

The Public Meeting of the Mount Olive Township Council was called to Order at 8:40 pm by President Tepper with the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE & MOMENT OF REFLECTION

OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT

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

ROLL CALL

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

Absent: Mr. Tobey

Also Present: John Dorsey, Township Attorney; Lisa Lashway, Township Clerk; Bill Sohl, Business Administrator

Questions on Bill List?

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

President Tepper: Let the record reflect again that Mr. Tobey announced, for personal reasons, that he would not be here. Mr. Greenbaum, would you approve the Minutes of the previous meetings?

Mr. Greenbaum: I don't know. How did I become the voter of previous meetings?

President Tepper: I think you always start at the end and...

Mr. Greenbaum: I would like to move for approval of:

February 28, 2009 Budget Hearing – all present

March 17, 2009 WS & PM - Mr. Tepper absent

March 17, 2009 CS – Mr. Tepper absent, Mr. Perkins recused

March 31, 2009 Special PM – Mr. Tepper, Mr. Tobey & Mr. Perkins absent

Mr. Greenbaum: At the same time pass along praise to the Clerk's office for diligently working on so many sets of Minutes for my moving.

Mr. Rattner: Second

President Tepper: Roll Call, please.

ROLL CALL – Passed with the exception Mr. Perkins abstained from the March 17 Closed Session and March 31st Special Public Meeting, and Mr. Tepper abstained from the March 17 WS, PM and CS and the March 31 Special Public Meeting

CORRESPONDENCE

LETTERS FROM RESIDENTS/ORGANIZATIONS

1. Letter received March 16, 2009, from the Flanders Fire Co. #1, Budd Lake First Aid & Rescue Squad, and the Budd Lake Volunteer Fire Company regarding an insurance coverage request. PDF Correspondence
2. Letter received March 16, 2009, from Government Auction services regarding a five day online auction. PDF Correspondence
3. E-mail received March 17, 2009, from Remington & Vernick Engineers and Affiliates regarding the Latest Issue of R&V's Legislative Update Newsletter. PDF Correspondence
4. Letter received March 17, 2009, from Charlie Wood Uhrmann regarding election matters.

5. E-mail received March 19, 2009, from NLC Leadership Training Institute regarding the NLC 17th Annual Leadership Summit. PDF Correspondence
6. E-mail received March 19, 2009, from Linda Cherkassky regarding Trap Neuter and Release. PDF Correspondence
7. Letter received March 20, 2009, from Rochelle Contracting Co., Inc. regarding an application to the Washington Township Planning Board for a Soil Disturbance Permit. PDF Correspondence
8. Newsletter received March 30, 2009, from PMK Group regarding an Environmental Alert. PDF Correspondence
9. E-mail received April 2, 2009, from Michelle Lerner regarding a TNR proposal. PDF Correspondence
10. E-mail received April 6, 2009, from Linda Cherkassky regarding feral cats. PDF Correspondence

RESOLUTIONS / ORDINANCES / CORRESPONDENCE OTHER TOWNS

11. E-mail received March 17, 2009, from Mendham Township regarding a Resolution Supporting Assembly Bill A-3570 and Resolution Opposing Pension Deferral. PDF Correspondence
12. Resolution received March 19, 2009, from Netcong Borough opposing legislation that would require deferral of half a billion dollars in pension payments. PDF Correspondence

DOT / DEP / LOI / HIGHLANDS

13. Letter received March 16, 2009, from the State of New Jersey Department of Environmental Protection regarding 5 Belle Court. PDF Correspondence
14. Letter received March 18, 2009, from the State of New Jersey Department of Environmental Protection regarding 73 North Stratford Drive. PDF Correspondence
15. Letter received March 18, 2009, from the State of New Jersey Department of Environmental Protection regarding Block 7600 Lot 66 (101 Mount Olive Road). PDF Correspondence
16. Letter received March 19, 2009, from the State of New Jersey Department of Transportation regarding *Municipal Aid, Bikeway, Centers of Place, Transit Village, and Safe Streets to Transit Programs*. PDF Correspondence
17. Letter received March 25, 2009, from the State of New Jersey Department of Transportation regarding Block 8301 Lots 11 & 12 (484 Route 46). PDF Correspondence
18. Letter received March 26, 2009, from the State of New Jersey Department of Transportation regarding a Municipal Stormwater Regulation Program, Notice of Final Permit Decision, R-9 Tier A Municipal Stormwater General Permit. PDF Correspondence
19. Freshwater Wetlands Application received March 27, 2009, from Stan Grabowski regarding a property at 333 Route 46. PDF Correspondence
20. Letter received March 27, 2009, from the State of New Jersey Department of Transportation regarding Emergency Highlands Preservation Area Approval for Turkey Brook Park Well 2 (30 Flanders Road). PDF Correspondence
21. Letter received March 30, 2009, from the State of New Jersey Department of Environmental Protection regarding the Former NJ Bus Company / Laidlaw Transit Site, Bartley Chester Road. PDF Correspondence
22. Letter received March 30, 2009, from the State of New Jersey Department of Environmental Protection regarding Bartley Chester Business Park, Inc., 704 Bartley Chester Road. PDF Correspondence
23. Letter received March 30, 2009, from Resource Services North, Inc. regarding a letter of interpretation for Block 7702 Lots 24 & 25 (333 Route 46). PDF Correspondence

24. Letter received March 30, 2009, from the State of New Jersey Department of Environmental Protection regarding a Notice of Deficiency for a Remedial Action Report / Remedial Action Workplan for 24 Kenmar Road. PDF Correspondence
25. Letter received April 6, 2009, from the State of New Jersey Department of Environmental Protection regarding Oakwood Village Apartments, 185 Route 206. PDF Correspondence
26. Letter received April 6, 2009, from Ecol Sciences, Inc, regarding Block 103, Lot 2.04 (400 International Drive). PDF Correspondence

IRS

27. Notice received April 1, 2009, from the Department of the Treasury – Internal Revenue Service regarding Public Auction Sale for Silver Springs Farm, Inc. PDF Correspondence

LEAGUE OF MUNICIPALITIES

28. E-mail received March 13, 2009, from the New Jersey State League of Municipalities regarding a Health Cost Containment Seminar. PDF Correspondence
29. E-mail received March 16, 2009, from the New Jersey State League of Municipalities regarding Important New Information from the Division of Local Government Services on Budgeting and Sustainable Jersey Grants Funded by Wal-Mart. PDF Correspondence
30. E-mail received March 17, 2009, from the New Jersey State League of Municipalities regarding COPS Hiring Recovery Program (CHRP). PDF Correspondence
31. E-mail received March 17, 2009, from the New Jersey State League of Municipalities regarding Governor Welcomes Budget Comments and Legislative Recap (Pension Deferral Goes to Governor, Senate Releases Qualified Purchasing Agent Mandate, Age Restricted Housing Conversion Bill, and Commercial Fee Moratorium Passes Senate). PDF Correspondence
32. Letter received March 18, 2009, from the New Jersey State League of Municipalities regarding the March 2009 Legislative Bulletin. PDF Correspondence
33. E-mail received March 18, 2009, from the New Jersey State League of Municipalities regarding Immediate Need for Binding Arbitration Reform. PDF Correspondence
34. E-mail received March 18, 2009, from the New Jersey State League of Municipalities regarding False Claims Acts Amendments Threaten Local Governments, Pension Deferral Signed, and Correction, Legislative Bulletin, March 2009, No.1. PDF Correspondence
35. E-mail received March 19, 2009, from the New Jersey State League of Municipalities regarding Final Notice – “2009 Housing Summit,” Affordable Housing Update Local Mandates Ruling in Medford Township Challenge, and COBRA Continuation Requirements in the American Recovery and Reinvestment Act (ARRA). PDF Correspondence
36. E-mail received March 20, 2009, from the New Jersey State League of Municipalities regarding the “Blight to Revitalization Seminar.” PDF Correspondence
37. E-mail received March 20, 2009, from the New Jersey State League of Municipalities regarding the “Family Leave Act Seminar.” PDF Correspondence
38. E-mail received March 20, 2009, from the New Jersey State League of Municipalities regarding ALL US Justice Department Stimulus Grant Info Posted. PDF Correspondence
39. E-mail received March 23, 2009, from the New Jersey State League of Municipalities regarding Seminar on Joining a Health Insurance Fund. PDF Correspondence
40. E-mail received March 23, 2009, from the New Jersey State League of Municipalities regarding Local Finance Notice on Pension Deferral Law, and Sample Resolution Honoring Troops. PDF Correspondence

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41. E-mail received March 24, 2009, from the New Jersey State League of Municipalities regarding Stimulus Funding News from the EPA and HUD, and League Budget Testimony. PDF Correspondence
 42. E-mail received March 25, 2009, from the New Jersey State League of Municipalities regarding Furloughs Permitted by Civil Service Commission Emergency Rules. PDF Correspondence
 43. E-mail received March 26, 2009, from the New Jersey State League of Municipalities regarding Binding Arbitration Reform Needed Now, and Federal Stimulus Funding U.S. Department of Energy. PDF Correspondence
 44. E-mail received March 27, 2009, from the New Jersey State League of Municipalities regarding REVISED – Added NY Times article below, Binding Arbitration Reform Needed Now. PDF Correspondence
 45. E-mail received March 27, 2009, from the New Jersey State League of Municipalities regarding a Health Cost Containment Seminar. PDF Correspondence
 46. E-mail received March 27, 2009, from the New Jersey State League of Municipalities regarding Workshop on “Green Schools” Scheduled. PDF Correspondence
 47. E-mail received March 31, 2009, from the New Jersey State League of Municipalities regarding Local Unit Alignment, Reorganization and Consolidation Commission Adopts Report and Proposed Re-Adopt Police Training Commission Rules. PDF Correspondence
 48. E-mail received March 31, 2009, from the New Jersey State League of Municipalities regarding Important New Information from the Division of Local Government Services, Furlough Rule Challenged, and NJ Hall of Fame Awards Ceremony Scheduled. PDF Correspondence
 49. E-mail received April 1, 2009, from the New Jersey State League of Municipalities regarding “Blight: to Revitalization.” PDF Correspondence
 50. E-mail received April 1, 2009, from the New Jersey State League of Municipalities regarding the April Mayors Newslines. PDF Correspondence
 51. E-mail received April 1, 2009, from the New Jersey State League of Municipalities regarding New League Service – Recruitment and Selection Advisory Service Launched, April Grant Page Posted, Governor Helps League Kick-Off Census 2010 Campaign and S-2711 – Revises Reassessment Procedures. PDF Correspondence
 52. E-mail received April 2, 2009, from the New Jersey State League of Municipalities regarding Tax Appeals Hit Local Budgets Again. PDF Correspondence
 53. E-mail received April 2, 2009, from the New Jersey State League of Municipalities regarding Mortgage Stabilization and Relief Act Notification Requirements and Tax Exempt Bond Provisions Included in Stimulus Bill. PDF Correspondence
 54. E-mail received April 3, 2009, from the New Jersey State League of Municipalities regarding Reminder – Free Limited Membership in International Municipal Lawyers Association (IMLA,) Free Seminar on New State Energy Conservation Initiatives, and 2009 Legislative CD Roster. PDF Correspondence
 55. E-mail received April 6, 2009, from the New Jersey State League of Municipalities regarding an April 16th League Seminar Reminder on Tax Appeal Insights. PDF Correspondence
 56. E-mail received April 6, 2009, from the New Jersey State League of Municipalities regarding Age Restricted Housing Conversion Legislation, Census 2010 Update and National Donate Life Month. PDF Correspondence
 57. Email received April 7, 2009, from the New Jersey State League of Municipalities regarding DEP Permit Efficiency Review Task Force Implementation Plan, Funding for Local Volunteers to Assist in Digital TV Conversion, and Important New Information from the Division of Local Government Services. PDF Correspondence

58. Email received April 7, 2009, from the New Jersey State League of Municipalities regarding Webcast to Focus on Energy Block Grant, and Economic Recovery. PDF Correspondence
59. Email received April 8, 2009, from the New Jersey State League of Municipalities regarding NJ DOT Funding Opportunity. PDF Correspondence
60. Email received April 9, 2009, from the New Jersey State League of Municipalities regarding 2008 Laws of Interest, Ask you Legislators to Support our call for mandates relief, and Researching just got easier. PDF Correspondence

UTILITIES

61. Letter received March 23, 2009, from the State of New Jersey Department of the Public Advocate, Division of Rate Counsel, regarding Comcast Cable Communications, LLC, on behalf of Subsidiaries and Affiliates, Petitions for a Determination of Effective Competition In 107 Franchise Areas in New Jersey. PDF Correspondence
62. Letter received March 25, 2009, from Comcast regarding HD Additions & Package Changes. PDF Correspondence
63. Letter received March 30, 2009, from Comcast regarding a Taping Dates Reminder. PDF Correspondence

MSA

64. Letter received April 3, 2009, from the Musconetcong Sewerage Authority regarding allocations for the participating municipalities in the 4.31 MGD Water Pollution Control Plant. PDF Correspondence

DCA

65. E-mail received March 18, 2009, from the State of New Jersey Department of Community Affairs regarding Housing Summit. PDF Correspondence
66. E-mail received March 27, 2009, from the State of New Jersey Department of Community Affairs regarding Local Government Agency Savings Resources Meeting. PDF Correspondence
67. E-mail received March 31, 2009, from the State of New Jersey Department of Community Affairs regarding the Conficker Worm. PDF Correspondence
68. E-mail received April 2, 2009, from the State of New Jersey Department of Community Affairs regarding Local Government Energy Savings Resources Meeting. PDF Correspondence
69. E-mail received April 2, 2009, from the State of New Jersey Department of Community Affairs regarding Clerks and Mortgage Reform. PDF Correspondence
70. E-mail received April 3, 2009, from the State of New Jersey Department of Community Affairs regarding Grants for agencies to assist with Digital TV Conversion for households. PDF Correspondence
71. E-mail received April 6, 2009, from the State of New Jersey Department of Community Affairs regarding a PERC request for comments on Public Safety Employee Termination Process. PDF Correspondence
72. E-mail received April 6, 2009, from the State of New Jersey Department of Community Affairs regarding the Mortgage Stabilization and Relief Act. PDF Correspondence

LETTER FROM LEGISLATIVE REPRESENTATIVES

73. E-mail received March 13, 2009, from Congressman Rodney Frelinghuysen regarding The Week Just Past, Frelinghuysen Resolution Supports School Choice, House Passes Wasteful Water Treatment Bill, Picatinny Working Group Meets, Meets Members of Jewish Federation, Bad Idea of the Week, Spread the eNews, Contract Rep. Frelinghuysen. PDF Correspondence

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74. E-mail received March 13, 2009, from the 24th Legislative District (NJLEG) regarding the federal Stimulus Funding. PDF Correspondence
 75. E-mail received March 19, 2009, from Congressman Rodney Frelinghuysen regarding The Week Just Past, Frelinghuysen Assures Veterans on Obama Proposal, Exhibit A: Why Bills Should Not Be Rushed Through Congress, The Government's Commitments So far, Bad Idea of the Week, Spread the E News, and Contract Rep. Frelinghuysen. PDF Correspondence
 76. E-mail received March 27, 2009, from Congressman Rodney Frelinghuysen regarding What's Inside?, The Week Just Past, House Prepares to Debate Obama Budget, New Strategy on Afghanistan, Spirit of Enterprise Award, Words are Important, Bad Idea of the Week, Spread the E-news, Contact Rep. Frelinghuysen. PDF Correspondence
 77. E-mail received April 3, 2009, from Congressman Rodney Frelinghuysen regarding The Week Just Past, Opposes Budget that spends, taxes and borrows too much, Supports Pro Growth Budget Framework, Takes Aim at Deportations of Serious Crime Suspects, New Threats Emerge, Bad idea of the week, spread the eNews, Contact Rep. Frelinghuysen. PDF Correspondence

MORRIS COUNTY

78. Letter received March 16, 2009, from the Morris County Extermination Commission regarding an information packet. PDF Correspondence
79. Letter received March 18, 2009, from the Morris County League of Municipalities regarding a Program entitled, "Consolidation of Watersheds in Effort to Find Cost Savings," and United Way Army Community Covenant Presentation and Signing. PDF Correspondence
80. Letter received March 24, 2009, from the Morris County Department of Planning and Development regarding a Special Meeting of the Morris County Agriculture Development Board. PDF Correspondence
81. Letter received March 25, 2009, from Morris County Green Table regarding *A Distinguishing Characteristic: Open Space and the Highlands*. PDF Correspondence
82. Minutes received March 26, 2009, from the Morris County Planning Board regarding their February 19, 2009 Regular Meeting. PDF Correspondence
83. Letter received March 26, 2009, from the Morris County League of Municipalities regarding a Revised Program, *United Way – Army Community Covenant Presentation and Signing*, and *The Development of School Budgets and the Role of the Municipality*. PDF Correspondence
84. Letter received March 27, 2009, from the Morris County Department of Human Services, Division on Aging, Disabilities & Veterans regarding the April – May 2009 Calendar of Events. PDF Correspondence

USEPA

85. Letter received March 16, 2009, from the United States Environmental Protection Agency regarding the Single Audit Act. PDF Correspondence
86. Letter received March 30, 2009, from the United States Environmental Protection Agency regarding Greening the Implementation of State Revolving Loan Fund Projects. PDF Correspondence

President Tepper: There are 86 pieces of Correspondence. Does anyone have any comments or questions on any of them?

Mr. Roman: I have one question.

President Tepper: Mr. Roman.

Mr. Roman: Letter number one, Mr. Dorsey, you read that I'm assuming.

President Tepper: I believe that is going to be addressed at the executive session at our meeting on May 12th. That is one of the reasons why we pulled it off of public discussion. Any other questions or comments? Seeing none, we will move to our Ordinances for Public Hearing.

ORDINANCES FOR PUBLIC HEARING

President Tepper: I open the hearing to the public on Ord. #6-2009, entitled:

Ord. #6-2009 An Ordinance of the Township of Mount Olive Establishing Recreation Fees for Various Township-Sponsored Recreational Activities.

President Tepper: Anybody from the public have any comments or questions on that? Seeing none, I will close the public hearing and ask Mr. Rattner to move that.

Mr. Rattner: Thank you, Mr. President. I move for adoption and final passage of Ord. #6-2009.

Mr. Perkins: Second.

President Tepper: Any Council discussion? Seeing none, please Call the Roll.

ROLL CALL – Passed Unanimously

ORDINANCES FOR FIRST READING – (Second Reading 4/28/09)

President Tepper: Ord. #6-2009 has passed on second reading, and I hereby direct the Clerk to forward a copy of same to the Mayor and publish a notice of adoption as required by law. We'll now move to Ordinances for First Reading. The second reading will be April 28th of this month. The next item will be Ord. #7-2009 for First Reading and it is entitled:

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

President Tepper: Mr. Perkins, would you move that?

Mr. Perkins: Yes, Mr. President. I move that I move that Ord. #7-2009 be introduced by title and passed on first reading and that a meeting be held on April 28th, 2009 at 7:30 p.m. at the Municipal Building, 204 Flanders-Drakestown Road, Mount Olive, NJ for a public hearing consideration of said reading and passage of said ordinance and that the Clerk be directed to publish, post and make available such ordinance in accordance with the requirements of law.

Mrs. Labow: Second.

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

ROLL CALL – Passed Unanimously

President Tepper: The next item on the Agenda for First Reading is Ord. #8-2009, entitled:

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

President Tepper: Mr. Roman, would you move that?

Mr. Roman: I move that Ord. #8-2009 be introduced by title and passed on first reading and that a meeting be held on April 28th, 2009 at 7:30 p.m. at the Municipal Building, 204 Flanders-Drakestown Road, Mount Olive, NJ for a public hearing consideration of said reading and passage of said ordinance and that the Clerk be directed to publish, post and make available such ordinance in accordance with the requirements of law.

Mr. Perkins: Second.

President Tepper: Any discussion? I'd only like to make a comment that I am glad that we have incorporated in 4-1009, item 4, that we will waive any of the fees and automatically allow rebuilding due to fire and disaster so that people will not have to come back and ask us for relief. I think it's the right thing to do. Call the Roll.

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 Release of Performance Guarantees in Connection with AIG Baker/ITC Shopping Center/Famous Footwear.
2. Resolution of the Township Council of the Township of Mount Olive Releasing the Performance Guarantees Submitted by MTO Realty Holdings, LLC in Connection Section Sections A & E.
3. Resolution of the Township Council of the Township of Mount Olive Opposing Assembly Bill No. 3686 Which Proposes the Transfer of the Governor's Council on Alcoholism and Drug Abuse to the New Jersey Department of Human Services.
4. Resolution of the Township Council of the Township of Mount Olive Awarding a Contract to Dreamland Amusements Inc. for Carnival Services.
5. Resolution of the Township Council of the Township of Mount Olive Authorizing a Professional Services Contract with Capturepointe-Marketing Technology for Recreation Registration Management Software and Support Services.
6. Resolution of the Township Council of the Township of Mount Olive Authorizing a Tax Reimbursement Certification.
7. Resolution of the Township Council of the Township of Mount Olive Authorizing Amendment of a Previously Adopted Resolution of December 23, 2008, to Increase the Fleet Maintenance Contract with the Penske Group for the Year 2009. **REMOVED**
8. Resolution of the Township Council of the Township of Mount Olive Authorizing the Submission of a Tonnage Grant Application to the State of New Jersey.
9. Resolution of the Township Council of the Township of Mount Olive Authorizing the Use of Competitive Contracting for Carnival Services.

President Tepper: Mr....?

Mr. Rattner: Well, first we agreed to the straw poll to take number 7 off.

Mr. Perkins: Thank you. Since you recognized me, Mr. President, I'll just repeat what Councilman Rattner says. We agreed to take off number 7.

Mr. Rattner: Sorry.

Mr. Perkins: That's okay, Steve. I'm on the left side. It's the bad eye.

President Tepper: Seeing none others, Mr. Rattner, would you move 1 through 6 and 8 and 9?

Mr. Rattner: I move Resolutions 1 through 6 and 8 through 9.

President Tepper: Is there a second?

Mr. Roman: Second.

PUBLIC PORTION ON CONSENT RESOLUTIONS

President Tepper: Alright, public portion. Anyone from the... Yes, sir, if you would move up and give us your name and address, again.

Ned McDonnell, Budd Lake: I just have a question on Resolution number 4 and number 9. How do those tend to key together, or don't they?

President Tepper: I'm sorry. Say that again, Ned.

Mr. McDonnell: Resolution 4, a contract to Dreamland Amusements Inc. for Carnival Services, and then 9 authorizing the use of competitive contracting for carnival services. It seems like something, it's sort of the same resolution.

President Tepper: Basically, you would have authorized a resolution to do a competitive bid, and then having done a competitive bid, you would then authorize an award contract. I will ask Mrs. Daggon. Did we do a competitive bid?

Mrs. Daggon: We did.

President Tepper: So it's more of a timing issue and where they came in. We've done both but we're passing a resolution saying that we wanted to go to competitive bid, and then having done it through a competitive bid, we're awarding the resolution.

Mr. McDonnell: Okay, thank you.

President Tepper: Anyone else from the public? Seeing none, any Council comments? Seeing no Council Comments, Roll Call, please

COUNCIL COMMENTS ON CONSENT RESOLUTIONS – none

ROLL CALL – Passed Unanimously

RESOLUTIONS NON CONSENT – none

PUBLIC PORTION ON INDIVIDUAL RESOLUTIONS – none

COUNCIL COMMENTS ON INDIVIDUAL RESOLUTIONS – none

MOTIONS

President Tepper: We have a Motion for:

1. Approval of a Solicitor's Permit for Laura Martin for mobile ice cream vending.

President Tepper: Mrs. Labow?

Mrs. Labow: So moved.

Mr. Perkins: Second.

Mr. Roman: I'm assuming what I have here is not out there.

Mrs. Lashway: There was a new one put in front of you.

Mr. Roman: No, no, just because the application, it's not out in public, right?

Mrs. Lashway: No.

Mr. Roman: Okay.

Mrs. Lashway: That has social security numbers and things like that.

Mr. Roman: No, I don't think she's worried about that. It has her weight on it.

President Tepper: Roll Call, please.

ROLL CALL – Passed Unanimously

President Tepper: Next Motion is:

2. Approval of the Mayor's nomination of Timothy Kelly to the Library Board for a 5 year unexpired term to expire 12/31/2012.*

Mr. Greenbaum: Oh, with great pleasure. I don't know if any of you know Tim Kelly, but Tim has participated in both the failed School Board budget review, and I believe he participated on the Budget Committee, although I'm not 100% sure. He's a local business owner as well as a substitute teacher, or maybe a full time teacher.

President Tepper: He's a full time teacher of Business Marketing and Economics. He's an excellent choice.

Mr. Greenbaum: I think so too and with pleasure I move the Motion to approve him as a Library Board member.

Mrs. Labow: Second.

Mr. Perkins: And I second it with pleasure.

President Tepper: Roll Call.

ROLL CALL – Passed Unanimously

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

Mr. Perkins: Yes, Mr. President, I move for acceptance of the 18 pages on the Bill List.

3. Bill List.

President Tepper: Is there a second?

Mr. Greenbaum: Second.

President Tepper: Thank you. Roll Call.

ROLL CALL – Passed Unanimously

ADMINISTRATIVE MATTERS

President Tepper: Administrative Matters. Mr. Sohl, anything from the Administration?

Mr. Sohl: Nothing else at this time, although I would like to thank Tim Quinn, although he's already left, for coming in on his vacation today.

OLD BUSINESS – none

NEW BUSINESS – none

LEGAL MATTERS – none

President Tepper: So noted. Any Old Business? New Business? Mr. Dorsey, any Legal Matters?

Mr. Dorsey: None this evening.

President Tepper: Alright. Council Reports, Recreation Liaison, Mr. Roman.

COUNCIL REPORTS

Recreation Liaison Report

Mr. Roman: Even though you can't tell from the weather, it's Baseball season. The parade is this Saturday at 9:00 am. I believe everybody should have gotten the invitation. Colleen, if you're going, practice.

President Tepper: Practice your throws.

Mrs. Labow: Practice my throws. I did good last year.

Mr. Roman: Yes you did. I lost twenty bucks because of that.

Mr. Perkins: I got \$20.

President Tepper: Gaming license. Okay, Board of Health Report, Mr. Perkins.

Board of Health Report

Mr. Perkins: Yes, thank you, Mr. President. We had a Special Meeting of the Board of Health on March 30th. Two items were before the Board. One was rather insignificant. It was a setback distance from the State requirement of a 50 foot setback versus the Township's 100 on a well. They were granted relief. We also had a presentation on Trap Neuter Release, as well as some questions from the Board members. That is still an ongoing issue. A meeting is scheduled for tomorrow night. We will be reviewing it again. I do not anticipate the Board making a final decision until probably the May meeting.

President Tepper: Thank you. Mr. Greenbaum, Planning Board.

Planning Board Report

Mr. Greenbaum: Meets Thursday.

President Tepper: Thank you. Board of Adjustment, Mr. Greenbaum.

Board of Adjustment Liaison Report

Mr. Greenbaum: No report.

President Tepper: Mrs. Labow, Open Space Committee.

Open Space Committee Report

Mrs. Labow: Yes, I have some great news from the Open Space Committee. Last night we had Barbara from the County who has been working on our trail program. One of the things that the Open Space Committee had asked her to do was to update our Open Space map. I only have two copies here but I can pass these down and they can take a look at it. It's pretty complete here. We also have a preserved lands map. One of the things we discussed last night at the Open Space Committee meeting was starting a trail project. June 7th is Trail Day and we would like to start flagging the area between the Mount Olive High School and Turkey Brook Park so that we can get the trails cut. I see Rich Escobar is writing. I have to send Janice a note also, and then we plan on, throughout the weekends in May, inviting everybody that would like to come and work on the trails. We set up our plan for the trails. We want to try to start out with phase 1 which would be trying to get the trails all in the Turkey Brook area, and from there branch out into other areas of Town. So we're pretty excited about getting our Recreation program underway in Mount Olive Township. That's it.

President Tepper: Thank you, Mrs. Labow. Legislative Committee, Mr. Perkins?

Legislative Committee Report

Mr. Perkins: Other than the matter of what used to be affordable or age restricted housing that our Senator did not vote in favor of, which of course we all know went through. That's going to put a little strain on us. I don't

Mr. Perkins (cont'd): know how quickly it will, but our 24th Legislative District is committed to working with us and helping us wherever we need it. All we need to do is ask.

President Tepper: Thank you very much. Personally, I am absolutely against that particular piece of legislation, and I will encourage our Planning Board to readdress water usage and other things when any item is brought back to the Planning Board. We now go to the...

Mrs. Labow: Pride Committee.

President Tepper: Pride Committee, Mrs. Labow.

Pride Committee Report

Mrs. Labow: Thank you, Mr. President. The Pride Committee is also working on some really great projects. Right now we're working on a banner program for specifically around the Budd Lake area. The designs, we're kind of trying to decide which design we want to go with. The idea is that the banners will be... Different companies in Town could sponsor the banner and it could be put up throughout the season, especially during the recreational season of May through September. Our understanding is these banners will last for at least six years, and it wouldn't be (would be) of no cost to the Township or the taxpayers because it would be funded through sponsorship. That's about it with that right now.

President Tepper: Thank you. Board of Education, Mr. Roman.

Board of Education Liaison Report

Mr. Roman: Just a reminder that we have the Board of Education election April 21st. At the last meeting they got their sewer bill where they expressed a significant savings. I apologize for not having that number available, but needless to say it was a significant savings to them, and much was made about it.

Mr. Dorsey: Well did they thank you?

President Tepper: Did they thank us for going to the new way of measuring?

Mr. Roman: No, I didn't get a thank you.

President Tepper: Well, we're happy because it will reduce, hopefully, the educational costs in the budget. Lake Environmental Issues, Mr. Rattner.

Lake/Environment Issues Committee

Mr. Rattner: Nothing to report.

President Tepper: Thank you. Mr. Perkins, Safety Committee.

Safety Committee Liaison

Mr. Perkins: Yes, Mr. President. The RFPs were opened today in Administration at 10:00 for the hospital based ambulatory service. The issue is still to be reviewed by the Safety Committee with the final recommendation coming through the Administration shortly.

President Tepper: Thank you very much. Economic Development Committee, Mr. Rattner.

Economic Development Committee Report

Mr. Rattner: Nothing to report.

President Tepper: Alright. Solid Waste Advisory, Mr. Perkins.

Solid Waste Advisory Committee Report

Mr. Perkins: Nothing to report.

Library Board Liaison

President Tepper: Mr. Tobey is not here, but we did appoint a new member to the Library Board today. Mrs. Labow, Senior Citizen Liaison.

Senior Citizen Liaison

Mrs. Labow: I have nothing to report this evening.

President Tepper: Thank you. I open the meeting up to the public for any final comments. Yes, sir, Mr. Russell. Name and address for the record, please.

PUBLIC PORTION

Nelson Russell, Budd Lake: On Saturday my doorbell rang and there was an individual soliciting repaving of driveways. That's how driveways get repaved. So I want to compliment the Council on taking the repavement of driveways out of the resolution that we had earlier. I know it's also first reading, but I have questions on the fences and walls ordinance. It seems like preexisting situations are more restrictive than what you can do when they're a non preexisting condition. It, in essence, outlaws the white picket fence because you can't be forward of the front foundation of your house. Is that really what we want to do?

President Tepper: I defer to the Administration.

Mr. Sohl: That's a Planning Board issue.

President Tepper: Right, I mean, I don't have the ability... You'd have to ask the Planning Board of which, if I remember correctly, you are a sitting member on the Planning Board. So what was the intent of the Planning Board on that action?

Mr. Russell: I thought we had gotten that resolved in Planning Board...

Mr. Perkins: Doesn't look like it.

Mr. Russell: ...which is why I'm surprised to see it this way before Council.

President Tepper: The resolution presented that Catherine brought in was the one provided to her or from the Planning Board. So I would suggest you readdress that at your next meeting. Any other comments from the public? Seeing none, we'll close it to the public. Council comments? Final comments? Mr. Sohl, anything from the Administration?

COUNCIL COMMENTS

Mr. Sohl: Not at this time.

President Tepper: Mr. Greenbaum?

Mr. Greenbaum: No comment.

President Tepper: Mr. Perkins?

Mr. Perkins: Yes, thank you, Mr. President. Just a couple of real short pieces here. Earth Day, of course, is coming up next week. With our Green initiative, I had spoken with Claire Knapp from the Chronicle who had contacted me. There is a building that has undergone some substantial rehabilitation over in the International Trade Center which did get LEED certified. That's Leadership and Energy and Environmental Design. I don't know what level they scored, but they did score LEED. I also had posted the New Jersey Highlands. I've sent that in to the Chronicle as well as the Record who will hopefully run it. The New Jersey Clean Energy Program is offering a home energy assessment audit to the tune of \$125 that can be paid off by having the work done. If you're income eligible it can actually be for free. It's a wonderful thing. It could come in and you could actually save the residents of Mount Olive Township. They just contact the Clean Energy. They set it up. They'll come out and do an assessment on your home and give you a report, and there will be a whole bunch of good was that you can make improvements to your house that are actually better than putting in a granite countertop. You'll be able to save, hopefully, upwards of 20% or 30% on your average energy costs. So with Earth Day coming, I hope everybody takes a little time to go Green. Thank you, Mr. President.

President Tepper: Thank you. Mr. Roman?

Mr. Roman: Nothing to report.

President Tepper: Mr. Rattner?

Mr. Rattner: No report.

President Tepper: Mrs. Labow?

Mrs. Labow: Nothing, thank you.

President Tepper: My only comment is, again, like Mr. Sohl stated, I'd like to thank Mr. Quinn for coming in on his day off and encourage everyone to go out on April 21st and vote in the School Board election.

Mr. Greenbaum: Motion to adjourn.

President Tepper: Motion to adjourn.

Mrs. Lashway: No, no, executive session.

President Tepper: I'm sorry. We can't adjourn yet. Mr. Perkins, we are going to have an executive session to talk about Open Space Negotiations. Would you move us into executive session?

Mr. Perkins: Yes, Mr. President. In accordance with Sections 7 & 8 of the Open Public Meetings Act, I make a motion that we move into executive session for the purpose of Open Space negotiations.

President Tepper: Is there a second?

Mr. Roman: Second.

President Tepper: All in favor?

AYE

Motion was made and seconded, all in favor and none opposed, the meeting went into executive session at 10:00 pm.

EXECUTIVE SESSION – Open Space Negotiations*

ADJOURNMENT

Motion was made and seconded, all in favor and none opposed, the meeting was adjourned at 10:03 pm.

Russell J. Tepper, Council President

I, Lisa M. Lashway, Township Clerk of the Township of Mount Olive do hereby certify that the foregoing Minutes is a true and correct copy of the Minutes approved at a legally convened meeting of the Mount Olive Township Council duly held on April 28, 2009.

Lisa Lashway, Township Clerk

jr