MOUNT OLIVE TOWNSHIP COUNCIL MINUTES June 14, 2016

The Public Meeting of the Mount Olive Township Council was called to order at 7:31 pm by Council President Nicastro.

OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT

Miss Gouveia: 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, Mr. Ferrante, Mr. Mania, Mr. Stewart, Mr. Roman and Mr. Nicastro
Absent: Mrs. Labow
Also Present: Susan Gouveia, Township Deputy Clerk; Susan Sharpe, Township Attorney; Laura Harris, Business Administrator; Robert Greenbaum, Mayor and Sherry Kolody, CFO

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

May 31, 2016 WS & PM

President Nicastro: Mr. Amianda, would you please move the Minutes from the previous meeting, May 31, 2016 for Workshop and Public Session?

Mr. Amianda: Yes Mr. President. I make a motion for approval of the Minutes of previous meetings, Work Session and Public Meeting on May 31, 2016.

Mr. Mania: Second.

President Nicastro: Any discussion? Roll Call please.

Roll Call: Passed unanimously

CORRESPONDENCE

LETTERS FROM RESIDENTS/ORGANIZATIONS/ OTHER TOWNS

1. Email received May 31, 2016, from Sustainable Jersey regarding E-News: Gold stars, sustainability report, 66 grants, hubs, Board spotlight Maureen Hassett and more.

2. Email received June 4, 2016, from Sustainable Raritan River regarding NEWS from the Sustainable Raritan River Initiative--June 2016.

3. Email received June 6, 2016, from Sustainable Jersey regarding Less than 10 Days until the Sustainability Summit!

4. Email received June 6, 2016, from New Jersey Managed Districts Association regarding NJMDA Cocktail Meet & Greet Event 6/23.

5. Email received June 7, 2016, from Great Swamp Watershed Association regarding Municipal Alliance Meeting Thursday 6/23.

STATE AGENCIES

6. Email received June 1, 2016, from FEMA regarding FEMA Bulletin Week of May 30, 2016.

7. Email received June 1, 2016, from New Jersey Department of Environmental Protection regarding NJDEP Press Release – Skirmish on Kings Highway Re-enactment Set for Saturday, June 4 at Indian King Tavern in Haddonfield.

8. Email received June 2, 2016, from New Jersey Department of Environmental Protection regarding NJDEP Air Quality, Energy and Sustainability Photo Contest.
9. Email received June 2, 2016, from FEMA regarding FEMA Encourages Preparedness for the 2016 Hurricane Season.

10. Email received June 3, 2016, from FEMA regarding Updated NFIP Reform Fact Sheet June 3.

11. Email received June 7, 2016, from New Jersey Department of Environmental Protection regarding NJDEP Press Release – Free Fishing Day Statewide Saturday – Youth Fishing Challenge.

12. Email received June 8, 2016, from New Jersey Department of Environmental Protection regarding NJDEP Press Release – Cheesequake State Park Kayak Tours.

MSA/MUA

13. Email received May 27, 2016, from Musconetcong Sewerage Authority regarding MSA Approved Meeting Minutes – April 28th.

MORRIS COUNTY

14. Email received June 1, 2016, from County of Morris regarding Butterfly Bonanza Correction.

President Nicastro: I open the hearing to the public on Ordinance num… I’m sorry, I’m sorry, I forgot that there. There’s 14 Correspondence. Does anyone have any questions on the Correspondence? Seeing none. I open the hearing to the public on Ordinance #13-2016,

ORDINANCES FOR PUBLIC HEARING


President Nicastro: Mr. Ferrante.

Mr. Ferrante: Sure, I move for adoption and final passage Ordinance #13-2016.

Mr. Roman: Second.

Mr. Mania: Second it.

President Nicastro: Does anyone from the public wish to be heard? Seeing none. Closed to the public. Anyone from Council have any comments? Seeing none. Roll Call please.

Roll Call: Passed unanimously

President Nicastro: Ordinance #13-2016 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. We have one Ordinance for first reading. Next item is Ordinance #14-2016,

ORDINANCES FOR FIRST READING


President Nicastro: Mr. Roman.

Mr. Roman: I move that Ordinance #14-2016 be introduced by title and passed on first reading and that a meeting be held on… give me a date…

President Nicastro: When’s our next meeting, the…

Miss Gouveia: June 28, 2016.
Mr. Roman: …meeting be held on June 28, 2016 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.


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 Approving a Vendor Service Contract on a “Fair and Open” basis Pursuant to the “Pay-to-Play” Law. (Dan McCarthy’s Plumbing)

2. Resolution of the Township Council of the Township of Mount Olive Approving a Vendor Service Contract on a “Fair and Open” basis Pursuant to the “Pay-to-Play” Law. – REVISED (Stewart and Stevenson)

3. Resolution of the Township Council of the Township of Mount Olive Approving an Emergency Purchase not to Exceed $16,000 for HVAC Replacement in the Server Room.

4. Resolution of the Township Council of the Township of Mount Olive Approving an Emergency Purchase not to Exceed $30,000 for HVAC Replacement in Senior Center.

5. Resolution of the Township Council of the Township of Mount Olive Awarding a Professional Services Agreement with Dorsey & Semrau Under the Non-Fair and Open Contracts in Accordance with the Pay-to-Play Law.


7. Resolution of the Township Council of the Township of Mount Olive Authorizing the Awarding of a Contract to Tony Sanchez, LTD for a Dump Body, Salt Spreader & Snowplow.


President Nicastro: We have nine Resolutions, Consent Resolutions. Mr. Mania, would you move Resolutions one through nine?

Mr. Mania: Thank you Mr. President. I move for approval of Consent Resolutions one through nine.

Mr. Roman: Second.

President Nicastro: Does anyone have any for Non-Consent? I’m sorry I jumped the gun. Anyone from the public wish to be heard on Resolutions? Seeing none. Any discussion? Roll Call please.

Roll Call: Passed unanimously
MOUNT OLIVE TOWNSHIP COUNCIL MINUTES

June 14, 2016

MOTIONS

1. Bill List.

President Nicastro: Mr. Stewart, would you move the Bill List, please?

Mr. Stewart: I move that the Bill List for June 14, 2016 be moved for acceptance.

Mr. Mania: Second.

President Nicastro: Discussion? Roll Call please.

Roll Call: Passed unanimously

ADMINISTRATIVE REPORTS

President Nicastro: Administrative Reports. Mayor, Laura?

Mayor Greenbaum: I’d just like to call Jim up. Jim why don’t you come up and tell us where we are with the Splash Pad currently. I do have a…an update. I drove by today, it looks beautiful.

Mr. Stewart: Yes it does.

Mayor Greenbaum: Today was the first day I drove by it, I thought it looked phenomenal.

Mr. Mania: Big pour on Friday, 120 yards.

Mayor Greenbaum: Yes, big pour. Go ahead Jim.

Mr. Lynch: We are probably 75 percent complete in my estimation. The substantial portion of completion is the concrete work, obviously. All the elements, the bases are in the concrete, so that part is ready to go. They pressure tested it, it passed. They will be continuing to work now on the pergola, the fencing, the finishing touches. From that stand point it should move fairly quick at this point. We just have to just hash out some of the landscaping that’s going to go on, there’s some grading issues to make elevations meet so that I can maintain it when it’s done. The bathroom in the pump house building is in place. We are on pace with the contractor…with his professionals to make sure our end is complete so it can be opened and everything should open all at once. It’s been…it’s been a large effort. A lot of cooperation, a lot of questions going back and forth on certain issues, but we’ve worked through everything and I’m very pleased with what I’ve seen so far, the workmanship with the level of completion we’re at. There have been some weather delays unfortunately. It’s construction and we all know construction, there are places where we can go fast and there’s places where you have to wait for concrete to dry. We’re doing good.

Mayor Greenbaum: Thank you.

President Nicastro: Thank you.

Mayor Greenbaum: Anyone have any questions for Jim? Drive by it, it’s incredible.

Mr. Stewart: Yes, we saw it today. Thank you again for the tour today too.

Mr. Lynch: You’re very welcome. It’s always a pleasure to have you in the park.

President Nicastro: Anything else?

Mayor Greenbaum: Yes. Mud Run, this Saturday the weather is supposed to be beautiful. I know that they have almost as many pre-registrations as they had total participants last year, I expect that half the Town is going to be there on Saturday.


OLD BUSINESS - none
NEW BUSINESS - none
LEGAL MATTERS - none
Ms. Sharpe: No, that’s it.

President Nicastro: Seeing none. Council Reports. Mr. Amianda, anything from the Board of Education or Seniors?

COUNCIL REPORTS

Board of Education Liaison Report
Senior Citizen Liaison - none

Mr. Amianda: Yes I have something for the Board of Education. The Board of Education met on June 13, 2016, 6:30 pm at Mount Olive Middle School for reports and discussion. Mount Olive Department of Athletics held Mount Olive 2016 Spring Sports Board of Education Award Ceremony. The Board recognized Mountain View students for being named first in Math Honors in the National Competition. The Board recognized outstanding team accomplishments in 2016 boys tennis, 2016 girls lacrosse, boys track and girls track, baseball and softball teams. The Board recognized Morris County Counselor of the Year, who happens to come from Mount Olive. The Superintendent of Schools gave a status report of Full Day Kindergarten. The District is awaiting New Jersey State approval in order to hold a referendum on Full Day Kindergarten. Middle School graduation is on June 16, 2016 and High School graduation is June 17, 2016. That’s the end of the School Board report.

President Nicastro: Thank you Mr. Amianda.

Mr. Amianda: I have no report…no report on…

President Nicastro: No report on Seniors. Thank you. Any Environmental, Lake or Library, Mr. Ferrante?

Environmental Committee
Lake Issues - none
Library Board Liaison

Mr. Ferrante: Sure. The…with the Library, June 18, 2016 is their bag of books sale from 10:00 am to 4:00 pm. The summer reading program will begin on June 20, 2016 at 1:00 pm with light refreshments. Environmental Commission, well testing was a big success, 44 kits were sold. The Environmental Commission is not supporting the School and Park Trail Grant proposal, which Mr. Fleischner will address. That’s it.

President Nicastro: Thank you. Mr. Mania, anything on Legislative or Planning?

Economic Development Committee Report – none
TNR Program – none

Legislative Committee Report
Planning Board Report

Mr. Mania: Yes. I’ve let Senator Oroho know that I DO NOT support the gas tax. I’ve gotten calls from businesses, transportation businesses and it’s going to affect their income.

President Nicastro: On that note, just really quick if you want to, I do have a meeting with him next Tuesday because I have my concerns.

Mr. Mania: I’d like to attend.

President Nicastro: I have my concerns. I emailed him and he invited me up to come up and get an explanation of why they need to pass this. If anybody wants to go, it’s next Tuesday…

Mr. Mania: What time?

President Nicastro: …on Route 15 in Sparta.

Mr. Mania: What time?

President Nicastro: We’ll be there. I’ll give it to you…11 o’clock.

Mr. Stewart: He was on the radio today trying to explain it.

President Nicastro: They’re all trying. Thank you. Anything else Mr. Mania?
Mr. Mania:  Well, Planning Board, I attended the meeting, but I couldn’t vote.  It was a “d” variance, it’s a proposed Seven-Eleven next to the Budd Lake Diner.

Board of Health Report
President Nicastro:  Board of Health is meeting tomorrow evening here.  One of the things on the item…on the Agenda is the Ordinance for the change for the non-profits in the food handling.  We had to put in some implementation for non-profits in the handling of food, so that will be on there tomorrow.  Other than that we meet here tomorrow at 6:30 pm I believe it is.  Mr. Roman, anything on Open Space or Recreation?

Open Space Committee Report - none
Recreation Liaison Report
Mr. Roman:  I could not attend the Open Space meeting on…this past Monday.  Recreation does not…will not be meeting in June.

President Nicastro:  We didn’t get anything changed yet.  Mr. Stewart, anything on MOTV?

MOTV Committee Liaison
Mr. Stewart:  Yes, we have a special program with the Community Action Panel next week on…actually featuring Mount Olive Police Captain Beecher on “The Target Is You Phase II” and we’re going to be having that videotaped by Ron Jaghab, HT Video and then that will be posted on Mount Olive TV.

President Nicastro:  Very good.  Before we get to the public portion, Susan do you want…just give an overview of that Ordinance just so we’re clear on the Ordinance, the one you just put on.

Ms. Sharpe:  Yes, thank you.  The Mayor already gave a very thorough explanation of the background with the railroad issue.  I just wanted to highlight the Ordinance that was…was introduced.  Basically, it prohibits the parking of the cars within 1,000 feet from any building, dwelling, house or other improvement on real property and then authorizes fines of not more than $500.00 or even imprisonment for violations of that.  This was something that we wanted to get put in place right away.  I just wanted to give a little bit of background on that.

President Nicastro:  Mayor.

Mayor Greenbaum:  You have to understand that if even we adopt such an Ordinance the Federal Railroad Act may preempt, but it’s a step in the right direction, nonetheless.

PUBLIC PORTION
President Nicastro:  Thank you.  Thank you Susan.  Public Portion.  Does anyone from the public wish to be heard?  Mr. Fleischner.

Mr. Fleischner:  Good evening. Joseph Fleischner, 34 Karen Place, Budd Lake.  Before I stand and speak on behalf of the Environmental Committee, which I am Chairman and that is my main reason for being here, I would like to comment on the discussion in Trenton which is going on raising the gas tax and the trade off is eliminating the Estate and Inheritance Tax in New Jersey.  For those of you that don’t know, when someone passes away in this State, if you go over the minimum, which I believe is $645,000.00, by one dollar, and it includes your house, you go back to zero.  If you’ve worked your whole life and you want to leave something to your children, the State will come in and take a huge chunk out of it.  There needs to be some kind of a trade off and obviously our bridges, our highways they all need fixing.  Now, I don’t necessarily agree with the twenty-three cents increase, but we are the lowest gas tax in the United States.  I think we’re pretty…we’re still a couple of cents cheaper…

Mr. Mania:  We’d like to stay that way too, Joe.

Mr. Fleischner:  The reality is if you look at…you know…Estate and Inheritance, you want to leave some money to someone that’s not a family member, they’re a class D beneficiary.  They will be taxed.  You will have to pay taxes on that.  If you’ve worked your whole life and you’ve been prudent and you’ve saved money, the State is going to take a huge…so it’s time that the State of New Jersey at least equals what the Federal Government does.  I believe the Federal Government is five plus million dollars.  Just for your knowledge, the State of Connecticut thought they had a great idea and they would lower the estate tax to approximately three and a half million, but what they found out was small businesses, because if you’re an LLC as many of you know, you pay it as part of your taxes, you try and sell that business or you pass away, the chunk that goes to the Government is huge.  Connecticut…the Governor said and he’s a Democratic Governor, we have to go to the Federal limit because we’re losing too many small businesses from the State of Connecticut.  Yes, no one wants to pay more for gas, but let’s be honest, twenty-three cents when you drive 15,000 miles a year, it’s
$150.00 a year. I think pretty much we can afford $150.00 if we look at saving money for people that have worked their whole lives, to save some money to give to their children. Anyway, that’s all I have to say about that. Now I am here not as John Q citizen, I’m here as Chairman of the Environmental Committee and I was requested to appear before you by the Environmental Committee. I spoke with Mr. Ferrante, I spoke with Mr. Nicastro, I know there is a…there was a motion put before this Board for safe trails. A letter was actually sent back in May and then I received a different email from the Administration, from the Business Administrator saying the scope of the project had expanded and this was dated Tuesday, May 24, 2016. I save all my emails, I save all my texts, whoever texts me they’re in ROM-CD’s, not thumb drives, but that’s okay, a little old fashioned. The letter was redone and I was asked if I could return this by June 15, 2016. I stated that the Environmental Commission meets the first Wednesday of every month. June 1, 2016 was our next meeting, so I brought this before the Environmental Committee and when we vote in the Environmental Committee, as Chairman I vote last because I feel its…unlike the Planning Board where it’s alphabetical and I vote first, but I vote last. I brought this question and I brought the map that was sent to me, to the Environmental Committee and overwhelmingly…I did ask a question after I received the email, can someone please tell me who will maintain the project and also the cost to the Township and this appears to be a huge project, will the grant cover all the initial costs? I’m not going to say because there’s hearsay and I can’t…when someone tells me one thing, I understand the initial cost was a lot greater than what the grant is, but again that would be as you attorneys would know, based on hearsay because somebody told me that it wouldn’t be something that was told directly by the Administration. Anyway, I brought this to the Committee and on that evening…I’m going to digress a little bit because I’m going to go in the order of how the meeting went that evening because I think it’s important that you understand that. The first items we spoke about was the lake report that evening, that we initially received which was very general and I’ve spoken with the Business Administrator and its gotten more specific, but what concerned a lot of people on the…not a lot, but everyone on the Committee…the lake was treated a few days before Memorial Day weekend. Anybody go by the lake on Memorial Day weekend? Did you see how many people were on the beach? Did you see how many people were swimming in the lake? Quite a few. There is no sign that says “swim at your own risk”. I went up and down looking for a sign that says “swim at your own risk” and there isn’t any. If we are not going to be testing the water and I don’t know if we are or not, but if the lake’s going to be treated, if people are going to be swimming…there were people on the beach today, I pulled in. There were people on the beach today, some people standing in the water. The lake is being used by the residents. Somehow we need to address that. There are people, and granted I think the Splash Pad will be great, I think the park is great, but the Committee also believes there are still people in Budd Lake that want to sit on the lake, they want to go in the lake. Yesterday there were people swimming in the lake after I picked up my grandson. On the way back he says there’s people swimming, when can we go swimming in the lake? I think this Council and Administration need to address that. It’s something we need to talk about. We then talked about as Mr. Ferrante said, we had a very successful…with the well testing, 44 kits…two year…we did not do it last year, two years ago I believe it was only like 12 or 13 people and then we got to the…the question of this trail. The questions that came up by the Committee were: what will the actual costs be to the Township? What the Committee members meant by that is not…the grant covers X, Y, Z, if it costs more and I understand there is a Resolution that was passed which I found out the day after the Committee met because I came to Town Hall out of a courtesy to let our Administrator know that we had met the night before. The door was closed, the sign said go to the Township Clerk. I went to the Township Clerk and I was told that the Council passed the Resolution the week before, which was a surprise to me only because we don’t meet until the first and it would have been nice had the Environmental Committee been notified that there was going to be a Resolution. We were never notified of this, so it was kind of afterwards I asked the Township Clerk to speak with Miss Harris, who did call me that time later in the day, but at that point obviously the ship had sailed. The concern again was what are the actual maintenance costs, what is the safety of the people that are…going to use this trail because the initial letter states that…let me get that out…the initial letter…as frequent…students of Chester Stephens Elementary, as well as children of all ages frequently walk and bike from the Elementary School past the High School and our primary sports facilities, Turkey Brook, etc. A member of our Committee asked, well how many children, two, five, ten, one hundred, two hundred, how many? The Committee would like to know before we go ahead and do something, how many people are actually involved. They also asked a question, if we put in sidewalks, is the admin…does the School Board or will the School Board say where there are sidewalks we no longer have to bus, because courtesy bussing does not have to be given then when there’s sidewalks. State law says a mile and a half, they can do that. Now, I wasn’t sure about this so I asked a member of the School Board, has this ever been brought to a member of the School Board and I was told, he told me, it was the first time he ever even heard of it. It was not brought to the School Board to ask them if they thought it was a good idea and what…

Miss Harris: I’m sorry that’s not the case, it was on their Agenda.

Mr. Fleischner: Well I…excuse me please, you’ll have plenty of time at the end. I asked the Board Member, the Board Member who’s been on the Board now for I guess it would be three years, said it was never before…he never had it before him. That’s all I can say, okay. That was one of the questions. The next
question is trash. Who’s going to clean up the trash? If, let’s say, there is a large quantity of people that are going to do this, who’s going to clean up the trash along the road. Now I did speak with Mike Pocquat and Mike Pocquat told me that people will volunteer, they’ll adopt a trail and they’ll…they’ll clean it up. I said to Mike, that’s wishful thinking, it could happen. We have a trail at the end of Natalie Drive, we did a whole clearing for trails, you know what takes place there now; grass is overwhelmed, the ATV people go there all hours of the day down the streets, it’s gotten out of hand. People are up in arms on Natalie Drive and Karen Place because of what’s happening where those trails are. Getting back to this, trash, who’s going to clean it up, that’s a real question. Also loitering, are people going to be in the woods, what are they doing there? How safe is it? Now, I’ve been told and I have seen that there are young people from the High School that do run on the road when they… I guess cross country train, but they also not only run on Flanders Road, now I’ll call it Antique Hill because like for us old timers you know we’re the old antique place, the kids run up that hill from the High School too. They just don’t run on Flanders Road, they run all over the place. The question is also raised by the Committee, how much is it going to cost and who is actually going to maintain those trails? I was told in the email, which I shared with the Committee that the…the Town Maintenance Department will take care of that. Now in all honesty I think our people are over worked now. There are certain things in Town that they…it’s tough to even keep up with and now that you have the Splash Pad, that’s a lot of work there as well. As Mr. Stewart and I have discussed, there are trees in Turkey Brook along Sunset that have fallen down, died years ago and there’s…blanks…dead trees that have to be pulled out, new trees planted, still not done. People can do only so many things. Anyway, to make a long story short the Environmental Committee voted six to nothing, I voted last, that we are not in favor of putting in this trail. Thank you.

President Nicastro: Mayor.

Mayor Greenbaum: Well, I heard everything that you had to say Joe and I think that the only real issue that the Environmental Committee dealt with that was really within the scope of their authority was the trash issue and I can say that we’ll deal with it as it arises. We’ve looked at the issue, the Police Department has come up with this plan, which is a safety plan. Laura will speak to the number of accidents that have occurred that really…we just pulled within the last three years, the number of students who’ve been hit…if the students are on the main road, there’s going to be trash…the same trash issue that there’s going to be, every trail that we have is the same with respect to…to maintenance. I find it mind boggling that the Environmental Committee came out against this because it is so wholeheartedly within the safety aspect of what we do here that they just totally missed the boat from my perspective. Laura, why don’t you tell them what you came up with.

Miss Harris: This is actually Police reports from the last three years of accidents that occurred along the route that we were going to place the trail. There were…there were three people struck by cars, two were on foot and one was on a bicycle. There clearly is a problem, the rest of them are motor vehicle accidents. There clearly is a safety issue there now. In regards to the Resolution being passed by Council…you know…our Agendas are posted online prior to the meeting, they’re there for everybody to see so…you know…it wasn’t a secret that the Resolution was…supporting the application was on the Agenda. It was also on the Board of Education’s Agenda, twice, because I put it on the first time with the smaller scope of work and I put it on the second time with the larger scope of work. I have a support letter from the Superintendent of Schools, I have a support letter from the Principal of the High School, I have support letters from the Principals of the Elementary Schools. It’s…you know…it’s a very widely supported project, there’s clearly a need for it. It’s also a very unique project. I feel it’s a very compelling application for the DOT and the Safe Routes to Schools Program. In regards to cost, we do have an estimate of $480,000.00, were applying to the DOT for $400,000.00 and then the County, as we all are aware, has a new trails grant, that application is due in September. I was going to make an application for the balance of the cost for the project.

President Nicastro: Thank you. Mayor.

Mayor Greenbaum: There was just one other issue that I wanted to address, which Joe brought up, which is the lake issue. It doesn’t necessarily have to do with the Environmental issue, but I do recall at the time that we decided that we were not going to run a beach program we had talked about the different aspects of what we might do there to either dissuade or to advertise or alert the residents as to what was happening at the lake. I think that the legal opinion at that point in time was not to post any signs because it would open us up to liability ultimately. I’m not 100 percent sure so I’m going to ask you to take that back to Fred.

Ms. Sharpe: Certainly.

Mayor Greenbaum: Ultimately, if it is appropriate from a legal perspective to put up signs that say “swim at your own risk”, I’m more than happy to have those signs put up at the lake, but that’s not my recollection of ultimately how the discussion went down, whatever last year or the year before that.
President Nicastro: Mr. Roman.

Mr. Fleischner: If I may, you said you held up the whole thing about accidents on the road. Those are cars accidents?

Miss Harris: Three…as I said three of them…

Mr. Fleischner: Three, three okay and what was the background behind those three?

Miss Harris: In three, there were people walking or biking on the road and were struck by cars.

Mr. Fleischner: Right, and how many people walk on the highway and are struck by cars in Cloverhill? Get that report out.

Miss Harris: I’m not…I don’t know what the relevance is.

Mr. Fleischner: The relevance is…that you can always…

Miss Harris: Three people getting hit by cars in three years is a problem.

Mr. Fleischner: Then we should close all our roads. It’s sort of like taking away guns…

Mayor Greenbaum: Not when you can…Joe not when you can find a solution to a particular problem…

Mr. Fleischner: I don’t…well…

Mayor Greenbaum: I think that the Environmental Committee has really over stepped what it is that they’re supposed to do. I understand the trash issue, that’s an Environmental issue, but when you start talking about the cost of implementation of a project, that’s really within the bounds of what the Town Council does, not the Environmental Committee. Ultimately as Laura said, this is a project which has been endorsed by the very people who are going to benefit from the program, which are the school system. The Superintendent, the Elementary Schools, the High School Principal all think that the program is worthwhile doing and I think they have a little bit more experience in terms of these issues in terms of getting kids back and forth from school, safety issues than the Environmental Committee does. Again, I think that the…as much as I applaud the effort that the Environmental Committee does, I think that they’ve really stepped outside of their area of expertise and the area in which has been delegated to them to advise this Governing Body as to…as to what projects to undertake and what projects to not undertake.

Mr. Fleischner: You have no problem with cutting all the trees that run along the road? You have no problem doing that?

Mayor Greenbaum: I have no…when I spoke to the homeowners in terms of…they were…two…we went house to house to house, they were all in favor of actually eliminating those trees because they are safety hazards. People pulling out of driveways, it’s very difficult to see as your backing out of the driveway and getting onto the roadway, so no I don’t have any problem with cutting…

Mr. Fleischner: What about along Flanders Road? All those trees.

Mayor Greenbaum: I have no problem in cutting down trees that will result in a benefit in terms of the safety of the residents of Mount Olive which is exactly what this program is designed to do.

Mr. Fleischner: We don’t think it’s in the best interest because you’re also talking about a very very small number. If you want to deal with safety then let’s start dealing with the safety on all the roads we have in the Township. Let’s start dealing with the safety of why at Wolfe and Smithtown Road there’s no turning lanes. How many people…how many people are in car accidents there? You…you just said you’re concerned about safety. A week ago a woman made a turn, I got there before EMS, I took a towel and put it on a man’s head that was bleeding out.

Mayor Greenbaum: Joe, you know I appreciate the fact you dedicated your free time for the benefit of the residents of Mount Olive, but you out of anybody should know that that’s a State Highway and we have on numerous occasions sent to the DOT and to our representatives the need to put in a turn lane at that intersection. We have on numerous occasions asked the State to put in a traffic light at Connelly Avenue and Route 46. We
have looked at issues involving Route 46 safety, it’s outside of our control, we haven’t been able to move either the State agencies or our Legislators to help us. That’s not…

**Mr. Fleischner:** Have you ever gone to Trenton? Personally I went into DOT’s office.

**Mayor Greenbaum:** I have gone to Trenton on numerous occasions…

**Mr. Fleischner:** In the DOT’s office?

**Mayor Greenbaum:** No with the Legislators. Joe you’re more than welcome to go down to Trenton on behalf…on my behalf and go speak to the DOT and God Bless You if you’re able to actually accomplish something. The biggest problem that all of us sitting up here have in terms of Governing this Municipality is the State of New Jersey and in particular it’s the NJDEP and the NJDOT. It’s just not going to happen. In fact there was a project that they were going…looking to do in terms of changing the intersection which would’ve made it worse. We ultimately…I don’t know how…were we successful in stopping it or they’re moving forward with it anyway.

**Miss Harris:** No we…

**Mayor Greenbaum:** We once again presented our plan for a left turn lane on Route 46 at the Wolfe Road and Smithtown intersection and it’s just not going to happen.

**Mr. Fleischner:** Do you know how the traffic light got to Wolfe Road and Smithtown Road?

**Mayor Greenbaum:** No I don’t.

**Mr. Fleischner:** I’m going to tell you. Maybe Mr. Mania remembers. I moved here, there was no traffic light. My wife got hit in a car. I got in the car, I took a week off from work.

**Mayor Greenbaum:** Yes.

**Mr. Fleischner:** I went down to Trenton, I sat in the DOT office, on the fourth day the Commissioner came out to see me and he said what’s the problem. I told him. One week later I came to this Town Council and I said you will have your traffic light in a month. Two weeks later, the crew was working there to put in a traffic light.

**Mayor Greenbaum:** Joe I only hope…

**Mr. Fleischner:** I’m just saying…

**Mayor Greenbaum:** I only hope that you can go back down to Trenton and get them to expand the highway to put a turn…a left turn lane there, it would benefit all of us.

**Mr. Fleischner:** I’m saying now it’s your turn. I did my thing. It’s your turn to do it.

**Mayor Greenbaum:** Okay.

**Mr. Fleischner:** Just do it.

**Mayor Greenbaum:** Thank you Joe.

**Mr. Fleischner:** Thank you.

**President Nicastro:** Anyone else? Mr. Lynch.

**Mr. Lynch:** Thank you. Jim Lynch, Supervisor Parks. I just want to clarify some of the points that were raised in the last public comment. I do understand the aquatic treatment of a lake and there is a REI, which is a Reentry Interval, its 24 hours. After the treatment of the lake with the materials they used, its 24 hour reentry interval on the lake. The lake is so big and it has such an exposure to wind in Mount Olive, that that period is actually diminished, though the manufacture cannot reduce it on the label by Federal law. I hope that kind of informs Mr. Fleischner on that. The issue of the trees on Sunset Drive, our Business Administrator Laura Harris has worked diligently with Sunset Drive. We’ve had two or three meetings with the residents. The large trees that are down next to John and Cindy Rec’s house, which is the last house on the stretch, came down in
Sandy. They were requested to stay there because they serve as basically nature’s block from people wandering through that area. We have met with them, we are proposing and we’re working towards getting the last of the quotes necessary to erect some more privacy screening to impact people, to stop people from trespassing through that portion of the park shall we say and going to close to the homes. There are three trees down as well. One of the trees does need to be removed, I will admit to that. The other two trees that are leaned over from Sandy are actually still growing and are active. When we spoke to the residents in our last meeting, we came to a plan to leave those trees because now they’ve become more of a hedge type tree than a vertical tree. We’ll be adding trees out of the tree bank fund this year. I’ve emailed and been in contact with the residents, we’ve developed a distribution list, we’ve been in contact with them. I’ve identified types of plant materials to go in the voids that have not matured, where plants died. There were three trees from the initial berm that we did that did not succeed. We have a plan in place for that, just so Mr. Fleischner is aware that we are working with Sunset Drive to make sure that is an issue that is no longer…one that upsets residents because of the impact of the park. If the trails grant is successful we would look to reduce the number of trees cut down. When I took our Administrator, Laura Harris, on a tour of the properties…Flanders Road, we’re looking to minimize the impact to trees by utilizing some of the trails that are already in place and maybe improving the trail surfaces instead. It would be a positive reduction in tree removal. We are looking at all that. I hope that helps to clarify some of the misconceptions going around. I obviously…I speak now for the first time ever, if I can step away as your Buildings and Grounds Supervisor, as a resident. I was Captain of the track team, 26…27 years ago, I’ve watched my classmates, my team mates, I’ve watched other students run on that road. I’ve watched them run on all the corridors that Laura and I have traveled for this trails grant. Their lives are just as important as anyone else’s in this Town. If one child…we have been very fortunate…if one child does get hit that’s a member of one of our Varsity Athletic teams, if one pedestrian who is a resident, it’s a tragedy and it’s a preventable tragedy. We are looking at linking, and I know Laura sent this report, a massive number of neighborhoods together and we are a community. You have all sat up here and advocated and espoused that we are a community. Yes there are impacts, there are impacts everyone has concerns with, but I’ve been a resident for 38 years and it’s the first time I’ve been at this podium to tell you, you’re going to give probably close to 13,000 people around Turkey Brook Park which is our true center of Town, a safe corridor to navigate between three schools, our largest public park and put a lot of people’s fears to rest when their kids go out the door. I know there are issues with the Board of Education, I know there’s maybe with courtesy bussing, those are issues that you and the Board of Education will have to responsibly deal with and that’s why we elected all of you. As a resident this time I really support this, I know it’s not what the Environmental Committee wants, but I think for the safety of a lot of people in this Town, it’s truly what a community needs. Thank you.

President Nicastro: Thank you. Anyone else from the public wish to be heard? Seeing none. Closed to the public. Council Comments. Anything Mr. Amianda?

COUNCIL COMMENTS

Mr. Amianda: No.

President Nicastro: Mr. Ferrante?

Mr. Ferrante: Nothing tonight.

President Nicastro: Mr. Mania?

Mr. Mania: Just a quick question. That house on Mount Olive Road that’s in dire need of repairs, are we doing anything, is anything transpiring?

President Nicastro: Laura, was anything happening, Laura? Excuse me…the house with the…Mount Olive Road, any updates on that?

Miss Harris: I’m trying to remember which one…

Mr. Roman: The gentleman…

Mr. Mania: Colonial…it’s on the corner of Colonial and Mount Olive Road.

Miss Harris: …because I have two on Mount Olive Road. The one that Colleen brought to my attention. We did issue a notice of violation and ultimately did issue a summons because we have not been able to reach the gentleman. Scott VanNess told me that he…that in the past when they have contacted him he has refused help through the County HUD program. He doesn’t seem really interested interacting with any of us. Where we stand right now is that the summons has been issued, of course he hasn’t responded to the summons, so that
basically gives us the tools to bring him in if he’s pulled over…a police officer stops him for any reason, an arrest on a warrant basically. That’s really all that we can do at this point. I know Scott is going to have the County, Adult Protective Services come with him the next time he tries to enter the home so hopefully at some point we will get to speak to him and figure out if we can help him in some way.

Mr. Mania: Thank you Laura.

President Nicastro: Laura, real quick since John brought that up the question there, I just noticed today, I don’t know if it’s a real hazard or not, but that old hotel I guess that’s next to the Chiropractor now, there’s a tree through the back building through the roof. It’s condemned…obviously that building’s all boarded up, nobody’s there, what’s it…Gold Mine…what’s the name of that hotel. I just noticed today the back building literally has a tree through the roof hanging there. I don’t know if that’s going to be a problem to the structure that we need to look at or anything but…

Mayor Greenbaum: We’ll have Gary Lindsey go out there and take a look.

President Nicastro: Just to check it in case of anything, I didn’t notice it before. Mr. Stewart anything?

Mr. Stewart: Just again a big shot out to Lisa, Laura, Jim and the rest of the crew that hosted us today for the tour of the Seward Mansion and also again to Mount Olive PD for their cooperation and work with the Community Action Panel for our special program next week.

President Nicastro: Thank you. Mr. Roman?

Mr. Roman: Though I may disagree with some of the comments that Mr. Fleischner said, I do have to applaud you for your passion and for coming in and addressing the issues that you have before us. Most people would rather just complain amongst themselves, but you are one of the, the few residents that…you know…that has the chutzpah to speaks his mind and I appreciate you for that.

Mayor Greenbaum: You’re not allowed to use that word.

Mr. Ferrante: That was technical talk, wasn’t it?

President Nicastro: Thank you. Mr. Mayor.

Mayor Greenbaum: We would be remiss if we didn’t wish John a Happy Birthday.

Mr. Mania: Happy Birthday.

President Nicastro: Happy Birthday.

Miss Harris: Happy Birthday.

President Nicastro: Any other comments? Nothing. Do we have a motion to adjourn?

ADJOURNMENT - Motion made and seconded. All in favor, none opposed, the meeting was adjourned at 8:14 pm.

Joe Nicastro, Council President

I, Michelle Masser, 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 June 28, 2016.

Michelle Masser, Township Clerk