

Township of Randolph
Municipal Building
Randolph, NJ
April 20, 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 – via phone
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. Presentation of Gold Award Proclamation to Megan Serwick, which will be presented by Mayor on Thursday, April 27, 2023**
- 2. Presentation of Award NJ Recreation and Park Association (NJRPA) Award for Veterans Community Park**

Councilwoman Veech made a motion to approve the following proclamations. Deputy Mayor Carey seconded the motion, and the following roll call vote was taken:

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

NAYS: None

3. Presentation by the Economic Development Committee

Economic Development Committee (EDC) Chairperson John Ragan presented information about the EDC's Randolph Rewards program. He stated that the purpose of the program was to drive residents toward local businesses. He explained that the program involved compiling incentives from local businesses into a booklet which would be printed and made available for distribution at the annual Country Fair in September. The EDC estimated that 30 incentives would be provided in the booklet and that a digital copy would also be available via a QR code. He acknowledged the EDC subcommittee for its efforts in the program's development. He added that the booklet would be free for businesses and residents.

Councilwoman Veech supported the program and commented that it would help the local business community. She knew of other towns that had implemented a similar program.

Councilmember Hathaway asked if the EDC would consider a points system for the program in its second phase. He commented that the point system could drive residents to attend establishments more frequently.

Mayor Nisivoccia commended the committee for developing the program and their efforts in highlighting local businesses.

Resident Joseph Amaral asked if the overall potential value of the booklet would be calculated and featured. Mr. Ragan stated that the incentives would be specified.

C. OPEN TO THE PUBLIC

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

D. MANAGER'S REPORT

Manager Poff reported the following:

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 is now closed. The Clerk's Office has received much positive feedback from residents looking forward to the event. A total of 153 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 of township property – The township received one response to the letters sent to eligible, adjacent property owners for the purchase of this township property (Block 80, Lot 10). The market value of the property was set at \$16,500 and the bid received totaled \$17,000. An ordinance will be prepared for consideration by the council at an upcoming meeting authorizing the sale to the appropriate contiguous property owner.

Online auction for property not needed for public use – Vehicles, equipment, and various other items belonging to the township were offered for sale through the online auction services of usgovbid.com, which concluded on Wednesday, March 29. Bids were received on all but three items, which we believe makes this auction one of the township's most successful to date. A total of \$76,631 was received for the 29 items sold.

Tax Appeals – Tax Assessor Glen Sherman reports there are two appeals filed by property owners at the County Tax Board. The total assessment under appeal is \$676,400. This is the lowest appeal volume that we've experienced primarily due to the strong residential real estate market. The hearing date is scheduled for May 2. There are 14 properties that filed directly to the State Tax Court in 2023. Ten of those properties have prior years pending in tax court.

Finance Department Compliance Plan - The Office of the State Comptroller (OSC) released a report in late January revealing that Mercer County paid nearly \$4.5 million in penalties and

interest for delinquent tax filings and payments between 2018 and 2021. During this period, the Mercer County Finance Department regularly failed to make adequate and timely payroll tax payments to both the Internal Revenue Service and the New Jersey Division of Taxation.

Township CFO Debbie Bonanno has issued a memo outlining her department's steps to ensure such waste does not occur within the township. Her recommendations include a regular review of federal and state payroll tax deposits made on behalf of the township, the verification of licensed professionals' current credentials, and the development of an accounting procedure manual.

E. APPROVAL OF MEETING MINUTES

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

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

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

F. 2023 MUNICIPAL BUDGET/PUBLIC HEARING ADOPTION

1. Municipal Budget Presentation

Manager Poff the 2023 Municipal Budget:

The proposed 2023 budget calls for appropriations of \$34,784,780. This represents a 0.34% increase or \$116,882 from the adopted 2022 budget.

Significant dollar increases are seen in:

- Recycling & solid waste collection
- Capital improvements
- Statutory expenditures (pensions & social security)
- Insurance (liability, workers' compensation & health

The township is required to comply with two budgetary limits. The first is the limitation on the increase in appropriations or “the appropriations cap.” The second limitation is the property tax levy cap. The budget as prepared satisfies both limitations as established by the State.

He reviewed the Net Valuation Taxable which represents the value of the township’s ratable base; very small increases were seen particularly within 2022 and 2023.

He explained that the organization relies very heavily on property tax and reviewed the sources of revenue. He explained that the municipality was dependent upon property taxes as per the State.

He reviewed key component pieces that contribute to the township’s fund balance including, lapsing of appropriation reserves, revenue in excess of budgeted amounts, and miscellaneous revenue not anticipated. At the end of 2022, the township’s fund balance was \$8.46M, and the fund balance anticipated in 2023 is \$5.9M. This budget uses more in fund balance, to meet increases in appropriations, particularly for recycling, solid waste, pensions, etc.

He explained that there were significant changes in the following appropriations:

- Recycling & solid waste – The township will realize a “negative” rebate for the disposal of paper and plastic this year.
- Capital improvements – Given increased costs, the capital improvement fund is being increased.
- Statutory expenditures – Pension obligations have increased this year at a blended rate of 10.5%.
- Insurance – The township has benefitted from its participation in the MCJIF as well as the NJMEBF, which realized an increase 16% lower than what was announced for the SHBP

Key initiatives for this budget include:

- Covering increased costs for solid waste, recycling & leaf disposal
- Funding additional youth programs, day camp & teen camp
- Appropriating funds for B&G, rescue squad, fleet, parks & fire department capital outlay projects
- Appropriating monies for the deployment of Microsoft 365
- Providing funds for a full-time Public Information Officer
- Reinstating the Assistant Township Manager position

He explained that the increase in the tax rate represented an annual increase of \$89.99 (or \$7.50 per month) for the average assessed home of \$490,367.

The 2023 budget allocates \$3,744,414 for the operation of the public water system. Randolph's water system is a distribution network consisting of water mains, hydrants, and a water tower. Bulk water is purchased from the Morris County Municipal Utilities Authority and produced from the Allamantong well fields, the utility is distributed to the township's 5,924 customers.

The 2023 budget allocates \$4,504,111 for the operation of the public sewer system. Randolph's sewer system serves 4,086 customers and is comprised of collector lines, pump stations, and force mains. Randolph sends sanitary wastewater to the Rockaway Regional Sewer Authority treatment plant and the Morris Township Butterworth treatment plant for processing.

He explained that the capital expenditures include Road Resurfacing, Buildings & Grounds and Public Safety Projects, and Park Improvements. The 2023 capital program totals \$4,114,000 with new debt authorized not to exceed \$389,000.

CFO Debbie Bonanno stated that she was proud of the budget and enjoyed working with Manager Poff throughout the process.

2. R-95-23 Authorizing the Reading of the 2023 Township of Randolph Budget by Title Only

Deputy Mayor Carey made a motion to approve R-95-23, Authorizing the Reading of the 2023 Township of Randolph Budget by Title Only. Councilwoman Veech seconded the motion, and the following roll call vote was taken:

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

3. R-96-23 Adoption of 2023 Municipal Budget

The council commended the township staff, Manager Poff, and CFO Bonnano for their efforts in preparing the municipal budget.

OPEN TO THE PUBLIC

Township Auditor Kathryn Mantell explained how the auditors assist the township by certifying the budget and reviewing its proposals. She shared that factors such as fund balance use, and anticipated and delinquent taxes were analyzed. She stated that the township budget was very responsible.

Manager Poff read the following into the record:

Be it resolved by the councilmembers of the Township of Randolph, County of Morris, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$ 20,654,162.04 for municipal purposes, and
- (b) \$ 0.00 (Item 3 below) for school purposes in Type I School Districts only (N.J.S. 18A:9-2) to be raised by taxation and,
- (c) \$ 0.00 (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.
- (d) \$ 921,239.00 (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
- (e) \$ 1,659,047.00 (Item 5 below) Minimum Library Levy

SUMMARY OF REVENUES

1. General Revenues			
Surplus Anticipated	08-100	\$	7,018,408.00
Miscellaneous Revenues Anticipated	13-099	\$	13,144,688.05
Receipts from Delinquent Taxes	15-499	\$	557,000.00
2. Amount To Be Raised By Taxation For Municipal Purposes (Item 6(a), Sheet 11)	07-190	\$	20,654,162.04
3. Amount To Be Raised By Taxation For Schools in Type I School Districts Only:			
Item 6, Sheet 42	07-195	\$	0.00
Item 6(b), sheet 11 (N.J.S. 40A:4-14)	07-191	\$	0.00
Total Amount to be Raised by Taxation for Schools in Type I School Districts Only		\$	0.00

4. To Be Added To The Certificate For Amount To Be Raised By Taxation For <u>Schools in Type II School Districts Only:</u> Item 6(b), Sheet 11 (N.J.S. 40A:4-14)	07-191	\$	0.00
5. Amount To Be Raised By Taxation Minimum Library Levy	07-192	\$	1,659,047.00
Total Revenues	13-299	\$	43,033,305.09

SUMMARY OF APPROPRIATIONS

5. General Appropriations	xxxxxxx		xxxxxxxxxxx
Within "CAPS"	xxxxxxx		xxxxxxxxxxx
(a&b) Operations Including Contingent	34-201	\$	26,182,948.00
(e) Deferred Charges and Statutory Expenditures – Municipal	34-209	\$	2,755,674.00
(g) Cash Deficit	46-885	\$	0.00
Excluded from "CAPS"	xxxxxxx		xxxxxxxxxxx
(a) Operations – Total Operations Excluded from "CAPS"	34-305	\$	6,723,953.09
(c) Capital Improvements	44-999	\$	3,277,150.00
(d) Municipal Debt Service	45-999	\$	1,371,225.00
(e) Deferred Charges - Municipal	46-999	\$	0.00
(f) Judgements	37-480	\$	0.00
(n) Transferred to Board of Education for Use of Local Schools (N.J.S. 40:48-17.1 & 17.3)	29-405	\$	0.00
(g) Cash Deficit	46-885	\$	0.00
(k) For Local District School Purposes	29-410	\$	0.00
(m) Reserve for Uncollected Taxes (Include Other Reserves if Any)	50-899	\$	2,722,355.00
6. School Appropriations – Type I School Districts Only (N.J.S. 40A:4-13)	07-195	\$	
Total Appropriations	34-499	\$	43,033,305.09

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 20th day of April, 2023. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as

appeared in the 2023 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Councilmember Forstenhausler made a motion to approve R-96-23, Adoption of the 2023 Municipal Budget. Councilmember Veech seconded the motion, and the following roll call vote was taken:

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

G. COMBINED ACTION RESOLUTIONS

Item #7, R-99-23, Endorsing an Application for a Treatment Works Approval for KRE Mine Hill Development – Councilwoman Veech asked for an update on this item. Manager Poff explained that the township is in litigation with the KRE Mine Hill Development. He informed her that the township asked the developer to post an escrow to assist the township in making a determination as to whether or not there was sufficient capacity within the Jackson Brook Interceptor. Instead of submitting the escrow, the developer filed a lawsuit. He explained that the Township Attorney was representing Randolph in Superior Court. In an effort to resolve the litigation, an engineering analysis had been completed by Suburban Consulting Engineers. Through the analysis, it was confirmed that there was adequate capacity within the Jackson Brook Interceptor for the additional flow discharge. He stated that with that information now in hand, the council needed to consider authorizing the endorsement of the application.

Attorney Buzak added that the analysis' confirmation of adequate capacity included consideration of the incoming affordable housing projects.

Item #4, R-94-23, Authorizing Consent to the Assignment of an Agreement from Gaelic Communications to SBA Towers XI, LLC (SBA) for the Purpose of Construction of a Cell Tower and Certain Related Equipment Shelters – Councilmember Potter submitted some date changes for this resolution, she asked if the changes had been received. Manager Poff informed her that the necessary changes would be reflected for the official council action taken this evening.

1. R-91-23 Requesting the Approval of Items of Revenue and Appropriations Per NJSA 40A:4-87 Distracted Driving Crackdown Grant
2. R-92-23 Refunding a Portion of Recreation Department Program Fees Due to a Variety of Reasons for Several Residents - Total \$1,085.00
3. R- 93-23 Authorizing the Execution of a 2023 Amendment to the July 27, 2021, Closing Agreement Between the Township of Randolph, Morris Habitat for Humanity, Inc and 42 Bennett Avenue
4. R-94-23 Authorizing Consent to the Assignment of an Agreement from Gaelic Communications to SBA Towers XI, LLC (SBA) for the Purpose of Construction of a Cell Tower and Certain Related Equipment Shelters
5. R-97-23 Authorizing Separation Agreement and General Release - Rosemarie Jung
6. R-98-23 Refund Tax Sale Certificate #2022-008 for Block 42, Lot 122.16, 16 Arrowgate Drive to FIG 20, LLC FBO EC PTY - \$6,698.26
7. R-99-23 Endorsing an Application for a Treatment Works Approval for KRE Mine Hill Development

Councilmember Veech made a motion to approve the Combined Action Resolutions.

Councilmember Hathaway seconded the motion, and the following roll call vote was taken:

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

NAYS: None

H. UPCOMING EVENTS

1. 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.)
2. Bike Rodeo, at Veterans Community Park on Saturday, April 22, 2023, from 3:00 p.m. - 5:00 p.m.
3. Library Music Event: The Kootz - Traveling Wilburys Tribute, Sunday, April 23, 2:00 p.m.

4. Community Garage Sale, Saturday, April 22- Sunday, April 23, 2023 - 9:00 a.m. - 4:00 p.m. - Rain or Shine
5. Clean Communities Day, Saturday, April 29, 2023 - Advanced Registration Required 973-989-7050
6. Paper Shredding, Town Hall, 502 Millbrook Avenue, Randolph, Saturday, April 29, 2023, from 9:00 a.m. - 12:00 p.m.
7. Council Only - Grand Opening/Ribbon Cutting, Chabad Center for Jewish Life, 26 West Hanover Avenue, Sunday, April 30, 2023, at 11:00 a.m.
8. Habitat for Humanity's Women Build Week Kickoff - on Friday, May 5, 2023, at 11:00 a.m. on Bennet Ave.
9. Council Only - Community Garden Meeting and Reception, Community Center on Calais Road, Friday, May 12, 2023, from 6:30 p.m.- 8:00 p.m.
10. Artworks Annual Student Art Show, at the Artworks Studio on Saturday, May 13, 2023, from 4:30 p.m. - 6:30 p.m.
11. Beefsteak Dinner Fundraiser - Millbrook Fire Company #2, 340 Rte. 10, Randolph, on Saturday, May 13, 2023, at 5:00 p.m. - \$50.00
12. Artworks Reception at Town Hall, Thursday, May 18, 2023, 5:30 p.m. - 7:30 p.m.
13. Arts in the Park, Veterans Community Park, 100 Calais Road, Randolph on May 20, 2023, from 11:00 a.m. - 5:00 p.m.
14. Randolph Indian Association Holi Event, on Sunday, May 21, 2023, from 2:00 p.m. - 6:00 p.m. at Freedom Park
15. 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
16. Habitat for Humanity Bennett Avenue Dedication of Completed Buildings, Thursday, June 1, 2023, at 11:00 a.m.

I. ORDINANCES: SECOND READING/PUBLIC HEARING

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**

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 read by title on second reading and a hearing held thereon.

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

OPEN TO THE PUBLIC

Seeing and hearing none, the public session was closed.

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 passed on final reading and that a Notice of Final Passage of said Ordinance be published in the official designated newspaper according to law.

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

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

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 read by title on second reading and a hearing held thereon.

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

OPEN TO THE PUBLIC

Seeing and hearing none, the public session was closed.

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

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

3. Ordinance No. 08-23 Appropriating \$440,000 from the Recreation/Open Space Trust Fund 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 read by title on second reading and a hearing held thereon.

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

OPEN TO THE PUBLIC

Seeing and hearing none, the public session was closed.

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 passed on final reading and that a Notice of Final Passage of said Ordinance be published in the official designated newspaper according to law.

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

AYES: Councilmember Elbaum

Councilmember Forstenhausler
Councilmember Hathaway
Councilmember Potter
Councilwoman Veech
Deputy Mayor Carey
Mayor Nisivoccia

NAYS: None

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

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 read by title on second reading and a hearing held thereon.

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 of the Township; improvements of municipally-owned properties and facilities in and by the Township, including the Town Hall parking lot in; improvements to the water supply and distribution system in and by the township, and the acquisition by purchase and installation of new and additional computer and technology equipment for use by various township offices.

OPEN TO THE PUBLIC

Seeing and hearing none, the public session was closed.

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 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. Councilwoman Veech seconded the motion, and the following roll call vote was taken:

AYES: Councilmember Elbaum
Councilmember Forstenhausler
Councilmember Hathaway
Councilmember Potter
Councilwoman Veech

Deputy Mayor Carey
Mayor Nisivoccia
NAYS: None

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

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 read by title on second reading and a hearing held thereon.

Manager Poff explained that the purpose of this ordinance is to amend Article III, 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.

OPEN TO THE PUBLIC

Seeing and hearing none, the public session was closed.

BE IT RESOLVED, that an Ordinance entitled, An Ordinance Amending Article III, Zoning, of the Land Development Ordinance of the Township of Randolph to Establish the R-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 passed on final reading and that a Notice of Final Passage of said Ordinance be published in the official designated newspaper according to law.

Councilwoman Veech made a motion to adopt the ordinance. Councilmember Elbaum seconded the motion, and the following roll call vote was taken:

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

Mayor Nisivoccia
NAYS: None

5a. R-90-23 – APPROVAL CONTINGENT UPON ADOPTION OF ORDINANCE NO. 10- 23; Setting Forth Reasons for the Township Council’s Adoption of Ordinance No. 10-23, Which is Inconsistent with the 2006 Master Plan, 2016, Master Plan Re-Examination and Master Plan Update as Required Under N.J.S.A 40:55d-62a

R-90-23, Setting Forth Reasons for the Township Council's Adoption of Ordinance No. 10-23, which is Inconsistent with the 2006 Master Plan, 2016 Master Plan Re-Examination and Master Plan Update as Required under N.J.S.A 40:55D-62A - Attorney Buzak explained that the Planning Board found Ordinance 10-23 to be inconsistent with the Master Plan. The township is required to adopt a resolution simultaneously with the ordinance to set forth the reasons for the council's actions in adopting an ordinance that is inconsistent with the Master Plan. He recommended the council affirms R-90-23.

Councilmember Elbaum made a motion to approve R-90-23. Deputy Mayor Carey seconded the motion, and the following roll call vote was taken:

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

J. OPEN TO THE PUBLIC

Seeing and hearing none, the public portion was closed.

K. COUNCIL COMMENTS

Councilmember Potter reported that the Trails Advisory Committee and Wildlife Advisory Committee were supposed to have a joint meeting; due to a lack of quorum for the Wildlife Committee, only the Trails Committee met.

Councilmember Elbaum reported that the Trails Advisory Committee discussed updates to the trail kiosk areas throughout the township. She added that the committee currently had 212 followers on Facebook, and had newsletters distributed at the Community Center, the Township

Library, and the Municipal Building. She shared that lightning struck in the Freedom Park area; transformers were being replaced. She shared that deer were being hunted in the area to control the population and that a resident discussed the possibility of adding on to the Dickerson Trail. She concluded her report by sharing that Parks and Recreation Director Russ Newman presented information on the QR Fit Mobile App. The committee discussed the possibility of implementing the app program at Brundage Park or Freedom Park depending on the area's Wi-Fi capabilities.

Councilmember Forstenhausler attended a Safety Committee meeting on Thursday, April 13. He shared that there were very few accident incidents, one fire call, and two Rescue Squad calls. He shared that the meetings are quarterly and that there were zero motor vehicle accidents reported in the first quarter of the year. He reported that a representative from the Morris County Joint Insurance Fund spoke at the meeting about training, CDL classes, and a training expo coming up.

He shared that the Facilities Work Group met on Saturday, April 15. He attended the Fire House Pancake Breakfast and shared that a similar event and tricky tray would be held by Fire Company #2 in May.

He participated in a Morris County League of Municipalities event, during which local municipalities heard from Morris County Commissioner Director John Krickus. He concluded his report by sharing that the Municipal Alliance Committee held a successful Hidden in Plain Sight class at the Community Center; the event also featured a Narcan demonstration and kit distribution.

Councilmember Hathaway reported that the Recreation Advisory Committee discussed the spring and summer programs. He shared that the warm weather allowed an earlier start for getting the recreation fields prepared for spring and summer activities. He stated that the department was looking into upgrading the sound capabilities of the band shell at Veterans Community Park. The committee was considering the installation of a more permanent or semi-permanent structure. He stated that the current summer program participation numbers were up by 700 from last year and that there were 225 senior participants.

He reported that the Traffic Advisory Committee was continuing its review of the Circulation Element within the Master Plan as per the Planning Board's request. He added that the committee focused on the downtown area, the Sussex-Hanover Corridor, and pedestrian traffic safety.

Councilwoman Veech reported that she attended a Parks Advisory Committee meeting. The committee discussed the skate park and the preparation of fields at the parks. She added that the first egg hunt event at Veterans Community Park had 200 children registered. She shared that the bench dedication ceremony for Peter Kenny will be held in May.

She asked Clerk Luciani to reach out to John Krickus to acquire copies of his presentation to circulate to the council. She reported that all 168 garden beds at the Community Garden were occupied and that a NJ Pest Control consultant had been to the garden to assess the removal of areas of dirt that are attracting pests and water mounds. She shared that two Eagle Scouts were working in the garden, one scout is building planter boxes, and the other is building flower beds. She informed the council that the Community Garden was having a meeting and reception on Friday, May 12.

She reported that the Facilities Work Group met and discussed the installation of three new sheds, the replacement of the library gazebo in June, the Brundage Park Playhouse redesign, and the Artworks Facility.

She reported that the Planning Board discussed site plan approval for St. Matthew's installment of a rectory on its property.

Deputy Mayor Carey reported that the Board of Health met on Monday, April 10. The board reviewed a proposed Lead Ordinance. Health Officer Mark Caputo would be discussing it further with Manager Poff. She shared that a board member voiced concern about a proposed fee, and requested that the fee be compared with that of surrounding municipalities. The board also discussed assessing the staff burden that would come out of the lead inspection requirements.

She reported that during the recent Library Board of Trustees meeting, residents, Jonathon and Nicole Torres attended; Mrs. Torres thanked the library staff for supporting the installation of an LGBTQ+ display at the library for Pride Month. She shared that the library gazebo replacement would cost \$29K, and would be completed in time for the summer concert series.

Councilwoman Veech and Mayor Nisivoccia recalled that the library had previously featured LGBTQ+ displays, in addition to other recognized commemorative months and holidays. Mayor Nisivoccia shared that the previous gazebo was built in honor of Harold Booser, a former police chief, and mayor.

He informed the council that he attended an Economic Development Committee meeting; during which the committee spoke about the Randolph Rewards program.

L. EXECUTIVE SESSION

No Executive Session was held for this meeting.

M. ADJOURNMENT

Councilmember Forstenhausler made a motion to adjourn the meeting at 7:20 p.m.
Councilwoman Veech seconded the motion and following roll vote was taken:

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

NAYS: None