

March 16, 2023

Township of Randolph
Municipal Building
Randolph, NJ
March 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 Veech
Deputy Mayor Carey
Mayor Nisivoccia
ABSENT: Councilmember Potter

Also Present: Township Manager Greg Poff and Township Attorney Ed Buzak

3. Pledge of Allegiance

Mayor Nisivoccia led the Pledge of Allegiance.

B. OPEN TO THE PUBLIC

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

C. APPROVAL OF MEETING MINUTES

1. Approving the Regular Council Meeting Minutes for February 16, 2023

Councilmember Forstenhausler made a motion to approve the Regular Meeting Minutes of February 16, 2023. Councilmember Veech seconded the motion, and the following roll call vote was taken:

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

D. MANAGER'S REPORT

Manager Poff reported the following:

Final Judgement of Compliance and Repose – The Superior Court will be confirming the final judgement of compliance and repose subject to the following:

1. Sunrise Assisted Living (648 Route 10). Ongoing annual monitoring until 2035.
2. Brightview Assisted Living (175 Quaker Church Rd.). Ongoing annual monitoring until 2044.
3. Morris County Housing Authority (Block 191 Lot 11). Construction schedule and cost estimate
4. 821 Route (Block 44 Lot 13; Avalon Bay). Adopted zoning ordinance (scheduled for introduction March 16, second reading/public hearing April 6)
5. Affordable Housing Trust Fund. Adopt the Spending Plan (scheduled for adoption March 16). The Spending Plan was revised consistent with Special Master's recommendations; however, the township must submit a resolution adopting the document.

This resolution is listed on the March 16 Combined Action Resolutions for consideration. The ordinance to remove the property located at Block 44, Lot 13 from the R-8 Zone and to establish the R-11 Multifamily Inclusionary Zone is listed on the March 16 agenda for introduction.

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 NJSA 40A:12-13. Staff was asked if the property should be sold, and the recommendation was unanimously in favor of selling. This matter has been considered by the council's Land-use Workgroup and reported back favorably to the entire council to proceed.

Protection of Municipal Bank Deposits – The recent bank failures of Silicon Valley Bank and Signature Bank are concerning, but it must be understood that our municipal bank deposits are protected. The Federal Government provides insurance on deposits through the FDIC up to

\$250,000 per account. New Jersey has taken this a step farther. The Governmental Unit Deposit Protection Act, or GUDPA, is a supplemental insurance program created by the New Jersey Legislature to protect the deposits of local governments. The program covers school districts as well as municipalities, and public funds in excess of 2 the FDIC insured amount are protected by GUDPA. Municipalities are required by law to deposit their funds in banks that participate in the GUDPA program.

As part of the program, each bank that participates in GUDPA must pledge additional collateral. If the collateral is not enough, other institutions holding public funds would be assessed. While the protections are not a 100% guarantee of the safety of the municipal funds, it is important to note that no governmental unit has ever lost protected deposits under GUDPA. In addition to GUDPA, the township has adopted a strict Cash Management Plan that adheres to state statute NJSA 40A:5-14. Thanks to Madison Assistant Administrator James Burnet for the research.

Board of Adjustment (BOA) Annual Report – The BOA adopted its annual report at its meeting of March 9. As part of its annual report, the BOA has requested the township consider zoning amendments relating to the issue of reverse frontage lots. Planning Director Darren Carney has prepared a memo dated February 3, which is attached hereto. This matter will be referred to the Council’s land use workgroup for review and consideration.

Municipal Excess Liability (MEL) and Joint Insurance Fund (JIF) Annual Report – The MEL and JIF has issued its annual report. As highlighted in the report, “a combination of the COVID-19 pandemic, natural disasters, state and judicial decisions, and continued cyber-related criminal activity continues to accelerate losses and the cost of coverage.” The township’s participation in the Morris County JIF continues to benefit the township with its employment practices and loss control programs.

Introduction and Approval of the 2023 Municipal Budget – The Township Council is being asked to consider the introduction and approval of the 2023 budget at its regularly scheduled meeting of March 16. There have been a few modifications to the draft municipal budget from the document distributed to the Township Council on March 2. The 2023 budget calls for revenues and appropriations totaling \$34,784,780 or 0.34% from the adopted 2022 budget.

E. 2022 MUNICIPAL BUDGET INTRODUCTION & CAPITAL IMPROVEMENT PROGRAM

1. R-76-23, Self-Examination of the Budget

Manager Poff asked the council to consider authorizing R-76-23, Self-Examination of the Budget.

Councilmember Forstenhausler made a motion to approve R-76-23. Councilmember Veech seconded the motion, and the following roll call vote was taken:

AYES: Councilmember Elbaum
 Councilmember Forstenhausler

Councilmember Hathaway
Councilmember Veech
Deputy Mayor Carey
Mayor Nisivoccia

NAYS: None
ABSENT: Councilmember Potter

Manager Poff presented a summary of the 2023 Municipal Budget:

He stated that the 2023 Municipal Budget focused on sustaining programs/services, satisfying departmental operational objectives, and balancing the Township Council's goals of improving financial accountability, meeting residential service demands, and providing for infrastructure needs.

He explained that the budget called for appropriations of \$34,784,780, which represented a 0.34% increase from the adopted 2022 Municipal Budget. He shared that significant dollar increases were seen in the following budget items: Capital Improvements, Statutory Expenditures, Recycling, Insurance, and Solid Waste Collection.

He explained that the expense side of the budget was organized and divided by township departments. The expenses consisted of salary/wages, and other expenses.

He shared that the cumulative impact of the modifications outlined in his budget memo from March 14, 2023, resulted in a reduction to the tax rate increase from 0.023% to 0.022%. He stated that the decision to increase taxes was carefully considered in the context of the township's long-term fiscal integrity and the increase in the number of non-discretionary items he had mentioned previously. He explained that the proposed rate increase of 4.3% represented an annual increase of \$89.99 or \$7.50 per month for the average assessed home of \$490,367.

He stated that the 2023 budget used a greater amount of fund balance to limit the increase in the municipal portion of property taxes. He concluded the summary by stating that the budget maintained and enhanced municipal service levels. He added that while the 2023 Municipal Budget uses more surplus, the township still maintained a prudent level of surplus to avoid spikes in future tax rates.

He thanked Chief Financial Officer Debbie Bonanno for her assistance in the preparation of the 2023 Municipal Budget. He commended the Township Council for not taking the responsibility of being good fiscal stewards lightly. He stated that the council's constructive guidance and concern for details helped validate the budget.

2. Introduction of 2023 Municipal Budget

Councilmember Forstenhausler made a motion to introduce the 2023 Municipal Budget and Capital Improvement Program. Councilmember Veech seconded the motion, and the following roll call vote was taken:

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

F. COMBINED ACTION RESOLUTIONS

1. R-68-23 Refund Tax Sale Certificate #2022-022 for Block 60, Lot 47, 47 Lake Shore Drive S. to Pro Cap 8 FBO Firstrust Bank - \$2,725.53
2. R-69-23 Refund overpayment made to Water Account #70551 for Block 9999, Lot 597, Brookside Road Clubhouse by Kensington Square Condo - 10,050.93
3. R-70-23 Refund Tax Sale Certificate #2022-019 as it is invalid/void - to PRO CAP 8 FBO FIRSTRUST BANK - \$73.25
4. R-71-23 Authorizing Change Order #1 to Grant a Time Extension through April 20, 2024, on the Professional Services Agreement with Pinto Consulting, LLC for the Creation of the Randolph Environmental Action Plan
5. R-72-23 Refunding a Portion of Recreation Department Program Fees Due to a Variety of Reasons for Several Residents - \$1,898.00
6. R-73-23 Authorizing the Acceptance and Execution of a Developer's Agreement for 134 Dover Chester Developers, LLC, Block 44, Lots 12 & 25
7. R-74-23 Awarding Contracts for Supplying Plumbing and Waterworks Specialties for the Period of April 1, 2023, through March 31, 2024
8. R-75-23 Appropriation Reserve Transfers Per N.J.S.A. 40A:4-59 - \$210,600.00
9. R-76-23 Self-Examination of Budget
10. R-77-23 Governing Body Certification of Compliance with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"
11. R-78-23 Authorizing the Township of Randolph to Participate in Nationwide Opioid Settlements with Teva, Allergan, CVS, Walgreens, and Walmart
12. R-79-23 Adopting the Revised Affordable Housing Trust Fund Spending Plan

Councilmember Forstenhausler made a motion to approve the Combined Action Resolutions. Councilmember Veech seconded the motion, and the following roll call vote was taken:

AYES: Councilmember Elbaum – Abstained from Item #2, R-69-23
Councilmember Forstenhausler

Councilmember Hathaway
Councilmember Veech
Deputy Mayor Carey
Mayor Nisivoccia

NAYS: None
ABSENT: Councilmember Potter

G. UPCOMING EVENTS

1. Library Music Event: Happy Trails: Country Classics, Sunday, March 19, 2023, at 2:00 p.m.
2. Grand Opening/Ribbon Cutting: All State, 1243 Sussex Tpke. #2, Randolph, NJ on Wednesday, March 22, 2023, at 5:00 p.m.
3. Recreation Volunteer Awards at the Community Center, 30 Calais Road, Randolph, on Sunday, March 26, 2023, 10:00 a.m. -12:30 p.m.
4. Flashlight Easter Egg Hunt at Veterans Community Park, on Friday, March 31, 2023, from 6:30 p.m. - 8:30 p.m.
5. Movie in the Park, at Veterans Community Park on Friday, March 31, 2023, at 8:30 p.m.
6. Kite Adventure, at Veterans Community Park on Saturday, April 15, 2023, from 11:00 a.m. - 4:00 p.m.
7. Little League Opening Day, at Freedom Park on Saturday, April 22, 2023, 9:30 a.m. - 11:00 a.m. (Parade Ceremony 9:15 a.m.- 9:45 a.m.)
8. Community Garage Sale, April 22-April 23, 2023 - 9:00 a.m. - 4:00 p.m. - Rain or Shine
9. Bike Rodeo, at Veterans Community Park on Saturday, April 22, 2023, from 3:00 p.m. - 5:00 p.m.
10. Library Music Event: The Kootz - Traveling Wilburys Tribute, Sunday, April 23, 2:00 p.m.
11. Clean Communities Day, Saturday, April 29, 2023 - Advanced Registration Required 973-989-7050
12. Paper Shredding, Town Hall, 502 Millbrook Avenue, Randolph, Saturday, April 29, 2023, from 9:00 a.m. - 12:00 p.m.
13. Council Only - Grand Opening/Ribbon Cutting, Chabad Center for Jewish Life, 26 West Hanover Avenue, Sunday, April 30, 2023, at 11:00 a.m.
14. Council Only - Community Garden Meeting and Reception, Community Center on Calais Road, Friday, May 12, 2023, from 5:00 p.m.- 7:00 p.m.
15. Artworks Reception at Town Hall, Thursday, May 18, 2023, 5:30 p.m. - 7:30 p.m.
16. Arts in the Park, Veterans Community Park, 100 Calais Road, Randolph on May 20, 2023, from 11:00 a.m. - 5:00 p.m.

H. ORDINANCES: SECOND READING/PUBLIC HEARING

1. Ordinance No. 05-23 - Amending Appendix A of the Fee Schedule Ordinance - Construction, Recreation and Health

BE IT RESOLVED, that an Ordinance entitled, An Ordinance Amending Appendix A, Fee Schedule, of the Revised Ordinances of the Township of Randolph, Morris County, New Jersey, be read by title on second reading and a hearing held thereon.

Manager Poff explained that the purpose of this ordinance is to amend the Sections of Appendix A, Fee Schedule, of Revised Ordinances of the Township of Randolph, Morris County, New Jersey, governing Administrative Fees, Building and Construction, Engineering, Water and Sewer, Fire Prevention and Health Fees.

OPEN TO THE PUBLIC

Seeing and hearing none, the public session was closed.

BE IT RESOLVED, that an Ordinance entitled, An Ordinance Amending Appendix A, Fee Schedule, of the Revised Ordinances of the Township of Randolph, Morris County, New Jersey, 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 Elbaum made a motion to adopt the ordinance. Councilmember Hathaway seconded the motion, and the following roll call vote was taken:

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

I. ORDINANCES: INTRODUCTION

1. Ordinance No. 06-23 Capital Ordinance of the Township of Randolph Appropriating \$2,067,000 from the Capital Improvement Fund for Various 2023 Capital Improvements and \$199,815 in Grants from the New Jersey Department of Transportation for Calais Road Improvements

Manager Poff explained that the purpose of this ordinance is to provide funding for various 2023 Capital Improvements including improvements to Calais Road.

BE IT RESOLVED, that an Ordinance entitled, “Capital Ordinance of the Township of Randolph Appropriating \$2,067,000 from the Capital Improvement Fund for Various 2023

Capital Improvements and \$199,815 in Grants from the New Jersey Department of Transportation for Calais Road Improvements,” 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 20th, of April, 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.

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

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

2. Ordinance No. 07-23 An Ordinance of the Township of Randolph Appropriating \$760,000 From the Capital Improvement Fund for Various Water/Sewer Capital Improvements

Manager Poff explained that the purpose of this ordinance is to provide funding for the various 2023 Capital Improvements for the Water/Sewer Department.

BE IT RESOLVED, that an Ordinance entitled, “An Ordinance of the Township of Randolph Appropriating \$760,000 from the Capital Improvement Fund for Various Water/Sewer Capital Improvements,” 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 20th, of April, 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.

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

3. Ordinance No. 08-23 Appropriating \$440,000 from the Recreation/Open Space Trust Fund for Various 2023 Parks and Recreation Capital Improvements

Manager Poff explained that the purpose of this ordinance is to provide funding for various 2023 Parks and Recreation Capital Improvements

BE IT RESOLVED, that an Ordinance entitled, “An Ordinance of the Township of Randolph Appropriating \$440,000 from the Recreation/Open Space Trust Fund for Various 2023 Parks and Recreation Capital Improvements,” 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 20th, of April, 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 Hathaway made a motion to introduce the ordinance. Deputy Mayor Carey seconded the motion, and the following roll call vote was taken:

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

4. Ordinance No. 09-23 Bond Ordinance Appropriating \$647,000, and Authorizing the Issuance of \$579,000 Bonds or Notes of the Township for Various Capital Improvements

Manager Poff explained that the purpose of this ordinance is for the purchase of new and additional equipment for use by the Department of Public Works, including one (1) backup generator; improvements of municipally-owned properties such as various parks by the renovation of the bathrooms, resurfacing improvements to the Town Hall parking lot, improvements to the water supply and distribution system; including the water tank by the acquisition and installation of new and additional equipment and the acquisition by purchase, and the installation of new and additional computer and technology equipment for use by various township offices.

BE IT RESOLVED, that an Ordinance entitled, “Bond Ordinance Appropriating \$647,000 and Authorizing the Issuance of \$579,000 Bonds or Notes of the Township, for Various Improvements or Purposes Authorized to be Undertaken by the Township of Randolph, in the County of Morris, New Jersey,” 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 20th, of April, 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 Elbaum made a motion to introduce the ordinance. Deputy Mayor Carey seconded the motion, and the following roll call vote was taken:

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

5. Ordinance No. 10-23 Amending Article III, Zoning, of the Land Development Ordinance of the Township of Randolph to Establish the R-11 Multifamily Inclusionary Zone (R-11 Zone) and to Rezone Block 44, Lot 13 on the Official Tax Map of the Township of Randolph from the R-8 Zone to the R-11 Zone

Manager Poff explained that the purpose of this ordinance is to amend Article III, Zoning, of the Land Development Ordinance of the Township of Randolph to remove the property located at Block 44, Lot 13 in the Township of Randolph (“Property”) from the R-8 Zone and to establish the R-11 Multifamily Inclusionary Zone (R-11 Zone) for the property 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. He noted that the Township Attorney was successful in the action that was brought by Avalon to challenge to the amenity spaces.

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-11 Multifamily Inclusionary Zone (R-11 Zone) and to Rezone Block 44, Lot 13 on the Official Tax Map of the Township of Randolph from the R-8 Zone to the R-11 Zone,” 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 20th, of April, 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 asked if the R-11 Zone was an exclusive zone. Manager Poff confirmed. Councilmember Forstenhausler asked if there was any other property in the R-11 Zone other than this one property. Manager Poff confirmed it was the only one. Councilmember Forstenhausler commented that the township was in essence forced to custom-design a zone for this one particular developer.

He shared his frustrations with this developer over the past several years. He commended Attorney Buzak for dealing with the challenges. He was frustrated that a zone had to be custom designed for one particular developer and noted that this was not the intended purpose of zoning. He understood that the ordinance had to be passed and that it was a part of the settlement agreement. He shared his intention of abstaining.

Mayor Nisivoccia thanked Councilmember Forstenhausler for his comments and shared that the rest of the council echoed his frustration.

Councilmember Elbaum stated that this would set a precedence for the developers to do the same.

Councilmember Veech asked if the zone was considered spot zoning. Attorney Buzak explained that the courts ruled that if it deals with affordable housing it is not considered spot zoning.

Councilmember Hathaway echoed Councilmember Forstenhausler's comments. He stated that from his perspective, all of the steps the governing body has been taking have been focused in favor of the residents who will call Randolph home and creating the best quality of life. He thought the township did a tremendous job of putting current and future residents first throughout the process.

Councilmember Elbaum asked Attorney Buzak if there was a concern about history repeating itself given that this developer is associated with another area. Attorney Buzak stated that he did

not know, but it was not unusual for developers to get to this point and pull out, since this is only the first step of their process. He reviewed the factors that could contribute to a developer pulling out. He did not know if the economy could support a large number of developments.

Mayor Nisivoccia thanked Manager Poff, Attorney Buzak, the Planning Consultants, and the township administration for their efforts throughout the process. He stated that the township has done the best it could, but unfortunately, it was an impossible situation.

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

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

J. OPEN TO THE PUBLIC

Seeing and hearing none, the public portion was closed.

K. COUNCIL COMMENTS

Councilmember Elbaum reported that the Trails Advisory Committee asked the Township Council to consider updating the 2017 Master Plan and the township trails. She asked the committee to provide information about its proposed updates. She shared that Jesse Epstein, in cooperation with the Kings Trail Alliance, donated machinery and labor to clean up a dump site between Irish Spring Road and Marty Memorial Trail. She shared a few upcoming events, including National Trails Day, Arts in the Park, the Country Fair, and a Haunted Trail event at Veterans Community Park.

Councilmember Forstenhausler reported that the Land-use Workgroup met on Wednesday, March 8. He shared that the Fire Department recently conducted its annual state-required refresher classes.

Councilmember Hathaway commended the council on seeing the township's judgment of compliance through. He noted that while he was not present for the years of work that went into the process, he believed the time he has served has given him a similar perspective to residents in that he had to learn a tremendous amount of history, state procedures, and more. He thought it was a testament to the commitment the council had to the community.

He reported that the Traffic Advisory Committee discussed the Planning Board's inquiry regarding updating the circulation element of the Master Plan. The committee is seeking to move forward with updates in late spring.

He concluded his report by sharing that the Recreation Advisory Committee discussed general park and trail maintenance. There was also discussion about the improved culture of sportsmanship for the recreation programs. He stated that many steps had been taken to implement cultural ambassadors for various programs. He stated that the past indoor season yielded zero yellow card programs for parents and guardians.

Councilmember Veech reported that the Community Garden meeting and the Parks Advisory Committee meeting were canceled due to inclement weather.

She shared that the head of the Randolph High School Culinary Program asked the township to consider using space at Veterans Community Park to install a bee apiary for two hives. The instructor wanted to teach his students about beekeeping. She stated that the apiary would be a joint venture between the township and the school and that the costs would be borne by a grant. She stated that the idea was still in discussion and that insurance and safety measures would be considered. She added that the instructor also inquired if his students could cook for the Township Council. She spoke with the Township Manager and Mayor about the possibility of holding such an event in April or May before a council meeting. The council was in favor of the idea. Councilmember Forstenhausler suggested that the insurance and liability of the bee apiary be looked into.

Councilmember Elbaum asked if garden beds were available at the Community Garden. Councilmember Veech stated that some beds were freed up due to 12-18 people withdrawing. She stated that there were about 30 people on the waitlist.

Deputy Mayor Carey shared that the Board of Health met on Monday, March 13. She reported that Health Officer Mark Caputo provided an update on the nationwide Opioid Settlement the township is participating in. Manager Poff explained that the township is currently in receipt of \$30,000; the resolution this evening will add to the amount. She shared that Rob Schneiderman would be resigning; there will be an opening on the board.

She concluded her report by sharing that the library was proceeding with replacing its gazebo with the help of Clerk Luciani.

Mayor Nisivoccia reported that he attended the Tuesday, March 7, Economic Development Committee meeting. The committee is actively promoting local business interests and moving forward with social media efforts. He stated that the committee would soon be prepared to provide a presentation on the proposed Randolph Rewards program during an upcoming council meeting.

He shared that he attended the Randolph High School Hall of Fame meeting. The Hall of Fame Induction Dinner will be scheduled for Saturday, October 21. He joined members of the Liberty Tree Preservation Committee to inspect the tree; the group continues to apply for grants.

He discussed updates to the Trails Master Plan with Phil Sheehy and Russ Newman. He commented that there might be an additional trail segment added to the plan before approval.

He concluded his report by sharing that he presented Randolph centenarian Marianna Mellace with a certificate to honor her 105th birthday.

Clerk Luciani informed the council and the public that the Thursday, April 6, Township Council meeting has been moved to Tuesday, April 4.

L. 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 Executive portion of the meeting.
2. The general nature of the subject matter to be discussed is as follows:
 - a. Attorney-Client Privilege-Restrictive Covenant, 1275 Sussex Turnpike
 - b. Litigation KRE v. Township of Randolph
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 Hathaway made a motion to move into Executive Session at 7:00 p.m. Councilmember Elbaum seconded the motion, and the following roll call vote was taken:

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

Councilmember Elbaum a motion to close the Executive Session at 7:50 p.m. Councilmember Hathaway seconded the motion, and the following roll call vote was taken:

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

M. ADJOURNMENT

Councilmember Hathaway made a motion to adjourn the meeting at 7:50 p.m. Deputy Mayor Carey seconded the motion and following roll vote was taken:

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