

The Public Meeting of the Mount Olive Township Council was called to order at 8:10 p.m. by Council President Nicastro.

OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT

Miss Masser: 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. Roman, Mr. Ferrante and Mr. Nicastro

Absent: Mr. Mania and Mr. Perkins

Also Present: Miss Masser, Deputy Clerk; Jeff Pasek, Township Attorney; Sean Canning, Business Administrator; Sherry Kolody, CFO and Robert Greenbaum, Mayor

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Feb 3, 2015 WS & PM (Mr. Mania absent)

President Nicastro: Mr. Amianda, would you move for the approval of the Minutes from the previous meetings from February 3rd?

Mr. Amianda: I make a motion for approval of minutes of previous meetings.

Mrs. Labow: Second.

President Nicastro: Roll Call, please.

Roll Call: **Passed unanimously**

Mayor Greenbaum: Joe.

President Nicastro: Yes.

Mayor Greenbaum: Let me ask for a deviation from the Agenda. Joe is here to be sworn in on the Environmental Commission.

President Nicastro: Sure.

Mayor Greenbaum: I don't know how much of a difference it's going to make in terms of timing.

President Nicastro: That's fine.

Mayor Greenbaum: If you want to call Joe up, he's being appointed to the Environmental Commission for a three year term to expire December 31, 2017 and Michelle is going to swear him in.

President Nicastro: Great.

Mr. Roman: Don't swear at him.

Mayor Greenbaum: Congratulations. Why don't you come up, Michelle will swear you into the office.

Mr. Joesph Pointek: Thank you very much for the honor.

Mayor Greenbaum: Thank you for volunteering for the position. We really do appreciate it.

Miss Masser: I'm going to do it right at the podium.

President Nicastro: By the microphone.

Mayor Greenbaum: Lisa, can you come up and get a picture of Joe and put it up on...

Miss Masser: Place your right hand on the Bible. Raise your left hand and repeat after me, please.

Miss Masser and Mr. Pointek(repeats): I, Joseph Pointek, Jr. do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of New Jersey; that I will bear true faith and allegiance to the same and to the Governments established in the United States and in this State, under the Authority of the people; and that I will faithfully, impartially and justly perform all the duties of the office of Environmental Commission Committee Member to the best of my ability, so help me God.

Miss Masser: Thank you.

Mr. Pointek: Thank you.

President Nicastro: Congratulations.

Mayor Greenbaum: Thanks, Joe.

Mrs. Labow: Thank you.

President Nicastro: Thank you.

Mayor Greenbaum: Thank you, Joe.

President Nicastro: No problem.

CORRESPONDENCE

LETTERS FROM RESIDENTS/ORGANIZATIONS/ OTHER TOWNS

1. Email received February 1, 2015, from Bill Sohl regarding Memorial Day Ceremony 2015. PDF Correspondence
2. Email received February 1, 2015, from Bloustein School News regarding NEWS from the Raritan River Initiative – February 2015. PDF Correspondence
3. Email received February 5, 2015, from National League of Cities regarding Announcing a new keynote speaker. PDF Correspondence
4. Letter received February 11, 2015, from PS&S regarding Multi Permit Application. PDF Correspondence

STATE AGENCIES

5. Letter received February 2, 2015, from Equity Environmental Engineering regarding Biennial Certification Report Form. PDF Correspondence
6. Email received February 2, 2015, from Department of Community Affairs regarding Seminar: Heroin Addiction Epidemic. PDF Correspondence
7. Letter received February 3, 2015, from Vincent Piacente regarding Freshwater Wetlands Application(72 Waterloo Road, Block 2802, Lot 17 and 18). PDF Correspondence
8. Letter received February 9, 2015, from State of New Jersey Department of Environmental Protection regarding One 550-gallon #2 Heating Oil Underground Storage Tank System (46 Outlook Ave, Block 3505, Lot 4). PDF Correspondence
9. Letter received February 9, 2015, from State of New Jersey Department of Environmental Protection regarding Withdrawal of an Application for an Extension of a Letter of Interpretation – Line Verification)Block 103, Lot 2.04). PDF Correspondence

MORRIS COUNTY

10. Letter received February 11, 2015, from Morris County Board of Taxation regarding Preliminary Equalization Table for the county of Morris for the Year 2015. PDF Correspondence

MUA / MSA

- 11. Email received January 30, 2015, from Musconetcong Watershed Association regarding MWA Event – River Talk Flyer. PDF Correspondence

UTILITIES

- 12. Letter received February 2, 2015, from New Jersey Natural Gas regarding fifth annual series of meetings throughout the state to educate and promote the importance of underground utility safety. PDF Correspondence

President Nicastro: We have 12 pieces of Correspondence. Anyone have any questions on those? Seeing none. We have Ordinances for first reading with second reading scheduled for March 3, 2015. The next item on the Agenda is Ordinance #2-2015,

ORDINANCES FOR FIRST READING – 2nd reading March 3, 2015

Ord. #2-2015 An Ordinance of the Township of Mount Olive, in the County of Morris, State of New Jersey, Authorizing the Conveyance of a Deed of Historic Preservation Easement to the Morris County Board of Chosen Freeholders for the Property Currently Known as Block 7801, Lot 14 as the Mt. Olive Baptist Church. PDF Ord

President Nicastro: Mrs. Labow.

Mrs. Labow: Thank you, Mr. President. Is it Baptist Church?

President Nicastro: Is it the...that’s a good question. Let me see.

Mrs. Labow: You said Bible Church.

President Nicastro: Oh, I said Bible? Baptist, I’m sorry.

Mrs. Labow: Baptist. Thank you.

President Nicastro: I’m sorry.

Mrs. Labow: I just wanted to make sure.

President Nicastro: Thank you. Correct.

Mrs. Labow: Thank you. I move that Ordinance #2-2015 be introduced by title and passed on first reading and that a meeting be held on March 3, 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. Roman: Second.

President Nicastro: Okay. Roll Call, please.

Roll Call: **Passed unanimously**

President Nicastro: Next item on the Agenda is Ordinance #3-2015,

Ord.#3-2015 Ordinance Reappropriating \$82,728.09 Proceeds of Obligations not Needed for Their Original Purposes in Order to Provide for Various Recreation Improvements in and by the Township of Mount Olive, in the County of Morris, New Jersey. PDF Ord

President Nicastro: Note the corrections in there. Mr. Ferrante.

Mr. Ferrante: Sure. I move that Ordinance #3-2015 be introduced by title and passed on first reading and that a meeting be held on March 3, 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. Roman: Second.

President Nicastro: Roll Call, please.

Roll Call: **Passed unanimously**

Mr. Roman: Just point of order, I don't know if it matters, we didn't do the Council discussion, not that I have anything to say on this.

President Nicastro: Yes. You're right. I apologize.

Mr. Roman: I'll make sure that there's no issues.

President Nicastro: No issues on that. Okay. Next item on the Agenda is Ordinance #4-2015,

Ord.#4-2015 An Ordinance of the Township of Mount Olive, in the County of Morris, State of New Jersey, to Amend Chapter 211, Article II, Section 211-15 Entitled "Placement of Material for Collection." PDF Ord

President Nicastro: Mr. Roman.

Mr. Roman: Thank you, Mr. President. I move that Ordinance #4-2015 be introduced by title and passed on first reading and that a meeting be held on March 3, 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.

President Nicastro: Any discussion? Seeing none. Roll Call, please.

Roll Call: **Passed unanimously**

President Nicastro: Next item on the Agenda is Ordinance #6-2015,

Ord.#6-2015 Refunding Bond Ordinance of the Township of Mount Olive, in the County of Morris, New Jersey, Providing for the Refunding of all or a Portion of General Improvement Refunding Bonds, Series 2005, Sewer Utility Refunding Bonds, Series 2005 and General Improvements Bonds, Series 2006, Appropriating \$4,244,000 Therefor and Authorizing the Issuance by the Township of Refunding Bonds in the Aggregate Principal Amount of Not Exceeding \$4,244,000 for Financing the Cost Thereof. PDF Ord

President Nicastro: Mr. Ferrante.

Mr. Ferrante: Sure. I move that Ordinance #6-2015 be introduced by title and passed on first reading and that a meeting be held on March 3, 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.

President Nicastro: Any discussion? Roll Call, please.

Roll Call: **Passed unanimously**

President Nicastro: Next item on the Agenda is Ordinance #7-2015,

Ord.#7-2015 An Ordinance of the Township of Mount Olive, in the County of Morris, State of New Jersey, Repealing Chapter 15 of the Mount Olive Township Code. PDF Ord.

President Nicastro: Mr. Amianda.

Mr. Amianda: I move that Ordinance #7-2015 be introduced by title and passed on first reading and that a meeting be held on March 3, 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.

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 Council of the Township of Mount Olive Providing for the Transfer of 2014 Budget Appropriations for the Current Fund Budget. PDF Res
2. Resolution of the Township Council of the Township of Mount Olive Authorizing Temporary Capital Budget for Re-appropriation Milling and Resurfacing, Carpet Install and Various Recreation Improvements. PDF Res
3. Resolution of the Township Council of the Township of Mount Olive Creating and Continuing the Mount Olive Municipal Alliance Committee. PDF Res
4. Resolution of the Township Council of the Township of Mount Olive Endorsing MOMAC Alliance Application for funding to the Governor’s Council on Alcoholism and Drug Abuse. PDF Res
5. Resolution of the Township Council of the Township of Mount Olive Amending the 2015 Temporary Budget for the Current Fund. PDF Res – **Revised***
6. Resolution of the Township Council of the Township of Mount Olive Authorizing the Use of a Purchasing Contract (Absolute Fire Protection). PDF Res
7. Resolution of the Township Council of the Township of Mount Olive Adopting the List of Eligible LOSAP Emergency Service Volunteers for 2014. PDF Res
8. Resolution of the Township Council of the Township of Mount Olive Authorizing the Township to Abate Certain Nuisance Properties Located at 4 Waterloo Road, Block 3106 Lot 1 and 28 Deerfield Road, Block 6205 Lot 11. PDF Res
9. A Resolution of the Township of Mount Olive, in the Cuonty of Morris, and State of New Sersey, Authorizing the Extension of Alcoholic Beverage License #1427-36-029-004 to Interstate Receiver, LLC (Holiday Inn). PDF Res
10. Resolution of the Township Council of the Township of Mount Olive Approving an Emergency Purchase Not to Exceed \$30,000 for Rapid Recovery. PDF Res **Added***

President Nicastro: We have 10 Consent Resolutions. Was there anyone wishing any to be moved to Non-Consent? Seeing none. Anyone from the public wish to be heard? Seeing none. Mrs. Labow.

Mrs. Labow: Yes, thank you Mr. President. Id’ like to move Consent Resolutions one through ten.

Mr. Amianda: Second.

President Nicastro: Any discussion? Roll Call, please.

Roll Call: **Passed unanimously**

MOTIONS (Consent)

1. Bill List. PDF Bill List

President Nicastro: We have Bill List, motion to be moved. Mr. Roman.

Mr. Roman: I'd like to move for approval of the Bill List.

Mrs. Labow: Second.

President Nicastro: Any discussion? Roll Call, please.

Roll Call: **Passed unanimously**

ADMINISTRATIVE REPORTS - Appointment of Joe Pointek to the Environmental Commission for a 3 year term to expire 12/31/2017(Joe was sworn in at the beginning of the meeting)

President Nicastro: Administrative Reports.

Mayor Greenbaum: I have two things. Mount Olive Lions Club is having a pancake breakfast, Saturday, February 21st from 8:00 am to 10:00 pm at Applebees. It's worthwhile to go and support them. On Saturday, Cabin Fever Reliever is taking place at the Senior Center from 10:00 am to 1:00 pm. Last year they had over 800 people who attended Cabin Fever Reliever and with the weather the way it's been, I would expect that there's a lot of Cabin Fever happening. We should get a good turnout again this year.

President Nicastro: Thank you.

Mr. Canning: Thank you, Mr. President. Just two things. One, I want to touch upon the library and I want to thank Lyn, I worked with her this morning and I really want to single out Jim Lynch, John Geiger and the Police Department, and commend Lyn for her foresight. One of the first things she had done was ensure that the Police Department had key access. While we always have the lock box to get in or in the past the police could certainly force their way in, that foresight certainly paid off on Saturday because the Police Department was able to gain access in very short order and while on the phone with John Geiger, shut the water off and that prevented probably thousands upon thousands of dollars of damage. There was still significant damage, but nowhere near what we had last year. The reason why we're a little more optimistic this year is we had a recovery...the JIF recovery vendor come in right away to minimize the damage. As a result of last year, there was some significant delay and at the time the risk managers throughout the JIF handled the claims and handled the payments and that seemed to hold things up and added to the weeks upon weeks of the library being down. As a result of that, I was rather proud, I was able to serve on the Committee with two of my colleagues, Bill Close of Sparta and Jon Rheinhardt of Wharton and we were able to pin out the white paper for the JIF of basically how to purchase and how do a rapid response and how towns should appropriately respond and get buildings back in order and that was disseminated out to JIF. We followed that blueprint for this event. In essence, the emergency that you saw in front of you today on the emergency Resolution was basically to stop the bleeding. Today, we met this morning, we had a bid out by this afternoon. It's going to be published in the newspapers. We plan on opening on March 3rd in the morning and having it on for Council approval that night. Now, we have to do a bid for the subsequent reconstruction because it's no longer an emergency, that's why we're doing the bid, it's no longer an emergency purchase. However, our intent is to present Council two weeks from tonight that bid and that reconstruction. The bid specifically states that they are to start within three working days of that award, so we're hoping by that week, March 6th at the latest that reconstruction starts. That includes spackle and carpeting and ceiling tiles and also within the bid, we're listing a demand that they be done within 21 days. We're hoping far sooner than that that the library will be up and running, but I wanted to congratulate the people that I mentioned, it was good planning on Lyn's part and just a good reaction by our personnel. We're much more optimistic this time around than last year. As far as the pipe goes, we're turning that over to JIF investigators. If there's a chance of subrogation, if there's some mechanical fault or something that was not done the way it's supposed to be, we have to speak to JIF and be seeking subrogation. The only other thing I have is GovDeals auctions, the vehicles and lots of equipment, it's all up on GovDeals, it started today. That auction, which is an online auction, I believe the Mayor has it on his Facebook, it's on our website or will be soon. As of today, that ends a week from today on the non-vehicle equipment, the vehicles end on the 27th. We're already anticipating some good response like we always do. That's all I have.

President Nicastro: Thank you. Thank you very much. Any Old Business? Any New Business? Any Legal Matters?

OLD BUSINESS - None

NEW BUSINESS - None

LEGAL MATTERS

Mr. Pasek: Thank you, Council President. Just one update to Council tonight with regard to the Paragon Senior Living Facility. As Council recalls at the end of December we approved the settlement agreement with the HMFA as well as the pilot agreement with Paragon Senior Living. At this point, there is just one condition precedent to the effectiveness of the settlement agreement with the HMFA and that is the closing take place with Paragon Senior Living. That closing was supposed to take place at the end of December, it's been kind of delayed, they're still finalizing the finance documents, I spoke to Counsel for Paragon Senior Living this morning and she assures me that she expects the closing to take place within the next two or three weeks. At that point I will update Council on further matters.

COUNCIL REPORTS

President Nicastro: Thank you very much. Council Reports. Mr. Amianda, Board of Ed. Anything?

Board of Education Liaison Report - none

Mr. Amianda: No reports.

President Nicastro: Mr. Ferrante, anything Environmental, Lake or Library?

Environmental Committee - none

Lake Issues - none

Library Board Liaison - none

Mr. Ferrante: Nothing.

President Nicastro: Mrs. Labow, Seniors and Economic and TNR?

Senior Citizen Liaison - none

Economic Development Committee - none

TNR Program - none

Mrs. Labow: Nothing.

President Nicastro: Mr. Perkins is not here. Mr. Roman, anything on Open Space or Rec?

MOTV Committee Liaison - none

Open Space Committee Report - none

Recreation Liaison Report - none

Mr. Roman: No.

Legislative Committee Report - none

Planning Board Report - none

Board of Health Report

President Nicastro: Board of Health is meeting tomorrow morning. Frank was sick. He just contacted me today, he's doing better, he was in the hospital, but he's doing better. There was an article in the paper, which I wanted to commend the officers, one of the officers from the Health Department. One of the massage parlors tried to bribe him with a bribe to keep him open without permits. They obviously didn't take it, which just shows the caliber of people that we have in here.

Mr. Roman: Do we know the nature of the said bribe?

Mayor Greenbaum: Do we know the nature of what?

Mr. Canning: The said bribe.

President Nicastro: A \$300.00 gift card.

Mayor Greenbaum: A \$300.00 gift card. It was to a female employee.

President Nicastro: That's what it was.

Mr. Roman: It's the wrong store probably.

President Nicastro: Anyone from the public wish to be heard? Seeing none. Council Comments. Anyone have anything they'd like to say?

PUBLIC PORTION - none

COUNCIL COMMENTS

Mr. Roman: No. I think I put my foot in my mouth.

President Nicastro: You said enough. Before we adjourn, we have to go into Executive Session. Mr. Ferrante, would you bring us into Executive Session.

Mr. Ferrante: Sure. According to section 7 and 8 of the Open Public Meetings Act, I make a motion we move into Executive Session to discuss personnel matters noting that the minutes will be available upon conclusion of the issue.

Mrs. Labow: Second.

All are in favor.

President Nicastro: Can someone make a motion to come out of Executive Session?

Mr. Roman: So moved.

All are in favor.

President Nicastro: Do we need a motion...no we don't need a motion to come out of...

Miss Masser: Adjourn.

President Nicastro: Adjourn. Motion to adjourn.

ADJOURNMENT - Motion made and seconded. All in favor, none opposed, the meeting was adjourned at 8:36 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 March 3, 2015.

Lisa Lashway, Township Clerk

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