The Public Meeting of the Mount Olive Township Council was called to order at 7:43 pm 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, Mr. Ferrante, Mrs. Labow, Mr. Mania, Mr. Stewart, Mr. Roman and Mr. Nicastro
Absent: none
Also Present: Michelle Masser, Township Clerk; Sue Sharpe, Township Attorney; Robert Greenbaum, Mayor and Laura Harris, Business Administrator

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

August 23, 2016 WS & PM

President Nicastro: Mr. Amianda, would you move for the approval of Minutes of August 23, 2016 for Workshop and Public Meeting?

Mr. Amianda: I make a motion for approval of Minutes of previous meetings, Workshop and Public on August 23, 2016, Work Session and Public Meeting.

Mrs. Labow: Second.

Mr. Mania: Second.

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

Roll Call: Passed unanimously

Miss Masser: Sorry, Mr. Ferrante.

President Nicastro: You know I thought I heard Mrs. I thought I heard Mrs.

Mr. Ferrante: I had to take…because I wasn’t sure if my wife was here.

Miss Masser: I was already down to…Colleen’s name…

President Nicastro: He answers…he answers so I figured…

Mr. Roman: That’s because he’s married.

Mr. Stewart: That’s because you were removed.

CORRESPONDENCE

LETTERS FROM RESIDENTS/ORGANIZATIONS/ OTHER TOWNS

1. Email received August 22, 2016, from Elizabeth Ritter, ANJEC regarding Environmental Congress, Friday, September 30.

2. Notice received August 24, 2016, from Nelson Tree Service, Inc. regarding Maintaining Proper Tree Clearance from the Power Lines beginning August 24 – September 15.

3. Email received August 29, 2016, from Sustainable Jersey regarding Join us at the 101st NJLM Conference.
4. Letter received August 29, 2016, from Beattie Padovano, LLC. regarding Wasa Properties Sutton Plaza, LLC, Block 6100 Lot 2, 293 Route 206, Mount Olive.

5. Notice of Public Hearing received August 29, 2016, from Paramount Plaza, LLC regarding Planning Board Hearing on September 15, 2016 at 7:00 pm.

6. Email received August 30, 2016, from Raritan Headwaters regarding How’s the Water?

RESOLUTIONS / ORDINANCES OTHER TOWNS


8. Resolution received August 23, 2016, from Township of Morris regarding Resolution No. 161-16, Resolution Supporting the Morris County Fire Mutual Aid Plan in the Township of Morris, County of Morris, State of New Jersey.

9. Email received August 24, 2016, from Mendham Township regarding Resolution 2016-116 Resolution of the Township Committee of the Township of Mendham Authorizing a Fire Mutual Aid Agreement Between Participating Morris County Municipalities & Fire Districts.

STATE AGENCIES

10. Email received August 23, 2016, from FEMA regarding Disaster Preparedness Online Resources for Older Americans.

11. Email received August 23, 2016, from FEMA regarding FEMA Region II Extreme Heat Tip #2.


13. Email received August 29, 2016, from FEMA regarding FEMA Region II Extreme Heat #3.

14. Email received August 29, 2016, from FEMA regarding Kicking Off National Preparedness Month; CDC Info; Disaster Trainings and More.

15. Email received August 30, 2016, from FEMA regarding Disaster Types and Preparedness Information.

16. Email received August 30, 2016, from New Jersey Department of Environmental Protection regarding Map of NJ – Municipal Buildings.

17. Letter received September 1, 2016, from New Jersey Department of Environmental Protection regarding One 290-gallon #2 Heating Oil Underground Storage Tank System, Block 8103 Lot 43, 32 Vasa Drive, Mount Olive.

MSA/MUA

18. Email received August 26, 2016, from Musconetcong Sewerage Authority regarding MSA July 28, 2016 Approved Minutes.

MORRIS COUNTY


20. Email received September 1, 2016, from County of Morris regarding 9/11. Bank Robber. Young Hero. Biz Talk. Star Trek, too!
UTILITIES


ORDINANCES FOR PUBLIC HEARING

President Nicastro: I open the hearing to the public on Ordinance #20…Ordinance #17-2016,


President Nicastro: Mr. Ferrante.

Mr. Ferrante: I make a motion for adoption and final passage Ordinance #17-2016.

Mrs. Labow: Second.

President Nicastro: Does anyone from the public wish to be heard? Seeing none. Closed to the public. Any quest…any discussion on Council? None. Roll Call please.

Roll Call: Passed unanimously

President Nicastro: Ordinance #17-2016 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. I open the hearing to the public on Ordinance #19-2016,

Ord.#19-2016 An Ordinance of the Township Council of the Township of Mount Olive to Accept a Deed of Easement and Right-of-Way for Purposes of Operating and Maintaining a Wastewater Treatment Plant, Located on Property Designated as Block 4411, Lot 144 on the Official Tax Map of the Township of Mount Olive.

President Nicastro: Mrs. Labow.

Mrs. Labow: Yes, thank you Mr. President. I move for adoption and final passage of Ordinance #19-2016.

Mr. Mania: Second.


Roll Call: Passed unanimously

President Nicastro: Ordinance #19-2016 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 with a second reading for September 20, 2016. Next item on the agenda is Ordinance #20-2016,

ORDINANCES FOR FIRST READING (2) – 2nd reading September 20, 2016


President Nicastro: Mr. Mania.
Mr. Mania: Thank you, Mr. President. I move that Ordinance #21-2016…

Miss Masser: Twenty.

Mr. Mania: …20-2016 be introduced by title and passed on first reading and that a meeting will be held on September 20, 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.

Mrs. Labow: Second.

President Nicastro: Thank you. Any Council discussion? Anyone from the public wish to be heard? Seeing none. Closed to the public. 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 Authorizing the use of a Purchasing Contract. (Spectrum Communication)

2. Resolution of the Township Council of the Township of Mount Olive Authorizing the use of a Purchasing Contract. (Grass Roots Turf Products)

3. Resolution of the Township Council of the Township of Mount Olive Authorizing the use of a Purchasing Contract. (ADP – Managed Business / Payroll Solutions)

4. Resolution of the Township Council of the Township of Mount Olive Requesting Approval from the Director of the Division of Local Government Services for Insertion of a Specific Item of Revenue into the 2016 Municipal Budget. ($25,000 for Housing Element and Fairshare Plan – Module 2,3 and Module 7)

5. Resolution of the Township Council of the Township of Mount Olive Supporting the Morris County Fire Mutual Aid Plan in the Township of Mount Olive.


7. Resolution of the Township Council of the Township of Mount Olive Authorizing the Township to Abate Certain Nuisance Properties Located at Block 3509 Lot 12. (30 Timberline Road)

8. Resolution of the Township Council of the Township of Mount Olive Rejecting all Bids for the Wastewater Membrane Modules.

9. Resolution of the Township of Mount Olive, in the County of Morris and State of New Jersey, Authorizing the Release of Cash Bond and Cash in Lieu of Surety for the Work Performed at Block 3107 Lot 10. (Old Hickory Estates)

11. Resolution Providing for the Combination of Certain Issues of General Improvement Bonds of the Township of Mount Olive, in the County of Morris, New Jersey into a Single Issue of Bonds Aggregating $7,416,000 in Principal Amount.

12. Resolution Determining the Form and other Details of $7,416,000 General Improvement Bonds of the Township of Mount Olive, in the County of Morris, New Jersey and Providing for their Sale.

President Nicastro: Mr. Roman, there’s 12 Consent Resolutions. Does anyone have any to move to Non-Consent? Seeing none. Mr. Roman, would you move Consent Resolutions one through twelve?

Mr. Roman: I move for approval Consent Resolutions one through twelve.

Mr. Mania: Second.


Roll Call: Passed unanimously

MOTIONS

1. Bill List.

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

Mr. Amianda: I make a motion for approval of the Bill List.

Mrs. Labow: Second.

President Nicastro: Any discussion? Roll Call please.

Roll Call: Passed unanimously

ADMINISTRATIVE REPORTS

President Nicastro: Administrative Reports. Laura, the Mayor?

Mayor Greenbaum: This afternoon I had the pleasure of welcoming another business to Town. Victory Medical Center, located at 433 Sand Shore Road, kind of across the street from the Brewery. Two local Doctors, married. Great addition to the Township. This Sunday, September 11, 2016 at Turkey Brook Park we will have a very quick 9/11 Memorial Ceremony at 8:45 am. I hope all of you can attend. Obviously, commemorating the attack on the United States. Saturday, September 17, 2016 there will be Police promotions, details to follow. Also, our Police Department is selling pink MOPD patches to raise awareness for Breast Cancer that affects both men and women. Contact Lisa Brett in my office for more details on how to purchase one. If you don’t know, in terms of promotions, obviously, Steve Beecher was promoted to Chief. There was a promotion to Lieutenant, it was Mike Cordileone. There was a promotion…there were several other promotions as well. All promotions were necessary as a result of Chief Spitzer’s retirement. Wednesday, September 21, 2016 there’s a Republican Club meeting at Enzo’s at 7:00 pm. Then Saturday, September 24, 2016 is the Starry Skies Festival, wine and beer tasting with light appetizers and a roaring bon fire.

President Nicastro: Thank you. Laura, anything?

Miss Harris: I have two…a couple of things. I’ll give the bad news first. The Ringenbach Project, I think I was a little optimistic about the time frame of that. It looks like after speaking with our Engineer it’s not going to happen until next year so you know, the last thing we want to do is rush this through and we want to take our time with the contractor. We don’t have a bid package yet. If we’re not going to have a bid package by October, we’re going to have to push it off until spring. That’s the bad news. The good news is I received a letter today from the DOT…

Mr. Roman: If I can interrupt Laura. Refresh my memory. Ringenbach, that’s the…

Miss Harris: The new water lines from…

Mr. Roman: Because of the tainted water? Got it.
Mayor Greenbaum: Yes. DEP is requiring the Township and reimbursing the Township for the installation of the water line. I can tell you that we never thought that it was going to get done this year. It was really a pie in the sky kind of thing that it would get done this year. Next year is more realistic. That was from the get go that we had that thought process.

President Nicastro: Mrs. Labow.

Miss Harris: I am…actually, I’m sorry…I’m going to send letters out to all of the residents this week just to keep them up to date.

Mrs. Labow: That’s what I was going to ask…

Miss Harris: Sorry.

Mrs. Labow…how is this affecting the residents, you know the ones that can’t use their water at all right now?

Mayor Greenbaum: They’re continuing to get water from…

Mrs. Labow: The bottled…the State. Okay.

Mayor Greenbaum: Yes.

Miss Harris: The second thing is I had applied back in February for a DOT’s Pedestrian Planning Assistance Grant. Basically, what they do is they provide you with a consultant that looks at all your current trails and pathways, looks at potential trails and pathways and potential connections between what you have, and then identifies funding sources and ways to implement it, so I just got the letter today that we were awarded that. They’re going to be in contact with me to schedule a kick off meeting and of course it’ll involve all the stakeholders in Town including you, so I will keep you posted on that. That I just got today.

Mrs. Labow: Wonderful. Thank you.

President Nicastro: Thank you.

Mrs. Labow: That’s good.

President Nicastro: Any Old Business? Any New Business? Any Legal Matters?

OLD BUSINESS - none

NEW BUSINESS - none

LEGAL MATTERS

Ms. Sharpe: Just two brief items. The Cobblestone hearing is scheduled for September 16, 2016. On the M&E issue, Fred asked me to pass along that the cost for the sensors, I guess they’re $75,000.00 and he indicated that they won’t install those, that we’ll be back in court, but he will provide more details at a later date.

Mr. Mania: I have a quick question.

President Nicastro: Yes.

Mr. Mania: I’m hearing from residents that there could be up to 100 cars there with butane. Is that true?

Mayor Greenbaum: I don’t think they could fit 100, but somewhere between 50 and 100, yes.

Mr. Stewart: They put more in.

Mr. Mania: It’s true then?

Mayor Greenbaum: Yes.

Mr. Stewart: There are more there.
Mrs. Labow: Yes.

Mayor Greenbaum: I think the number is somewhere in the high sixties and they started putting them all over the County. It’s not just in Mount Olive Township, it’s in Hanover Township.

Mr. Mania: I thought we were singled out at first.

Mrs. Labow: No.

Mr. Stewart: They’re putting them all over the place.

Mayor Greenbaum: Actually, when they looked at the potential places to put the cars, they looked to put them not adjacent to homes. That particular location in Mount Olive is somewhat isolated and really adjacent to only businesses. Albeit, the fact that if there were a problem and you go to the zone of people who would have to be evacuated; it affects a lot of residents. There are other places along the line where it would be directly adjacent to residences. The problem that I have is that the County is really caught between a rock and a hard place here because to the extent that they don’t allow storage where they’re currently allowing storage, the railroad will store them on their own property along this line which are other Towns in Morris County. The County is looking at it as a no win situation for them. My hope had been that come the renegotiation of the contract between the County and the railroad that they will prohibit this type of storage. They can’t control property that they don’t own.

Mr. Mania: That’s understandable.

Mayor Greenbaum: Right. We’re really caught between a rock and a hard place here in terms of what the County is going to do on our behalf. We’re going to have to be involved come March…February or March, and I have County Counsel’s ear on this issue to strongly suggest that they don’t allow this type of storage or they limit the amount of storage which is going to be allowed here. The approach taken by Fred is really a very good approach which is…you know what, we have an expert, we paid for an expert, he’s identified those types of safety precautions which are required and to the extent that you don’t install them, we are going to go back into court and get you to remove the vehicles or require that the court…have the court require that you install these precautions. As you heard, these sensors cost about $75,000.00 a piece. We’ll wait and see how the court deals with that issue in terms of what our expert has identified as what should be there and what the railroad is saying they’re willing to put there. We may actually be able to trump the County’s hand by require…by having the court order the railroad to install these types of precautions. The railroad may come back and say “the hell with that, we’re going to put them on our own property somewhere else in the County,” which…you know…unfortunately doesn’t bode well for other Municipalities, but our task up here is to protect the residents of Mount Olive Township. The fact that the law firm has taken on our behalf I think is a very good tact. In the worst case scenario we end up getting these really good protections that our expert said should be in place. We can still argue with the County that they should eliminate these types of storage in our…in Mount Olive Township. In a best case scenario one of two options, the railroad comes back and says we’re not going to install these precautions or the County will come back and say we’re not going to allow that type of storage. We’re doing everything that we can do at this point to protect the residents.

Mr. Mania: Rob, in light of the fact that the terrorism that’s happening all over the world…you know…if somebody was to blow up one of those cars.

Mayor Greenbaum: Yes.

Mr. Mania: It would probably wipe Flanders off the map, correct?

Mr. Roman: Yes.

Mayor Greenbaum: You know I’m not the right person to answer those questions. All I can tell you is that the cars are state of the art. I don’t know that one mishap with one of the cars would set off a chain reaction with the other cars. I don’t know the answer to that question. I also can tell you that there are many facilities throughout Morris County that store significant amounts of either propane or butane off…off on their own properties, having nothing to do with rails. I can’t answer that question for you. All I can tell you is that we’re putting pressure on the County to next contract…

Mr. Mania: We’re doing everything we can do.
Mayor Greenbaum: That’s all we can do. The problem is that the railways have incredible protections from the Federal Government and so we can’t tell the rail what to do and what not to do. My initial thought, even before this whole butane / propane thing went down was to try to get the County to abandon that section of track and run it into the Columbia Trail, which I thought would be great for the Town. The unfortunate thing is that if the County were to move to abandon, anybody can come in and take over that stretch and then we’d lose the protections that the County is affording us by their ownership, but if the County is not willing to come to our defense here with these cars, I don’t know what we lose by someone else coming in and owning it because this County isn’t doing anything for us anyway.

Mr. Mania: Tough situation.

Mayor Greenbaum: Impossible situation.

President Nicastro: Thank you.

Mr. Mania: Thank you, Mr. President.

COUNCIL REPORTS

President Nicastro: Council Reports. Mr. Amianda, anything on Board of Education or Seniors?

Board of Education Liaison Report - none
Senior Citizen Liaison
Mr. Amianda: I have no report on Board of Education. Next Board of Education meeting is September 12, 2016. On Citizens… on Mount Olive Citizen I have a report and it says, Mount Olive Senior Association met on September 6, 2016 at 11:30 am and discussed the following Agenda, transportation for Seniors; Ms. Jacqueline Leon, Community Outreach Coordinator, discussed with the Seniors transportation…discussed Senior transportation and quality of service. She asked Seniors about their transportation needs, priority and about their in…and asked for their input in a survey. Next is Budget; Mount Olive Senior Association discussed and approved the budget for the period from July 1, 2016 to June 30, 2017 in the amount of $16,823.00. Field Trips; Mount Olive Senior Association discussed their monthly field trips and other club activities. The meeting was well attended by about 91 people. Meeting was adjourned at 12:30 pm. That’s the end.

President Nicastro: Thank you Mr. Amianda. Mr. Ferrante, anything on Lake, Environmental or Library?

Environmental Committee - none
Lake Issues
Library Board Liaison - none
Mr. Ferrante: Just on the lake. It was treated for the weeds on August 31, 2016.

President Nicastro: Thank you. Mrs. Labow, anything on Economic Development or TNR?

Economic Development Committee Report - none
TNR Program - none
Mrs. Labow: No, nothing.

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

Legislative Committee Report - none
Planning Board Report
Mr. Mania: Well, on the Planning Board, the 7-Eleven is coming up this month…

Mrs. Labow: Fifteenth.

Mr. Mania: …before the Planning Board. That’s the proposed 7-Eleven, next to the Budd Lake Diner.

Board of Health Report - none
President Nicastro: Thank you. Health Department, there is no meeting this month. The third week of October will be the next meeting for that. Mr. Roman, anything on Open Space or Recreation?

Open Space Committee Report - none
Recreation Liaison Report - none
Mr. Roman: Nothing on Open Space. Recreation meets next week.

President Nicastro: Thank you. Mr. Stewart, anything on MOTV or the Community Action Panel?

MOTV Committee Liaison - none
Community Action Panel Report - none
Mr. Stewart: Nothing on MOTV, but the Community Action Panel will meet September 15, 2016.

PUBLIC PORTION - none

COUNCIL COMMENTS

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

Mr. Amianda: None.

President Nicastro: Mr. Ferrante?

Mr. Ferrante: Nope.

President Nicastro: Mrs. Labow?

Mrs. Labow: Yes, I’d just wanted to say that I would love to be at the ceremony on September 11, 2016, but I’m going to be in Vermont at my nephews wedding, so I will not be there, but I’ll be there in spirit.

President Nicastro: Mr. Mania?

Mr. Mania: Yes, I’d just like to take this opportunity to thank Mr. Serinelli for his contribution of $100.00 towards the Art Ondish Scholarship Fund. I’d like to take this opportunity to thank him.

President Nicastro: Thank you. Mr. Stewart?

Mr. Stewart: Nothing.

President Nicastro: Mr. Roman?

Mr. Roman: Nothing.

President Nicastro: I just want to say what a great…was last week the Food Truck Festival? Was that last week…

Mrs. Labow: Yes. Wasn’t that great?

President Nicastro: …which was fantastic. I have to say, that’s one of the best times I had up there.

Mrs. Labow: The Touch-a-Truck was fantastic in the morning. We had a blast.

President Nicastro: It was just…really good variety this year. It was very good. Good job by the Recreation Department. Thank you. A motion to adjourn?

ADJOURNMENT - Motion made and seconded. All in favor, none opposed, the meeting was adjourned at 8:02 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 September 20, 2016.

Michelle Masser, Township Clerk

mvm