

May 18, 2023

Township of Randolph
Municipal Building
Randolph, NJ
May 18, 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 Forstenhausler
Councilmember Elbaum
Councilmember Hathaway
Councilmember Potter
Councilwoman Veech
Deputy Mayor Carey
Mayor Nisivoccia

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

3. Pledge of Allegiance

Mayor Nisivoccia led the Pledge of Allegiance.

B. PRESENTATION/PROCLAMATION

- 1. Presenting NJ State League of Municipalities Award for the 29th Annual Louis Bay 2nd Future Municipal Leaders Scholarship Competition to Tyler Zepp**
- 2. Proclamations for Eagle Scouts: Drew Hull, Andrew Browne, Kole Lockett, Darren Gao and Jan Hagadorn which will be presented by Mayor Nisivoccia**

C. OPEN TO THE PUBLIC

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

D. MANAGER'S REPORT

Manager Poff reported the following:

Traffic advisory update – The Millbrook Avenue/Quaker Church Road traffic study has been completed. The study was referred to the Traffic Advisory Committee for consideration at its February 7 meeting. The traffic study and signal warrant analysis were completed by Morris County’s consultant T&M for the Sussex Turnpike Corridor.

Environmental guidebook – Previously referred to as the Environmental Action Plan; the township’s consultant delivered the first draft of the report on Tuesday, January 17. The committee provided its comments to the consultant on March 29. The consultant is reviewing the comments and will be reaching out to schedule a time to discuss revisions and the next steps with the committee.

Brundage Park lighting project – This project has been completed. The transformer was installed by the contractor in March, and JCP&L completed its connection last week. Recreation Director Russ Newman has been out to confirm that the lights are working.

Stormwater permit funding opportunity – The township is seeking \$25,000 to assist with implementing enhanced requirements imposed by the State of New Jersey. The grant program is funded through the Corporate Business Tax. The funds may be used for the adoption of stormwater-related ordinances, implementation of a street sweeping program, implementation of a municipal maintenance yard, development of best management practices, completion of an MS4 infrastructure map, implementation of an illicit discharge detection and elimination program, required employee training, and completion of watershed improvement plans.

Cybersecurity and information technology upgrades – In addition to the installation of a new municipal building wireless network, the township is aggressively pursuing compliance with the joint insurance fund’s cybersecurity checklist. It is expected that the township will comply with these best practices no later than June 30.

Community-wide garage sale & spring bulk pick-up – The community-wide garage sale event will take place on Saturday, April 22, and Sunday, April 23, 2023, rain or shine, from 9:00 a.m. to 4:00 p.m. Online registration will be open until Friday, April 14, 2023. The form asks for the participant’s name, address, contact information, and the date or dates of participation (April 22nd, April 23rd, or both days). A total of 84 participants are currently registered.

Spring bulk collection week begins Monday, April 24, and ends on Friday, April 28. Items must be placed curbside by 6:00 a.m. Monday, April 24. For this collection, Blue Diamond will be through each street only one time. Please note that this collection is an extension of the one-item-of-bulk-trash per weekly curbside collection service available to residents throughout the year.

Items accepted include non-metal furniture, couches, mattresses, box springs, rugs/carpeting (rolled and tied in four-foot lengths).

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. In consultation with the Township Attorney, letters have been sent to eligible, adjacent property owners to solicit bids for the purchase of this township property. The bids are due back to the township no later than April 17.

E. APPROVAL OF MEETING MINUTES

1. Approving the Regular Council Meeting Minutes for April 20, 2023 and May 4, 2023

Councilmember Potter made a motion to approve the Regular Meeting Minutes of April 20, 2023 and May 4, 2023. Councilmember Hathaway seconded the motion, and the following roll call vote was taken:

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

F. PUBLIC HEARING-SOIL MOVEMENT HEARING – RANDOLPH REDEVELOPERS

- 1. Conduct Hearing – Roseland Redevelopers, LLC**
- 2. R-104-23 Approving the Soil Movement Permit for Roseland Redevelopers, LLC, for Block 119, Lot 130 located at 1 West Hanover Ave. in the Township of Randolph**

F. COMBINED ACTION RESOLUTIONS

- 1. R-105-23 Release of Police Detail Escrow to the Randolph Educational Foundation - \$780.00
- 2. R-106-23 Authorizing the Public Display of Fireworks for the 2023 Freedom Festival on July 8 (raindate - July 9th)
- 3. R-107-23 Authorizing Approval to Submit a Grant Application and Execute a Grant Contract with the NJ Department of Transportation for the South Road 2023 Road Improvement Project

4. R-108-23 Refunding a Portion of Registration Fees for Recreation Programs to Various Residents - Total \$750.00
5. R-109-23 Release of Cash Bonds posted to guarantee work within the Township Right of Way to two entities totaling - \$1,800.00
6. R-110-23 Recognizing National Gun Violence Awareness Day - June 2, 2023
7. R-111-23 Release Performance Bond in the Amount of \$646,480.00 and the Final Payment (Including Final Retainage) in the Amount of \$74,435.19 and Accept the Maintenance Bond in the Amount of \$77,840.79 for the Brundage Park Lighting Project by Tiffany Electric, Inc.
8. R-112-23 Authorizing the Rejection of a Bid for MCCPC Contract #46 (Preventive Maintenance/Repair of Emergency Generators)
9. R-113-23 Authorizing the Award of MCCPC Contract #10 - Lumber, Insulation, Hardware, Paint, and Paint Supplies to various bidders
10. R-114-23 Authorizing the Rejection and Award of MCCPC Contract #13-B - Repair and Rebuilding of Fire Water Pumps on Motorized Fire Apparatus with Various Bidders
11. R-115-23 Authorizing the Award of MCCPC Contract #29 - Pest Control Services - Buildings to E&G Exterminators, Inc.
12. R-116-23 Authorizing the Award of MCCPC Contract #37 - Traffic Signal Maintenance & Repair to Jen Electric, Inc.
13. R-117-23 Authorizing the Rejection and Award of MCCPC Contract #47 - Water Meters/Data Recorders & Radio Frequency Meter Interface Units with Various Bidders
14. R-118-23 Authorizing the Rejection and Award of MCCPC Contract #13-A - Fire Equipment Services with Various Bidders
15. R-119-23 Authorizing the Award and Rejection of MCCPC Contract #30 - Office Paper Supplies with Various Bidders
16. R-120-23 Authorizing Change Order #1 with Dulaine Contracting, Inc. for the County College of Morris Pump Station Project - an increase of \$33,317.94 bringing the new project total to \$990,815.94
17. R-121-23 Authorizing the Execution of a Vendor Contract and a Data Sharing Agreement with the State of New Jersey, Department of Community Affairs in Connection with the Low-Income Household Water Assistance Program

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 Forstenhausler
Councilmember Elbaum
Councilmember Hathaway

Councilmember Potter
Councilwoman Veech
Deputy Mayor Carey
Mayor Nisivoccia

NAYS: None

G. UPCOMING EVENTS

1. Randolph Memorial VFW Post 7333, Annual Memorial Day Ceremony, Monday, May 29, 2023, 11:00 a.m. at Post 7333 Building, 103 Carrell Road, Randolph, 07869
2. Artworks Reception at Town Hall, Thursday, May 18, 2023, 5:30 p.m. - 7:30 p.m.
3. Arts in the Park, Veterans Community Park, 100 Calais Road, Randolph on May 20, 2023, from 11:00 a.m. - 5:00 p.m.
4. Randolph Indian Association Holi Event, on Sunday, May 21, 2023, from 2:00 p.m. - 6:00 p.m. at Freedom Park
5. Habitat for Humanity Bennett Avenue Dedication of Completed Buildings, Thursday, June 1, 2023, at 11:00 a.m.
6. Grand Opening - Morris County Wrestling & Martial Arts, 1248 Sussex Tpk., B-11, Saturday, June 3, 2023, 2:00 - 5:00 p.m.
7. Girls Softball "Under the Stars" Championship Game on Saturday, June 10, 2023, at Brundage Park - Championship game begins at 7:00PM
8. Flag Retirement Ceremony at VFW Post on Carrell Road, Randolph, Thursday, June 15, 2023, at 10:00 a.m.
9. United Methodist Church - 190th Anniversary Service at 246 Millbrook Avenue on Sunday, June 25, 2023, at 1:00 p.m.
10. Library Music Event, 28 Calais Road, Randolph, Monday, June 26, 2023, at 7:00 p.m. - Jake Thistle & Band
11. Library Music Event: 28 Calais Road, Randolph, Monday, July 3, 2023, at 7:00 p.m. - Unusual Suspects
12. Freedom Festival at County College of Morris with Games, Crafts, Rides, Food Vendors and Beer Garden nightly starting Thursday, July 6th from 6:00 p.m. - 11:00 p.m. (Band - Stereo Junkies), Friday, July 7th from 5:00 p.m. - 11:00 p.m., (Band - The Norton Smull Band), Saturday, July 8, 2023, from 6:00 p.m. - 11:00 p.m. (Band - Jerseytones).
Fireworks - Saturday, July 8th at 9:45 p.m. - Rain date - July 9th
13. Grand Opening/Ribbon Cutting: Muchnik Elder Law at 10 W. Hanover Ave., Suite 111, Randolph on Saturday July 8, 2023, at 3:00 p.m. with a rain date of July 15th
14. Library Music Event: 28 Calais Road, Randolph, Monday, July 10, 2023, at 7:00 p.m. - Jersey Sound

15. Library Music Event: 28 Calais Road, Randolph, Monday, July 17, 2023, at 7:00 p.m. - Rosewood Band
16. Library Music Event: 28 Calais Road, Randolph, Monday, July 24, 2023, at 7:00 p.m. - Jack the Band
17. Library Music Event: 28 Calais Road, Randolph, Monday, July 31, 2023, at 7:00 p.m. - Country Comfort
18. Library Music Event: 28 Calais Road, Randolph, Monday, August 7, 2023, at 7:00 p.m. - Fab Forward Band
19. Library Music Event, 28 Calais Road, Randolph, Monday, August 14, 2023, at 7:00 p.m. - The Green Planet Band
20. Library Music Event, 28 Calais Road, Randolph, Monday, August 21, 2023, at 7:00 p.m. - Fish Eyed Blues
21. Library Music Event, 28 Calais Road, Randolph, Monday, August 28, 2023, at 7:00 p.m. - Five Wheel Drive

I. ORDINANCES SECOND READING/PUBLIC HEARING/RESOLUTIONS: NO. 122-23 AND NO. 123-23

- 1. Ordinance No. 11-23 Authorizing Special Assessment for the Dredging and Restoration of Shongum Lake, Hydro-Raking, Cleaning-Restoration of a Portion of Den Brook and the Implementation of Other Non-Point Source Pollution Control Measures in the Township of Randolph, Including the Completion of Engineering and Environmental Investigations, Sampling and Laboratory Analysis and Design Necessary to Complete Plans and Specifications, Permitting and Construction Of the Project as well as Construction Inspection Services to the Dam, Lake, Stream, Flood Control, Water Resources, and Wastewater Treatment Project Bond Act of 2003, and the Green Acres Clean Water, , Farmland and Historic Preservation Bond Act of 1992**

BE IT RESOLVED, that an Ordinance entitled, An Ordinance Authorizing Special Assessment for the Dredging and Restoration of Shongum Lake, Hydro-Raking, Cleaning/Restoration of a Portion of Den Brook and the Implementation of other Nonpoint Source Pollution Control Measures in the Township of Randolph, Morris County, New Jersey, Including the Completion of Engineering and Environmental Investigations, Sampling and Laboratory Analysis and Design Necessary to Complete Plans and Specifications, Permitting and Construction of the Project as well as Construction Inspection Services to the Dam, Lake, Stream, Flood Control, Water Resources, and Wastewater Treatment Project Bond Act of 2003, and the Green Acres Clean Water, Farmland and Historic Preservation Bond Act of 1992, be read by title on second reading and a hearing held thereon.

Manager Poff explained that the purpose of this ordinance is to authorize a special assessment for the dredging and restoration of Shongum Lake, hydro-raking, cleaning/restoration of a portion of Den Brook and the implementation of other nonpoint source pollution control measures in the Township of Randolph, which will include completion of engineering and environmental investigations, sampling and laboratory analysis and design necessary to complete plans and specifications, permitting and construction of the project as well as construction inspection services.

BE IT RESOLVED, that an Ordinance entitled, An Ordinance Authorizing Special Assessment for the Dredging and Restoration of Shongum Lake, Hydro-Raking, Cleaning/Restoration of a Portion of Den Brook and the Implementation of other Nonpoint Source Pollution Control Measures in the Township of Randolph, Morris County, New Jersey, Including the Completion of Engineering and Environmental Investigations, Sampling and Laboratory Analysis and Design Necessary to Complete Plans and Specifications, Permitting and Construction of the Project as well as Construction Inspection Services to the Dam, Lake, Stream, Flood Control, Water Resources, and Wastewater Treatment Project Bond Act of 2003, and the Green Acres Clean Water, Farmland and Historic Preservation Bond Act of 1992, 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 Veech seconded the motion, and the following roll call vote was taken:

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

2. R-122-23 – AUTHORIZING THE EXECUTION OF A CERTAIN AGREEMENT BY AND BETWEEN THE SHONGUM LAKE PROPERTY OWNERS ASSOCIATION AND THE TOWNSHIP OF RANDOLPH DATED MAY 18, 2023 – Approval Contingent Upon Adoption of Ordinance No. 11-23

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

AYES: Councilmember Forstenhausler
Councilmember Elbaum
Councilmember Hathaway
Councilmember Potter
Councilwoman Veech
Deputy Mayor Carey
Mayor Nisivoccia

NAYS: None

3. R-123-23 – A RESOLUTION OF CO-BORROWER, TOWNSHIP OF RANDOLPH ON A LOAN AGREEMENT BETWEEN SHONGUM LAKE PROPERTY OWNERS ASSOCIATION AND THE STATE OF NEW JERSEY BY AND FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION – Approval Contingent Upon Adoption of Ordinance No. 11-23

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

AYES: Councilmember Forstenhausler
Councilmember Elbaum
Councilmember Hathaway
Councilmember Potter
Councilwoman Veech
Deputy Mayor Carey
Mayor Nisivoccia

NAYS: None

J. ORDINANCES: INTRODUCTION

1. Ordinance No. 12-23 Amending and Supplementing Chapter 26, Housing, and Appendix A, Fee Schedule of the Revised Ordinances of the Township of Randolph Regarding Lead-Based Paint Inspections

Manager Poff explained that the purpose of this ordinance is to amend and supplement Chapter 26, Housing, of the Revised Ordinances of the Township of Randolph, by the addition of Article X, Lead-Based Paint Inspections, which requires the owner, landlord and/or agent of every single-family, two family, and/or multiple dwelling units offered for rental to obtain an inspection of the unit for and remediate lead-based paint hazards. Additionally, the Ordinance amends Appendix A, Fee Schedule, of the Revised Ordinances of the Township of Randolph to add investigation and administrative fees related to lead-based paint inspections.

BE IT RESOLVED, that an Ordinance entitled, “An Ordinance Amending and Supplementing Chapter 26, Housing, And Appendix A, Fee Schedule of the Revised Ordinances of the Township of Randolph Regarding Lead-Based Paint Inspections,” 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 6th, of June, 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.

I. COUNCIL COMMENTS

Councilmember Potter reported that the Environmental and Landmarks Advisory Committee met on Tuesday, March 28. She shared that over 50 people attended the meeting and that the schools' various environmental groups were invited to present their environmental projects. Some of the groups included the Center Grove Garden Club, the Fernbrook Green Club, the Middle School Green House Club, and the High School Green Club.

She reported that the committee was continuing to monitor the Recycle Coach App data. This month, the app reported that there were 482 total users in Randolph, 175 of which were new since the last report in March. She added that there had been over 2,509 app interactions and 97 material searches.

She concluded her report by providing a summary of NJ211 data. To date, there have been 744 information requests through NJ211 from Randolph residents. The top information searches for the app were for housing and shelter, and subcategories of rental systems, low-cost housing, and shelters.

Deputy Mayor Carey asked if the public members were invited to the Environmental and Landmarks Committee meeting. Councilmember Potter shared that the school groups were invited to present their ideas.

Councilmember Hathaway referred to the Sussex Turnpike Corridor Study and commended the Morris County Engineering Office for their attention to detail and speed in conducting the study. He stated that he was pleased to see the data-driven decisions, the results of the traffic studies, and the analysis of anticipated traffic patterns. He explained that the intersection issue was at the right-hand turn from West Hanover Avenue onto Sussex Turnpike. He added that there would be minimal mitigation of the light signaling; the effort is anticipated to lower the level of service interruption in the area.

He shared that he was participating in the Morris County Chamber of Commerce's LEAD Morris Program. In the past month, the program participants have attended a criminal justice event and met with the Morris County Prosecutors Office and Morris County Sheriff James Gannon.

Councilmember Forstenhausler attended the Municipal Alliance Committee (MAC) meeting on Wednesday, March 29. The committee discussed the upcoming Hidden in Plain Sight event. He shared that the committee was looking into potential programs for 2023. A few events included the youth and adult Mental Health First Aid training, the 15 Minute Child Break event, and the Yoga on the Go program. He concluded his report by sharing that the School Health Fair is scheduled for Friday, April 14.

Councilmember Veech had nothing to report for this meeting.

Deputy Mayor Carey commented that the Recreation Volunteer Award program was well organized. She commended the Recreation Department for hosting a great event.

Mayor Nisivoccia thanked the Economic Development Committee for organizing the All-State Grand Opening event held a few weeks prior. He shared that he visited Brightview Senior Living to congratulate Randolph centenarian Evelyn Krensky on her 100th birthday,

J. 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. Personnel

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 Potter made a motion to move into Executive Session at 6:40 p.m.

Councilmember Veech 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
ABSENT: Councilmember Elbaum

Deputy Mayor Carey made a motion to close the Executive Session at 7:00 p.m. 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
ABSENT: Councilmember Elbaum

K. ADJOURNMENT

Councilmember Forstenhausler made a motion to adjourn the meeting at 7:00 p.m.
Councilmember Veech seconded the motion and following roll vote was taken:

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