into the year before you get a Supreme Court decision and I suspect that that's just going to trigger a whole series of activities to implement whatever it is they do. So in my view it's going to be a long process it's not going to even be close to being finished by the end of this year.

MR. FLEISCHNER: Thank you.

MR. WEISS: Anybody else?

MR. WALSH: Joe I might be able to get you some information on that I don't want to speak to it tonight but I'll give you a call tomorrow and I'll give at the next meeting I can bring up what I find out here too.

MR. WEISS: All right and then the next discussion matter is a just a quick conversation about protecting the Land Use Ordinance. And that was something that I wanted to address this evening kind of in a general format from a personal nature I have a concern from the Planning Board. It really comes back to our issuance of variances on signs and I can see already Joe knew where that was going. And I kind of joke because Joe and I have been on the Planning Board together for many years and we agree on many things but when it comes to signs we don't agree at all. And I'm not encouraging anybody to vote a certain way but we have ordinances and the Ordinance Committee is active and its meeting and you know it's available for us to revisit but I personally think that the Planning Board gives away variances for sign requests and I think we need to do a better job protecting our ordinances. And that's really what I wanted to talk about tonight I'm going to use one of our last applications as an example which is Amish Mike. I know that brought up a lot of conversation it became almost petty at time you know how many wheelers and how many frogs and how many cows are going to let him have and the reality is who is going to enforce that? And I know we can't sit up here and judge the applicant it's something we need to judge the merit of the data that's presented but I can tell you that after we gave the approval and we gave them 12 spinners and 4 of these and 5 of those and 6 of these I went up there and that wasn't enough because he put up two signs that we didn't approve on which said open. He then nailed onto the telephone pole another sign and it's putting a ton of pressure on our enforcement end of the township and you know I've had some conversation with the Mayor about some other ideas which you know are not going to go very far but we either have to turn around and hire a full time inspector to narrow it down or be very careful on how we give variances for signs. I'm urging the Planning Board to protect our ordinances when it comes to signs. I was going to actually take pictures and everyone look at pictures but my point is fairly general I would like the Planning Board to just consider what we give up and how that's going to be enforced I think somebody like Mike McCort who has been here forever and knows full well that we don't have the capability to enforce what he asked for. So he was willing to take away everything he could, and again I'm giving my opinion, because he knew we would not enforce it. So that was my thing we can have a conversation about it you know I don't know if anybody agrees or disagrees but that was a concern of mine and I just wanted to air it in this meeting before we had a public audience in case it got into a debate. Mayor?

MAYOR GREENBAUM: I don't know that I necessarily agree with your premise. I do agree with your premise with respect to enforcing whatever we allow or disallow. I think that's separate from the variance issue which is on a case by case basis. I think one of the things that I pushed during the campaign was that you know we need to encourage business. So we need to take I think a liberal view when it comes to signs at the same time protecting the residents from turning it into something that we don't want. But I think that the Board generally has done a very good job in terms of finding that balance between what our ordinance provides and what each business needs. And I think you really need to take a look at it on a case by case basis and you need to enforce what we give and we disallow. So that's just my perspective I've taken the position generally, I will be taking the position generally which is pro business and I think that's what the residents are looking for in certain areas of the town.

MR. WEISS: I don't think our opinions are mutually exclusive I think that there's a common ground between what I was talking about and what you were speaking. I think we do have to, and it's our responsibility to look at each case, each applicant case by case. But think about what we're giving, think about is it real and think about is it important enough for us to give when an applicant like Amish Mike kind of asks for everything what is really necessary, did we really need to give that? Now of course we gave him the support and we endorse it and now we lay it on our enforcement to enforce it. So pro business is important I think you know there comes a point where we can't let applicants cross the line. Anybody else? Motion to adjourn?

MR. RUSSELL: So moved.

MR. SCAPICCHIO: Second.

MR. WEISS: All in favor?

EVERYONE: Aye.

(MEETING ADJOURNED AT 8:30 P.M.)

Transcribed by:
Lauren Perkins, Secretary
Planning Department