

The Public Meeting of the Mount Olive Township Council was called to order at 7:53pm by President Nicastro.

OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT

President Nicastro: In accordance with the Open Public Meetings Act and the Emergency Remote Meeting Protocol for Local Public Bodies, adequate and electronic notice of this remote meeting has been provided by sending notice to the Daily Record and Mount Olive Chronicle, posting notice on the Township website, posting notice on the outside front door & bulletin board of the Municipal Building, 204 Flanders-Drakestown Road, Budd Lake, NJ, and sending notice to those individuals requesting same.

Members of the public will be kept on mute during the meeting. If you would like to speak during the designated public comment portion, press 9 on your telephone or the “raise hand” icon on the Zoom app and wait to be recognized by the host, who will unmute you to speak. When you are done commenting, you will be muted again. There is a 5-minute limit on all public comments.

ROLL CALL

Present: Mr. Aaron, Mr. Ferrante, Mr. Mania, Mr. Roman, Mr. Stewart, and Mr. Nicastro

Absent: Mrs. Labow

Also Present: Michelle Masser, Township Clerk; Jon Testa, Township Attorney; Robert Greenbaum, Mayor; Andrew Tatarenko, Business Administrator; Claudia Quinn, Assistant Business Administrator; and Sherry Kolody, CFO

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

- 1. November 21, 2023 WS & PM (Absent: Mrs. Labow)
- November 21, 2023 Executive Session (Absent: Mrs. Labow)

Mr. Aaron makes a motion to approve the November 21, 2023, WS, PM, & ES Minutes, and **Mr. Stewart** seconds.

ROLL CALL: Passed unanimously

CORRESPONDENCE

LETTERS FROM RESIDENTS/ORGANIZATIONS/OTHER TOWNS

- 1. Letter received November 20, 2023, from James L. Fant, of Hardin, Kundla, McKeon & Poletto, regarding Chester Public Hearing Notice - 201 Pleasant Hill Road.
- 2. Email received November 30, 2023, from NOFA NJ regarding NOFA NJ Weekly Email: November 20, 2023.
- 3. Email received November 21, 2023, from NOFA NJ regarding Help NOFA NJ Support Local Farms and Local Food Systems!
- 4. Email received November 27, 2023, from NOFA NJ regarding NOFA NJ Weekly Email: November 27, 2023.

RESOLUTIONS/ORDINANCES OTHER TOWNS

- 5. Email received November 17, 2023, from Boonton Township, regarding Boonton Township Resolution regarding Senate Bill 3739.
- 6. Email received November 21, 2023, from Washington Township regarding Washington Township Resolution R-189-23 Supporting Senate Bill 3739 - Fourth Round Affordable Housing.
- 7. Email received November 21, 2023, from the Borough of Lincoln Park regarding Resolution in support of Senate Bill 3739.

8. Resolution received November 28, 2023, from the Township of Parsippany-Troy Hills regarding R2023-169: Resolution of the Township Council of the Township of Parsippany-Troy Hills in Support of Senate Bill 3739 Delaying the Fourth Round of Affordable Housing Obligations from July 1, 2025, to July 1, 2028.
9. Email received November 29, 2023, from Netcong Borough regarding Netcong Ordinance 2023-23 Introduction.
10. Email received November 29, 2023, from Netcong Borough regarding Ord. 2023-24.
11. Email received November 29, 2023, from Chatham Township regarding Resolution 2023-223 In Support of Senate Bill 3739.
12. Email received December 1, 2023, from the Borough of Florham Park regarding Florham Park Resolution #23-178 - Delaying Fourth Round of Affordable Housing Obligations.

LEAGUE OF MUNICIPALITIES

13. Email received November 30, 2023, from NJ Municipalities Magazine regarding December Issue -- Water Management.

STATE AGENCIES/LOI/HIGHLANDS

14. Email received November 30, 2023, from NJDCA regarding Smart Move Program Information Session on 12/6/2023.

MSA/MUA – None**MORRIS COUNTY**

15. Email received November 21, 2023, from Morris County regarding Two Trail Projects Recommended for Morris County Funding.
16. Email received November 21, 2023, from Morris County regarding Drew Forest Approved for \$5 Million Preservation Grant.
17. Email received November 22, 2023, from Morris County regarding Support Morris County's Local Businesses This Holiday Season.
18. Email received November 27, 2023, from Morris County regarding Morris County Congratulates Denise Leffler On Her Retirement.
19. Email received November 27, 2023, from Morris County regarding This Week in Morris County: Happy Thanksgiving!
20. Letter received November 27, 2023, from Morris County regarding Application Submitted By: Morris County Division of Mosquito Control.
21. Email received November 28, 2023, from Morris County regarding Morris County's Rescue Task Force Program Enhances Local Emergency Response.

UTILITIES

22. Letter received November 14, 2023, from JCP&L regarding In the Matter of Jersey Central Power & Light Company's Verified Petition Seeking Review and Approval of the Net Deferred Costs Included in Its COVID-19 Regulatory Asset and Establishment of a COVID-19 Recovery Charge: JCP&L Initial CRC Filing" BPU Docket No.: ER23070453.
23. Email received November 28, 2023, from Elizabethtown Gas regarding Elizabethtown Gas Company Notice(s) of Public Hearings scheduled for December 21, 2023 (BPU Docket Nos. GR23070476, GR23070477 and GR23070478).

There was no discussion on Correspondence.

President Nicastro: I open the hearing to the public on Ordinance #34-2023,

ORDINANCES FOR PUBLIC HEARING:

Ord.#34-2023 Ordinance of the Township of Mount Olive, in the County of Morris and State of New Jersey, Amending Section 375-22, Parking Prohibited Certain Hours, and Section 375-27, No Stopping or Standing Certain Hours, of the Township Code to Improve Traffic Flow During School Hours.

President Nicastro: Mr. Ferrante.

Mr. Ferrante: I move for adoption and final passage, Ordinance #34-2023.

Mr. Stewart: Second.

President Nicastro: Does anyone from the public wish to be heard on this Ordinance? Seeing none. Closed to the public. Any discussion? Roll Call, please.

ROLL CALL: Passed unanimously

President Nicastro: Ordinance #34-2023 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 is Ordinance #37-2023,

ORDINANCES FOR FIRST READING: (2nd reading December 19, 2023)

Ord.#37-2023 An Ordinance Amending Ordinance #5-2023 of the Township of Mount Olive Entitled Salaries of Certain Non-Union Personnel

President Nicastro: Mr. Roman.

Mr. Roman: Thank you, Mr. President. I move that Ordinance #37-2023 be introduced by title and passed on first reading, be scheduled for public hearing, second reading, and consideration of final passage at a meeting to be held on December 19, 2023, at 7pm at the Municipal Building, 204 Flanders-Drakestown Road, Budd Lake, New Jersey, and be published, posted, and made available by the Clerk in accordance with law.

Mr. Stewart: Second.

President Nicastro: Discussion? Roll Call, please.

ROLL CALL: Passed unanimously

President Nicastro: Next item on the Agenda is Ordinance #38-2023,

Ord.#38-2023 An Ordinance of the Township of Mount Olive Amending Ordinance #32- 22 Which Established Salaries for the Mayor, Council, Department Heads and Other Exempt Employees

President Nicastro: Mr. Mania.

Mr. Mania: Thank you, Mr. President. I move that Ordinance #38-2023 be introduced by title and passed on first reading, be scheduled for public hearing, second reading, and consideration of final passage at a meeting to be held on December 19, 2023, at 7pm at the Municipal Building, 204 Flanders-Drakestown Road, Budd Lake, New Jersey, and be published, posted, and made available by the Clerk in accordance with law.

Mr. Roman: Second.

President Nicastro: Discussion? Roll Call, please.

ROLL CALL: Passed unanimously

CONSENT RESOLUTIONS AGENDA:

- 3. A Resolution to terminate all participation under the SHBP and SEHBP (including prescription drug plan and/or dental plan coverage)
- 4. Resolution of the Township Council of the Township of Mount Olive authorizing the Township to join the North Jersey Municipal Employee Fund
- 5. Resolution authorizing the award of a professional service agreement without competitive bidding to John E. Keefe, Jr. Esq. to provide special legal counsel services to the Township of Mount Olive
- 6. Resolution of the Township Council of the Township of Mount Olive requesting approval from the Director of the Division of Local Government Services for insertion of a specific item of revenue into the 2023 Municipal Budget (\$5,000 donation - Walmart - Police Supplies)
- 7. Resolution of the Township Council of the Township of Mount Olive requesting approval from the Director of the Division of Local Government Services for insertion of a specific item of revenue into the 2023 Municipal Budget (\$2,140 - Spotted Lantern Fly Prevention)
- 8. Resolution of the Township Council of the Township of Mount Olive requesting approval from the Director of the Division of Local Government Services for insertion of a specific item of revenue into the 2023 Municipal Budget (\$2,650.24 for National Opioid Settlement Grant)
- 9. Resolution of the Township Council of the Township of Mount Olive authorizing the award of a professional services agreement for engineering and construction administration services - Pinecrest Water System (Van Cleef Engineering Associates)
- 10. Resolution of the Township Council of the Township of Mount Olive authorizing the award of a contract for RFP #03-2023 Preventative Maintenance and Support of Radio Networks (Spectrum Communications)
- 11. Resolution of the Township Council of the Township of Mount Olive authorizing the use of Open Space funds for the management of Turkey Brook retention pond aquatic weed and algae growth (Aquatic Analysts, Inc.) REVISED - Increasing contract amount
- 12. Resolution of the Township Council of the Township of Mount Olive authorizing participation in the American Rescue Plan Firefighter grant
- 13. Resolution of the Township Council of the Township of Mount Olive Authorizing the Submission of a Grant Application and Execution of a Grant Agreement with the New Jersey Department of Transportation for the Rehabilitation of Continental Drive Improvements.

Mr. Roman moves Consent Resolution numbers one and two to Non-Consent. **Mr. Stewart** moves for the adoption of Consent Resolutions three through eleven and **Mr. Mania** seconds.

There was no discussion on Consent Resolutions.

ROLL CALL: **Passed unanimously**

RESOLUTIONS NON-CONSENT

- 1. A Resolution to terminate all participation under the SHBP and SEHBP (including prescription drug plan and/or dental plan coverage)
- 2. Resolution of the Township Council of the Township of Mount Olive authorizing the Township to join the North Jersey Municipal Employee Fund

Mr. Roman moves for approval of Non-Consent Resolution numbers one and two and **Mr. Stewart** seconds. **Mr. Roman** highlights the two Resolutions and thanks the Administration for being proactive in saving the Township money.

Tyler Wargo, Fire & EMS Director, expresses his gratitude for Mayor Greenbaum’s service.

ROLL CALL: Passed unanimously

MOTIONS

- 1. Bill List

Mr. Roman moves for approval of the Bill List and Mr. Stewart seconds. There was no discussion.

ROLL CALL: Passed unanimously

ADMINISTRATIVE REPORTS

Mayor Greenbaum announces the Menorah Lighting is on Sunday, December 10, 2023, at 6:30pm at the Senior Center; the new recreation event “Any Who’s Winter Fest” begins Friday, December 8, 2023, and will continue for three weekends; and Stuff the Sleigh for the Mount Olive Food Pantry is collecting non-perishable items in the sleigh located in the lobby of the police department. He also announces Wrap the Community in Warmth coat, hat, and glove collection is located in the vestibule of the police department. He asks the donations to be new and with tags. He points out Santa’s mailbox is ready to receive letters at the Santa House located in Turkey Brook Park and he asks that a return address be included.

OLD BUSINESS – none

NEW BUSINESS – none

LEGAL MATTERS

Regarding an issue brought up about Village Green at the November 21, 2023, meeting, Mr. Testa advises the Council that the Township Attorney conducted some initial investigation of the public records on the inspections of the property which revealed there were some violations from the State Bureau of Housing Inspection who has primary jurisdiction to conduct these inspections. They inquired with the Bureau, whose chief then responded and indicated they will be reinspecting the property in the near future. Mr. Roman asks if this is unusual for the apartment complexes and if other complexes within the Township have received such notices. Mr. Testa explains it’s all public information on the Bureau of Housing’s website and can be searched by property address or name of the entity. He wouldn’t say it’s unusual. Mr. Aaron asks what action the Town Council needs to prepare for. Mr. Testa suggests they “sit tight” and allow the State to do their inspections. He informs them the Town has offered assistance, but the State has not indicated whether or not they’ll accept it.

COUNCIL REPORTS

Board of Education Liaison Report

Mr. Aaron reminds everyone of the upcoming referendum from the Board of Education.

Environmental Committee
Lake Issues – none
Library Board Liaison

Mr. Ferrante reports the Environmental Committee will meet on December 6, 2023, and the Friends of the Library is having a book sale on December 9, 2023, in the back of the library from 10:00am to 3:00pm. He adds the Library is currently having their holiday reading raffle until December 19, 2023 and they’ll be calling the tickets on the 20th.

Legislative Committee Report
Planning Board Report

Mr. Mania reports he could not participate in the last Planning Board meeting because of two d variances. He adds there is an upcoming meeting.

Recreation Liaison Report

Mr. Roman reports Recreation meets on December 6, 2023.

Economic Development Committee Report

Mr. Stewart reports the EDC’s year-end meeting took place two weeks prior and they finalized the fourth quarter newsletter and started preparation for next year.

Open Space Committee Report – none
Board of Health Report – none
Senior Citizen Liaison – none

PUBLIC PORTION

John Zawistoski, Budd Lake, thanks Mayor Greenbaum for his service. He discusses changes within the Township and expresses his gratitude for the work that’s been done. He also voices concerns relating to the upcoming referendum from the School Board.

COUNCIL COMMENTS

Mr. Aaron announces Mount Olive Area Chamber of Commerce has its annual holiday party on December 6, 2023. He congratulates Mr. Mania on 40 years of service.

Mr. Ferrante extends his well wishes to Mrs. Labow. He congratulates Mr. Mania on 40 years of service.

Mr. Stewart congratulates Mr. Mania on 40 years of service. He announces the Annual Business Food Drive will be held on Tuesday, December 12, 2023.

Mr. Roman congratulates Mr. Mania on 40 years of service. He thanks the public for reaching out to him regarding recreational cannabis.

President Nicastro congratulates Mr. Mania on 40 years of service. He also mentions the opportunity for the Mount Olive Food Pantry to accept items that are being liquidated from Steve and Mike Gutkin, owners of the Mount Olive Parkade, on Tuesday, December 12, 2023. He asks for help from people with large vehicles. He then asks for a motion to go into Executive Session.

Miss Masser reads the following Resolution:

EXECUTIVE SESSION

- 1. Resolution of the Township Council of the Township of Mount Olive authorizing the Township Council to hold closed executive session. Discussion of matters falling within the attorney-client privilege related to adult use cannabis, which is confidential in nature pursuant to N.J.S.A. 10:4-12b(1) Confidential Nature by Statute and b(7) attorney-client privilege of the Open Public Meetings Act.

Miss Masser states “No action will be taken.”

Mr. Roman moves and **Mr. Ferrante** seconds.

All in favor, none opposed.

Mr. Roman makes a motion to come out of Executive Session and **Mr. Stewart** seconds. All in favor, none opposed.

Executive Session began at 8:17pm and concluded at 9:08pm

ADJOURNMENT - Motion made and seconded. All in favor, none opposed, the meeting was adjourned at 9:09pm.

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 December 19, 2023.

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Michelle Masser, Township Clerk