

The Public Meeting of the Mount Olive Township Council was called to order at 7:05pm by President Nicastro.

OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT

President Nicastro: In accordance with the Open Public Meetings Act, adequate notice of this meeting has been provided by sending timely notice to the Daily Record and the Mount Olive Chronicle and posting notice on the bulletin board of the Municipal Building, 204 Flanders Drakestown Road, Budd Lake, N.J. Additional notice has been posted on the Township website and Facebook page and on the outside front door of the Municipal Building and sent to those individuals requesting same.

ROLL CALL

Present: Mr. Aaron, Mrs. Labow, Mr. Roman, Mr. Stewart, and Mr. Nicastro

Absent: Mr. Ferrante & Mr. Mania

Also Present: Susan Gouveia, Deputy Township Clerk; Sue Sharpe, Township Attorney; Rob Greenbaum, Mayor; Andrew Tatarenko, Business Administrator; Claudia Quinn, Assistant Business Administrator; and Sherry Kolody, CFO

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

- 1. April 18, 2023 WS & PM
- 2. April 18, 2023 Executive Session

Mr. Aaron makes a motion to approve the April 18, 2023, WS, PM, and ES Meeting Minutes and **Mrs. Labow** seconds.

ROLL CALL: Passed unanimously

CORRESPONDENCE

LETTERS FROM RESIDENTS/ORGANIZATIONS/OTHER TOWNS

- 1. Email received April 17, 2023, from NOFA NJ regarding NOFA NJ Weekly Email: April 17, 2023.
- 2. Flyer received April 17, 2023, from Mount Olive Township Library regarding BookSale, Saturday, May 6th, from 10am - 3pm.
- 3. Letter received April 17, 2023, from Lavery, Selvaggi, Abromitis & Cohen, PC. regarding Ghalieh Holdings, LLC's application to the Town of Hackettsown Land Use Board for the property known as Block 119, Lot 104 located at 111 Mill Street, Hackettstown, Warren County, New Jersey.
- 4. Email received April 19, 2023, from NOFA NJ regarding Earth Day Fun & Film Screening 4/22.
- 5. Email received April 19, 2023, from the Statewide Hispanic Chamber of Commerce of New Jersey regarding Experience Total Wellness at the Health & Wellness Fair in American Dream Mall!
- 6. Email received April 20, 2023, from SHCCNJ regarding DoorDash Grant: Calling Local Restaurants in NJ!
- 7. Email received April 20, 2023, from Sustainable Jersey regarding Two Weeks Left to Register for the Sustainability Summit.
- 8. Email received April 24, 2023, from Whippany River Watershed Action Committee regarding Happy Earth Day!
- 9. Email received April 24, 2023, from Laddey Clark & Ryan, LLP regarding Just a Few Days Until the Seventh Annual Non-Profit Forum.
- 10. Email received April 24, 2023, from NOFA NJ regarding NOFA NJ Weekly Email: April 24, 2023.

11. Email received April 26, 2023, from the Statewide Hispanic Chamber of Commerce of NJ regarding DoorDash Grant: Help Your Restaurant Thrive - Apply Now!
12. Letter received April 27, 2023, from the Township of West Milford regarding Thank you for Your Assistance.
13. Email received April 27, 2023, from the Statewide Hispanic Chamber of Commerce of NJ regarding Weekly Community Calendar: There's always something happening in NJ, don't miss out!
14. Email received April 28, 2023, from Downtown New Jersey regarding ICYMI: Upcoming DNJ Forums.

RESOLUTIONS/ORDINANCES OTHER TOWNS

15. Letter received April 20, 2023, from Chester Township regarding Notice of Ordinance Adoption.

LEAGUE OF MUNICIPALITIES

16. Email received April 24, 2023, from NJLM regarding Blue Acres Chat, Rail Safety, ARP Clawbacks.

STATE AGENCIES/LOI/HIGHLANDS

17. Email received April 14, 2023, from Saul Ewing regarding Aqua New Jersey, Inc., BPU Docket No. WR22120745 - In the Matter of the Petition of Aqua New Jersey, Inc. for Approval to Defer Certain Costs Related to the Replacement of Lead Service Lines and Other Related Approvals.
18. Letter received April 17, 2023, from Saul Ewing, regarding In Re: Application of Aqua New Jersey, Inc. for Approval to Defer Certain Costs Related to the Replacement of Lead Service Lines and Other Related Approvals BPU Docket No. WR22120745.
19. Email received April 17, 2023, from NJDEP regarding NJDEP Weekly Update.
20. Email received April 21, 2023, from Commitment to Communities, DOT, regarding Commitment to Communities Newsletter - Volume 27.
21. Letter received April 26, 2023, from David Pry, Licensed Site Remediation Professional, regarding Response Action Outcome. Remedial Action Type: Unrestricted Use. 434 Sand Shore Road, Block 8300, Lot 9.
22. Email received April 27, 2023, from NJDEP regarding UHOT NFA Letter for PI # 1008817 - 16 Gervic Street (CSP230001).

MSA/MUA – None

MORRIS COUNTY

23. Email received April 14, 2023, from Morris County regarding This Week in Morris County.
24. Email received April 21, 2023, from Morris County regarding This Week in Morris County.
25. Email received April 26, 2023, from Morris County regarding Morris County Celebrates Earth Day 2023.
26. Email received April 26, 2023, from Morris County regarding the March 2023 Minutes of the Morris County Planning Board.

UTILITIES

27. Letter received April 26, 2023, from Jersey Central Power & Light regarding In the Matter of the Verified Petition of Jersey Central Power & Light Company Seeing Adjustment of the Rider RRC-RGGI Recovery Charge ("Rider RRC"), Including: (1) Approval of Its Deferred Balances Relating to, and an Adjustment of, the Solar Renewable Energy Certificates Financing Program Component ("SREC Component") of Rider RRC; (2) Approval of Deferred Balances Relating to, and an Adjustment of, the Transition Renewable Energy Certificate Incentive Program Component ("TREC Component") of

Rider RRC; (3) Approval of Deferred Balances Relating to, and an Adjustment of, the ("SuSI Component") of Rider RRC; (4) Approval of Its Deferred Balances Relating to, and an Adjustment of, the Energy Efficiency and Conservation Program Component ("EE&C Component") of Rider of January 1, 2023; and (6) Approving the SREC II Program Administration Fee Deferred Balance From January 1, 2022 through December 31, 2022 ("2022 Rider RRC Filing") BPU Docket No. ER23020060.

There was no discussion on Correspondence.

President Nicastro: I open the hearing to the public on Ordinance #10-2023,

ORDINANCES FOR PUBLIC HEARING:

Ord.#10-2023 Ordinance Appropriating \$35,780 from the Reserve for Road Resurfacing for Road Resurfacing and Improvements in and by the Township of Mount Olive, in the County of Morris, New Jersey.

President Nicastro: Mr. Roman, would you please?

Mr. Roman: Thank you, Mr. President. I move for adoption and final passage of Ordinance #10-2023.

Mrs. Labow: Second.

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

ROLL CALL: Passed unanimously

President Nicastro: Ordinance #10-2023 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, I open the hearing to the public on Ordinance #11-2023,

Ord.#11-2023 An Ordinance of the Township of Mount Olive, County of Morris, State of New Jersey, Amending Chapter 550, Land Use, of the Township Code to Establish Regulations for the Installation of Electric Vehicle Supply/Service Equipment (EVSE) and Make-Ready Parking Spaces.

President Nicastro: Mrs. Labow.

Mrs. Labow: Yes. Thank you, Mr. President. I move for adoption and final passage, Ordinance #11-2023.

Mr. Stewart: Second.

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

ROLL CALL: Passed unanimously

President Nicastro: Ordinance #11-2023 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. I open the hearing to the public on Ordinance #12-2023,

Ord.#12-2023 An Ordinance of the Township of Mount Olive, County of Morris, State of New Jersey, Amending Chapter 46, Length of Service Awards Program, Section 46-6, Points of the Township Code to Amend Attachment 3, Flanders Fire and Rescue Squad Company No. 1, LOSAP Point System.

President Nicastro: Mr. Aaron, would you?

Mr. Aaron: Thank you, Mr. President. I move for adoption and final passage of Ordinance #12-2023.

Mr. Roman: Second.

President Nicastro: Does anyone from the public wish to be heard at this time? Seeing none. No other . . . Council. Roll Call, please.

ROLL CALL: **Passed unanimously**

President Nicastro: Ordinance #12-2023 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. The next item on the Agenda for first reading is Ordinance #13-2023,

ORDINANCE FOR FIRST READING: (2nd reading May 16, 2023)

Ord.#13-2023 Ordinance Amending Section 3(d)(ii) and Section 6(b) of Bond Ordinance #7-2023 of the Township of Mount Olive, in the County of Morris, New Jersey, Finally Adopted March 7, 2023, In Order to Include an Additional Project and Decrease the Useful Life and the Average Useful Life.

President Nicastro: Mr. Stewart.

Mr. Stewart: Thank you, Mr. President. I move that Ordinance #13-2023 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 May 16, 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.

Mrs. Labow: Second.

President Nicastro: Any discussion? Roll Call, please.

ROLL CALL: **Passed unanimously**

President Nicastro: Next item on the Agenda for first reading is Ordinance #14-2023,

Ord.#14-2023 An Ordinance Establishing a Stipend for a Visual Lead Paint Inspector.

President Nicastro: Mr. Roman.

Mr. Roman: Thank you, Mr. President. I move that Ordinance #14-2023 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 May 16, 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: Any discussion?

Mrs. Labow: I have a question.

President Nicastro: Yup. Mrs. Labow.

Mrs. Labow: How does somebody do a visual lead inspection? Lead paint inspection. That's . . .

Mr. Roman: I used to lick it.

Mrs. Sharpe: You have to be certified to do it.

Mr. Aaron: That explains a lot, Alex.

Mrs. Labow: I mean with . . .

Mrs. Sharpe: There's a program you have to be . . . this is part of the lead paint legislation that was adopted by New Jersey, and you have to be certified by DCA to do that.

Mrs. Labow: The thing is, is that anything before 1978 . . .

Mrs. Sharpe: Is exempt.

Mrs. Labow: . . . is what you would check.

Mrs. Labow: Oh, yes, I'm sorry. Backwards.

Mrs. Labow: People have painted over that for years and even when it's flaking paint, you have . . . it has to be tested. Not visually. You can't just look at it.

Mr. Tatarenko: So, it's a two-step process.

Mrs. Labow: Is it?

Mr. Tatarenko: The first step is just to visually inspect it. If they do see something that warrants further work, then . . .

Mrs. Labow: Testing.

Mr. Tatarenko: . . . it would be tested.

Mrs. Labow: And then what does that cost? I mean you have a stipend for the visual part, then we are also going to pay for the other part of it? And where are they doing this? I mean, generally, that's taken care of in a home inspection and the buyer pays for that already.

Mr. Tatarenko: So, there will be a fee that the owner will be charged to cover the visual lead inspection.

Mrs. Labow: So, the buyers don't have to do that anymore.

Mr. Tatarenko: Correct.

Mrs. Labow: The owners . . . the sellers have to come to the Town, get a permit, set it up like you would for your septic and well inspections.

Mr. Tatarenko: So, it's a little bit differently. So, the law went into effect in July, I believe in 2022. Within two years of that law, every rental dwelling needs to be inspected. After that, it needs to be inspected every three years or upon turnover in a tenant.

Mrs. Labow: Just rental? Not . . .

Mr. Tatarenko: Correct.

Mrs. Sharpe: Yeah.

Mrs. Labow: Not owners. Just rental. Okay.

Mr. Tatarenko: So . . .

Mrs. Labow: Okay. Just seems like . . .

Mr. Tatarenko: We're going to do it in-house. Some municipalities are hiring visual lead inspectors privately, but we're finding that the cost to do that is higher than if we were to do it internally. So, we're going to do it internally with Township employees, provide a stipend, collect a fee and then the State gets a portion of that as well, unfortunately.

Mrs. Labow: I'm sorry, but I cannot . . . I cannot justify this whole entire law. It's crazy but that's my opinion. It's a big waste of money. But, oh well.

President Nicastro: Same people . . .

Mrs. Labow: Sorry, that's . . . I mean it's my business. It's my career, so, I mean, I know all the years since 1986 I've been selling real estate. I have never ever had a lead paint case. Never. So . . . crazy. Thank you.

President Nicastro: Thank you.

Mrs. Labow: For listening to me complain.

President Nicastro: Any other questions? Roll call, please.

ROLL CALL: **Passed unanimously**

CONSENT RESOLUTIONS AGENDA:

1. Resolution of the Township Council of the Township of Mount Olive authorizing the application and execution of the Strengthening Local Public Health Capacity Grant
2. Resolution of the Township Council of the Township of Mount Olive authorizing the contract of sale of real estate at 97 Sand Shore Road (Block 2700, Lot 51) in the Township of Mount Olive from Sand Shore Road, LLC REVISED - adding wire Instructions
3. Resolution of the Township Council of the Township of Mount Olive authorizing the Flanders Fire Company No. 1 to hold a "Coin Drop" fundraiser on various dates in 2023
4. Resolution of the Township Council of the Township of Mount Olive awarding a contract renewal for Emergency Medical Transportation Services - option year 3/final (Atlantic Ambulance Corp)
5. Resolution of the Township Council of the Township of Mount Olive authorizing the award of a contract extension (Year 4/Final) for Bid #04-2020 Maintenance and Repair Services for Heating, Ventilating and Air Conditioning Systems for Mount Olive Township Facilities (Reiner Group)
6. Resolution of the Township Council of the Township of Mount Olive approving a non-fair and open vendor service contract pursuant to New Jersey Local Unit Pay-to-Play Law (ADP)
7. Resolution of the Township Council of the Township of Mount Olive approving a non-fair and open vendor service contract pursuant to New Jersey Local Unit Pay-to-Play (Samantha Bunsu)
8. Resolution of the Township Council of the Township of Mount Olive authorizing the award of a contract for the purchase of various supplies for the Health Department's clinical services off New Jersey State Contract (Grainger)
9. Resolution of the Township Council of the Township of Mount Olive authorizing the award of a contract for Bid #03-2023 Winter Festival Concession (Norman Amusements)
10. Resolution of the Township Council of the Township of Mount Olive authorizing the award of a contract for the purchase and installation of a new communication center 911 and radio console off New Jersey State Contract (Zetron, inc.)
11. Resolution of the Township Council of the Township of Mount Olive rejecting all bids received for Bid #05-2023 Purchase and Deliver of Two (2) SUV's: 2022 Model or Newer
12. 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 for International Drive South Phase 1 (Van Cleef Engineering Associates) REVISED - Contract extension
13. Resolution of the Township Council of the Township of Mount Olive authorizing the award of contract for Bid #02-2023 Collision Repair Services (Family Ford)
15. Resolution of the Township of Mount Olive, County of Morris, State of New Jersey, authorizing bond and escrow release to Rachel Manor LLC in connection with the property located at Block 7702, Lot 32

Mr. Roman moves Resolution number 14 to Non-Consent.

Mr. Aaron makes a motion to move Consent Resolutions one through thirteen and number fifteen and **Mr. Roman** seconds. There was no discussion.

ROLL CALL: **Passed unanimously**

RESOLUTIONS NON-CONSENT

- 14. Resolution of the Township Council of the Township of Mount Olive authorizing the application and execution of Year 3 of the Vaccine Supplemental Funding Grant

Mr. Roman moves for approval of Non-Consent Resolution number 14 and **Mrs. Labow** seconds. There was no discussion.

ROLL CALL: Passed with the exception of **Mr. Roman** and **Mr. Stewart**, who voted no

MOTIONS

- 1. Bill List

Mr. Roman moves for approval of the Bill List and **Mr. Stewart** seconds. There was no public discussion or Council comments.

ROLL CALL: Passed unanimously

ADMINISTRATIVE REPORTS

Mayor Greenbaum announces Hope One will be at Flanders ShopRite on Thursday, May 4, 2023, from 9:00am to 2:00pm. Saturday, May 6, 2023, is Shred Day at the Mount Olive Township Recycling Center from 9:00am to 12:00pm for residents only. Mount Olive Public Library book sale is from 10:00am to 3:00pm on May 6, 2023. Wednesday, May 10, 2023, the Health Department Food Handlers Course is 5:00pm to 6:30pm via Zoom. Details can be found on the Township Website. Pirates and Fairies will be at Turkey Brook Park on Saturday, May 20, 2023.

Mr. Tatarenko discusses the Tennis Court project that’s begun. Repaving of the tot lot and baseball/football lots has been coordinated as well, which will start next week.

OLD BUSINESS

Mrs. Labow thanks **Mr. Tatarenko** for the update on Cobblestone. She discusses the hydrogeologist’s assessment of the wells and aquifers. **Mayor Greenbaum** discusses how new wells can affect other wells and how they don’t know for sure what will happen. **Mrs. Labow** tells a story about her neighbor’s well and the effect it has had on her sidewalk. **Mr. Roman** asks **Mr. Tatarenko** if they can send the report from the hydrogeologist to the residents who had concerns. **Mr. Tatarenko** says he’ll double check. Many of the residents attended the Planning Board meeting but he’ll see if he can get a copy. **Mayor Greenbaum** explains the Planning Board meeting was well attended by the residents and they seemed satisfied with how the Planning Board dealt with the issues. He suggests the information be made available on the Township website.

Mrs. Labow refers back to the lead paint testing and paperwork **Mr. Tatarenko** had passed to her for review. She believes the whole procedure is terrible. **Mr. Tatarenko** informs her there will be a future Ordinance outlining how the Township will comply with it.

NEW BUSINESS – none

LEGAL MATTERS

Mrs. Sharpe reminds the Council of an elected officials training on May 30, 2023, they can take for a \$250.00 credit. **Mayor Greenbaum** adds a reminder about filling out financial disclosure.

COUNCIL REPORTS

Open Space Committee Report
Board of Health Report
Senior Citizen Liaison

Mrs. Labow reports that Open Space meets next week and Board of Health meets on June 21, 2023. The Seniors are taking collections for an upcoming trip and are having their senior prom.

Recreation Liaison Report

Mr. Roman applauds the Administration for getting the fields up and running and improving the parks. He also thanks the DPW and Buildings and Grounds. **Mayor Greenbaum** discusses a comparison between Washington Township and Mount Olive Township made by a realtor that he viewed on Facebook. He points out that Turkey Brook Park is considered to be second to none. He commends the Township for providing this for the residents. He also comments on how great Mount Olive’s schools are. **President Nicastro** agrees and points out that many people want to move to Mount Olive. **Mrs. Labow** recalls the ribbon cutting ceremony for Turkey Brook Park, and comments on the difference in the park between then and now.

Economic Development Committee Report

Mr. Stewart reports they held a meeting on April 19, 2023. He thanks Mr. Tatarenko for working with the Committee to put together a business newsletter. The next meeting will be on May 24th. They’ve been moved to the fourth Wednesday of each month.

Board of Education Liaison Report – none

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

Legislative Committee Report - none
Planning Board Report – none

PUBLIC PORTION - none

COUNCIL COMMENTS

Mr. Aaron discusses attending the Hidden Treasures event and commends the Recreation Department.

ADJOURNMENT - Motion made and seconded. All in favor, none opposed, the meeting was adjourned at 7:28pm.

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 May 16, 2023.

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Michelle Masser, Township Clerk