

The Public Meeting of the Mount Olive Township Council was called to order at 7:03 p.m. by Council President Nicastro.

OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT

Mrs. Lashway: According to the Open Public Meetings Act, adequate notice of this meeting has been given to the Daily Record. Notice has been posted in 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. Amianda, Mrs. Labow, Mr. Mania, Mr. Perkins, Mr. Ferrante and Mr. Nicastro

Absent: Mr. Roman

Also Present: Lisa Lashway, Township Clerk; Jeff Pasek, Township Attorney and Sherry Kolody, CFO

Resolution Re Waiver of Reading in Full of the 2015 Budget

President Nicastro: We're adding the Resolution...the Resolution we're adding is the Waiver of Reading of the Budget. Do we have a motion to accept that?

Mr. Perkins: So moved.

Mr. Mania: I'll second it.

President Nicastro: Any discussion? Roll Call.

Roll Call: **Passed unanimously**

President Nicastro: Mr. Amianda, would you approve the Minutes of...

Mrs. Lashway: No.

President Nicastro: I'm sorry. The public hearing on the 2015 Municipal and Sanitation District Budgets...

Mr. Amianda: Yes...

President Nicastro: ...are open to the public.

Mr. Amianda: Yes, Mr. President. I make a motion for approval...

President Nicastro: Wait, wait Daniel, I skipped it, I'm sorry. I open to the public on the Budget Hearings. Do we have anyone from the public that wishes to be heard?

Mr. Mania: If you want to be heard, John, you have to get up.

President Nicastro: Yes. Please go up to the mic and state...

Mr. Perkins: It's on the budget.

Mr. Mania: It's on the budget, John.

Mrs. Lashway: On the budget.

John Kovach: What?

Mr. Mania: On the budget.

Mrs. Lashway: Only on the budget.

Mr. Kovach: Oh, no.

President Nicastro: Okay.

Mr. Mania: Okay.

Mrs. Lashway: Close the hearing.

President Nicastro: I close to the public the hearing of the budget. Approval of Minutes, Mr. Amianda.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

March 3, 2015 WS & PM, March 17, 2015 WS, CS & PM, January 31, 2015 Budget Meeting

Mr. Amianda: Yes, Mr. President. I make a motion for approval of Minutes of previous meetings.

Mrs. Lashway: Second.

President Nicastro: Roll Call, please.

Roll Call: **Passed with the exceptions Mr. Mania abstained on all dates, Mr. Perkins abstained on March 3, 2015, Mr. Ferrante abstained on March 3, 2015 and Mrs. Labow abstained from March 17, 2015.**

CORRESPONDENCE

LETTERS FROM RESIDENTS/ORGANIZATIONS/ OTHER TOWNS

1. Email received March 13, 2015, from Downtown New Jersey regarding Downtown New Jersey – Excellence Awards, Dec 10, 2014. PDF Correspondence
2. Email received March 16, 2015, from Downtown New Jersey regarding Downtown New Jersey. PDF Correspondence
3. Email received March 17, 2015, from Downtown New Jersey regarding Downtown New Jersey regarding Downtown New Jersey – Annual Conference. PDF Correspondence
4. Email received March 18 2014, from Courage to Connect NJ regarding Local courage starts the consolidation process. PDF Correspondence
5. Email received March 20, 2015, from RICS regarding Take a look at Facility Leaders who have already registered for LA2015 Summit. PDF Correspondence
6. Email received March 20, 2015, from Downtown New Jersey regarding Downtown New Jersey regarding Downtown New Jersey – NEWS NEWS NEWS. PDF Correspondence
7. Email received March 23, 2015, from Raritan Headwaters regarding Citizen Science Opportunity – Stream Monitoring Training. PDF Correspondence
8. Email received March 27, 2015, from Downtown New Jersey regarding Downtown New Jersey – MORE NEWS. PDF Correspondence

RESOLUTIONS / ORDINANCES OTHER TOWNS

9. Letter received March 23, 2015, from Township of Bryam regarding Land Use Ordinances. PDF Correspondence

LEAGUE OF MUNICIPALITIES

10. Letter received March 16, 2015, from New Jersey State League of Municipalities regarding Legislative Bulletin February 2015. PDF Correspondence

STATE AGENCIES

11. Letter received March 17, 2015, from Dewberry regarding NJDOT Hackettstown Maintenance Yard (Remedial Action Outcome for unrestricted use). PDF Correspondence

12. Letter received March 18, 2015, from State of New Jersey Department of Environmental Protection regarding One 550 gallon #2 Heating Oil Underground Storage Tank System (158 Stephens Park Road, Block 800, Lot 34). PDF Correspondence
13. Letter received March 18, 2015, from CDM Smith regarding Highlands Applicability Determination Water Main Replacement. PDF Correspondence
14. Letter received March 23, 2015, from State of New Jersey Department of Environmental Protection regarding NJDES Permit Expiration (Cloverhill STP). PDF Correspondence
15. Email received March 25, 2015, from State of New Jersey Department of Environmental Protection regarding RFP – 2015 Pollution Prevention Grant competition. PDF Correspondence
16. Letter received March 26, 2015, from State of New Jersey Department of Transportation regarding Transportation Alternatives and the Mount Olive Bicycle Trails Project. PDF Correspondence

MORRIS COUNTY

17. Email received March 20, 2015, from Morris County Department of Planning and Public Works regarding MCPB Meeting minutes. PDF Correspondence
18. Email received March 23, 2015, from County of Morris regarding News from County of Morris. PDF Correspondence

UTILITIES

19. Letter received March 20, 2015, from PSE&G regarding Flood Hazard Area Individual Permit Application Notice to County and Municipal Clerks. PDF Correspondence
20. Letter received March 23, 2015, from Comcast regarding Comcast Connections, New Jersey Edition Winter 2014. PDF Correspondence

DCA

21. Email received March 17, 2015, from Department of Community Affairs regarding LFN 2015-08: States of Emergency Relating to Snow Storms. PDF Correspondence
22. Email received March 23, 2015, from Department of Community Affairs regarding GovConnect Update: March 23, 2015. PDF Correspondence

President Nicastro: We have 22 pieces of Correspondence. Any questions on Correspondence? Seeing none. We have two Ordinances. Ordinance for public hearing, Ordinance #...where am I, I'm sorry...Next item on the Agenda for first reading is Ordinance #...nope, where did I go...it's the second reading we're on.

Mr. Perkins: Its public hearing, I'm sorry.

President Nicastro: Yes, we're on...I'm sorry I was reading that one. I open the hearing to the public on Ordinance #11-2015,

ORDINANCES FOR PUBLIC HEARING

Ord.#11-2015An Ordinance of the Township of Mount Olive Amending Ordinance #29-2014 Which Established Salaries for the Mayor, Council, Department Heads, Supervisory Personnel and Employees of the Township Clerk's Office. PDF Ord.

President Nicastro: Mrs. Labow.

Mrs. Labow: Thank you, Mr. President. I move for adoption and final passage of Ordinance #11-2015.

President Nicastro: Wait.

Mr. Perkins: We we're carrying that.

President Nicasastro: It's the second reading one.

Mrs. Lashway: Okay. After you open up the hearing, you need to close the hearing.

President Nicasastro: Oh, I'm sorry. That's right. I close the hearing to the public on Ordinance #11-2015.

Mrs. Lashway: Mrs. Labow: Your motion to make it...to continue it to the April 14th...

Mrs. Labow: This one is to continue? Okay. I would like to make a motion please, to continue this Ordinance to the next meeting.

Mrs. Lashway: April 14th.

Mrs. Labow: April 14, 2015.

Mr. Perkins: Second.

Mr. Mania: I'll second it.

President Nicasastro: Roll Call, please.

Roll Call: **Passed unanimously**

President Nicasastro: I open the hearing to the public on Ordinance #12-2015,

Ord.#12-2015An Ordinance of the Township of Mount Olive, in the County of Morris, State of New Jersey, Authorizing the Acceptance of a Deed of Dedication for Roadway Purposes for a Portion of Block 5401, Lot 4 From Rosalie Davis. PDF Ord

President Nicasastro: Anyone from the public wish to be heard? Close it to the public. Someone...

Mrs. Lashway: Mr. Mania.

President Nicasastro: Mr. Mania.

Mr. Mania: I move for adoption and final passage of Ordinance #12-2015.

Mrs. Labow: Second.

President Nicasastro: Roll Call, please.

Roll Call: **Passed unanimously**

President Nicasastro: That's right. Ordinance #12-2015 is passed on second reading and I hereby direct the Clerk to forward a copy of the same to the Mayor and publish the notice of adoption as required by law. Next item on the Agenda for first reading is Ordinance #13-2015,

ORDINANCES FOR FIRST READING – 2nd reading April 14, 2015

Ord.#13-2015 Ordinance Re-appropriating \$21,050 Proceeds of Obligations Not Needed for Their Original Purpose in Order to Provide for Various Improvements to Turkey Brook Park in and by the Township of Mount Olive, in the County of Morris, New Jersey. PDF Ord

President Nicasastro: Mr. Perkins.

Mr. Perkins: Yes, Mr. President. I move that Ordinance #13-2015 be introduced by title and passed on first reading and that a meeting be held on April 14, 2015 at 7:00 pm at the Municipal Building, 204 Flanders-Drakestown Road, Budd Lake, New Jersey for a public hearing, consideration of second reading, and passage of said Ordinance and that the Clerk be directed to publish, post and make available said Ordinance in accordance with the requirements of the law.

Mrs. Labow: Second.

Mr. Mania: I'll second.

President Nicastro: Any discussion? Roll Call, please.

Roll Call: **Passed unanimously**

President Nicastro: Next item on the Agenda for first reading is Ordinance #14-2015,

Ord.#14-2015 An Ordinance of the Township of Mount Olive, in the County of Morris, State of New Jersey, Amending Chapter 249, "Vehicles for Hire." PDF Ord

President Nicastro: Mr. Ferrante.

Mr. Ferrante: Sure. I move that Ordinance #14-2015 be introduced by title and passed on first reading and that a meeting be held on April 14, 2015 at 7:00 pm at the Municipal Building, 204 Flanders-Drakestown Road, Budd Lake, New Jersey for a public hearing, consideration of second reading, and passage of said Ordinance and that the Clerk be directed to publish, post and make available said Ordinance in accordance with the requirements of the law.

Mr. Mania: Second.

President Nicastro: Any discussion? Roll Call, please.

Roll Call: **Passed unanimously**

CONSENT RESOLUTIONS AGENDA:

Resolutions on the Consent Agenda List are considered to be routine and non-controversial by the Township Council and will be approved by one motion (one vote). There will be no separate discussion or debate on each of these resolutions except for the possibility of brief clarifying statements that may be offered. If one or more Council member requests, any individual resolution on the Consent Agenda may be removed from the Consent Agenda List and acted on separately.

CONSENT RESOLUTIONS

1. Resolution of the Township of Mount Olive Authorizing the Use of a Purchasing Contract (Northeast Communications). PDF Res
2. Resolution of the Township Council of the Township of Mount Olive Providing Consent to a Project at Block 2203 Lot 2 & 3, Otherwise Known as 18 & 20 Wallman Way in the Township of Mount Olive Which Requires a Treatment Works Approval Application to the State of New Jersey Department of Environmental Protection. PDF Res
3. Resolution of the Township Council of the Township of Mount Olive Authorizing the Business Administrator to Execute a Grant Application for Click It or Ticket 2015 Mobilization. PDF Res
4. Resolution of the Township Council of the Township of Mount Olive Authorizing the Execution of a Fundraising Agreement with the American Cancer Society, Inc. in Connection with the Township's Do or Dye 5K/Run Walk. PDF Res
5. Resolution of the Township Council of the Township of Mount Olive Rejecting all Bids for the Stabilization of Seward House. PDF Res
6. Resolution of the Township Council of the Township of Mount Olive Authorizing the Award of a Contract to Motion Kia for Two Vehicle Leases for 36 months. PDF Res
7. A Resolution of the Township of Mount Olive, in the County of Morris and State of New Jersey, Modifying the Resolution Authorizing the Release of the Cash and Performance Bonds and Inspection Fees to Siemens Healthcare Diagnostics Inc. for Site Improvements at 62 Flanders-Bartley Road, Block 5400, Lots 25 & 26 and for Road Improvements to Flanders-Bartley Road Adopted by the Township Council on March 3, 2015. PDF Res

8. A Resolution of the Township of Mount Olive, in the County of Morris and State of New Jersey Authorizing the Execution of a Developer's Agreement Between the Township of Mount Olive and S&S Real Estate Inc. PDF Res
9. Resolution to adopt the 2015 Municipal Budget. PDF Res
10. Resolution to adopt the 2015 Sanitation District Budgets. PDF Res

President Nicastro: We have a total of 10 Resolutions. I open the public portion on any Resolutions. Anyone from the public wish to be heard? Seeing none. I close it to the public. Mr. Perkins.

Mr. Perkins: Just a point or a question, did we have to do the budgets separately, our Resolution, Lisa. I think we did that last year, we did them as a group and then we had to go back and do them individually. Are we supposed to do those individually, Jeff?

Mrs. Lashway: We can. We can.

Mrs. Labow: We should.

Mr. Perkins: So, we pull them under Non-Consent and do each one separately.

Mrs. Lashway: Okay.

President Nicastro: So, we are...

Mr. Perkins: Nine and ten, Joe, gets pulled to Non-Consent.

President Nicastro: Okay. Resolution nine and ten will be put on Non-Consent. We need a motion for...

Mr. Perkins: One through eight.

President Nicastro: Yes, one through eight. That is...where am I.

Mr. Mania: My second...

Mr. Ferrante: I make a motion to move Consent Resolutions one through eight and move nine and ten to Non-Consent.

Mrs. Labow: Second.

President Nicastro: Second, Mrs. Labow?

Mrs. Labow: Yes.

President Nicastro: Any discussion? Roll Call.

Roll Call: **Passed unanimously**

President Nicastro: We will move Resolution nine.

Mr. Perkins: So moved.

Mrs. Labow: Second.

President Nicastro: Any discussion? Roll Call.

Roll Call: **Passed unanimously**

President Nicastro: Mrs. Labow, will you move Resolution ten?

Mrs. Labow: Yes. Thank you, Mr. President. I move Resolution ten.

Mr. Mania: Second.

President Nicasro: Discussion? Roll Call.

Roll Call: **Passed unanimously**

MOTIONS

- 1. Bill List. PDF Bill List

President Nicasro: Mr. Amianda, would you move the motion for the Bill List...make a motion.

Mr. Amianda: I make a motion to approve the Bill List.

Mrs. Labow: Second.

President Nicasro: Discussion? Roll Call.

Roll Call: **Passed unanimously**

ADMINISTRATIVE REPORTS

President Nicasro: Administrative Reports. I know the Mayor and Sean are not here and there was a list left here. Sherry, I don't know if you have anything to add to it or just...

Mrs. Kolody: You can just read what you have which is great Joe, thank you.

President Nicasro: Mayor's comments for March 31, 2015. I was asked to report from the Mayor and Administration that we won a \$10,000.00 grant award in conjunction with the Land Conservatory. We have been selected to receive a 2014-2015 Sustainable Jersey Small Grant in the amount of \$10,000.00. April 1st there will be a breakfast with the Mayor, Mayor Greenbaum tomorrow at the Longhorn sponsored by the Mount Olive Chamber of Commerce. April 25th is the Do or Dye Run, Color Run. Registration is open and as of today they have over 450 people registered. May 15th, Mount Olive Childcare and Learning Center is having their annual golf outing. I know you can register at their website. The police are having their golf outing on June 22nd at Black Oak Golf Course. That's the Administrative Reports. Thank you. Any Old Business? Seeing none. Any New Business? Any Legal Matters?

OLD BUSINESS - None

NEW BUSINESS – None

LEGAL MATTERS

Mr. Pasek: Just one item to report tonight, Council President. About six months ago, the Mount Olive Park Partners had a push off as to help them get their reinstated 501C3 status. We filed an application with the IRS and I'm happy to report as of a week or two ago we received notification from the IRS that they've been reinstated as a 501C3 tax exempt organization.

President Nicasro: Very good. Thank You.

Mrs. Labow: That's excellent.

Mr. Mania: I have a question.

Mr. Pasek: Yes, sir.

Mr. Mania: Any communication or anything on the Shields matter?

Mr. Pasek: Sure. Our office had sent our proposed stipulation and Resolution to Mrs. Shields' attorney on March 10th. Last Friday, after hours on March 27th, about two and a half, three weeks later we received a response which substantially revised both the Resolution and stipulation. We're trying to be flexible with Mrs. Shields' attorney, some of the changes were fine, some of the changes we kind of need to go back to rework with them. We turned around a response, we reviewed the changes over the weekend, and we turned around with a response yesterday actually to John Tort, the worker's compensation attorney. He's forwarding that response to Mrs. Shields' attorney. At this point the ball is back in their court to work with us to get this on the

Agenda. At this point, as soon as we hear back from them and we can reach agreement on both the Resolution and stipulation, it will be immediately on the Agenda.

Mr. Mania: Thank you.

President Nicastro: Thank you. Council Reports. Mr. Amianda, anything to report?

COUNCIL REPORTS

Board of Education Liaison Report - none

Mr. Amianda: No.

President Nicastro: Mr. Ferrante, anything on your..?

Environmental Committee - none

Lake Issues

Library Board Liaison - none

Mr. Ferrante: Library meets next week. The spring clean up for Budd Lake is scheduled for May 16, 2015. I don't have any further details except for the date scheduled. That's it.

President Nicastro: Thank you. Mrs. Labow, anything to report?

Senior Citizen Liaison - none

Economic Development Committee - none

TNR Program – none

Mrs. Labow: No. Nothing.

President Nicastro: Mr. Roman.

Open Space Committee Report - none

Recreation Liaison Report – none

Board of Health Report

President Nicastro: Board of Health, our next meeting is June...the third Wednesday in June, that I know, otherwise nothing to report there. Mr. Mania, anything to report.

MOTV Committee Liaison - none

Legislative Committee Report - none

Planning Board Report

Mr. Mania: Yes, on the Planning Board side we had our last Planning Board meeting on March 19th. Two developing matters were Morris Habitat for Humanity. There were sub-standard lots and Planning Board...two of the members of the Board had quite a problem approving these two applications. I guess I was quite vocal. We had adopted this...the Planning Board had adopted, so now these board members are changing their position, so I kind of let them know that they were changing their position in a nice way, of course. I said to them, here's Habitat for Humanity building a home for people less fortunate than us. You have to have compassion for people who don't have what some of us have. It's not like a developer building to make a buck, these people do it all out of their heart. They volunteer their time. It also helps us with our COAH obligation.

Mrs. Labow: That's what I was going to say.

Mr. Mania: These two sub-standard lots, nothing would ever happen with them, at least they help us with our COAH obligation and I brought that out, too. Fortunately, we had enough people to pass it. I just wanted to let you guys know.

President Nicastro: Thank you. Anyone from the public wish to be heard? You can get up if you'd like to. You have anything you'd like to go over.

Mr. Kovach: Anything?

President Nicastro: Yes, anything.

Mr. Mania: Anything John.

President Nicastro: Anything you want, just state your name and address for the record when you get up there please.

Mr. Mania: Anything.

Mr. Kovach: Excuse me?

President Nicastro: Just your name and address for the record please when you get there.

John Kovach: 34 Drakesdale Rd. Flanders. My wife and I own a piece of property, right around six acres on the corner of Drakesdale Road and 206. The town has all the property right up to it as open space and I would like to know who to contact or what to do at this point to try and get the town to buy it. I know they do buy a lot of open space to preserve. This is the headwaters for the Flanders Brook, it has natural trout in it and it even has the heritage trout which is, I don't know if anybody knows them, but a heritage trout is one that they found in like six brooks in New Jersey. It's a trout that was native to New Jersey back 12,000 to 14,000 years ago. They thought they lost it and they found it in six or seven streams in New Jersey and Flanders Brook is one of them. It also has native brook trout, which are...the heritage trout is a brook trout, but it is a little bit different.

President Nicastro: Our Business Administrator, Sean Canning would be the one, we can have him contact you if you want to leave your information. He's not here this evening, usually he's here, but if you get us your information I'll make sure we get it to him and he'll contact you. He's the one that would be able to help you with that.

Mr. Kovach: I think the Land Conservatory contacted him and said they weren't interested.

President Nicastro: I'm not sure what...

Mr. Kovach: The Land Conservatory was very interested, they talked to him the year before and they said you missed the deadline last year, so I came to him this year and they said they contacted him and said they are not interested, we don't have any money.

President Nicastro: We'll have to see what Mr. Canning...he'll handle that for us and address it with you and see because...if you want to leave us you contact, he'll be back next Monday, I think he's coming back Monday I think next week, so he'll definitely get in touch with you and see if something could be done.

Mrs. Labow: Joe.

President Nicastro: Yes, Colleen.

Mr. Kovach: He does know how to get a hold of me.

Mrs. Labow: I think that...didn't you just say that Mr. Canning said no already or did you say the Land...

Mr. Kovach: I believe I did.

Mrs. Labow: Yes, he said Mr. Canning.

President Nicastro: Oh, Mr. Canning. I thought you said the Land Conservatory, I'm sorry.

Mrs. Labow: He said he contacted the Land Conservatory and they contacted Sean and they said no.

President Nicastro: Oh, okay. I'm sorry, I misunderstood.

Mr. Kovach: He said, at this point we don't have any money.

President Nicastro: Right, then that's probably then what's happening.

President Nicastro: Sherry.

Mrs. Kolody: I'll send Sean information and have him get in touch with him and work on wherever they left off, okay?

President Nicasastro: Okay. Appreciate it. Thank you.

Mr. Kovach: What was that, I didn't hear?

Mrs. Kolody: I said I'll speak to Sean and have him contact you.

Mr. Kovach: Okay.

Mrs. Kolody: Does he have your phone number?

Mr. Kovach: I am, I used to own Lampost Electric.

Mrs. Kolody: Okay.

Mr. Kovach: Until I retired.

Mrs. Kolody: Got it.

Mr. Kovach: He does know how to get a hold of me.

Mrs. Kolody: Okay.

Mr. Kovach: Okay.

Mrs. Labow: Thank you.

President Nicasastro: Thank you very much, she'll get it to him and we'll find out. Thank you.

President Nicasastro: Any Council Comments?

Mrs. Lashway: Anyone one else from the public?

President Nicasastro: What's that? Anyone else from the public? I'm sorry. Seeing no one. I close it to the public. Any Council Comments? Mr. Amianda.

PUBLIC PORTION - none

COUNCIL COMMENTS

Mr. Amianda: None

President Nicasastro: Mrs. Labow.

Mrs. Labow: I just want to know when the snow is going to stop, do you have an answer for that Mr. President.

President Nicasastro: Eventually. Spring is here. John, anything for you?

Mr. Mania: I think this was the fastest meeting we ever had. I think you beat me, I had one that was 28 minutes.

President Nicasastro: If you stop, I'll be really fast. You don't want me to beat you.

Mr. Mania: Just want to thank you.

President Nicasastro: Mr. Perkins.

Mr. Perkins: Nothing.

President Nicasastro: Mr. Ferrante.

Mr. Ferrante: Nothing.

President Nicastro: Nothing for me. Motion to adjourn.

ADJOURNMENT - Motion made and seconded. All in favor, none opposed, the meeting was adjourned at 7:21 p.m.

Joe Nicastro, Council President

I, Lisa Lashway, Township Clerk of Mount Olive do hereby certify that the foregoing Minutes are 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, 2015.

Lisa Lashway, Township Clerk

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