

February 16, 2023

Township of Randolph
Municipal Building
Randolph, NJ
February 16, 2023

A. OPENING OF REGULAR MEETING

1. Call to Order

A regular meeting of the Randolph Township Council was called to order at 6:00 p.m. by Mayor Nisivoccia. This meeting held pursuant to the New Jersey Open Public Meeting Act. Adequate notice of the meeting has been provided by posting written notice of the time, date, location and to the extent known, the agenda of the meeting in Randolph Township. This notice was posted on the bulletin board in Town Hall, it was filed with the Township Clerk, and it was provided to those persons or entities requesting notification. Notice was also provided to the Randolph Reporter and the Morris County Daily Record on December 15, 2022, by emailing them the annual resolution adopted by the Council on December 8, 2022. The annual resolution, which included this meeting date, was advertised in the Randolph Reporter and the Daily Record on December 22, 2022. Notice was also provided to TapInto Randolph, the official Township online digital publication, on December 21, 2022.

2. Roll Call

PRESENT: Councilmember Elbaum
Councilmember Forstenhausler
Councilmember Hathaway
Councilmember Potter
Councilmember Veech (via conference call)
Deputy Mayor Carey
Mayor Nisivoccia

3. Pledge of Allegiance

Mayor Nisivoccia led the Pledge of Allegiance.

Mayor Nisivoccia asked for a moment of silence to remember Joseph Dolan after his passing. Mr. Dolan was a past serving Randolph Fire Chief, volunteer, and resident.

B. OPEN TO THE PUBLIC

Anthony Donadio of 9 Guerin Lane stated that he was unaware of the Guerin Lane acquisition by the township. He asked for guidance on the ordinance and the acquisition. He felt that there needed to be further discussion about the property.

February 16, 2023

Manager Poff and Mayor Nisivoccia suggested that Mr. Donadio refer his questions in writing, so that they may respond and provide him with clarification.

Seeing and hearing no one further, the public session was closed.

C. MANAGER'S REPORT

Manager Poff reported the following:

New Jersey Association of County and City Health Officials (NJACCHO) Public Health Infrastructure Grant – The Enhancing Local Public Health Infrastructure Partner Organization Grant was made possible through the Centers for Disease Control and Prevention's Epidemiology and Laboratory Capacity funding, which provides funding and technical assistance to local health departments to implement and maintain surveillance for human disease and their vectors, improve diagnostics, and to implement and evaluate prevention strategies. Under this program, funding can be used to invest in physical or technological infrastructure or to bolster workforces to prepare for future surge responses against public health threats. The funding amounts for each county are based on the Census Bureau's 2021 Population Estimates. The township has been pre-approved for \$345,508.

2020 Municipal Recycling Tonnage Grant – Randolph Township has received notification that our most recent recycling tonnage report was approved and has resulted in the township being awarded \$71,400 for its recycling efforts. The grant amount is typically commensurate with the recycling rate in a given community.

Exceptions for Extraordinary Circumstances for the 2023 Budget Year – During its February 8 meeting, the Local Finance Board (LFB) unanimously approved exceptions to the appropriation cap. Under N.J.S.A. 40A:4-45.3d, the LFB has the authority to grant additional exceptions under extraordinary circumstances that result in an unanticipated increase in expenditures for a service essential to the health, safety, and welfare of the residents of New Jersey for only one budget year. Under this provision, the LFB granted appropriation cap relief for the 2023 budget year regarding the following budgetary items:

- Garbage collection and disposal
- Recycling costs
- PERS and PFRS pension contributions
- Gas and diesel fuel
- Workers' Compensation Insurance
- Health Insurance

February 16, 2023

Four of the five significant dollar increases in the proposed 2023 municipal budget including (statutory expenditures (pensions), recycling, insurance (including workers' compensation and health insurance), and garbage collection were identified as cap exceptions by the LFB.

Request to purchase township property – The township has been approached by the current owner of 9 Birch Street (Block 80, Lot 11) who is interested in purchasing the adjacent property (Block 80, Lot 10) owned by the township. The sale of township-owned property is governed by N.J.S.A. 40A:12-13. Staff was asked if the property should be sold, and the recommendation was unanimous in favor of selling. Planning Director Darren Carney prepared the attached memo outlining the process the Council may consider should you wish to proceed with the sale of township property.

Deputy Mayor Carey commended the Health Department staff for their work and the Recycling Tonnage Grant Award. She asked if the grant award would be communicated to the community. Manager Poff confirmed that it would be.

D. APPROVAL OF MEETING MINUTES

Councilmember Potter made a motion to approve the Regular Meeting Minutes of January 19, 2023. Councilmember Forstenhausler seconded the motion, and the following roll call vote was taken:

AYES: Councilmember Elbaum
Councilmember Forstenhausler
Councilmember Hathaway
Councilmember Potter
Councilmember Veech
Deputy Mayor Carey
Mayor Nisivoccia
NAYS: None

E. COMBINED ACTION RESOLUTIONS

1. Combined Action Resolutions

Item #17, R-56-23, Setting Forth Reasons for the Township Council's Adoption of Ordinance No. 2-23, which is Inconsistent with the 2006 Master Plan – Attorney Buzak suggested pulling this resolution item from the Consent Agenda and moving it for consideration after the second hearing, and final reading of Ordinance 02-23.

1. R-40-23 Refunding 50% of Application Fee Due to Application Being Withdrawn Prior to Public Hearing for Block 44, Lot 10, 873 Route 10 to Elbaum Homes - \$5,629.08
2. R-41-23 Refunding a Portion of a Registration Fees for Day Camp and Teen Camp for Various Reasons - \$485.00

February 16, 2023

3. R-42-23 Refund Bond for Block 111, Lot 4, 149 Center Grove Road to Petrisco International Corp - \$3,000.00
4. R-43-23 Acknowledging Redemption and Refund of Tax Sale Certificate TSC#18-10 for Block 47, Lot 35.02 for the Estate of Lewis E. and Ruth Guerin - \$259.79
5. R-44-23 Acknowledging Redemption and Refund of Tax Sale Certificate #2022-004 for Block 27, Lot 5.04, 6 Spring Brook Drive to FIG 20, LLC FBO SEC PTY - \$4,595.91
6. R-45-23 Acknowledging Redemption and Refund of Tax Sale Certificate #2022-017 for Block 119, Lot 146, 20 Bragman Road to FIG 20, LLC FBO SEC PTY - \$4,924.07
7. R-46-23 Authorizing the Release of Monies Representing a Performance Bond Submitted By Innovative Municipal Products, Inc. for MCCPC Contract #3 (Rock Salt & Liquid Calcium Chloride) - \$22,000.00 plus accrued interest
8. R-47-23 Authorizing the Animal Control Shared Services Agreement to Provide Services to the Town of Dover for the Year 2023
9. R-48-23 Endorsing an Application for a Treatment Works Approval for Liberty Village Development
10. R-49-23 Endorsing a Waiver of EPA Grant Restrictions Related to Sewer Servicing Lots with Respect to the Liberty Village Development
11. R-50-23 Endorsing an Application for a Water Extension Permit for the Liberty Village Development
12. R-51-23 Authorizing Change Order No. 1 to Kulpeksa Land Improvement Corporation for the Mountainside Retaining Wall Project - \$3,000

CERTIFICATION OF AVAILABILITY OF FUNDS

Dated: February 16, 2023

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:30-5.3-5.5, and any other applicable requirement, I, Deborah Bonanno, Director of Finance for the Township of Randolph, have ascertained that funds are available to approve a change order for the contract with Kulpeksa Land Improvement Corporation for the Mountainside Road Retaining Wall Project in the amount of \$3,000.

Deborah Bonanno
Chief Financial Officer
Budget Accounts: 04-215-56-002-325 \$3,000

February 16, 2023

13. R-52-23 Release of Various Road Opening Cash Bonds - total of \$2,500.00
14. R-53-23 Refund Tax Sale Certificate #2022-010 for Block 47, Lot 27.22, 14 Nina Place to FIG 20, LLC FBO SEC PTY - \$3,572.30
15. R-54-23 Authorizing the Increase of an Award of a Professional Services Agreement to Trimboli and Prusinowski, LLC for General Labor Counsel Services for the 2022

CERTIFICATION OF AVAILABILITY OF FUNDS

Dated: February 16, 2023

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:30-5.3-5.5, and any other applicable requirement, I, Deborah Bonanno, Director of Finance for the Township of Randolph, have ascertained that funds are available to increase the award of the 2022 professional service contract to Trimboli & Prusinowski, LLC for providing General Labor Counsel Services in an amount not to exceed \$5,000.

Deborah Bonanno
Chief Financial Officer

Budget Accounts: 01-203-20-155-302 2022 (not to exceed \$5,000)

16. R-55-23 Authorizing the Substitution of the Firm of Surenian, Edwards, Buzak & Nolan, LLC for the the Buzak Law Group, LLC on the Professional Services Agreement for Township Attorney Services for the 2023 Calendar Year
17. R-56-23 Setting Forth Reasons for the Township Council's Adoption of Ordinance No. 2-23, which is Inconsistent with the 2006 Master Plan - **PULLED**
18. R-57-23 Approving the Terms and Conditions of a Certain Temporary License Agreement with New York SMSA Limited Partnership, D/B/A Verizon Wireless for a Temporary Facility to Enhance Wireless Communication Reception and Transmission and Authorizing the Execution
19. R-58-23 Awarding a Lease of Real Property Owned by the Township of Randolph for Co-Location by Wireless Telephone Carriers
20. Raffle License: On-Premise 50/50, Greek Orthodox Church Community Center of Randolph, Friday, May 12, 2023 from 6:30 p.m. - 10:00 p.m.
21. Raffle License: On-Premise Tricky Tray - Greek Orthodox Church Community Center of Randolph, Friday, May 12, 2023 from 6:30 p.m. to 10 p.m.
22. Raffle License: Off-Premise Merchandise, St. Matthew the Apostle Parish, 335 Dover Chester Road, Randolph, Sunday, June 25, 2023, 11:45 a.m.

February 16, 2023

Councilmember Forstenhausler made a motion to approve the Combined Action Resolutions with exception to R-56-23. Deputy Mayor Carey seconded the motion, and the following roll call vote was taken:

AYES: Councilmember Elbaum – Abstained to Item #1, R-40-23
Councilmember Forstenhausler
Councilmember Hathaway
Councilmember Potter
Councilmember Veech – Abstained to Item #7, R-46-23
Deputy Mayor Carey
Mayor Nisivoccia

NAYS: None

F. UPCOMING EVENTS

1. Morris Habitat for Humanity's 18th Annual Hearts & Hammers Gala at Meadow Wood Manor, Rte. 10, Randolph, on Saturday, February 25, 2023, from 6:00 p.m. to 10:00 p.m.
2. Liberty Tree Information Event, at the Community Center, 30 Calais Road, Randolph, on Tuesday, February 28, 2023, at 6:00 p.m.
3. Grand Opening/Ribbon Cutting: All State, 1243 Sussex Tpke. #2, Randolph, NJ on Wednesday, March 22, 2023, at 5:30 p.m.
4. Recreation Volunteer Awards at the Community Center, 30 Calais Road, Randolph, on Sunday, March 26, 2023, 9:30 a.m. -1:30 p.m.
5. Little League Opening Day, at Freedom Park on Saturday, April 22, 2023, 9:30 a.m. - 11:00 a.m.

G. ORDINANCES: SECOND READING/PUBLIC HEARING

1. **Ordinance No. 01-23 Authorizing the Acquisition of Certain Real Property Described as Block 47, Lot 35.02 on the Official Tax Map of the Township of Randolph and Commonly Known as Guerin Drive for Municipal Public Purposes, and Authorizing All Actions Necessary to Implement and Effect the Acquisition of the Property**

BE IT RESOLVED, that an Ordinance entitled, An Ordinance Authorizing the Acquisition of Certain Real Property Described as Block 47, Lot 35.02 on the official Tax Map of the Township of Randolph and Commonly Known as Guerin Drive for Municipal Public Purposes, and Authorizing All Actions Necessary to Implement and Effect the Acquisition of the Property, be read by title on second reading and a hearing held thereon.

The council asked if it would be more appropriate to vote on this ordinance at the next Township Council meeting, to provide time to answer Mr. Donadio's questions.

February 16, 2023

Attorney Buzak explained that the quick claim deed documents and letters from the Estate Attorney have been received. He stated that there was no harm in tabling the vote for the next meeting. He explained that the attorney for the trustee would like to see the transaction completed so that they can close out the trust. He did not think tabling the ordinance would impact the township's ability to acquire the property and maintain and exercise the easements for others to access the road.

Councilmember Forstenhausler asked if the township's acquisition of this property would affect Mr. Donadio's property, access, and easements. Attorney Buzak confirmed it would not affect the residents on the lane.

Manager Poff informed the council that they were not precluded from taking regular action during the next budget meeting on Thursday, March 2. He stated that the next regular Township Council meeting is scheduled for Thursday, March 16.

Deputy Mayor Carey made a motion to carry the ordinance vote to the Thursday, March 2, Township Council meeting. Councilmember Forstenhausler seconded the motion, and the following roll call vote was taken:

AYES:	Councilmember Elbaum Councilmember Forstenhausler Councilmember Hathaway Councilmember Potter Councilmember Veech Deputy Mayor Carey Mayor Nisivoccia
NAYS:	None

2. Ordinance No. 02-23 Amending Article III, Zoning, of the Land Development Ordinance of the Township of Randolph to Establish the R-10 Multifamily Inclusionary Zone (R-10 Zone) and to Rezone Block 44, Lots 8 and 9 on the Official Tax Map of the Township of Randolph from the R-8 Zone to the R-10 Zone

BE IT RESOLVED, that an Ordinance entitled, An Ordinance Amending Article III, Zoning of the Land Development Ordinance of the Township of Randolph to establish the R-10 Multifamily Inclusionary Zone (R-10 Zone) and to Rezone Block 44, Lots 8 and 9 on the Official Tax Map of the Township of Randolph from the R-8 Zone to the R-10 Zone, be read by title on second reading and a hearing held thereon.

Manager Poff explained that the purpose of this ordinance is to amend Article III to remove the property located at Block 44, Lots 8 and 9 from the R-8 Zone and to establish the R-10 Multifamily Inclusionary Zone that will allow for the construction of an inclusionary development on the property that will assist the township in satisfying a portion of its affordable housing obligation.

OPEN TO THE PUBLIC

February 16, 2023

Mike Power of 5 Diane Court, shared that his property was directly adjacent to Block 44, Lots 8 and 9. He expressed concerns with the ordinance, the zone setbacks, and the other allowances. He referred to the 45ft setback for the zone and asked what basis the owners had to build units closer and higher.

Attorney Buzak explained that during the September 29, 2022, Compliance Hearing, the property owner objected to the original R-8 Zone Ordinance. The court directed the township to work out the difference between the property owner and the Ordinance by a following Compliance Hearing on January 4, 2023. He explained that the township meditated with the property owner and the Special Court Master; this ordinance was a result of the mediation. He noted that the ordinance as proposed now was not where the township or the property owner initially wanted it to be.

Mr. Power shared his frustration with the lack of equity within the set agreement and the litigation process. Mayor Nisivoccia echoed his frustration and informed Mr. Power that the township did not have a choice. Mr. Power asked what additional recourse could be involved. Attorney Buzak stated that once any township ordinance is adopted and effective it can be challenged, beyond that it was not his role. He explained that if the ordinance is adopted and if the development is pursued there will be an application made to the Planning Board. He stated that if a development comes in and is consistent with the ordinance the Planning Board is restricted. Mr. Power questioned the realistic opportunity given to the zone. Attorney Buzak explained that the township had argued the zoning in court, but was denied.

Seeing and hearing no one further, the public session was closed.

BE IT RESOLVED, that an Ordinance entitled, An Ordinance Amending Article III, Zoning of the Land Development Ordinance of the Township of Randolph to establish the R-10 Multifamily Inclusionary Zone (R-10 Zone) and to Rezone Block 44, Lots 8 and 9 on the Official Tax Map of the Township of Randolph from the R-8 Zone to the R-10 Zone, be passed on final reading and that a Notice of Final Passage of said Ordinance be published in the official designated newspaper according to law.

Councilmember Forstenhausler understood Mr. Power's concerns and shared his disappointment and frustration that these accommodations were being forced upon the township by the state. He stated that this was the only way to utilize this property to fulfill the Fair Share obligations. He was not happy with the ordinance, but he understood why it needed to pass.

Councilmember Potter made a motion to adopt the ordinance. Deputy Mayor Carey seconded the motion, and the following roll call vote was taken:

AYES: Councilmember Forstenhausler
 Councilmember Hathaway
 Councilmember Potter
 Councilmember Veech

Deputy Mayor Carey
Mayor Nisivoccia
NAYS: None
ABSTAIN: Councilmember Elbaum

2a. R-56-23, Setting Forth Reasons for the Township Council's Adoption of Ordinance No. 02-23, which is Inconsistent with the 2006 Master Plan – Combined Action Item

Item #17, R-56-23, Setting Forth Reasons for the Township Council's Adoption of Ordinance No. 2-23, which is Inconsistent with the 2006 Master Plan - Attorney Buzak explained that the Planning Board found Ordinance 02-23 to be inconsistent with the Master Plan. The township is required to adopt a resolution simultaneously with the ordinance to set forth the reasons for the council's actions in adopting an ordinance that is inconsistent with the Master Plan. He recommended the council affirms R-56-23.

Councilmember Hathaway made a motion to approve R-56-23. Councilmember Forstenhausler seconded the motion, and the following roll call vote was taken:

AYES: Councilmember Forstenhausler
Councilmember Hathaway
Councilmember Potter
Councilmember Veech
Deputy Mayor Carey
Mayor Nisivoccia
NAYS: None
ABSTAIN: Councilmember Elbaum

3. Ordinance No.03-23 Amending Section 15-34.F.3.M.1. of Section 15-24.F., VCR-6 Multifamily Inclusionary Zone (VCR-6 Zone), of Article III, Zoning, of the Land Development Ordinance of the Township of Randolph

BE IT RESOLVED, that an Ordinance entitled, An Ordinance Amending Section 15-24.F.3.M.1 of Section 15-24.F., VCR-6 Multifamily Inclusionary Zone (VCR-6 Zone), of Article III, Zoning, of the Land Development Ordinance of the Township of Randolph, be read by title on second reading and a hearing held thereon.

Manager Poff explained that the purpose of this ordinance is to amend Section 15-24.F.3.M.1. of Section 15-24.F., VCR-6 Multifamily Inclusionary Zone (VCR-6 Zone), of Article III, Zoning, of the Land Development Ordinance to refer to affordable “units” instead of affordable “credits” as directed by the Court and Special Master overseeing the township’s compliance with its affordable housing obligation. The Planning Board did not find the ordinance inconsistent with the Master Plan.

February 16, 2023

BE IT RESOLVED, that an Ordinance entitled, An Ordinance Amending Section 15-24.F.3.M.1 of Section 15-24.F., VCR-6 Multifamily Inclusionary Zone (VCR-6 Zone), of Article III, Zoning, of the Land Development Ordinance of the Township of Randolph, be passed on final reading and that a Notice of Final Passage of said Ordinance be published in the official designated newspaper according to law.

Councilmember Forstenhausler made a motion to adopt the ordinance. Councilmember Potter seconded the motion, and the following roll call vote was taken:

AYES: Councilmember Forstenhausler
Councilmember Hathaway
Councilmember Potter
Councilmember Veech
Deputy Mayor Carey
Mayor Nisivoccia
NAYS: None
ABSTAIN: Councilmember Elbaum

H. INTRODUCTION

1. Ordinance No. 04-23 Ordinance to Exceed Municipal Budget Appropriations Limits and to Establish a Cap Bank

Manager Poff explained that the purpose of this ordinance is to exceed the Municipal Budget Appropriation Limits and to establish a Cap Bank for Calendar Year 2023. He explained that the township is obligated to follow the 2010 Tax Levy Cap and the 1977 Appropriations Cap; this ordinance speaks specifically to the 2010 Tax Levy Cap.

He explained that the township cap bank from 2021 of \$671,485 will expire if not used in 2023 and that the cap bank from 2022 of \$795,769 could be used in 2023 or 2024. He explained that this ordinance will increase the final appropriations subject to the cap, up to the statutorily permitted amount to create a cap bank for use in either the current year or two subsequent year budgets.

He stated that the ordinance did not indicate that the final appropriations subject to the cap would increase by 3.5%. He explained that for 2023 there was a 2.5% Cost of Living Adjustment, making the automatic cap amount \$694,192. This ordinance provides for the other 1%, or 277,676 for the maximum provided 3.5%, which amounts to \$971,869.

He explained that if the cap fund was not utilized in the 2023 township budget, it would be available for use in either the 2024 or 2025 budget. He explained that the cap bank provided flexibility for appropriations in cases of emergencies, unforeseen expenses, or increased costs beyond the township. He stated that by establishing a cap bank, the budget can accommodate such expenses without having to cut services in other areas.

February 16, 2023

BE IT RESOLVED, that an Ordinance entitled, “Calendar Year 2023 Ordinance to Exceed Municipal Budget Appropriation Limits and To Establish a Cap Bank (N.J.S.A. 40A:4-45.15a et seq),” be introduced, read by title by the Township Clerk and passed on first reading.

BE IT RESOLVED, that said Ordinance shall be further considered for final passage at the meeting of the Township Council of the Township of Randolph on the 2nd, of March, 2023 at 6 o’clock in the evening, prevailing time, at the Town Hall in said Township, at which time and place all persons interested shall be given an opportunity to be heard concerning said ordinance.

BE IT FURTHER RESOLVED, that the Township Clerk be authorized and directed to advertise said Ordinance in full or by summary with the notice of introduction thereof, in the official designated newspaper according to law.

Councilmember Forstenhausler made a motion to introduce the ordinance. Councilmember Hathaway seconded the motion, and the following roll call vote was taken:

AYES:	Councilmember Elbaum Councilmember Forstenhausler Councilmember Hathaway Councilmember Potter Councilmember Veech Deputy Mayor Carey Mayor Nisivoccia
NAYS:	None

I. OPEN TO THE PUBLIC

Seeing and hearing no one, the public session was closed.

J. COUNCIL COMMENTS

Councilmember Potter reported that the Recycling Sustainability Workgroup and Environmental Action Plan Committee met on Wednesday, February 15. The groups discussed the first draft of the Environmental Action Plan. After some discussion on some projects that did not seem doable, it was decided to keep them in the plan as there was a possibility of other community groups or environmental advocates taking them on. She shared that the Highlands Council indicated that they may have some funding resources available to assist with completing some of the projects. She explained that the first draft of the plan included input from stakeholders in the community and that an additional community outreach event would be scheduled to gather public input prior to the second draft of the plan.

She concluded her report by sharing that she and Township Engineering and Water & Sewer Administrator Wayne Corsey were given a tour of the Rockaway Regional Valley Sewer Authority facilities (RVRSA). She was sworn in as a RVRSA Authority Commissioner on Thursday, February 9. She stated that the RVRSA was a critical piece of infrastructure.

February 16, 2023

Councilmember Elbaum reported that the Planning Board moved forward on reviewing the final approval of the Liberty Village Project. She shared that the County College of Morris presented the board with a plan to partner with the Morris Vocational School to build a facility on the CCM campus to house 300+ Votech students. She concluded her report by sharing that the board also heard a presentation by Morris County to build a 911 Back-Up Call Center.

Councilmember Hathaway reported that the Traffic Advisory Committee discussed the Millbrook Avenue and Quaker Church Road Traffic Study conducted by Morris County. The committee was pleased with the study's data-based recommendations. He explained that a suggested solution was to install a large stop sign at the eastbound side of the Quaker Church Road intersection and utilize rumble strips in the area. He shared that the committee also discussed possible enforcement solutions to address large commercial trucks using the intersection to access WAWA.

He reported that the Recreation Advisory Committee discussed streamlining the Senior Citizen I.D. Card program. He explained that currently there are four different cards available depending on the program. The goal is to make one card type available at a cost of \$10 to cover printing fees. The committee anticipated that this change would make the programs more accessible and cost-effective.

Councilmember Forstenhausler thanked Mayor Nisivoccia for acknowledging Joseph Dolan. He stated that Mr. Dolan was a dedicated volunteer who served the Randolph community for many years. He stated that he would be missed.

He reported that he attended a recent New Jersey League of Municipalities meeting. During the meeting, he heard interesting ideas about cost-saving ideas and spoke to Congresswoman Mikie Sherill. He concluded his report by sharing that he attended a Randolph Area Chamber of Commerce Breakfast event which featured a keynote speaker who spoke about tax season, and understanding fraudulent IRS communications.

Councilmember Veech reported that she attended a Parks Advisory Committee meeting. The committee discussed the Parks Department maintenance projects. She shared that general maintenance, such as landscaping and repairs, was being completed. She reported that she attended the Environmental Action Plan meeting. She emphasized the importance of volunteers and their assistance in completing realistic projects.

Deputy Mayor Carey reported that the Board of Health met on Monday, February 13. The board discussed the Recycling Tonnage Grant Award. She shared that she dialed into the Inclusive Playground Update held by the Randolph PEACE Group. During the update, the group reviewed the need for the playground and shared that the township donated \$20k to the project. The group had initially set a fundraising goal of \$25k; the group collected \$48k in donations. She stated that 100% of the donations would go towards the purchase of the equipment.

February 16, 2023

She reported that the Library Board of Trustees met on Thursday, February 9. She shared that the library generator transfer switch was repaired and that Clerk Luciani was working with the library to replace the gazebo in time for spring. She concluded her report by sharing that February is Library Lovers Month; the library has organized many events to commemorate the month.

Mayor Nisivoccia reported that he attended an Economic Development Committee (EDC) meeting. He shared that the EDC was actively collecting business spotlight profiles. He stated that the committee was also working on a new Randolph Rewards Initiative.

He concluded his report by sharing that he had the honor of meeting Mrs. Marion Dietsch at Sunrise Assisted Living to celebrate her 103rd birthday.

K. EXECUTIVE SESSION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 (N.J.S.A. 10:4-12) permits the exclusion of the public from a meeting under certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Randolph, in the County of Morris, and State of New Jersey, as follows:

1. The public shall be excluded from the following portion of the meeting.
2. The general nature of the subject matter to be discussed is as follows:
 - a. Attorney-Client Privilege – Contract Negotiations – Shongum Lake Property Owners Association
 - b. Attorney-Client Privilege – Communication
3. As nearly as now can be ascertained, the matter or matters to be discussed at this time will be disclosed to the public at such time and under such circumstances as are prescribed by law.
4. At the conclusion of the Executive Session, the Council may or may not reconvene in public session for the purpose of taking formal action.

Councilmember Forstenhausler made a motion to move into Executive Session at 7:14 p.m. Councilmember Potter seconded the motion, and the following roll call vote was taken:

AYES: Councilmember Elbaum
 Councilmember Forstenhausler
 Councilmember Hathaway

February 16, 2023

Councilmember Potter
Councilmember Veech
Deputy Mayor Carey
Mayor Nisivoccia
NAYS: None

Councilmember Forstenhausler made a motion to close Executive Session at 8:28 p.m. Deputy Mayor Carey seconded the motion and the following roll call vote was taken:

AYES: Councilmember Elbaum
Councilmember Forstenhausler
Councilmember Hathaway
Councilmember Potter
Councilmember Veech
Deputy Mayor Carey
Mayor Nisivoccia
NAYS: None

L. ADJOURNMENT

Councilmember Forstenhausler made a motion to adjourn the meeting at 8:29 p.m. Councilmember Hathaway seconded the motion, and the following roll call vote was taken:

AYES: Councilmember Elbaum
Councilmember Forstenhausler
Councilmember Hathaway
Councilmember Potter
Councilmember Veech
Deputy Mayor Carey
Mayor Nisivoccia
NAYS: None