
The Public Meeting of the Mount Olive Township Council was called to Order at 8:39 pm by President Tepper with the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE & MOMENT OF REFLECTION

OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT

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

ROLL CALL

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

Absent: Mr. Tobey

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

Questions on Bill List?

President Tepper: Are there any questions on the Bill List that anyone has? Mr. Roman.

Mr. Roman: Page 8, the first item, Dan McCarthy's Plumbing & Repair for faucets and drains. Were they broken, or that's just stuff that happened on its own? Also, on the same page going down, fuel for Police vehicles, Mount Olive Exxon. I thought we have our own fuel depot.

Mrs. Maniscalco: We do but sometimes the pumps don't work, Alex, and they have to actually go and get fuel from a regular gas station. So they submit receipts for reimbursement.

Mr. Roman: And I'm assuming we pay regular rates for that.

Mrs. Maniscalco: You got it. It doesn't happen often but there is an occasion where we do that, or when they do that.

Mr. Rattner: Well, we can file for the gasoline tax.

Mrs. Maniscalco: Yes, you're right.

Mr. Perkins: Gasoline tax.

President Tepper: Right, we can ask for a refund of that. Mrs. Labow, you had a comment or question?

Mr. Roman: Wait, I had one more, just the one below that.

President Tepper: I'm sorry, Mr. Roman.

Mr. Roman: It says deer versus Police vehicle. Who won?

Mrs. Maniscalco: Since we're paying I would say the deer.

President Tepper: Actually, that's questionable. He won the battle but lost the war.

Mr. Roman: And then right under that, vehicle 83, is that that same accident from a month or two months ago?

Mrs. Maniscalco: This is the balance. Yes, I believe it was that accident.

Mr. Rattner: It was two vehicles.

Mrs. Maniscalco: It was like \$10,000. We paid \$8,000 and this is the balance of it, Alex.

Mr. Roman: Okay.

President Tepper: Mrs. Labow, you had a comment or question?

Mrs. Labow: I just wanted to ask Sherry if we could set up an account with one of the gas stations when we have that situation where they have to go, and then that way we won't have to pay the taxes.

Mrs. Maniscalco: You mean will they not charge us the tax?

Mrs. Labow: Yes, if we set up an account with them.

Mrs. Maniscalco: I don't know. I'll talk to Tim and I'll have him look into it.

Mr. Roman: I can chime in on that. They can't do that.

President Tepper: It's illegal, I think.

Mr. Roman: There's no way they can set up the pumps to charge...

Mrs. Maniscalco: Go ahead, Steve.

Mr. Rattner: Sherry, talk to the office manager at the MSA. All the different major oil companies, through their fleet commercial department, they have a credit card so that it would already be deducted. The gas station doesn't see a difference. It's done at the corporate level.

President Tepper: So it's basically creating a fleet account, and when the billing comes in it subtracts out the cost of the tax on the bill.

Mr. Rattner: Yes, it actually shows on there...

President Tepper: The point to the gas station, Mr. Roman's point, he's just billing you whatever is on the meter.

Mr. Rattner: Yes, he has to.

Mrs. Maniscalco: Alright, I'll talk to Tim and have him look into that. Thanks, Steve.

President Tepper: Okay, anyone from the public have any questions on the Bill List that they'd like to bring up right now so that our CFO would have a chance to address it? Seeing none, Mr. Roman, would you approve the Minutes of our previous meetings.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Mr. Roman: I approve the Minutes of:

April 14, 2009 WS, PM & CS – Mr. Tobey absent

President Tepper: Is there a second?

Mrs. Labow: Second.

President Tepper: Thank you, Roll Call.

Mrs. Lashway: Mr. Greenbaum?

Mr. Greenbaum: How come I didn't get to move them this time?

President Tepper: Because you complained about it last time.

Mrs. Lashway: You're spoiled.

ROLL CALL – Passed Unanimously

CORRESPONDENCE

LETTERS FROM RESIDENTS/ORGANIZATIONS

1. Letter received April 13, 2009, from the Mount Olive Area Chamber of Commerce regarding an April Business Meeting.
2. Letter received April 15, 2009, from Johnson, Murphy, Hubner, McKeon, Wubbenhorst, Bucco & Appelt, P.C. Counselors at Law regarding Proposed Interior Renovations and Alterations to Enzo's Ristorante & Pizza.
3. Letter received April 16, 2009, from Flanders Veterinary Clinic regarding their support for the Feral Cat Trap, Neuter, Release Program.
4. E-mail received April 16, 2009, from the Health Care Institute of New Jersey (HINJ) regarding URGENT: Biopharma Host Community Breakfast and Economic Briefing.

RESOLUTIONS / ORDINANCES / CORRESPONDENCE OTHER TOWNS

5. Resolution received April 23, 2009, from the Borough of Kinnelon supporting A-3570 the abolition of COAH and supporting S-2503 and A -2872.
6. Ordinance received April 24, 2009, from the Borough of Stanhope regarding the Revision of Escrow Fees for Certain C Variances.

DOT/ /DEP / LOI / HIGHLANDS

7. Letter received April 13, 2009, from the State of New Jersey Department of Environmental Protection regarding Tinc Farm – Lynwood – Goldmine Interconnection.
8. Letter received April 13, 2009, from the State of New Jersey Department of Transportation regarding applications for the Transportation Enhancement ARRA (Economic Recovery) Program.
9. Letter received April 15, 2009, from the State of New Jersey Department of Environmental Protection regarding B12 Tudor Place.
10. Letter received April 17, 2009, from Redco Engineering & Construction Corp. regarding Bartley Chester Business Park Inc.
11. Letter received April 21, 2009, from Joseph Henry regarding a property at 112 Mount Olive Road.
12. Letter received April 22, 2009, from the State of New Jersey Department of Environmental Protection regarding the Active Adult Community Pump Station.

LEAGUE OF MUNICIPALITIES

13. E-mail received April 13, 2009, from the New Jersey State League of Municipalities regarding Affordable Housing, COAH Challenge League Files Response to COAH, Researching just got easier, and New Civil Service Rule Regarding Furloughs.
14. E-mail received April 14, 2009, from the New Jersey State League of Municipalities regarding Blight to Revitalization.
15. E-mail received April 14, 2009, from the New Jersey State League of Municipalities regarding Attn: Municipal Engineers – “Lunchbag” Webinar, Stimulus Funding Update on Department of Community Affairs, Programs and Priorities, and Additional Municipal Transportation Funding Proposed for FY-2010.
16. E-mail received April 15, 2009, from the New Jersey State League of Municipalities regarding Destination Marketing Organizations (DMO) and Protecting our Children from Sexual Predators: Criminal History Record Background Checks to be Addressed.
17. E-mail received April 16, 2009, from the New Jersey State League of Municipalities regarding Please Complete Our Mandates Survey, and League Alerts Fax Numbers.
18. E-mail received April 17, 2009, from the New Jersey State League of Municipalities regarding Efficiency and Conservation Block Grants Program, We Work for Health Campaign, and Predatory Towing Prevention Act, Chapter 39, P.L. 2009.

19. E-mail received April 20, 2009, from the New Jersey State League of Municipalities regarding Extended Unemployment Benefits.
20. E-mail received April 20, 2009, from the New Jersey State League of Municipalities regarding League Public Officials' Information Session, Appeals Court Division on Civil Service Emergency Rule, Vehicle Washing Requirements under Municipal Stormwater Permits, and New Media Outlet May Contact You.
21. Letter received April 22, 2009, from the New Jersey State League of Municipalities regarding the April Legislative Bulletin.
22. E-mail received April 22, 2009, from the New Jersey State League of Municipalities regarding a May 14th Emergency Seminar.
23. E-mail received April 22, 2009, from the New Jersey State League of Municipalities regarding Working Together to Solve New Jersey's Blood Shortage Through Workplace Blood Drives, and Date Correction for 2nd Annual Central Jersey "Mayor's Healthy Cook-Off," and Expand Options for Advertising Job Openings.
24. E-mail received April 23, 2009, from the New Jersey State League of Municipalities regarding Grant Writing, the Next Level.

UTILITIES

25. Letter received April 15, 2009, from Jersey Central Power & Light regarding Proposed Economic Stimulus Demand Response and Energy Efficiency Programs.
26. Letter received April 24, 2009, from Comcast regarding opposition to application for review.

DCA

27. Letter received April 13, 2009, from the State of New Jersey Department of Community Affairs regarding an Outreach Program.

LETTER FROM LEGISLATIVE REPRESENTATIVES

28. E-mail received April 9, 2009, from Congressman Rodney Frelinghuysen regarding the Week Just Past, Around New Jersey, TARP Funds, Welcomes NASA Astronaut Back Home, Inducting Army Leaders, Spread the eNews, and Contract Rep. Frelinghuysen.

TORT

29. Summons received April 16, 2009, from Brunnock & Fleming, P.C. Attorneys at Law regarding Jonathan Trotter vs. Mount Olive Township, Board of Education, John Doe 1-X, and XYZ Company 1-X.
30. Letter received April 20, 2009, from the United States District Court, Eastern District of Texas, Beaumont Division regarding 2003-2007 ambulances built with a Ford F-Series or E-Series ambulance prep package chassis.

MORRIS COUNTY

31. Minutes received April 22, 2009, from the Morris County Planning Board regarding a March 19 Regular Meeting.

President Tepper: There are 31 pieces of Correspondence. Does anyone have any questions or comments about any of the items? Mr. Roman first and then Mr. Rattner.

Mr. Roman: Yes, I'd just like to, regarding number three, a letter from a resident's organization. I would just like to comment on Flanders Veterinary Clinic for stepping up to the plate and offering to help out regarding the feral cat TNR possibility.

President Tepper: Okay. Mr. Rattner?

Mr. Rattner: Yes, number seven that we got from DOT about two and a half weeks ago basically telling us that we have a heck of a lot more work to do to get the interconnection. So I just ask that we put that on the next Workshop to find out where we are, because looking at some of their requirements, I don't know if we're ever going to get it done.

President Tepper: That's the DEP, right?

Mr. Rattner: That's number, the letter...

Mrs. Labow: Number seven.

President Tepper: It's the DEP.

Mr. Rattner: Yes.

President Tepper: Thank you.

Mr. Sohl: Just as a point of reference, we're working with Gene and the entire CMX team.

Mr. Rattner: Oh, I'm sure we're doing it, but we just need to understand because we've modified that contract in the past when they realized there were other problems. So I want to see what the end point is and what it's going to cost us. There's already been one redesign, supposedly, because we were going to go through the Park. Then we had to redesign to go around the outside of the Park, and now they're telling us we have another major... I don't know what it all means. I just think we have to discuss it and see where we want to go with it.

Mr. Sohl: Okay, I'm not sure Gene is available in two weeks.

Mr. Rattner: At least we can get a report. He doesn't have to be here. It's just giving you time to get the information that's all.

ORDINANCES FOR PUBLIC HEARING

President Tepper: Any other comments or questions on any? Seeing none, we'll move on. I open the hearing to the public on Ord. #7-2009...

Mr. Roman: Six, five...

President Tepper: Five? You skipped one on me and tricked me. Alright, I apologize.

Mrs. Lashway: This is the driveway permit ordinance.

President Tepper: Ord. #5-2009, entitled:

Ord. #5-2009 An Ordinance of the Township of Mount Olive, County of Morris, and State of New Jersey Amending Chapter 400, Land Use, Article III, General Administration; Building Construction; Permits, Section 400-18, Fees, of the Revised General Ordinances.

President Tepper: Does anyone from the public have anything to say on that ordinance? Seeing none, I'll close it to the public and I will ask Mr. Greenbaum to move that for adoption and final passage of Ord. #5-2009.

Mr. Greenbaum: So moved.

Mrs. Labow: Second.

President Labow: Second from Mrs. Labow. Roll Call, please.

ROLL CALL – Passed Unanimously

President Tepper: Okay, Ord. #5-2009 has passed on second reading, and I hereby direct the Clerk to forward a copy of same to the Mayor and publish a notice of adoption as required by law. I now open the hearing to the public on Ord. #7-2009, entitled:

Ord. #7-2009 An Ordinance of the Township of Mount Olive, County of Morris, and State of New Jersey Amending Chapter 4, Administrative Code, Article XX, Rules of Procedure, Section 4-106, Meetings of the Revised General Ordinances.

President Tepper: Does anyone from the public have any comments on that? Seeing none, we'll close it to the public and I will ask Mr. Perkins to move Ord. #7-2009

Mr. Perkins: Yes, Mr. President. I move for adoption and final passage of Ord. #7-2009.

Mrs. Labow: Second.

President Labow: Seconded by Mrs. Labow. Any Council discussion? Seeing none, Roll Call, please.

ROLL CALL – Passed Unanimously

President Tepper: Ord. #7-2009 has passed on second reading, and I hereby direct the Clerk to forward a copy of same to the Mayor and publish a notice of adoption as required by law. I'd now like to open the hearing to the public on Ord. #8-2009, entitled:

Ord. #8-2009 An Ordinance of the Township of Mount Olive to Amend and Supplement Section 400-81 Entitled "Fences and Walls"; Section 400-100.1D Entitled "Relief for Bulk Standards for Residential Lots"; Section 400-75 Entitled "Tree Removal, Replanting and Forestry Management Plans"; and a New Article IX Entitled "Development Fee and Affordable Housing Contribution" of the Code of the Township of Mount Olive.

President Tepper: Is there anyone from the public that would like to comment on that ordinance? Seeing none, I will close it to the public and I will ask Mr. Rattner to move Ord. #8-2009.

Mr. Rattner: Thank you, Mr. President. I move for adoption and final passage of Ord. #8-2009.

Mrs. Labow: Second.

President Tepper: Second from Mrs. Labow, again. Any Council discussion? Seeing none, Roll Call, please.

ROLL CALL – Passed Unanimously

President Tepper: Ord. #8-2009 has passed on second reading, and I hereby direct the Clerk to forward a copy of same to the Mayor and publish a notice of adoption as required by law. There are no ordinances for first reading. I'll now move to the Consent Resolutions Agenda.

ORDINANCES FOR FIRST READING – (None)

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 Requesting Review and Approval of Amended Development Fee Ordinance.
2. Resolution of the Township Council of the Township of Mount Olive Authorizing the Execution of an Easement Agreement with JCP&L.
3. Resolution of the Township Council of the Township of Mount Olive Authorizing a Cancellation of the Award of Contract with Garden State Engineering for the Budd Lake Watershed Restoration Project.
4. Resolution of the Township Council of the Township of Mount Olive Authorizing an Equipment Rental Expense for Continued Stabilization of the Seward House.

5. Resolution of the Township Council of the Township of Mount Olive Authorizing the Cancellation of an Ordinance Balance (Budd Lake Fire Department Roof Replacement).
6. Resolution of the Township Council of the Township of Mount Olive Authorizing the Omission from Tax Sale Certain Properties.
7. Resolution of the Township Council of the Township of Mount Olive Authorizing the Withholding from Tax Sale of Special Assessment Installments Not Yet Due.
8. Resolution of the Township Council of the Township of Mount Olive Awarding a Contract to Atlantic Ambulance Corporation for Emergency Medical Services and Medical Transportation Services.
9. Resolution of the Township Council of the Township of Mount Olive Authorizing the Settlement of the 2007 and 2008 Tax Appeals Entitled ARD Mount Olive v. Township of Mount Olive Involving Various Phase II Lots.
10. Resolution of the Township Council of the Township of Mount Olive Authorizing the Cancellation of a Grant Balance (Budd Lake Watershed Grant).

President Tepper: I'd like to ask that we remove number nine before asking the rest of the Council if they have any.

Mrs. Labow: Can we do number eight also because we wanted to clarify.

President Tepper: That's number nine I thought. No, it's eight. You're right.

Mrs. Lashway: You're taking nine off too?

President Tepper: No, I apologize. It's eight but I thought I had the right number. Any others besides number eight? Seeing none, Mrs. Labow, would you move resolutions one through seven and nine and ten?

Mrs. Labow: Yes, I'd like to move Consent Resolutions one through seven and nine and ten.

President Tepper: Is there a second?

Mr. Roman: Second.

President Tepper: Mr. Roman. Roll Call.

Mr. Greenbaum: Are you going to open it up to the public?

PUBLIC PORTION ON CONSENT RESOLUTIONS

President Tepper: I apologize. I open it up to the public. Ned, Mr. McDonnell, your name and address, please.

Ned McDonnell, Budd Lake: I'm just curious on resolution number nine, why was there such a large reduction in the assessment on these two years from, it's almost like 10% of the original assessment.

President Tepper: I'm going to defer to the Administration in terms of the tax evaluation.

Mr. Sohl: What you're looking at, this is phase two of the Morris Chase area. Toll Brothers is doing phase one. The lots that remain have lost approval via Highlands. They are literally, at this point, unless the lawsuit that's pending by the owners to the contrary, it's essentially Open Space until...

Mr. McDonnell: So basically the Highlands has made these lots...

Mr. Sohl: The Highlands has been a friend in that regard, yes.

Mr. McDonnell: I see, okay, thank you very much.

Mr. Sohl: Obviously not in regards to the value.

President Tepper: Anyone else from the public have any comments or questions? Seeing none, Mrs. Labow, would you now move them, please? She already has, Roll Call. I apologize.

COUNCIL COMMENTS ON CONSENT RESOLUTIONS – none

ROLL CALL – Passed Unanimously

RESOLUTIONS NON CONSENT

President Tepper: Non Consent resolution, item number eight, entitled:

8. Resolution of the Township Council of the Township of Mount Olive Awarding a Contract to Atlantic Ambulance Corporation for Emergency Medical Services and Medical Transportation Services.

President Tepper: Mr. Rattner, you had some questions you wanted clarification on?

COUNCIL COMMENTS ON INDIVIDUAL RESOLUTIONS

Mr. Rattner: Yes, first I just want to say that this is a long time coming, and it was through the efforts of the Administration, specifically Mr. Detoro, that we finally got here. I think we all agree this is going to serve the public rather well, because when you dial 911, all anybody cares about is being there immediately with the best trained, best equipped. That's what it is. I went through the contract and I looked at the cover sheet. It has, and this is the wording handwritten in, "For 100% of the patients, the bill from Atlantic Ambulance will be \$450 based on the average mileage to the closest facility, St. Claire's and Hackettstown." Then when I go to Attachment D, it says charges, and it actually says, "The charges provided consist of the base rate, mileage and oxygen. The base rate is automatically generated on the type of call. Mileage is corrected to the actual mileage upon entering the emergency EMS trips by the account rep, and the oxygen is manually provided." Two things, one, I guess it has on there that the two hospitals, that would be the flat rate of \$450 because you already figured it in. What is the mileage rate for other hospitals, because I know when I talked to Randolph, I believe that they said it's 70% to go to Morristown. In this whole document I didn't find anything about the mileage rate.

President Tepper: Could you give your name and identify your role?

Christina Hanley: Yes, I'm Christina Hanley I'm the Business Development Coordinator for Atlantic Ambulance. This is Mike Pizzano. He's the Manager of Transportation and BLS for Atlantic. What you're seeing on the first page is what you go by. The \$450 rate is what we have negotiated for the Township of Mount Olive. It includes mileage. We put Hackettstown and St. Claire's because they are the closest facilities, but we will transport you to Morristown, Newton, wherever for that rate as well. There will be no additional mileage charges.

Mr. Rattner: That's not in here so I think we need to make sure.

Ms. Hanley: It's an added bonus, yes.

Mr. Rattner: Okay...

Ms. Hanley: Oxygen is included in that rate as well. That's a negotiated rate for your residents.

Mr. Rattner: Okay, it doesn't say that. I think that has to be put in the contract too.

Ms. Hanley: That's fine. That'll be spelled out in the contract once it's signed, but for bidding purposes that top line rate is what...

Mr. Rattner: That's good. I just got it, you know, from the bid package.

Ms. Hanley: Yes, absolutely.

Mr. Rattner: When you, not you specifically, it may have been you when you came on a couple of different presentations that you gave us, you talked about collections and about what happens with people that, you know, for a low deductible or on Medicare, because I read in the newspaper a couple of weeks ago that, I believe, East Hanover has an issue that all of their Medicaid customers are being billed. I wasn't sure whether they were going to actual collection. I believe it was \$90.

Ms. Hanley: Right.

Mr. Rattner: There were certain representations that say, no, if you didn't have insurance... There were different methods that you had that I didn't see anything in here. Now, obviously you have to get paid for your services, at least most of it.

Ms. Hanley: In the bid packet, actually, there should have been an attachment. It may have been in the, we submitted two envelopes. One was some additional information attachments that weren't necessarily part of the bid. We just put them in as FYI's.

Mr. Rattner: Yes, there's a number of different attachments but I did, it just said what your process is. It talked about your thirty day billing and your sixty day billing and your ninety day...

Ms. Hanley: Right our regular business practices, sure...

Mr. Rattner: Then it goes to collection. Then it's up to you for how you handle it. That was in some of the representations, and I'm just looking for our residents that don't have the ability to pay. If they're already a Senior Citizen in distress, we don't want to put extra on there. Is there anything you can tell us about what, as a practical matter, how you handle those things? I know that you told us before that you write a certain amount off, you know, obviously from a business case and you have to get a certain percentage paid, otherwise you don't stay in business.

Ms. Hanley: Sure, I mean, we adhere to standard business practices just as any business would. So our collections processes are not anything out of the ordinary. Given the nature of our business we're probably a little more lenient than most businesses, but it's hard to give you facts and figures. It's hard to say what will happen in each situation. It's a case by case situation that these are evaluated on, but we do have patient financial reps who are very sensitive to those needs.

Mr. Rattner: And this wasn't you who I talked to, somebody who's in a different Town, a different, you know, one of your competitors, and they had a few horror stories for a while of the way that they very aggressively went after people who did not have it.

Ms. Hanley: Sure, and in East Hanover that came to light most recently, but when we did go and speak to the seniors, which was the group that was largely effected by everything, we did give them that breakdown because our competitors actually do charge a lot more for services, including ALS services and things of that nature. When we broke it down to them and gave them what Medicare, what their ultimate responsibility would be, and it was like that \$90 figure, it really did alleviate a lot of stress on that group who was hearing a lot of rumors that they were going to be charged, you know, \$800 or \$1,000. I mean, just numbers that were being pulled out of the sky.

Mr. Rattner: You probably have people that \$90 is a problem.

Ms. Hanley: There may be, yes.

Mr. Rattner: And you'll handle those...

Ms. Hanley: There may be and we would handle those on a case by case basis, yes.

Mr. Rattner: And the last item that I just had here, and this had to be on your technical specifications where it talks about special events in the Township upon mutual agreement. How is that going to work? Basically, if it's during their normal hours, instead of having the ambulance some place else, let's say, let's pick a Wednesday afternoon at Mount Olive Day. That means instead of having the ambulance parked, let's say, at the Rescue Squad building, you would actually have it up at Turkey Brook Park where we have...

Mike Pizzano: Sure, I can explain that.

Mr. Rattner: Is that what that...?

Mr. Pizzano: That's what I handle, yes. It's also like, let's just say, I don't know, an event in your Town that Saturday. Something big is going on in Town and you want some help. We'll come do it. We're not going to charge the Town. Also...

Mr. Rattner: Okay, that's even outside of your...

Mr. Pizzano: Outside, and some of our other Town's, let's say, the Rescue Squad has their annual Christmas dinner and some people would like to have some beverages. Obviously, we're going to come and help out.

Mr. Rattner: I guess my concern was, I just wanted to make sure that if it was more during your normal tour that you would just go to that location and you would just go from there.

Mr. Pizzano: We deal with the Rescue Squad. If they agree that they think they need something just for that event we'll help out.

Mr. Rattner: Okay, I have no other questions. I'm satisfied.

President Tepper: Is there anyone else on Council who has questions or comments. Seeing none, Roll Call, please.

Mrs. Lashway: Did we get a second?

Mr. Roman: Second.

President Tepper: I thought I had...

Mrs. Lashway: Mr. Greenbaum?

Mr. Greenbaum: Who moved it?

Mrs. Lashway: Colleen. No, Steve.

President Tepper: Steve moved it.

Mrs. Labow: Yes, Steve moved it and then...

Mr. Greenbaum: I don't think it was ever moved.

President Tepper: I apologize then. Will someone make a motion to approve then?

Mr. Rattner: I took it off the list.

Mrs. Lashway: Who is making the motion to move?

Mr. Perkins: Just make the motion.

President Tepper: Who would like to move to approve it?

Mr. Rattner: I'll move it.

President Tepper: Mr. Rattner and Mrs. Labow seconded it.

PUBLIC PORTION ON INDIVIDUAL RESOLUTIONS – none

ROLL CALL – Passed Unanimously

Mr. Rattner: Mr. Sohl, you're hoping to get this in place by July 1st? That's the goal?

Mr. Sohl: What's that?

Mrs. Labow: June 1st.

Mr. Rattner: June 1st? The goal...

President Tepper: When do you anticipate moving forward on this?

Mr. Sohl: Well, actually, Freddy, weren't we trying...?

Mr. Detoro: June 1st.

Mr. Sohl: July 1st?

Mr. Perkins: June.

Mrs. Labow: No, June.

Mr. Rattner: Okay, no, I said July. Good.

President Tepper: There is a Non Consent Resolution number eleven on the hybrid reassessment. Counsel will read that into the record.

Mr. DiYanni: As drafted by Mr. Dorsey on the dais.

Hybrid Reassessment

WHEREAS, the Township has been inundated with tax appeals as a result of factors outside the control of the Township; and

WHEREAS, the Township Council in consultation with the Township Tax Assessor and the Township Appraisal Consultant, has recommended that action be taken to “adjust” all assessments within the Township without the cost and expense of a Revaluation which would cost approximately \$450,000; and

WHEREAS, the Township needs to advise the Morris County Board of Taxation that the Township intends to undertake the suggested Hybrid Reassessment in 2010.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Mount Olive, County of Morris, State of New Jersey, that it does hereby authorize the Tax Assessor to address the Morris County Board of Taxation as to the Township’s proposed Hybrid Reassessment in 2010.

President Tepper: Can I have a second for that?

Mrs. Labow: Do we have to move it first?

Mr. Greenbaum: I’ll move it.

President Tepper: He’s reading it in, alright.

Mr. Greenbaum: I’ll move it.

President Tepper: You’re moving it?

Mrs. Labow: Second.

President Tepper: Are there any comment or questions on it?

Mr. Perkins: See, we get hybrid in there some place.

President Tepper: Mr. Perkins? It’s Green, Mr. Perkins. It’s a hybrid.

Mr. Perkins: It’s a hybrid. So there we go.

President Tepper: You’ve been successful. You’ve got something with “hybrid” introduced tonight.

Mr. Perkins: That’s it. I’m done for the night. Thank you.

ROLL CALL – Passed Unanimously

MOTIONS

President Tepper: Motions, approval of Raffle Application #2306 & #2307 for the NJ Civic Youth Ballet Inc. Mr. Roman, would you like to move those?

Mr. Roman: Yes, I move for approval of :

1. Approval of Raffle Application #2306 & #2307 for the NJ Civic Youth Ballet Inc.

Mr. Perkins: Second.

President Tepper: Roll Call.

Mrs. Lashway: Mr. Greenbaum?

Mr. Greenbaum: I'm sorry. I'm going to abstain. I don't know what's being discussed. I'm talking to Sherry about another issue.

Mrs. Lashway: Raffle Applications.

Mr. Greenbaum: I'm sorry?

Mrs. Lashway: Raffle Applications.

Mr. Roman: He took ballet so he has to abstain.

Mr. Greenbaum: Yes.

Mrs. Labow: Yes, he has a conflict of interest.

Mr. Greenbaum: Yes, I apologize. I was talking to the CFO about budget issues.

ROLL CALL – Passed Unanimously

President Tepper: Mrs. Labow, would you move the appointment of Mr. White to the Ethics Board, please?

Mrs. Labow: I'd like to appoint Mr. Anthony White to the Mount Olive Ethics Board for a five year unexpired term to expire 12/31/10. He's actually replacing Mr. Chris Kenny who had been on the Ethics Board and had to resign.

2. Appointment of Anthony White to the Mt. Olive Ethics Board for a five year unexpired term to expire 12/31/10.

Mr. Rattner: Second.

President Tepper: Any comment or discussion? If not, Roll Call.

ROLL CALL – Passed Unanimously

President Tepper: Mr. Perkins, would you move the Bill List, please?

Mr. Perkins: Yes, Mr. President, I move for acceptance of the Bill List, 15 pages as submitted.

3. Bill List.

President Tepper: Is there a second?

Mr. Roman: Second.

President Tepper: Mr. Roman has seconded. Roll Call, please.

ROLL CALL – Passed Unanimously

ADMINISTRATIVE MATTERS

President Tepper: Administrative Matters?

Mr. Sohl: Nothing else, although I would like to, you mentioned before on the School Board Committee, you said somebody from Administration...?

President Tepper: School Administration.

Mr. Sohl: Thank you.

President Tepper: I know I scared you as being a volunteer for that. I apologize if I did cause that.

Mr. Sohl: Thank you for clarifying.

Mrs. Maniscalco: Actually, Bill looked my way and was like, "Did you know?"

Mr. Rattner: Now he's smiling the first time tonight.

OLD BUSINESS – none

NEW BUSINESS

President Tepper: Any Old Business from Council? Any New Business? I believe, Mr. Mayor, you have a piece of New Business.

Planning Board Appointment – Mayor Scapicchio (Rene Gadelha)

Mayor Scapicchio: Yes, the Planning Board appointment of Rene Gadelha.

President Tepper: Are you looking to put her in Mr. Spino's spot, or an alternate spot?

Mayor Scapicchio: Everybody bumps right up the chain.

President Tepper: So she moves to the alternate and you move people up.

Mayor Scapicchio: Yes, that's been my practice.

President Tepper: Are we allowed to do it that way or do we now have to identify the alternates?

Mayor Scapicchio: Catherine's working it all out.

Mrs. Lashway: It's the Mayor's appointment without any Council...

President Tepper: Right, it's fine. It doesn't matter. You're handling it. Thank you. I think it's a good choice. Legal Matters, Dominic?

LEGAL MATTERS

Mr. DiYanni: I wasn't given anything to report on, sorry.

President Tepper: So we have nothing. Mrs. Labow, I'm going to ask you to go through Council Reports and I am going to excuse myself.

Mrs. Labow: Are you leaving or are you coming back?

President Tepper: I am leaving.

Mr. Rattner: Something we said?

Mrs. Labow: Alright, Council Reports.

President Tepper: It's a personal matter. Yes, it's something you said.

Mr. Roman: If it's something we said we should know what it is so we can keep saying it.

Mrs. Labow: Yes, keep saying it.

Mr. Perkins: Say it earlier, though.

President Tepper: Keep saying it, I appreciate that.

COUNCIL REPORTS

Vice President Labow: Mr. Roman, do you have a Recreation Report for us, please?

Recreation Liaison Report

Mr. Roman: Nothing to report at this time.

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

Board of Health Report

Mr. Perkins: Yes, Madam Vice President. A couple of things with the Board of Health. Obviously, the residents should be concerned. The swine flu epidemic is starting to move through the United States. We have had some communication with our Director of the Board of Health who is having a well deserved vacation in Hawaii. He picked a heck of a time to go but he has, along with the State, kept the Board and the Health department up to date on that. We have a Special Public Meeting coming up on the 5th. We will review our last two meetings as well as make a recommendation to the Township Council on whether to go forward with a proposed TNR project, Trap Neuter Release for the cats. I had thought that we were going to have another member for presentation here this evening, but for some reason that didn't make it. So for next meeting I'll make sure that Dr. Ross, he's a dentist here in Town, is wanting to fill the position that was vacated by Eugene Terrezza. That's a general open position. We're just lucky that he is a doctor of Dentistry. That's it, Madam Vice President.

Vice President Labow: Okay, next we have the Planning Board Report, Mr. Greenbaum.

Planning Board Report

Mr. Greenbaum: There was a Planning Board meeting. Unfortunately, I was out of Town on business. The main topic of discussion at the meeting was a presentation by the Highlands people with regard to the benefits of joining in the Highlands Master Plan. I'm not sure that they clarified anything for anybody. I don't know if you got it, Nelson, Scott, if you understood what the benefits are. We're all kind of scratching our heads as to what benefit there is of the Township adopting the Highlands Master Plan, or what detriment there is. Certainly the question has been proposed to Chuck McGroarty. I'm not sure that he knows the answer at this point.

Nelson Russell: It may impact our COAH.

Mr. Greenbaum: Yes, that's the one thing ultimately, I guess, if we do opt in to the Master Plan, that it may affect our COAH obligation by decreasing our COAH obligation. I think that's the most recent development in terms of the benefits of opting into the Highlands.

Vice President Labow: Anything else, Mr. Greenbaum?

Mr. Greenbaum: No.

Vice President Labow: Thank you. Next we have the Open Space Committee Report.

Mr. Roman: Board of Adjustment.

Vice President Labow: Did I miss Board of Adjustment? I'm sorry.

Board of Adjustment Liaison Report

Mr. Greenbaum: Board of Adjustment had a meeting. It's my understanding that most of the meeting was taken up with discussion of a project being proposed by Mr. Dorlon down on the Hackettstown side of Mount Olive.

Vice President Labow: What project?

Mr. Greenbaum: It was carried.

Vice President Labow: What project?

Mr. Greenbaum: I think he's looking at a multi-family...

Mr. Sohl: He's trying to put in a multi-family...

Mr. Perkins: Right down the block from Homeless Solutions.

Vice President Labow: What's the status with that? I know that's not our Town, but...

Mr. Perkins: It's going strong, working on the design as we speak.

Open Space Committee Report

Vice President Labow: Open Space Committee Report, we meet next week. Legislative Committee Report, Mr. Perkins.

Legislative Committee Report

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

Pride Committee Report

Vice President Labow: We meet in two weeks. Mr. Roman, Board of Education Report.

Board of Education Liaison Report

Mr. Roman: I'm sure everybody here is aware that the Board of Education election was held. Three new members... Oh, you forgot? The new members are Liz Ouimet, Jim Schiess and Ms. Criscuolo was reelected. Mr. Werner was reelected as President. Mr. Giordano was reelected as Vice President and there were accolades given to the High School Wrestlers and Track Athletes. There also was a resolution passed by them to start their meetings at 6:30. I apologize because I do not know whether it's just for the Workshop sessions or for the Public Meeting, in which case some objection was brought up as to that time being a little too early, and if the Board would change it's mind at a future date. They entertained that possibility.

Vice President Labow: Thank you, Mr. Roman. Mr. Rattner, Lake Environmental Issues.

Lake/Environment Issues Committee

Mr. Rattner: Nothing to report.

Vice President Labow: Safety Committee, Mr. Perkins.

Safety Committee Liaison

Mr. Perkins: Yes, Madam Vice President. We finally concluded. We now have a hospital based ambulatory service covering the Township during the day. It's been a long time in discussion. I know back when Mr. Buell was a Councilmember we started that discussion. We went through 2007 and 2008 and here we are just about half way through 2009. If anybody says that we jump into things without thoroughly dissecting it then they are sadly mistaken. That is a definite go forward, Madam Vice President. That is it.

Vice President Labow: Thank you. That was excellent news. I also want to thank Mr. Greenbaum for his work on it last year as well. I know he put a lot of time and effort into it and Mr. Perkins picked up the baton and carried it through. Thank you very much. Economic Development Committee, Mr. Rattner.

Economic Development Committee Report

Mr. Rattner: Nothing to report.

Vice President Labow: Solid Waste Advisory Committee, Mr. Perkins.

Solid Waste Advisory Committee Report

Mr. Perkins: Nothing to report.

Vice President Labow: Library Board, Mr. Tobey is not here this evening.

Library Board Liaison – none**Senior Citizen Liaison**

Vice President Labow: Senior Citizen Liaison Report, I did speak to Mr. Cartright this morning and asked him how everything is going with the Senior Citizen Center. He did mention that they are still having issues with people using the Senior Citizen building on the weekends and not cleaning the facility properly. So they are still having some issues. They're concerned about wear and tear on the facility after we have it all nice and new. It's going to get dirty really fast. So, Mr. Perkins, if you could possibly speak with Mr. Wilpert when he comes back from his vacation. We had started to discuss charging a fee for the building to have it cleaned and it would go into a building fund of some sort. I'm not sure... Mr. Sohl has... Yes, Mr. Sohl?

Mr. Sohl: Just as a point of reference, we've already been doing some preliminary investigation on fees charged by other Townships for their facility. Many cases it's exclusive to seniors and in other cases it's a mixed bag. Diane already has a table worked up on that.

Vice President Labow: Okay, good. I know that had been in the works but I just want to see if Mr. Perkins would check it out and find what we're going to do with that. Yes, Mr. Perkins.

Mr. Perkins: Madam Vice President, I have a follow up with Mr. Wilpert when he gets back from vacation. At the beginning of the meeting we ran down the budget items and the senior project, of course senior services was on there for a possible cut. I can tell you that the average attendance at the bimonthly meetings is in excess of 150 people.

Mr. Sohl: Packed house.

Vice President Labow: Packed house, absolutely.

Mr. Perkins: So it is wonderful to see that something that we all had put up quite some years ago is being used and those people are definitely grateful for the little bit that we do give them.

Vice President Labow: They are very happy. Mr. Cartright also mentioned that you're going to have the awnings put on over at the bocce ball courts this week I think, Mr. Sohl?

Mr. Sohl: What was that?

Mr. Perkins: Awnings at the bocce courts.

Vice President Labow: The awnings over the bocce ball courts?

Mr. Sohl: Don...

Vice President Labow: Oh, it's done? Okay, good...

Mr. Sohl: Don Cartright spoke to me today about that and I asked him to contact Diane.

Vice President Labow: Okay, because I think they're going to start their bocce ball next week.

Mr. Sohl: I understand, but I mean, we just had three beautiful days and already, you know, I mean, they expect miracles sometimes.

Mr. Perkins: It's going to rain tonight. Don't worry about it.

Vice President Labow: They are very happy with everything...

Mr. Sohl: They are seniors, but wait a minute now, that's what I am too.

Vice President Labow: I know. My husband just turned 55 so he's going to go join.

Mr. Roman: He loves to hear that. That's on the record.

Vice President Labow: Yes, I know.

Mr. Perkins: Yes, that's on the record.

Vice President Labow: We went into senior status on our bank accounts so we don't have to pay service fees.

Mr. Roman: He lied to me. He told me he was 40.

Mr. Perkins: He told me he was 35.

Vice President Labow: That's the end of the Senior Citizen Report. Next we have to open up to the public. Would anyone from the public like to come and address the Council and Administration? Seeing none, Council Comments? Mr. Greenbaum?

PUBLIC PORTION - none

COUNCIL COMMENTS

Mr. Greenbaum: I have no comment.

Vice President Labow: Can you say that again, Mr. Greenbaum?

Mr. Greenbaum: I have no... Well, actually I have several comments.

Mr. Sohl: I'll smack you.

Vice President Labow: Go back to the first one. Thank you, Mr. Greenbaum. Mr. Perkins?

Mr. Perkins: No comment.

Vice President Labow: Mr. Roman?

Mr. Roman: No comment.

Vice President Labow: Mr. Rattner?

Mr. Rattner: Yes, this past Sunday was the annual Police Athletic League Fishing Tournament up at PAL Pond, which is a retention basin pond in Bennington Woods. They always do a tremendous job. Over 100 of our younger citizens, with their parents, were out there fishing and having a good time. On the direction of Walt Sevensky, everybody won a prize. We're not talking about cheap little things. Probably the cheapest prize was a nice fishing rod with a tackle box and the bobbers and everything else. There were a lot of other things, and also because it was such a nice day. I want to commend the Public Works department. They spent this year, the PAL has been asking them to clean up the brush, cut down some of the trees, do a lot of heavy maintenance, and the area actually looks bare right now, but they probably took out tons of material. It's still a work in process. They plan on putting a few trees in from the tree bank. They still have to do some stump cleaning, maybe some grass seed, but I know the people who attended were impressed. The Police department was grateful and the Public Works department did a great job. So make sure that gets back to them.

Mr. Sohl: Thanks, I'll pass that on.

Vice President Labow: I was actually going to say just about everything that Steve said. It was a wonderful...

Mr. Perkins: No sense in reiterating it then.

Mr. Rattner: Kosher hot dogs.

Vice President Labow: It was a great event.

Mr. Perkins: Let's not be redundant.

Vice President Labow: Mr. Walt Sevensky, Officer Sevensky said that this was his last year and a new officer, Officer T.J. Cuff is going to be taking the lead for the following years.

Mr. Perkins: We all better run out and buy Pontiacs tomorrow.

Mr. Roman: Yes.

Vice President Labow: What Mr. Perkins?

Mr. Roman: No, it's something else.

Executive Session – FOP Contract Negotiations

Vice President Labow: Alright, do we still need the executive session for the FOP Contract? No? Okay, next on the Agenda is adjournment. Can I have a motion?

Mr. Perkins: So moved.

Vice President Labow: Thank you. Second?

Mr. Roman: Second.

ADJOURNMENT

Motion was made and seconded, all in favor and none opposed, the meeting was adjourned at 9:14 pm.

Russell J. Tepper, Council President

I, Lisa M. Lashway, Township Clerk of the Township of Mount Olive do hereby certify that the foregoing Minutes is a true and correct copy of the Minutes approved at a legally convened meeting of the Mount Olive Township Council duly held on May 12, 2009.

Lisa Lashway, Township Clerk

jr