

January 19, 2023

Township of Randolph  
Municipal Building  
Randolph, NJ  
January 19, 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  
Deputy Mayor Carey  
Mayor Nisivoccia

Also present: Township Manager Greg Poff, Township Attorney Edward J. Buzak, and members of the Randolph Fire Department.

### **3. Pledge of Allegiance**

Mayor Nisivoccia led the Pledge of Allegiance.

## **B. PRESENTATION FOR 2021-2022 FIRE CHIEF & SWEARING IN OF 2023-2024 FIRE CHIEF & DEPUTY FIRE CHIEF**

### **1. Presentation to 2021-2022 Fire Chief Anthony Moschella**

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Deputy Mayor Nisivoccia thanked Anthony Moschella for his many years of dedicated service to the Fire Department. He congratulated Mr. Moschella for being amongst the longest-serving Fire Chiefs in the department. He stated that he has been a great friend for many years. He presented Mr. Moschella with recognition and acknowledgment of his service to the township.

Mr. Moschella thanked the members of the Fire Department and the Township Council for their support throughout his eight years serving as Fire Chief and Deputy Fire Chief. He thanked Manager Poff and Township Clerk Luciani. He commended Clerk Luciani for being a great resource, ally, and friend.

## **2. Fire Chief Michael Vanadia**

Fire Chief Michael Vanadia was sworn in by his wife, Diana Vanadia and his son.

## **3. Deputy Fire Chief Kevin Dunn**

Deputy Fire Chief Kevin Dunn was sworn in by his son, Brandon Dunn.

### **BREAK: 6:15 p.m.**

The public meeting was paused for a 15-minute break.

### **RECONVENE: 6:30 p.m.**

## **C. APPOINTMENTS**

### **1. Board of Adjustment**

Deputy Mayor Carey made a motion to appoint Lou Asbaty to fill the unexpired term of Robert DeLorenzo, Michael Tatch to fill the unexpired term of Lou Asbaty as Alternate #1, and Gina Fiscella to fill the unexpired term of Michael Tatch as Alternate #2. Councilmember Veech 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. Municipal Alliance Committee**

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Councilmember Forstenhausler made a motion to appoint Timothy Potter to the Municipal Alliance Committee as Alternate #2. Councilmember Veech 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

### **3. Planning Board**

Councilmember Elbaum made a motion to appoint Art Lee to fill the unexpired term of Norma Jacobs and appoint Richard Bowers to fill the unexpired term of Art Lee. Councilmember Potter 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

### **D. OPEN TO THE PUBLIC**

Deepak Das of 8 Devonshire Drive observed that members of the Board of Adjustment were not present for the appointments. He shared that he recently attended a Board of Adjustment meeting, during which some members of the board were not present. He stated that the board was a quasi-judicial body, and they had a responsibility to be present. He shared that he has sat in on many cases before the board. He stressed the importance of overseeing the board functions. He briefly summarized a case involving a c-variance before the board.

Mayor Nisivoccia asked Attorney Buzak if the council was allowed to discuss Board of Adjustment proceedings. Attorney Buzak confirmed that the council could not, but the public was able to proceed with comments.

Mr. Das shared that the situation involving the c-variance applicant revealed that a previous application was granted in error. He explained that the board was informed by the Township Attorney about issues with grandfathering that application in, but the board only briefly

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discussed it and voted. He stated that the level of interest and research demonstrated by the board concerned him, especially regarding larger projects and variances. He was concerned that the advice of the Township Attorney and Township Engineer was being ignored. He asked that the Board of Adjustment be advised to take matters more seriously.

## **E. MANAGER'S REPORT**

Manager Poff reported the following:

Shared Services Opportunity – The Township Council will be asked to consider an agreement with Mount Olive Township for the provision of Commercial Driver License training that went into effect earlier last year. The agreement would allow Randolph Township employees to take advantage of a Mount Olive Training Administrator who would conduct the entry-level training program.

Brundage Park Lighting Project – Progress is being made towards the completion of the Brundage Park Lighting project. The transformer is due by the beginning of March. The contractor plans to have all of the other required work completed prior to the delivery to allow the transformer to be wired in. The project is anticipated to be completed by mid-March.

Randolph Environmental Action Plan – The township's consultant Frank Pinto has delivered the first draft of the Environmental Action Plan report. Planning and Zoning Administrator Darren Carney is in the process of scheduling a meeting with the workgroup, including a representative from the Highlands Council, within the next few weeks.

2023 budget preparation – He and CFO Debbie Bonanno are making progress toward the development of a draft budget document including the township's Capital Improvement Plan. The Township Council's first budget work session will take place on the morning of Saturday, January 28.

Councilmember Veech asked if the township was paying for the Shared Services opportunity with Mount Olive. Manager Poff confirmed that the township was paying for the service; he added that it was a very reasonable rate. Councilmember Veech commented that it was a great idea.

## **F. APPROVAL OF MEETING MINUTES**

Councilmember Forstenhausler made a motion to approve the Regular Meeting Minutes of November 17, 2022, and December 8, 2022, and the Reorganization Meeting Minutes of January 5, 2023. Deputy Mayor Carey seconded the motion, and the following roll call vote was taken:

AYES:            Councilmember Elbaum – Abstained on the 11/17/22 and 12/8/22 Minutes  
                     Councilmember Forstenhausler  
                     Councilmember Hathaway  
                     Councilmember Potter  
                     Councilmember Veech

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Deputy Mayor Carey  
Mayor Nisivoccia  
NAYS: None

## G. COMBINED ACTION RESOLUTIONS

### 1. Combined Action Resolutions

Item #4, R-30-23 Authorizing the Acceptance and Execution of a Developer's Agreement with Elbaum Homes at Pleasant Ridge, Inc. for Preliminary and Final Site Plan Approval for Block 97, Lots 26, 27.01 and 27.02, More Commonly Known as 1219, 1221 and 1223 Sussex Turnpike – Councilmember Potter asked that the status map referenced in this resolution be updated to reflect the changes. She suggested that the Developer's Agreement did not reference the phasing plan cited in the Board of Adjustment/Planning Board documents; she asked if the general reference in the reports took care of that. Attorney Buzak stated that he would review the resolution. Manager Poff suggested temporarily pulling R-30-23 from the Combined Action Resolutions, pending Attorney Buzak's feedback.

1. R-27-23 Acknowledging the Redemption and Cancellation of Tax Sale Certificate #20-09 for Block 215, Lot 84.02 by Comerica BK & Trust C/O ICG, Inc. - \$2,151.76
2. R-28-23 Authorizing Agreement to Provide Animal Control Services to Rockaway Borough for the year 2023
3. R-29-23 Authorizing Agreement to Provide Public Health Services to Rockaway Borough from January 1, 2023, through December 31, 2024
4. R-30-23 Authorizing the Acceptance and Execution of a Developer's Agreement with Elbaum Homes at Pleasant Ridge, Inc. for Preliminary and Final Site Plan Approval for Block 97, Lots 26, 27.01 and 27.02, More Commonly Known as 1219, 1221 and 1223 Sussex Turnpike – **PULLED**
5. R-31-23 Acknowledging the Redemption and Cancellation of Tax Sale Certificate # 2022-003 for Block 22, Lot 18, 15 Stonehill Road to Evolve Bank & Trust - \$35,681.30
6. R-32-23 Refund Escrow Funds for Block 86, Lot 31 - 8 Elm Place to Babula Architecture, LLC - \$632.00
7. R-33-23 Release Road Opening Cash Bonds for work done in the Right-of-Way of Various Properties - total \$3,000.00
8. R-34-23 Authorizing the Township to join the Morris County Adaptive Recreation Program (MCARP) to contribute their Fair Share Assessment for one year to assist in providing recreational services for persons with disabilities - \$3,259.00

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9. R-35-23 Acknowledging the Redemption and Cancellation of Tax Sale Certificate #2063 for Block 121, Lot 14, 58 Musiker Avenue by Sapient Providence, LLC - \$37,897.52
10. R-36-23 Authorizing the Award of a Professional Services Agreement to Sclar & Sclar, LLC for Conflict Public Defender Services - not to exceed \$4,000

CERTIFICATION OF AVAILABILITY OF FUNDS

Dated: January 19, 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, subject to annual appropriation and adoption in the 2023 municipal budget, to award a professional service contract to Sclar & Sclar LLC for providing services as Conflict Public Defender as detailed in the proposal provided to the Township.

Deborah Bonanno  
Chief Financial Officer

Budget Accounts: 10-130-05-000-000 2022 (not to exceed \$4,000)

11. R-37-23 Authorizing the Randolph Township's Qualified Purchasing Agent to Procure Goods & Services Via NJ State Approved Cooperative Contracts, Including the State of New Jersey Cooperative Purchasing Program
12. R-38-23 Authorizing Default, Rescission and Re-Award of a Portion of MCCPC Contract #9 - Crushed Stone and Sand
13. R-39-23 Acknowledging the Redemption and Cancellation of Tax Sale Certificate #2022-016 for Block 119, Lot 110 to Pro Cap 8 FBO Firsttrust Bank - \$79.27
14. Raffle License: On-Premise 50/50, Music Boosters Club of West Morris Mendham High School at The Meadow Wood, 461 Route 10 East, Randolph, on February 10, 2023, 6:00 p.m. – 10:00 p.m.
15. Raffle License: Off-Premise Merchandise, Gottesman RTW Academy, 146 Dover Chester Road, Randolph, NJ, March 1, 2023, 7:30 p.m.
16. Raffle License, Off-Premise 50/50 Hebrew Congregation of Mt. Freedom, 1209 Sussex Turnpike, Mt. Freedom, NJ 07970, March 11, 2023, 9:30 p.m.

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Councilmember Forstenhausler made a motion to approve the Combined Action Resolutions with exception to R-30-23. Councilmember Potter 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

## H. UPCOMING EVENTS

1. Volunteer Appreciation Ceremony, Community Center, 30 Calais Road, Randolph Tuesday, January 24, 2023, light dinner at 6:30 p.m. followed by ceremony at 7:00 p.m.
2. Council Budget Session at Town Hall, 502 Millbrook Avenue, Randolph, on Saturday, January 28, 2023, at 8:30 a.m.
3. Randolph Library Event: Ladies of Song, Sunday, January 29, 2023, at 2:00 p.m.
4. Council Budget Session at Town Hall, 502 Millbrook Avenue, Randolph, on Thursday, February 2, 2023, at 5:00 p.m.
5. Randolph's Inclusive Playground Presentation, Wednesday, February 15, 2023, via Zoom - to receive link, RSVP to [randolphpeace@gmail.com](mailto:randolphpeace@gmail.com).
6. Randolph Area Chamber of Commerce Monthly Networking Meeting; Thursday, February 16, 2023, 8:00 a.m. - 9:30 a.m.
7. 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.
8. Liberty Tree Information Event, at the Community Center, 30 Calais Road, Randolph, on Tuesday, February 28, 2023, at 6:00 p.m.

## I. ORDINANCES: INTRODUCTION

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**

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Manager Poff explained that the purpose of this ordinance is to authorize the acquisition of Block 47, Lot 35.02 on the Official Tax Map of the Township of Randolph, which is commonly known as Guerin Drive, for municipal purposes, including, without limitation, access to township-owned lands. He added that he directed the Environmental Insurance Fund to perform an Environmental Assessment to ensure that property was free and clear of any environmental considerations; the report indicated that there were no such concerns.

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 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 16th, of February, 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 Veech asked if she recalled correctly that the township decided to pass on this acquisition years ago because it was then thought that it was more of a liability than an asset and drainage could be accessed without it.

Attorney Buzak explained that the discussion in the past was to determine whether to condemn the property or not. He shared that former Councilmember Tkacs and his wife happened to find the heir to the estate. Subsequently, the estate was prepared to grant the township property with a quick claim deed which would not guarantee that they owned the property, but pass their interest to the township. He explained that the original owner/family had subdivided the property and the roadway was the remainder of the divisions, with no one interested in it. He explained that in the event of someone approaching the property with a claim, the township could institute a condemnation action to get it back. He stated that the township was not paying anything for the acquisition.

He echoed Manager Poff’s previous comments and stated that the property allowed access and use of the lane. He added that the preliminary environmental study completed on the area came back as fine. He briefly reviewed the property tax history and circumstances on the lot and the estate redemption process. He concluded his comments by stating that the tax circumstance should be resolved by the time the ordinance is ready for public hearing and adoption.

Councilmember Potter asked for clarification on the property being acquired. Manager Poff explained that it was just the street area. Councilmember Potter asked if the township would have to plow the road. Attorney Buzak explained that the township is not required to maintain the road, instead, the township has the ability to access it. Councilmember Potter inquired about



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resident concerns with plowing the area. Attorney Buzak stated that the maintenance would remain as is. Manager Poff stated that he would speak with the Public Works Director to determine if snow removal would be extended there. He stated that there was no requirement for such maintenance. There was a brief discussion on the state of the roadway.

Councilmember Hathaway asked if the property had any other community value in terms of trails or open space elements. Manager Poff explained that it was suggested that the drive could provide a horseshoe for township open space that could tie into Guerin Drive and terminate on Dover Chester Road.

Councilmember Potter made a motion to introduce the ordinance. 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**

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. He referred to a memorandum by Planning Director Darren Carney summarizing the changes proposed in this ordinance.

Attorney Buzak explained that this ordinance places the TDB property in a zone that accommodates certain development constraints on that property which were disclosed in the negotiations. He explained that the ordinance fits the development within the identified property and takes the TDB property out of the R-8 Zone. He clarified that the R-8 Zone was still in place.

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 introduced, read by title by the Township Clerk and passed on first reading.

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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 16th, of February, 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 referred to the memorandum. He asked if the designated open space had been shifted or was gone completely. Attorney Buzak explained that the R-8 Zone originally had an agreement for the building on the lot to be removed for open space; the building was now remaining there.

Councilmember Elbaum asked Attorney Buzak if the wetlands on the property were considered. Attorney Buzak confirmed that the wetlands were considered and the ordinance accommodated those factors. Attorney Buzak explained that he believed that the building was going to remain with limited uses.

Councilmember Veech made a motion to introduce the ordinance. 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**

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.

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 introduced, read by title by the Township Clerk and passed on first reading.

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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 16th, of February, 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 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

## 2. Combined Action Resolutions (Continued)

### **Item #4. R-30-23 Authorizing the Acceptance and Execution of a Developer's Agreement with Elbaum Homes at Pleasant Ridge, Inc. for Preliminary and Final Site Plan Approval for Block 97, Lots 26, 27.01 and 27.02, More Commonly Known as 1219, 1221 and 1223 Sussex Turnpike**

Item #4 - R-30-23 Authorizing the Acceptance and Execution of a Developer's Agreement with Elbaum Homes at Pleasant Ridge, Inc. for Preliminary and Final Site Plan Approval for Block 97, Lots 26, 27.01 and 27.02, More Commonly Known as 1219, 1221 and 1223 Sussex Turnpike – Attorney Buzak explained that the phasing plan Councilmember Potter referenced earlier was included in Exhibit A.

Councilmember Forstenhausler made a motion to approve R-30-23. Councilmember Hathaway 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

## **J. DISCUSSION**

### **1. Approving the Terms and Conditions of a Temporary License Agreement with Verizon Wireless to Enhance Reception and Transmission**

Manager Poff explained that the township is currently out to bid for the lease of township-owned property adjacent to the communications tower located behind the municipal building. The township currently has two leases for communication equipment on the tower with AT&T and T-Mobile. He shared that towards the end of last year, he directed the Township Purchasing Agent to proceed with specifications to provide for the next two available spaces on the tower.

He explained that the attorney representing T-Mobile, and now representing Verizon, obtained copies of the bid specifications. He shared that Verizon had also approached the township with the idea of placing a Cell-On-Wheels (COW) in the area. The COW is roughly the size of a cargo van and is usually used for temporary or emergency purposes. In working with the Township Attorney, it was determined that granting a temporary license for the COW to be deployed behind the Municipal Building was in the interest of public safety. He explained that the Police Department and Township Schools use Verizon Wireless communications. The agreement would be for a period of 10 months, running from February to the end of the year. He informed the council that he would be asking them to consider authorizing the COW license in an upcoming meeting. He and the Township Attorney finished revisions to the agreement earlier this week and submitted it to Verizon, for which the company has acknowledged receipt of the agreement; he hoped this would be ready in time for the next regularly scheduled meeting.

Councilmember Potter asked if there were any safety concerns associated with having the unit placed behind the municipal building. Manager Poff stated that they were not aware of any safety concerns. As part of the township's due diligence, he reached out to colleagues who have utilized similar agreements. From those brief discussions, there were no indications of safety issues. He added that the Police Chief would be consulted since the unit would be placed in the lower lot of the municipal building.

Councilmember Veech recalled that the township had been asking Verizon to sign on as a carrier on the communication tower for many years; she asked what changed. Manager Poff explained that it came to the attention of Verizon Executives that the signal in the area was not adequate. He stated that as a result of Verizon's conversations with his office, the communication tower owner, and the Board of Education, and the township's spurred desire for the carrier coverage, Verizon reached out to determine if the township was open to the mobile deployment.

Councilmember Elbaum asked if Verizon would be taking the needed steps to get on the communication tower during the ten months that COW would be deployed. Manager Poff stated that those conversations were already taking place with the tower operator/owner.

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Mayor Nisivoccia asked if there was an expectation of when the bid would be worked out. Manager Poff shared that the bids were being accepted on Friday, February 3. He anticipated being able to report on the number of submitted proposals and possibly on the number of compliant proposals by the next regular council meeting. Mayor Nisivoccia recalled that Verizon's last bid package was incomplete. Manager Poff explained that it was defective due to a lack of signature, as the township worked to procure the corrected package, Verizon lost interest and T-Mobile stepped in.

Councilmember Elbaum asked what the COW would look like. Manager Poff briefly described the appearance of the mobile trailer/van.

#### **K. OPEN TO THE PUBLIC**

Deepak Das of 8 Devonshire Road shared that the COW vehicles make noise. He advised that the proposal should include an option to plug into the electrical grid. He stated that he attended a previous council meeting a few months ago and shared concerns with transparency and openness. He asked the council to consider implementing a study to incorporate a streaming service for public meetings. He shared that many townships used such services to stream their meetings. He asked that the council consider implementing a study to determine the costs.

Joseph Amaral of 14 Holly Drive commended the township for being run well. He wanted to share feedback people have expressed to him concerning the community. He stated that there were transparency concerns and concerns about conflicts of interest relating to township appointments. He stated that the council needed to take on transparency, or the democrats would close in and take on the initiative. He suggested that the TAP Volunteer applications should be posted online. He speculated that there may have been qualified people who were not chosen for an appointment. He suggested that a study be conducted on the value of term limits. He suggested that the TAP applications should actively incorporate other people's voices into committees. He felt that there was a perception that democrats were not being picked for committees. He stated that his comments were not political.

Tim Potter of 11 Highview Terrace shared that he was a registered democrat and he had been appointed to a committee.

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

#### **L. COUNCIL COMMENTS**

Councilmember Potter had no comments for this meeting.

Councilmember Hathaway reported that Traffic Advisory Committee briefly discussed a traffic study that is to be conducted on the intersection of Millbrook Avenue and Quaker Church Road. He stated that the study was expected to be underway during the first quarter of the year.

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He reported that the Recreation Advisory Committee shared that the summer camps were currently looking for college students and graduating seniors to fill counseling roles. He added that they were having a difficult time finding female counselors to create a balance for students. He concluded his report by sharing that the Chili Cookoff was taking place on Saturday, January 21, at the Community Center.

Councilmember Elbaum reported that the Trails Advisory Committee discussed preparation for National Trails Day on Thursday, June 1. She shared that the committee would be offering a trails challenge. The committee also discussed walking the Shongum Lake extension and Guerin Drive. She concluded her report by sharing that the committee discussed possibly collaborating with the Parks and Recreation Department to make the trails a living experience within the community.

Councilmember Veech reported that she attended a Parks Advisory Committee meeting. The committee announced that over \$45k was collected for the installment of an inclusive playground.

She reported that the Facilities Workgroup met on Tuesday, January 10. The workgroup is working on plans for the Skateboard Park, Brundage Park, Brundage Playhouse improvements, architectural services, and roof replacement on the maintenance garage, in addition to improvements on auxiliary structures. She added that the workgroup maintained a facilities inventory list.

She reported that the Planning Board met and reorganized. The board was working towards reviewing the Circulation Plan within the Township Master Plan.

She reported that the Mahjong group has continued to meet on Wednesday afternoons. She looked forward to the program's expansion in March and April.

Councilmember Forstenhausler had no comments for this meeting.

Deputy Mayor Carey reported that the Library Board of Trustees met. The board selected Roy Squillario as Board President. She shared that the library received a \$6,403 donation from Mr. Charles Haas. She explained that the board was looking to get permission from Mr. Haas to issue a press release acknowledging his generosity and support.

She reported that the librarians have been working with the school districts to schedule kindergarten tours for the local elementary schools and preschools. She shared that the Library Director has been attending workshops on space planning, marketing, and merchandising. The library reported that the 2022 patron count was 78,000; this number is up significantly from the prior year which counted patrons at 59,000 during COVID-19. She concluded her report by sharing that the library went fine-free at the beginning of the month. She added that the library lost power briefly for three hours, but the issue was corrected quickly.

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Councilmember Potter asked if the patron count included digital users. Deputy Mayor Carey stated that the figure only included physical visitors.

Mayor Nisivoccia congratulated the Fire Department Chiefs and the officers of the Randolph Rescue Squad who were sworn in.

He shared that the Randolph Historical Society and the Randolph Rotary Club have teamed up to preserve the remnants of the Liberty Tree; the group has applied for two grants and has secured some donations for the project. He added that the group would be hosting an information event on Tuesday, February 28, at the Community Center, to fundraise and attract more community involvement.

Councilmember Veech asked where the tree remnants were being stored. Mayor Nisivoccia informed her that tree was being stored at the Public Works Yard.

#### **M. 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, Affordable Housing
  - b. Contract Negotiations: Shongum Lake Property Owners Association
  - c. Personnel
  - d. Personnel - Manager's Compensation
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 7:24 p.m. Councilmember Hathaway seconded the motion, and the following roll call vote was taken:

January 19, 2023

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

Councilmember Forstenhausler made a motion to close Executive Session at 9:34 p.m.  
Councilmember Potter 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

#### **M. ADJOURNMENT**

Councilmember Forstenhausler made a motion to adjourn the meeting at 9:34 p.m.  
Councilmember Potter 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