The Public Meeting of the Mount Olive Township Council was called to order at 9:12 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. Ferrante, Mrs. Labow, Mr. Mania, Mr. Roman and Mr. Nicastro

Absent: Mr. Amianda and Mr. Stewart

Also Present: Michelle Masser, Township Clerk; Fred Semrau, Township Attorney; Bob Casey, Interim Business Administrator; Claudia Tomasello, Assistant Business Administrator; Rob Greenbaum, Mayor and Sherry Kolody, CFO

APPROVAL OF MINUTES OF PREVIOUS MEETINGS - none

CORRESPONDENCE

LETTERS FROM RESIDENTS/ORGANIZATIONS/OTHER TOWNS

1. Email received July 8, 2017, from Raritan Headwaters regarding You’re Invited to our 2nd Open House.

2. Email received July 11, 2017, from Woodbridge Township Mayor regarding Greetings from the New Jersey Senior Olympics and Mayor McCormac!!

3. Email received July 12, 2017, from NOFFA-NJ regarding Upcoming Events from NOFA-NJ.

4. Notice received July 14, 2017, from Town of Hackettstown regarding Notice of Public Hearing to be held on an Amend Housing Element and Fair Share Plan of the Master Plan of the Town of Hackettstown.

5. Email received July 18, 2017, from NOFA-NJ regarding NOFA Summer Conference, Aug 11-13: Celebrating the Organic Movement!

6. Email received July 19, 2017, from NOFA-NJ regarding Rodale Institute Trip, Permaculture Training, and Berries!

7. Email received July 20, 2017, from Sustainable Jersey regarding July Sustainability Hero Announced.

STATE AGENCIES

8. Email received July 7, 2017, from New Jersey Department of Environmental Protection regarding NJDEP Weekly Update.

9. Email received July 7, 2017, from New Jersey Transit regarding Amtrak’s Penn Station New York Repairs – Stakeholder Update.

10. Email received July 11, 2017, from FEMA regarding FEMA IGA Advisory: FEMA ANNOUNCES FUNDING OPPORTUNITY FOR FISCAL YEAR 2017 HAZARD MITIGATION ASSISTANCE GRANTS.

11. Email received July 12, 2017, from FEMA regarding Region II Individual and Community Preparedness Bulletin.

12. Email received July 14, 2017, from New Jersey Transit regarding Amtrak’s Penn Station New York Repairs – Stakeholder Update ICYMI.

14. Email received July 18, 2017, from New Jersey Department of Environmental Protection regarding 2017 recycling Awards.


16. Letter received July 19, 2017, from EcolSciences, Inc. regarding Application for a Letter of Interpretation: Line Verification; Block 105, Lot 1; Block 106, Lots 2 & 3; Block 202, Lot 1; Mount Olive Township, Morris County, New Jersey.

17. Email received July 20, 2017, from New Jersey Department of Environmental Protection regarding NJDEP Weekly Update.

18. Letter received July 12, 2017, from Musconetcong Sewerage Authority regarding Allocations for the Participating Municipalities in the 4.31 MGD Water Pollution Control Plant.

19. Email received July 13, 2017, from County of Morris regarding Historic Preservation. Central Park Access Road. Blues Traveler, too!

20. Email received July 20, 2017, from County of Morris regarding This Week in Morris County: National Trail. Rte 206. 4-H Fair!

21. Email received July 21, 2017, from Morris County Planning Board regarding MCPB Minutes.

22. Email received July 10, 2017, from JCP&L regarding Jersey Central Power & Light Announces Changes to Leadership Team.

President Nicastro: There’s no approval from previous meeting?

Miss Masser: No.

President Nicastro: No, okay. We have 22 Correspondence. Anyone have anything on Correspondence? Seeing none. I open the hearing to the public on Ordinance #17-2017,

ORDINANCES FOR PUBLIC HEARING

Ord.#17-2017 An Ordinance to amend and supplement Chapter 550 “Land Use” to revise article VII, “Zoning District use and Bulk Regulations,” §550-101, Subsection B and §550-103, Subsections A, E, F, G and I to Permit Billboards in Certain Zone Districts as a Conditional Use and to Provide Specific Standards for Both Static and Digital Billboards and to Identify Those Zone Districts Wherein Either Static or Digital Billboards shall be Permitted as a conditional use. In Addition This Ordinance Amends Article II “Definitions” of Chapter 550 to Strike the Existing Definition of “Billboard” and to Provide New Definitions for Both Static and Digital Billboards and Does Also Amend Article VI “Zoning.” §550-95 “Signs” Regarding Billboards.

President Nicastro: Mr. Ferrante.

Mr. Ferrante: I move for adoption and final passage of Ordinance #17-2017.

Mrs. Labow: Second.

Mr. Mania: I’ll second it.
President Nicastro: Does anyone from the public wish to be heard? Please state your name and address for the record.

Mr. Semrau: If I may Council President.

President Nicastro: Yes.

Mr. Semrau: Just for the public’s benefit. As mentioned, this has been an Ordinance that’s been worked on by the Planner, the Planning Board and also with…in conjunction with our office, as there’s been a number of drafts. Most importantly, I think for everyone to be aware is billboards are not, they’re essentially prohibited in our Town Code right now. You have to make a use variance type application if you seek a billboard and certainly you see there’s billboards around the Town, but that’s…they all pre-date these type of measures or they had approvals. What the Planner and what we’re seeking to do is to put together standards so that the aesthetics of the community are considered, traffic, safety, all of these things, to put together certain places and areas in the Township, well thought out, where billboards would be permitted, that’s primarily on the highways and to make sure anywhere the highways intersect or are close to residential developments or communities that would also have additional conditions and restrictions. In the case of the electronic versus these…the older billboards, there’s also a distinction to make sure that those billboards are in areas of the community that aren’t as…that there wouldn’t be as much of an inconvenience, traffic, again aesthetics, to really put those towards commercial type zones, primarily commercial zones of the Township. That’s how Mr. McGroarty has put this together. Again we’re going from not having any, any type of conditions or any type of permission to put billboards into a way where you’re legislating to say, okay here’s where you can have billboards and we’re looking at things such as, as Mr. Roman mentioned earlier, the distance between the billboards even on the highways and…whether it be Route 206 or Route 80, there’s certain restrictions given the amount of traffic, the locations and proximity to the community and the aesthetics. That’s just an overview so that we’re all up to date as to where we are and with that I think…we have a public hearing, we’ve also had quite a bit of input over the last year plus, to get to this point.

President Nicastro: Thank you.

Miss Masser: Just speak loudly and clearly into the microphone and just…if you could give me the spelling of your last name, please.

Mr. Jenkins: Sure, again Reggie Jenkins, Florio, Perrucci, Steinhardt and Fader, last name Jenkins, J-E-N-K-I-N-S.

Miss Masser: Thank you.

Mr. Semrau: Mr. Jenkins, do you represent someone because you’re saying you’re here on behalf of a law firm.

Mr. Jenkins: Yes, that’s where I’m from.

Mr. Semrau: Okay.

Mr. Jenkins: On behalf of my client, Eye Spy Media, and I believe there’s some others who may be involved in this. I was actually here to ask some questions. I was hoping that Mr. McGroarty was going to be here with regard to some of the language. I have questions, I don’t know if the Council is prepared to answer them, but I can go through them and both with a question and make a statement with regard to each if that’s appropriate.

President Nicastro: That’s fine.

Mr. Jenkins: Again, I know it’s late…

President Nicastro: No, that’s fine. No problem.

Mr. Jenkins: …I’m going to try to move through this as quickly as possible because my family just got home from vacation from a long time and I kind of want to see them.

President Nicastro: Yes, no problem.

Mr. Jenkins: Just going down, first of all it says in its preamble, under section three that one of the intents…or the intent is to reducing visual obstructions and potential hazards caused for undue distractions.
Was there in the drafting of this Ordinance, a visual study, any traffic safety study that underpins the preamble that’s set forth here?

Mr. Semrau: Well I think at this point in time, I know Mr. McGroarty, based on his experience as the Township Planner for almost 20 years…it’d be my understanding he put together these Whereas’ and for an example “to promote a visual environment by reducing visual obstructions,” as I said a few moments ago, this Ordinance is to have, to take into consideration the aesthetics of not to have billboards in certain areas of the Township, but to in fact have them in others. I think by the way it’s drafted it’s to address visual obstructions so that you don’t have billboards in places that people generally wouldn’t want to see them, so that’s the visual obstructions. Potential hazards, I think here again I think there’s quite a bit of thought as to the fact that yes, the Township wants to legislate and have areas where there would be billboards. By the mere fact that the billboards are going to be on the highways of the Township would demonstrate that there’s a thought process here from a stand point of obstructions, hazards and distractions along the highway corridors. Again, with the spacing of the billboards, I think it would be just a given fact that if you have numerous billboards that don’t have any type of separation, that…that very well would be a distraction on a highway corridor, so that’s where it’s from. I can’t say there’s any specific study, but it’s based on the input from the Planning Board and it’s based on Mr. McGroarty who’s been the Township Planner for, I believe almost 20 years. His experience and his familiarity preparing master plans for the Township, reviewing various applications, every application and that includes traffic studies and decisions by Planning Boards with respect to applications, as well as drafting other Ordinances, really the entire Land Use Code has now been overhauled with his recommendations and his understanding of the concerns of the Township. Including his studies and works with respect to the Highlands Act and meeting all of the Highlands requirements for Zoning and making sure the Township and the preservation area and the Planning area is in compliance with those regulations. That’s where…that’s the genesis of the Ordinance.

Mr. Jenkins: I understand that. First of all, let me take a step back and I should say…

Mr. Semrau: Yes.

Mr. Jenkins: …one, thank you to both the Planning Board, as well as the Council for even entertaining a revision to your Sign Ordinance because it is beneficial to both sides…

Mr. Semrau: Sure.

Mr. Jenkins: …to have standards under which to operate. My question, but pointedly on that it was not what was the genesis of that, but particularly with regard to the statement of avoiding potential hazards, which is a loaded statement. I’m not saying there couldn’t be any, I was just wondering if there…

Mr. Semrau: I want to say, I understand this is the preamble, this is the background and I’m answering you and I’m telling you that’s where it came from.

Mr. Jenkins: Okay.

Mr. Semrau: That’s just…and it’s from a standpoint of the Township Planner and those documents that he’s basically offered to the…with the approval of the Governing Body, those documents also address whether it be the traffic flows, the main corridors, the collector roads in the Township, those are all of the records and documents and reports that would’ve been considered.

Mr. Jenkins: Again, there were traffic reports generated, there’s traffic data that was relied upon in the drafting of this, or put it this way, that is a question I would ask the Council. That is one question that should be outstanding. What was reviewed with regard to any potential hazards, any additional roadway conditions? That that also goes to the zones that were selected. Actually, before I go to that, I have one other question. Again, in the preamble it states, this is section three under purposes where it makes a distinction between Route 80 and Route 206 and Route 46 and it states that Route 80 is going to be subject to the Roadside Sign Control and Advertising Act. The way it’s written it seems that there’s going to be a distinction in the application as...of that act to the billboards in the Town. There seems to be a disconnect between how Route 80 is going to be treated and Route 46 is going to be treated. At least it seems to read that way and I don’t understand why there wouldn’t be a general statement that the Roadside Sign Control Outdoor Advertising Act would apply to each and every sign within the Municipality because quite frankly, under State law it does.

Mr. Semrau: I’m not sure I follow exactly what you’re referring to in the…where in the preamble?
Mr. Jenkins: It says, “in recognition of the fact that Interstate 80 varies in elevation,” starting at that portion, actually the paragraph itself states “the intent of this Ordinance is to establish size,” do you see where I am?

Mr. Roman: It’s under A. Purpose. The second…

Mr. Semrau: Oh, okay. That’s not the preamble, that’s actually the actual Ordinance itself.

Mr. Jenkins: Okay. That’s just…I don’t want to necessarily dwell on that, but I want to point that out because it seems to treat billboards differently in different locations where quite frankly the act should be applicable to every billboard within the Municipality.

Mr. Semrau: I think right in the “Purpose”, it states that Route 80 is a limited access highway and it’s defined pursuant to the Administrative Code and that’s the distinction. That’s an interstate highway and there’s a distinction that’s made in the “Purpose.”

Mr. Jenkins: Okay. Again, that’s just a point of clarification to me, I know to some others who have read it, there seems to be a distinction in the application there. Going to the next page, well first it’s under section B, Conditional Use Standards, subsection small (b), Digital. Where there is a distinct…it’s separated between specifically the C-2’s where they’re permitted and the C-1’s. What was the particular rationale or basis for allowing digitals only in certain portions of the C-1 and where they were located in the C-2, because under the C-2 they’re permitted along Route 46, subject to certain conditions. Route 46 runs through the C-1 zone as well and there are applicable locations within the C-1 that are likely the same as the C-2. I was wondering what the criteria was with regard to the selection of the C-1 and locations there as opposed to the C-2?

Mr. Semrau: I would say that the difference in the criteria is as you drive along Route 46 there’s a distinct difference once you hit approximately Wolfe Road and Smithtown Road. The difference is, first of all you have Budd Lake and a lot of residential neighborhoods that are very close in proximity to the highway. Mr. McGroarty, looking at this contour of the road and the aesthetics of the road, the road changes, the aesthetics of the road change after Wolfe Road. There’s a transition that begins right before Wolfe Road and thereafter, it’s a different type of roadway and with that in mind, that’s where there was a change in what would be permitted because to have those type of billboards before you hit Wolfe Road as you travel in a westerly direction through Budd Lake, it’s a much different community and neighborhood than what Route 46 is thereafter, so that’s the distinction. Often in zoning you make distinctions by of course neighborhoods and by different roadway intersections in communities. Those are the dividers and that’s what he’s done here within that zone. He’s saying and what the Ordinance is saying, that there could be certain billboards along Route 46 probably…the billboards would be the older, what we know, the older type of billboards. As you get past this location and Wolfe Road, it’s more of a highway going through the community and that highway would be much better to accommodate the digital billboards, so that’s the distinction. The distinction isn’t based on as much as a specific study than just the actual overall, the types of neighborhoods and the type of highway and the type of things and the uses that are on or just off those highways. Route 46 in particular is what you’re asking about, it’s just a different roadway and that’s the distinction. I’m repeating a lot of this because these are conversations I had with Mr. McGroarty specifically about these things. I’m not…so his answers wouldn’t be any different than mine.

Mr. Jenkins: I appreciate that and you…just understand, I’m not coming here in an adversarial context.

Mr. Semrau: I’m just trying to answer it. I’m not…

Mr. Jenkins: What I was about to say and I appreciate your responses.

Mr. Semrau: Right.

Mr. Jenkins: You and I know that as Attorney’s, we don’t testify.

Mr. Semrau: Right.

Mr. Jenkins: While I respect what you are saying, once again, there’re certain questions that are factual that I believe this Council may want to hear directly from Mr. McGroarty, if this is on the record, which it is.

Mr. Semrau: With all due respect, I don’t think on a question like this, I’m testifying. I’m answering factually and perhaps you’re not as familiar with these issues and why there would be that distinction, but I’m not saying anything that’s…anything so technical from a Planning perspective and it’s not anything different
Mr. Jenkins: Okay. I’ve been doing Land Use for quite some time so I understand that, but as you know there are also factual underpinnings with regard to with an analysis of a particular area, of a particular zone, that is within the particular purview of the Planner. I don’t think it is out of the realm to say that yes, understanding your familiarity with the Town, my familiarity with the Town that still doesn’t substitute necessarily for the analysis that is done from a particular professional. I don’t want to belabor that…

Mr. Jenkins: Okay.

Mr. Jenkins: Okay. Then that actually ties into a question that I had before with regard to the distant from residential zones. If going down to section three, small (b), Digital, where there will be a 500 foot distant from the closest residential boundary and that the Planning Board may reduce that by 200…by 50 percent, providing there’s a showing that there’s not going to be adverse impact on the local residential zone.

Mr. Semrau: Correct.

Mr. Semrau: That really is the answer to your question because that’s what you asked. Why is there such a distinction between the permitted uses of billboards and I explained why, just factually how it exists.

Mr. Jenkins: Okay. Just… didn’t mean to cut you off, but I would generally, and it’s appreciated, I would necessarily testifying, this is just a hearing with respect to the Ordinance.

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Mr. Jenkins: Good.

Mr. Semrau: That would be my understanding. They’re pre-existing and…so long as if they are legally erected right now, than before the adoption of this Ordinance then they would be considered legal after. If they’re not legally erected right now, then they…this Ordinance isn’t going to cure anything with respect to that issue.

Mr. Jenkins: Thank you. The reason I ask is not just to be overly alarmist, but that’s happened in Pennsylvania, because they’ve tried that where all of a sudden, the Ordinance was…they attempted to interpret it retroactively.

Mr. Semrau: Yes.

Mr. Roman: If I may interject. Fred, I just want to double check that our current billboards that we have that do not meet the distance requirements that were legally permitted to be…they will still be allowed?

Mr. Semrau: Right.

Mr. Roman: Okay, and what happens when their lease expires?

Mr. Semrau: Their lease, it’s okay, they can continue if they have a lease, but if somebody wants to come and change the height or the size of the billboard than they have to comply. It would be like any other type of pre-existing nonconforming because it was never conforming.

Mr. Roman: Does that apply to the message on the billboard…

Mr. Semrau: No.

Mr. Roman: …or the means by which that message is displayed?

Mr. Semrau: The message on the billboard, it doesn’t matter, it’s neutral to whatever’s on the billboard, but the method how it’s displayed, if you’re going to go from the conventional billboard to the digital, I would say that that’s a change and that the terms of this Ordinance must apply, it would be applicable. If you’re going to change a billboard, say somewhere in Budd Lake on Route 46 to digital, you’re going to have to come in because it doesn’t comply with this Ordinance.

Mr. Roman: I don’t want to interject and stop you from your questioning, but does…is it your opinion that this Ordinance will end up increasing the amount of billboards allowed in the Township?

Mr. Semrau: I’m sorry Mr. Roman.

Mr. Roman: Currently, right now if you wanted to go do a billboard you have to go before the Planning Board and each case is on a case by case basis.

Mr. Semrau: Right.

Mr. Roman: Does this Ordinance make it easier to install billboards throughout the Township…

Mr. Semrau: Well, in certain…
Mr. Roman: …or it just requires a regular Zoning permit versus the scrutiny that a Planning Board application would?

Mr. Semrau: It’s a conditional use, so while the approval process may be for conforming type of applications, I think you would still need to go through the Planning Board process. It’s a conditional use, but the standards here are set forth so that if you are compliant, than you’re going to get the relief that you requested or the approval you’ve requested. If…okay, I think I answered that. It’s just…if…all right, it’s hard to answer his questions and your questions…

President Nicastro: That’s fine. Go ahead. Continue, I’m sorry.

Mr. Semrau: I’ll answer them all the best I can.

Mr. Jenkins: Wait a minute, are you saying that his questions are better than mine?

Mr. Semrau: They’re both…they’re all very good.

Mr. Jenkins: Thank you.

Mr. Semrau: It’s hard to…

Mr. Jenkins: Just to your point…two points. One, in the Ordinance itself there’s a basic requirement that site plan approval needs to be sought regardless, but even if that were not in your Ordinance, under State statue all billboards under the Municipal Land Use Law, billboards actually also require to seek site plan approval. You already have that built in protection. I am almost done and thank you very much for your indulgence. One, it says with regard to certain of the billboards that are going to be located on Route 80 that the height and setbacks are going to be in accordance with the DOT permit. Again, as long as the billboard permit from the DOT says we’re approving it in this location, at this height, it is, that is what is guiding the dimensions as opposed to any separate standard.

Mr. Semrau: You’re talking about…if you could just Mr…. please just point me to the section because I see under setbacks, I see that statement and I’m just going back…are you looking at the dimensions under four (d)?

Mr. Jenkins: For example.

Mr. Semrau: Right, I think I…I’ll answer it. Yes, the ways it’s drafted is the height and the dimensions of the billboard structure facing Route 80, that has to be in accordance with NJDOT permit guidelines and the statute, that’s correct.

Mr. Jenkins: Okay. Because…

Mr. Semrau: Not necessarily the spacing because we’ve gone forward to make certain changes, but as far as the height and the dimensions and you’ll see later on the minimum setback that’s all in accordance with the State and NJDOT permitting process.

Mr. Jenkins: That’s fine and I understand about the spacing.

Mr. Semrau: Okay.

Mr. Jenkins: Under the regulations because the regulations don’t regulate the overall height, what they regulate is the height of the actual sign face.

Mr. Semrau: Right.

Mr. Jenkins: I wanted to just have that clarified. That if it is blessed by DOT, that…that is acceptable than to the Municipality.

Mr. Semrau: If it…it says the structure facing Interstate 80, so if, I think what you’re saying is what if the back of the structure has a certain height, how would that be regulated? That would be part of…that would revert to either the Ordinance or part of the overall site plan approval process. I can’t say that there’s no regulation with respect to the overall, the back of the structure. This just reflects the face of the structure and the State regulations.
Mr. Jenkins: When we talk about the structure, we’re talking about the entirety of the sign face as well as the pole.

Mr. Semrau: Correct.

Mr. Jenkins: Where it says for example in (c) here, the maximum height of the billboard structure, it says structure, but then it says…goes on to say the maximum height for billboards oriented to Interstate 80 shall be determined at the time of site plan approval in accordance with NJDOT permit.

Mr. Semrau: Right.

Mr. Jenkins: Again, it’s the permit in that case that it’s going to be deferred to.

Mr. Semrau: That is correct.

Mr. Jenkins: Good, okay. Mr. Council, Chair, those are all the questions that I have at this time. I’m sorry, I did have one last question. With regard to an existing billboard. That…to convert it to a digital which is now common practice, do I read this Ordinance correctly that an existing sign, subject to zone, etcetera and so forth, can be converted from a static to digital inclusive of any supporting structure that are necessary to accommodate the…say a digital face?

Mr. Semrau: I think…I want to make sure I understand your question. You have a billboard that already exists and you want to convert it to digital. Does it exist in parts of the zone that permits digital or is it in a zone that does not permit the digital billboards? If it’s in the zone that permits digital, than that conversion would be made with a site plan application, it would be, if it meets the requirements, than it would be permitted. If it’s in the parts of the Township where digitals are not permitted, than you wouldn’t be able to just make that conversion and come in for a site plan approval.

Mr. Jenkins: Obviously it’d be subject to site plan approval, but is the need for a strengthened structure…sometimes they’re on a lattice frame and the digital is on a single pole. I’m talking now for ease in an area where it’s permitted.

Mr. Semrau: Okay, I think first that would be something that you would come in and as any other site plan approval you would come in and meet with the professionals to obtain…it’s the mechanics of going before the Planning Board and the site plan and while certain applications of the Ordinance, my opinion would be that it would still be a change and it would still require you to comply with the specifications of the Ordinance for digital boards and whatever else is necessary. Again, that’s something that goes in the planning process when you come in with that application. What I would know is, if it’s in a zone that permits the digital and you’re coming in and you meet the requirements as far as the distance, the site, the setback, things of that nature and you’re in that part of the Township that it’s permitted, thanks to this Ordinance, than it’s just a matter of getting an interpretation from the Planning Department as to what’s necessary to complete your application.

Mr. Jenkins: Thank you very much.

Mr. Semrau: You’re welcome. Thank you, Mr. Jenkins.

President Nicastro: Thank you very much. Anyone else from the public? Yes sir.

Mr. Besko: Thank you.

President Nicastro: Name and address for the record please.

Mr. Besko: Absolutely. Jerry, J-E-R-Y Besko, B-E-S-K-O. I am from Prism Holdings…

President Nicastro: Thank you.

Mr. Besko: …Randolph, New Jersey. Mr. Chairman, Councilmembers, Attorney, thank you for allowing me to comment and that is exactly what this will be. I appreciate very much that Planning, Council and the Town are considering adopting a billboard Ordinance. As you may know it is legitimate, although not necessarily liked by all, it is legitimate business use. It does help drive revenue for private entities as well as quasi-public entities and railroads. I appreciate the time. Mr. Roman, I can possibly help. You had mentioned something
earlier and again this is more comment than anything that maybe if you’d like to take it back to Mr. McGroarty or consider it yourselves. You had mentioned about 450 square feet being a large sign. That’s partially true, billboards on national standards…have a national standard and 300 square foot is what we call an average size for a surface road which would be Route 206, Route 46, but on a limited access high speed Interstate, our national standard is 14’X48’ or 672 square feet. That being said, there’s a happy medium there and I almost feel as though Mr. McGroarty and Planning may have just kind of taken the middle road. That may even help aesthetically, the Township lowering down to 300 square feet which again is a national standard for surface roads, but once again the high speed limited access highway is 672. It is actually almost a danger to have a smaller sign on a limited access highway because you really struggle to read it and people and I know that that may sound silly, but it’s factual. That is my comment, I appreciate the time. Thank you guys very much.

President Nicastro: Thank you very much, appreciate it.

Mrs. Labow: Thank you.

President Nicastro: Anyone else from the public wish to be heard on this? Please go up and state your name and address for the record.

Mr. Oszust: Sure. Hi, my name is Robert and my last name is spelled O-S-Z-U-S-T. You could just call me Robert O. I’m in Kings Village, Apartment 307. I actually just moved here recently. My comments referring to section one in the definitions of billboards. You have two current billboard signs, static and digital, but you also have in that same…in section three, number four “Dimension and Height Standards.” You mentioned double faced and V-type billboard structures being…called single billboards or static billboards, I’m assuming. You also don’t list mechanically operated billboards. I think your legislation actually leaves a hole for it. Only because static billboards, as they are defined in section one, specifically omit mechanical means, but then you never bring it up again. I feel like somebody who’s mischievous might want to try to put up, say a V-billboard that’s mechanically powered and then circumvent any of the definitions you put through here. Just as a comment you might want to sure up how you ordered this in regards to V-billboards and other mechanically operated billboards.

Mr. Roman: I thought I saw something here about time if mechanical billboards had one second to change, if that’s correct?

President Nicastro: There was something in here.

Mr. Semrau: Just trying to piece that together. You raise a very interesting point and I just want to take a look for a moment…so digital…

President Nicastro: I see one there.

Mr. Roman: If I remember right, I saw…

Mr. Semrau: Your point is…it’s interesting…you’re saying the double-faced under section four (a), your saying it’s not clear whether it just pertains to static or to the static and digital?

Mr. Oszust: Then it contradicts itself by saying that static billboards…a sign which that does not change in its message by automatically, by electronic or mechanical means. You’ve said that moving billboards like V-billboards are single billboards, but then if you go to the definition of static billboards they are not operated by mechanical means. You kind of made a loop.

Mr. Roman: I kind of see V-billboards as I think those current…
Mr. Roman: …that just sit one place to the other.

Mr. Semrau: Side by side. Yes.

Mr. Oszust: Are those not the ones that are on a…that have multiple rotating pieces…

Mr. Roman: No…no. V-billboards are the kind where…

Mr. Oszust: …that then click forward?

Mr. Semrau: They’re just the ones that sit like this.

Mr. Roman: …that they sit like this. Here’s a roadway. One message coming here and one message…so they’re trying to…instead of putting…

Mr. Oszust: It’s like a parallax than.

President Nicastro: Yes.

Mr. Roman: …instead of doing a double sign like this, which it makes hard to see, they do this so that you could catch it coming and going. That’s what the V-billboards are.

Mr. Oszust: Do you have…

Mr. Roman: To me that’s just the structure of the billboard and the message on there is either static or digital.

Mr. Semrau: Right.

Mr. Roman: The only thing that I would bring to his point as far as…are we treating mechanically changed signs as digital or static? That’s where I can’t find it, so are we, since we’re delineating between certain sections of Town that will be allowed digital.

Mr. Semrau: That would be considered digital because a sign which changes messages or copy electronically is digital.

Mr. Roman: Then are we…

Mr. Semrau: I think it’s a good point that Mr. O raises…

Mr. Roman: …we should have that on the record that…

Mr. Semrau: …but I think the distinction is, is that it’s still considered one billboard. As Mr. Roman said it’s the “V” it’s the ones that face, but thank you.

Mr. Oszust: Yes, I miss understood what a V-billboard was.

President Nicastro: It was a good point.

Mr. Semrau: You really…I thought I was taking the bar exam on that one.

Mr. Oszust: Just as a small other point, during…I’m sorry what was your name?

Mr. Jenkins: Jerry.

Mr. Roman: Jenkins.

Mr. Oszust: You, in the purple tie.

Mr. Jenkins: Jenkins. Jerry Jenkins.

President Nicastro: Mr. Jenkins.
Mr. Oszust: As Mr. Jenkins had brought up, billboards of an electronic use don’t bring odor or noise. I hesitate to say it, but they bring up light pollution.

Mrs. Labow: Yes.

Mr. Oszust: I always think back to that one Seinfeld episode of where Kramer got the big red neon sign installed right across from his apartment, he couldn’t sleep.

President Nicastro: That’s right, that was from Kenny Rogers Chicken.

Mr. Oszust: I’d like to bring up the motion that they’re not totally harmless. They do in fact provide different problems than static billboards do and also static billboards, I’m not sure how it’s handled around here, can also be front lit by lights and I just read this today. I don’t think there’s any mention of how billboards are lit or the intensity to which they are.

Mr. Semrau: There actually is under…

Mr. Oszust: Thank you.

Mr. Semrau: …section five, especially for the digital. There’s a maximum brightness levels and five (e) talks about the brightness levels.

Mr. Oszust: Yes. I’m sorry I missed that.

Mr. Roman: Right, but that’s…

Mr. Semrau: No, no. That’s an excellent point and from Mr. McGroarty’s standpoint that’s just a bit shy of what’s permitted on…in other types of communities for digital. This 0.2 was done with that consideration to the point. Even though these billboards, we want them to be in certain locations so they don’t cause some of the concerns you said, nonetheless to your lighting question, it is addressed.

Mr. Oszust: Thank you very much.

Mr. Roman: Right, but if I read…the lighting question is for digital signs. Is there anywhere in this Ordinance where it addresses how a static sign is lit, whether it’s lit from the top down or from the bottom up, which I don’t know if that’s something that this Ordinance should address or if there’s anywhere else in our Land Use Code that addresses it because I think most…I think a lot of people are opposed to light…

Mr. Semrau: Right.

Mr. Roman: …light pollution facing up.

Mr. Fleischner: We have a Lighting Ordinance.

Mr. Semrau: Yes, that’s what I was going to say. Exactly that, there is a Lighting Ordinance and so that would be under lighting because these are digital, that’s why we specifically tried to…

Mr. Mania: Right.

Mr. Roman: Just wanted to make sure because that that point its being addressed.

Mr. Mania: Yes.

Mr. Semrau: Yes. Thank you.

Mr. Oszust: I appreciate the Council’s time.

President Nicastro: Thank you. I appreciate all the work.

Mrs. Labow: Good point. Thank you.

Mr. Semrau: Thank you Mr. O.
President Nicastro: Anyone else wish to be heard on this? Please go up and state your name and address for the record please.

Mr. Semrau: I was almost home free, then I’ll just deal with Alex.

Mr. B. Casale: My name is Ben Casale. I’m a resident of Northern Hunterdon County nearby.

Miss Masser: Can you spell your name for the record please?

Mr. B. Casale: Sure. Ben Casale. That’s spelled C-A-S-A-L-E. My family is the owner of Casale Realty, they’re a local real estate company. We’ve utilize commercial signage before and we love it. We think it’s a great advertising medium for small local businesses trying to get a regional impact at an effective cost. I have one question and one comment about the Ordinance, the proposed Ordinance in its form. I drive down Route 206 in its entirety within the Township on a daily basis from…down from Chester going up to Route 80. The entire length of that stretch is less than five miles with a few existing billboards already in the middle of the stretch, most of which are owned or rented by the local Shoprite. The minimum distance requirement between signs in this Ordinance says 5,000 linear feet along each side of the highway. That’s…along that stretch of Route 206 being less than five miles with a few billboards in the middle, that is nearly a mile long requirement of spacing between the signs. One billboard right in the middle prohibits billboards a mile northwards and a mile southwards, along a five mile stretch which doesn’t really give much room for new billboards to be put up. I looked up the State regulations today and the requirement is 500 feet between billboards. I understand, like you were mentioning before, maybe wanting a little bit of flexibility so they’re not right on top of each other, but as it’s proposed now the 5,000 linear feet rule is ten times the State regulation, which seems a bit strict to me. I would think 1,000 feet being double or 2,000 feet even would be fairly sufficient because if there’s additional billboards built along Route 206, I know myself and my family’s company wouldn’t hesitate to like to rent them and advertise on them and it doesn’t really leave much room for new billboards. I just wanted to get some clarification as to what went behind the 5,000 foot rule.

Mr. Semrau: That was done based on Mr. McGroarty’s review of the Township and its highways. For example, on Route 206, I understand your point, I think that’s probably the better example out of Interstate 80 or Route 46, but still under the circumstances remember it’s both sides of the road, it is a five mile stretch. That still presents an opportunity if it were…if the space were available you could still build out to almost ten different locations. I understand what you’re saying, but it was to provide a consistent approach and spacing on all of the highways in a similar fashion. You point out on Route 206, but the alternative is on that roadway that it would become…potentially over, over utilized as well and change the aesthetics there as with respect to how it runs through Flanders. It would take on a different characterization if it was to be reduced to, like you said 500 feet would be ten times the amount of signs so that potentially could be 100 signs. I’m being a little bit over calculating, but that’s the point of the aesthetics and remember it doesn’t mean you can’t come in and make an application for a variance relief to say that because right now there are no, there are no opportunities per the Code. You have to come in and start from scratch. This is to try to have, to the point before, certain applications that fit into this Ordinance and the plan for the community would work well. Beyond that the opportunity is still there if you make a case for it somewhere on Route 206, it’s just a zone for it if we did go to 500 feet, that would be, there’s a lot of unoccupied properties as you head out of Flanders. That would be almost as of right then to just put up those signs.

Mr. B. Casale: I agree 500 feet is a little lax…

Mr. Semrau: Yes.

Mr. B. Casale: …but I think 500 feet, sorry 5,000 linear feet might be a little extreme in the other direction.

Mr. Semrau: State highway is…from what I understand, it’s really 3,000 feet on highways. This is still considered a State highway.

Mr. B. Casale: I believe that’s only between the digital signs and not the static ones. The Shoprite having a few billboards, one on the train overpass and then one wooden one a little further up the road kind of has a monopoly on the area for the billboards being five…and that’s 5,000 feet in both directions. It almost limits two miles as it stands along Route 206 along the same side where a billboard can’t go. I don’t think there even is room for ten additional…

Mr. Semrau: Right.

Mr. B. Casale: …the way it’s written, with each billboard taking up almost two miles in a five mile stretch.
Mr. Semrau: As I said I was sort of extract, I don’t want to…

Mr. B. Casale: I get it.

Mr. Semrau: …be disingenuous because I think that’s me being on the extreme, but to the point.

Mr. B. Casale: My comment is that if maybe the Board would consider lessening it from the 5,000 feet to maybe somewhere in between 5,000 and the standard 500 that’s required by the State rule. My second comment which is around number four, “Dimensions and Height Standards” (b) which says the maximum sign area shall not exceed 450 square feet, but it seems almost a little bit unclear with four, a little contradictory with four (d) where is says “dimension and height of any billboard structure facing Route 80, Interstate 80 shall be determined at the time of site plan approval in accordance with the New Jersey Advertising Sign Act.” (B) says that “the maximum sign area shall not exceed 450 square feet” and (d) says “dimension of any billboard structure facing Route 80 will be determined at the time of site plan approval.” Should there…there need to be a little addition to (b) saying except as set forth in subsection (d) below for signs fronting Route 80.

Mr. Semrau: The way it’s read is (b) is “the maximum sign area” and (d) is…

Mr. B. Casale: Is dimension not sign area?

Mr. Semrau: Right. (d) is “the dimension and height of any billboard structure.” That’s the distinction, one is the sign and one is the actual structure.

Mr. Roman: Right. I think…

Mr. B. Casale: What’s the difference between the sign area and the dimension, just for my clarification?

Mr. Semrau: The sign area would be the actual face of the sign.

Mr. B. Casale: Right.

Mr. Semrau: The dimensions and the height are the entire structure and that’s with respect to Interstate 80 specifically.

Mr. Roman: Right, but Fred, if I could interject. I think we’re on the…or correct me if I’m wrong, the maximum sign area of 450 feet is for the overall size in the Township. Unless we indicate that except along the Route 80 corridor because if we’re going to limit 450 square feet which to me is a large sign within Route 46 and Route 206, but along Route 80 that should be a…we should just allow State…

President Nicastro: I thought it said…

Mr. Roman: …because four (b) is 450 square feet but, it doesn’t say that it’s except Route 80.

Mr. B. Casale: Yes, I believe the gentleman over there mentioned that the standard highway size is 600…

Mr. Roman: 600 square feet.

Mr. B. Casale: …seventy…672…

Mr. Oszust: 672.

Mr. B. Casale: 672…

Mr. Semrau: Yes.

Mr. B. Casale: …is the national standard, so 450…when your whizzing by at 65 MPH doesn’t seem overly large.

Mr. Roman: Don’t exaggerate, you know you’re doing more than 65.

Mr. Semrau: I think…

Mr. B. Casale: Off the record.
Mr. Semrau: To the point, we could just say except as otherwise specified, the maximum sign area shall not exceed 450 square feet.

Mr. B. Casale: Okay, I just wanted to bring up that point for clarification.

Mr. Semrau: That’s not a major change, but it’s just for clarification.

President Nicastro: Clarification…you can add that in...thank you.

Mr. Semrau: Thank you.

Mr. B. Casale: Thank you.

President Nicastro: Thank you. Anyone else on the Ordinance? Just state your name and address for the record please.

Mr. A. Casale: Anthony Casale, Casale Realty. I manage properties in New Jersey and in New York. That’s my son over there that just spoke. On the property…I see all the thought that went into which zones would permit the signs or the billboards and the distances and the buffers from residential and all that and where you took all that into play. With the magic number that you came up with for the 5,000 feet in between signs, out of all those zones in this Municipality that this Ordinance is regulating, what percentage actually fits the profile and qualifies that…it doesn’t matter about the zone really, that 5,000 you said the relief is just going for variance, out of the entire…the Planner when he looked at it, what percentage of all these zones can you actually use this conditional use without granting…without applying for relief for the distance between billboards? It kind of just limits it if it has any. He just used examples along that small stretch, so I was just curious when they came up this, in reality where does this Ordinance even come into play, its limited use. I’ve been involved in a, let’s say, alternative energy Ordinance in the past and the Planning Board made it so prohibitive, the setbacks on all the properties of where you can actually put a wood burning stove, puts you on your neighbor’s property, so it didn’t mean a darn thing. You permit it, but then it’s prohibited because of all the restrictions. This 5,000 foot thing, I don’t know, I guess you gave it some thought, but I didn’t…I don’t know if there’s a strong commercial with all the zoning you mentioned…various zones in here which all sounds to make sense, but that distance between a billboard just kind of eliminates a lot of the property owners from actually using the…this conditional use.

Mr. Semrau: I would think there’s notable stretches along Route 46 that was identified as you go out past Wolfe Road. I would also say the same…while its limited also on Route 80, I think it was fairly pointed out there’s probably limited sites on Route 206, but we’re also talking about both sides of the road. It’s also…again goes back to not over populating the Township with the signage because if you do then it really defeats the purpose of the Ordinance as well. It’s basically to avoid the sprawl of signs and to have it in such a way that yes there might be limited opportunities, it doesn’t preclude it overall, but to the point about Route 206, I understand it’s limited, it’s noticeably limited, but it doesn’t make it totally impermissible. On the flip side of that, it tries to adequately plan for signs in the future without that overpopulation.

Mr. A. Casale: Thank you.

Mr. Semrau: You’re welcome.

Mrs. Labow: Fred.

President Nicastro: Thank you.

Mr. Semrau: I think first close to the public before…

President Nicastro: Yes, anyone else from the public wish to be heard on this? You have to go up there if you want to say something again.

Mr. Oszust: Off record is fine, but it would it help…

President Nicastro: You have to…you have to go to the mic.

Miss Masser: You have to go to the mic.

President Nicastro: You have to go to the mic for the recording.
Mr. Oszust: Would it help if a paragraph of the appeals process was put into this document? Is there a mention of the appeals process to have billboards outside the…

Mr. Semrau: No, but Mr. O, to your point from a Land Use perspective, even as we speak right now the certain relief that’s available is to go through the Board for what would be a use type variance. If something’s not in the Land Use Code, it’s…in this Ordinance, the Land Use Code provides for the mechanisms for relief or as you said, appeal. It’s already in the Township Code.

Mr. Oszust: All right. I wasn’t sure if a lot of the concern had come just from the fact that it made it seem more opaque then it actually was because those options were available.

Mr. Semrau: Right.

President Nicastro: Anyone else from the public wish to be heard on this? Seeing none. Closed to the public. Mr. Ferrante, I think we left off for you…

Mr. Mania: I seconded.

President Nicastro: We did already?

Miss Masser: Colleen seconded.

Mr. Ferrante: Yes.

President Nicastro: I forgot where…

Miss Masser: Then we went to the public portion.

President Nicastro: Mr. Ferrante has to…

Mrs. Labow: Do we have Council comment?

President Nicastro: …we…we did the first, second. Council comments then anyone?

Mrs. Labow: Yes. I have some.

President Nicastro: Mrs. Labow.

Mrs. Labow: I just want to say that I think that Mr. McGroarty really did a great job in analyzing the highway situation because as we were talking about Route 46 and being in real estate, I have listed and sold houses on Route 46 that are residential and when the Town made some changes they changed that area to a C-1. It is commercial and at some point when people purchase it, they can make it commercial or keep it residential. I think that was excellent because there was a big long stretch where we have it all mixed in. For instance, between on Mount Olive Road and Sandshore Road we have all residents and right in the middle of it we have the State Farm and CPA office, right in the middle of a residential area. Just say if they wanted to put up a billboard, for whatever reason at that point, they would be prohibited because there’s residents on both sides and across the street because it’s a C-1. I thought that was really great that he was able to do that. Then, going on to further sections, if you go from Wolfe Road up going towards Hackettstown that whole stretch there, while there’s a lot of billboards, this enables those billboard owners to make them digital if they wanted to.

Mr. Semrau: That’s correct.

Mrs. Labow: That’s the benefit there. Then one question I have…

President Nicastro: Just to make an announcement, we’re almost out of tape.

Mrs. Labow: Okay.

President Nicastro: I don’t know what happens if we run out of tape.

Mrs. Labow: Then we’re out here.

President Nicastro: She just informed us we’re almost out.
Miss Masser: How many minutes do we have left?

President Nicastro: We have about eight minutes left.

Miss Masser: Eight minutes.

Mrs. Labow: I’m going to talk really, really fast. My question is…

President Nicastro: Michelle, do you want to try to record it in case, other than that…

Mr. Roman: No, recording for the video.

Miss Masser: Recording for the video.

President Nicastro: Oh, recording the video…

Mr. Roman: The videos out.

Miss Masser: The video. I have plenty of tape.

President Nicastro: Go ahead. I’m sorry, go ahead Mrs. Labow.

Mrs. Labow: If somebody wants to put up a billboard…the property, they have to own that property, correct? They can’t just all of a sudden decide to put a billboard up on State property or…

Mr. Semrau: No. Right, right, you would have to be the owner or…

Mrs. Labow: You have to be the owner.

President Nicastro: Right.

Mr. Semrau: …or…and or give consent to potential lease.

Mr. Mania: Or lease.

Mrs. Labow: Or lease it out. Okay.

Mr. Semrau: Yes.

Mrs. Labow: There’s a process for that as well.

Mr. Semrau: Correct.

Mrs. Labow: Thank you. I’m done.

President Nicastro: Anyone else? Mr. Roman.

Mr. Roman: I would like to at least hold off the passage of this Ordinance until we can have Mr. McGroarty here. That is not at all to say I’m disparaging the work that he has done and the Planning Board has done, but I think some of the questions that were raised by the public deserve to be answered by Mr. McGroarty himself. As long as presenting the final passage of this Ordinance does not harm the Township or any applications currently pending, I would like to see him address some of these questions before we adopt it.

President Nicastro: Okay. At this point I’m going to ask for a Roll Call anyway and with the amendment he put in here. The amendment of the 450 feet.

Mr. Semrau: Right, the amendment would be in section four (b).

President Nicastro: Right.

Mr. Semrau: It would be except as otherwise specified, the maximum sign area shall not exceed 450.

President Nicastro: What does he have to do?
Mr. Semrau: Yes, amend that. I’m sorry.

Miss Masser: Okay. Can you just repeat that Fred because I can’t hear him over when you guys are talking so I need that on record.

Mr. Semrau: Section four (b) would say, “except as otherwise specified herein,” that’s the change, “the maximum sign area shall not exceed 450 square feet.”

Miss Masser: Thank you.

President Nicastro: John makes that correction.

Mr. Ferrante: I move for adoption and final passage of Ordinance #17-2017, with the…

Mr. Semrau: As amended.

Mrs. Labow: As amended.

Mr. Ferrante: As amended.

Mr. Semrau: Thank you John.

Mrs. Labow: I second it.

President Nicastro: All right Fred.

Miss Masser: She seconded it?

Mrs. Labow: I seconded the amendment.

President Nicastro: Roll call.

Mr. Semrau: As amended.

Mrs. Labow: As amended.

President Nicastro: Right.

Miss Masser: Okay and now I’m going to do Roll Call.

President Nicastro: All right. Okay. I was going to…Roll Call.

Roll Call: Passed with the exception of Mr. Roman voted No

President Nicastro: Ordinance #17-2017 is passed on second reading and I hereby direct the Clerk to forward a copy of the same to the Mayor and publish the notice of adoption as required by law. Next item on the Agenda for first reading is Ordinance #18-2017,

ORDINANCES FOR FIRST READING – 2nd reading August 8, 2017

Ord.#18-2017 Bond Ordinance Amending Bond Ordinance Numbered 11-2014 of the Township of Mount Olive, in the County of Morris, New Jersey, Finally Adopted April 22, 2014, to Revise the Second Paragraph of Section 3(j) Thereof In Order to Include Additional Projects and to Reduce the Useful Life of Said Projects and to Revise Section 6(b) Thereof in Order to Amend the Average Useful Life of the Projects Being Financed by Said Bond Ordinance. Received 7/21/2017

President Nicastro: Mrs. Labow.

Mrs. Labow: Thank you Mr. President. I move that Ordinance #18-2017 be introduced by title and passed on first reading and that a meeting be held on August 8, 2017 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: I’ll second it.

President Nicastro: Any Council discussion? Anyone from the public wish to be heard?

Mr. Fleischner: Before the tape runs out.

President Nicastro: What’s that?

Mr. Fleischner: Before the tape runs out.

Miss Masser: It’s going to run out.

President Nicastro: It’s going to run out.

Mr. Fleischner: Joe Fleischner, 34 Karen Place. I wish the Mayor was here because I would personally like to thank you Mr. Mayor for putting in the newspaper the other day that you will be with the Administration reinstalling the opening of...in the budget for the opening of Budd Lake next summer for swimming. I appreciate it, all my neighbors appreciate it and I’m sure the Township appreciates it. Thank you very much Mr. Mayor.

Mr. Mania: I’m sure he heard you.

President Nicastro: All right.

Miss Masser: Okay, let’s go back. Ordinance for first reading.

President Nicastro: We got to back, that wasn’t for this one.

Mr. Fleischner: Oh, sorry.

President Nicastro: We have Ordinance for first reading, we did.


President Nicastro: Right. You got that one.

Mr. Semrau: That’s the Bond Ordinance.

Miss Masser: Okay, let’s go from the beginning. This is a very important Bond Ordinance.

Mr. Semrau: Yes.

President Nicastro: Read it…

Miss Masser: Let’s do it correctly.

President Nicastro: Colleen.

Mrs. Labow: I have to read it again?

President Nicastro: Yes read it again. We have to state we’re on this one. We didn’t finish.

Mrs. Labow: Okay. Hold on, I just got to turn my page. All righty. I move that Ordinance #18-2017 be introduced by title and passed on first reading and that a meeting will be held on August 8, 2017 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: I second it.
President Nicastro: Any Council discussion? Anyone from the public on this one? 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.

1. Resolution of the Township Council of the Township of Mount Olive Approving a Vendor Service Contract on a “Non-Fair and Open” Basis Pursuant to the “Pay-to-Play Law (L3 Mobile-Vision, Inc).

2. A Resolution of the Township of Mount Olive, County of Morris, and State of New Jersey, Authorizing Release of the Cash Bond For Site Improvements in Connection With Development of the Property Designated as Block 365.01, Lots 6, 8 and 9, and Block 365.03, Lots 14 and 15 (IHI Developers).

3. Resolution of the Township of Mount Olive, County of Morris and State of New Jersey Authorizing the Settlement of IMO the Application of the Township of Mount Olive.

President Nicastro: We have…how many do we have here?

Miss Masser: Three.

President Nicastro: Three Consent Resolutions. Does anyone wish to move any to Non-Consent? Does anyone have any questions on these? Mr. Mania, would you move Resolutions one through three?

Mr. Mania: I move Resolution…Consent Resolutions one through three.

Mrs. Labow: Second.

President Nicastro: Anyone from the public wish to be heard on these? Closed to the public. Any Council? None. Roll Call please.

Roll Call: Passed unanimously

MOTIONS

  1. Bill List.

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

Mr. Roman: I move for approval and adoption, the Bill List.

Mr. Mania: Second.

President Nicastro: Any discussion? Roll Call please.

Roll Call: Passed unanimously

ADMINISTRATIVE REPORTS

President Nicastro: Any Administrative Reports that we didn’t cover?

Mr. Casey: Just a reminder, we need a Resolution for an Executive Session.

President Nicastro: Yes, that we have. That’ll be up.

Mr. Casey: No reports.
OLD BUSINESS – none
NEW BUSINESS – none
LEGAL MATTERS - none

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

Mr. Semrau: You don’t need to hear from me anymore.

COUNCIL REPORTS

Board of Education Liaison Report - none
Senior Citizen Liaison - none

President Nicastro: Council Reports. Mr. Ferrante, do you have anything on Lake, Environmental or Library this evening?

Environmental Committee - none
Lake Issues - none
Library Board Liaison – none

Mr. Ferrante: Nothing tonight.

President Nicastro: Mrs. Labow, anything on TNR…?

Economic Development Committee Report - none
TNR Program - none
Open Space Committee Report - none

Mrs. Labow: Nothing tonight.

President Nicastro: …and Open Space and Economic? None?

Mrs. Labow: Nope. Nothing.

President Nicastro: Mr. Mania, anything on Planning or…

Legislative Committee Report – none
Planning Board Report

Mr. Mania: Planning Board…the Planning Board commented on our study for the…for Chuck McGroarty to do the study…on the redevelopment study.

President Nicastro: Okay.

Mr. Mania: We got quite a few accolades from the Planning Board.

Board of Health Report

President Nicastro: Okay. Health Department we have a meeting in July. There was a few reports on there. They just had their Senior picnic last week with 125 people and they were at the Carnival. We’re working on the Overlook issues and we’ll update you on those as well. We didn’t forget that, we’re in the process of that.

Mrs. Labow: Okay.

President Nicastro: Mr. Roman, anything on Pride or Recreation?

Recreation Liaison Report - none

Mr. Roman: Nothing on Recreation. Pride, Mr. Casey, I was wondering if you could look into the…

Mr. Semrau: You only have two minutes.

Mr. Roman: …Pride Committee by the Budd Lake beach, had paid somebody to do some plantings in there and unfortunately the DPW weeded a little bit too aggressively. I was wondering if you could just double check that and see if we could end up mitigating whatever issues happened there.
Mr. Casey: Yes sir.

MOTV Committee Liaison - none
Community Action Panel Report - none

PUBLIC PORTION – none

President Nicastro: Thank you. Sorry to rush you. Anyone from the public wish to be heard any more on this? Closed to the public. Any Council Comments? John?

Miss Tomasello: Joe…I have the Mayor’s report.

Mr. Semrau: It’s okay…

President Nicastro: It’s okay, we’re going to go into Executive.

COUNCIL COMMENTS

President Nicastro: Any comments John?

Mr. Ferrante: None.

President Nicastro: Colleen?

Mrs. Labow: I just want to thank Mr. Casey for the fantastic thorough job he did on the sewer.

President Nicastro: Two…three

Mrs. Labow: Checking out the sewer.

President Nicastro: Sorry, she’s counting down to me.

Mrs. Labow: Thank you very much, it was extremely informative.

Mr. Casey: The tape’s running out.

President Nicastro: It’s all right. We’re good. John, anything?

Miss Masser: It’s being recorded.

Mr. Mania: Yes, just a…

President Nicastro: Alex.

Mr. Mania: ...comment on, Chuck McGroarty did a lot of work on that Billboard Ordinance.

President Nicastro: Yes. I’m not rushing anybody, I just was worried about the tape.

Mr. Mania: I think he did a fine job.

President Nicastro: Thank you. Alex, anything?

Mr. Roman: I have nothing.

President Nicastro: I have nothing. Do we have a motion?

Miss Masser: Let Colleen…

President Nicastro: Colleen

Mrs. Labow: What?

Miss Masser: Sorry, let Claudia do the…
President Nicastro: Claudia now you could do that…go ahead.

Miss Tomasello: He just wanted to congratulate Greg Stewart on his daughter’s graduation, received her Master’s. The Carnival was a huge success, 21,000 visitors on Saturday. August 1, 2017 is National Night Out from 6:00 pm to 10:00 pm. Next event, Touch-a-Truck, food truck and fireworks, August 26, 2017. The Republican Club will be hosting a fundraiser for those Councilmen who are running for re-election at Jersey Girl, follow Mount Olive Republican Facebook page for more details.

President Nicastro: Thank you. Do we have a motion to adjourn?

Mr. Mania: So moved.

Mrs. Labow: So moved. Second.

President Nicastro: All in favor.

Mr. Semrau: Executive Session?

President Nicastro: Executive Session. Someone…Colleen, will you take us into Executive Session?

Mrs. Labow: Yes. Thank you, Mr. President. According to Section 7 and 8 of the Open Public Meetings Act, I make a motion we move into Executive Session to discuss…

Mr. Casey: Personnel.

Mr. Semrau: Personnel.

President Nicastro: Personnel.

Mrs. Labow: …personnel…

Mr. Semrau: There will be no action taken.

Mrs. Labow: …noting that the Minutes will be available upon conclusion of the issue and no action will be taken this evening.

Executive Session began at 10:24 pm and the Public Meeting resumed at 10:32 pm.

Mr. Roman: I make a motion that we move out of Executive Session.

Mr. Mania: I’ll second it.

ALL IN FAVOR

Mr. Roman: I make a motion that we adjourn Council Meeting.

Mr. Mania: I’ll second it.

Mrs. Labow: Second.

ADJOURNMENT - Motion made and seconded. All in favor, none opposed, the meeting was adjourned at 10:32 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 August 22, 2017.

Michelle Masser, Township Clerk

mvm