

July 27, 2023

Township of Randolph
Municipal Building
Randolph, NJ
July 27, 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: Councilman Forstenhausler
Councilmember Hathaway
Councilmember Potter
Councilwoman Veech
Deputy Mayor Carey
Mayor Nisivoccia
ABSENT: Councilmember Elbaum

Also Present: Township Manager Greg Poff and Attorney Keil Gallo of the Surenian Edwards, Buzak & Nolan Law Group.

3. Pledge of Allegiance

Mayor Nisivoccia led the Pledge of Allegiance.

B. PRESENTATION/PROCLAMATION

1. Eagle Scout Awards for Aurora Violet Baker and Madeline Coe Browne will be presented by Mayor Nisivoccia at Court of Honor on Sunday, August 13, 2023

Councilmember Potter made a motion to approve the proclamation. Councilwoman Veech seconded the motion and the following roll call vote was taken:

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

C. OPEN TO THE PUBLIC

Seeing and hearing none, the public session was closed.

D. MANAGER'S REPORT

Manager Poff reported the following:

Construction Update – The Division of Engineering has prepared a number of formal project notices that are posted to the website to inform the community about ongoing construction within the township.

Millbrook Avenue Bridge Rehabilitation – From June 19 to August 28 Millbrook Avenue between Fords Road and Pierson’s Hill Road is closed. Traffic has been diverted to Center Grove Road and Schoolhouse Road. Morris County is reconstructing the historic bridge. The contractor reported the bridge is scheduled to reopen on or about August 28.

West Hanover Avenue Milling and Resurfacing – From Monday, July 24 to Wednesday, August 30, West Hanover Avenue from Sussex Turnpike to Ketch Road in Parsippany will have detours and traffic delays. Basin work will be completed before milling and paving work; all work will be done on Mondays through Fridays from 7:00 a.m. – 5:00 p.m. During the basin work commuters will be able to travel east; westbound traffic will be detoured around the construction areas. The road will be closed and traffic detours will be in place during the paving.

Annual Road Resurfacing Program – Randolph Township will be commencing with the 2023 Road Resurfacing Program which includes the milling, paving, striping, and some curb repairs where necessary of select distressed roads. Road selection is predicated upon a conditional assessment and rating completed by the Randolph Township Division of Engineering and Department of Public Works. Resulting road ratings are used to prioritize roads for allocation of available resources. There are 4.6 miles of roads in the 2023 program.

Technical Review Committee Meeting - Heritage Woodland LLC (Block 3, Lots 4&5) – A meeting was held on July 25 to discuss a Board of Adjustment application for the construction of a 12,250 sqft. a building containing 1,225 sqft. of office space and 11,025 sqft. of warehousing space.

Randolph Park – In accordance with the Public Recreational Bathing Code, the water at Randolph Park is tested on an ongoing basis by the Health Department. If a sample does not meet the standards set forth by the code, the beach must be closed until a satisfactory sample is obtained. There is typically a 24-hour delay between the time a sample is taken and the result is known. Randolph Park Beach was closed Monday, July 24 through Wednesday, July 26, and reopened on Thursday, July 27.

Mountainside Road Retaining Wall Project – The Township Engineer has requested and recommended the release of the performance bond, acceptance of the maintenance bond, and release of final payment for work performed by Kulpeksa Land Improvements for the Mountainside Road Retaining Wall Project.

2022 Audit Report – No current-year recommendations were reported in the annual audit, additionally, there were no material weaknesses or significant deficiencies disclosed during the audit of the financial statements, and no instances of noncompliance material to the financial statements of the township which would be reported in accordance with Government Auditing Standards. The presentation of the audit is postponed to the next regularly scheduled meeting on September 7, 2023.

E. APPROVAL OF MEETING MINUTES

1. Authorizing the Approval of Regular Council Meeting Minutes for June 29, 2023 and July 13, 2023

Councilman Forstenhausler made a motion to approve the Regular Meeting Minutes for June 29, 2023 and July 13, 2023. Councilwoman Veech seconded the motion and the following roll call vote was taken:

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

F. COMBINED ACTION RESOLUTIONS

Item #2, R-166-23, Authorizing the Certification of the Annual Audit – Manager Poff asked that the council acknowledge in their motion that this item has been postponed and will be considered at the next regular meeting on September 7, 2023.

Item #1, R-165-23, 2022 LOSAP Benefit To Be Paid in 2023 Volunteer Fire Department and Volunteer Rescue Squad – Councilwoman Veech asked if the amount to be paid was higher or

lower than the previous year. Councilman Forstenhausler confirmed that the amount paid out was higher due to the cost of living.

Item #4, R-168-23, Item #5, R-169-23, Item #6, R-170-23, Refund Overpayment of 2010 Taxes Due to Reduction in Assessed Valuation – Councilwoman Veech asked how this was found from 2010. Manager Poff explained that there are a number of appeals that have been resolved. He credited the Township Tax Assessor and explained why these old refunds are not seen that often.

Item #7, R-171-23, Authorizing the Approval of Items of Revenue and Appropriations Per NJSA 40A:4-87 – Councilwoman Veech inquired about the identity of the Director of Local Government Services.

1. R-165-23 - 2022 LOSAP Benefit To Be Paid in 2023 Volunteer Fire Department and Volunteer Rescue Squad
2. R-166-23 Authorizing the Certification of the Annual Audit - **Matter To Be Postponed Until September 7, 2023, Regular Council Meeting**
3. R-167-23 Authorizing the Cancellation of 3rd and 4th Quarter 2023 Taxes in the Amount of \$6,925.32, and the First Half of 2024 Taxes in the Amount of \$6,713.70 due to 100% Veteran's Exemption for 12 Deer Run Drive Owned by Michael & Danielle Bebout - \$13,639.02
4. R-168-23 Refund Overpayment of 2010 Taxes Due to Reduction in Assessed Valuation for Block 18.01, Lot 1.02, 4 Middlebury Blvd. to PSLP/Randolph LLC-C RE SERV - \$19,015.15
5. R-169-23 Refund Overpayment of 2010 Taxes Due to Reduction in Assessed Valuation for Block 18.01, Lot 1.04, 5 Aspen Drive to Aspen Suburban Realty, LLC \$14,124.34
6. R-170-23 Refund Overpayment of 2010 Taxes Due to Reduction in Assessed Valuation for Block 93, Lot 11, 1246 Sussex Tpke. to Mountain Ridge Business Park, LLC- \$7,802.08
7. R-171-23 Authorizing the Approval of Items of Revenue and Appropriations Per NJSA 40A:4-87 - Stormwater Assistance Grant - \$25,000.
8. R-172-23 Authorizing the Release of Contract Performance Bond (\$99,500.00), Release of Final Payment/Retainage (\$4,990.00) and Acceptance of Maintenance Bond (\$10,250.00) for Mountainside Road Retaining Wall Project - Kulpeksa Land Improvement
9. Raffle License: On-Premise 50/50, Randolph High School Band Parent Association, 511 Millbrook Avenue, Randolph, NJ 07869, Saturday, September 30, 2023, 4:00 p.m. - 10:00 p.m.
10. Raffle License: Off Premise Merchandise, West Morris Area YMCA, 14 Dover Chester Road, Randolph, NJ 07869 on Tuesday, 11/28/2023, at 6:00 p.m.

Councilmember Potter made a motion to approve the Combined Action Resolutions with the postponement of R-166-23 to the September 7, 2023 Township Council meeting. Councilwoman Veech seconded the motion, and the following roll call vote was taken:

AYES: Councilman Forstenhausler – Abstained to Item #1, R-165-23
Councilmember Hathaway
Councilmember Potter
Councilwoman Veech
Deputy Mayor Carey
Mayor Nisivoccia
NAYS: None
ABSENT: Councilmember Elbaum

G. UPCOMING EVENTS

Councilmember Hathaway noted that the Summer Luau event was scheduled for August 5, 2023.

1. Recreation Event: Bullets over Broadway, Community Center, Saturday, July 29, 2023, at 6:30 p.m.
2. Library Music Event: 28 Calais Road, Randolph, Monday, July 31, 2023, at 7:00 p.m. - Country Comfort
3. Recreation Event: Kids Cabaret at the Community Center, Friday, August 4th at 7:00 p.m., Saturday, August 5th at 2:00 p.m. and 7 p.m., and Sunday, August 6th at 7:00 p.m.
4. Library Music Event: 28 Calais Road, Randolph, Monday, August 7, 2023, at 7:00 p.m. - Fab Forward Band
5. Library Music Event, 28 Calais Road, Randolph, Monday, August 14, 2023, at 7:00 p.m. - The Green Planet Band
6. Tuesday Morning Senior Softball League Barbecue, Brundage Park, Tuesday, August 15, 2023, at 12:30 p.m.
7. Recreation Event: Cat On A Hot Tin Roof, Brundage Park Playhouse, August 18th, 19th, 25th and 26th at 7:00 p.m. and August 20th and 27th at 3:00 p.m.
8. Library Music Event, 28 Calais Road, Randolph, Monday, August 21, 2023, at 7:00 p.m. - Fish Eyed Blues
9. Ribbon Cutting - Inclusive Play Equipment at Freedom Park - Sunday, August 27, 2023, at 1:00 p.m.
10. Library Music Event, 28 Calais Road, Randolph, Monday, August 28, 2023, at 7:00 p.m. - Five Wheel Drive
11. Senior Picnic at Brundage Park on Tuesday, September 12, 2023, at 11:30 a.m. - 2:30 p.m.

12. Randolph Country Fair at Veterans Park, 100 Calais Road, Randolph, Saturday, September 23, 2023, 11:00 a.m. - 5:00 p.m.
13. Randolph Athletic Hall of Fame Induction Ceremony at the Randolph HS Commons on Saturday, October 21, 2023, at 5:00 p.m.

H. ORDINANCE INTRODUCTION

1. Ordinance No. 17-23 Authorizing the Private Sale of Property Known as Block 80, Lot 19 – 9 Birch Street

Manager Poff explained that the purpose of this ordinance is to authorize the private sale of Block 80, Lot 10 (9 Birch Street) to Haramlambos Spiropoulos and Konstanino Kostas (also known as Konstanino Staikos) for the total price of \$17,000.00.

BE IT RESOLVED, that an Ordinance entitled, “An Ordinance Authorizing the Private Sale of Property Known as Block 80, Lot 10 on the Official Tax Map of the Township of Randolph Pursuant to N.J.S.A. 40A:12-13(b)(5) (9 Birch Street),” 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 7th, of September, 2023 at 6 o’clock in the evening, prevailing time, at the Town Hall in said Township, at which time and place all persons interested shall be given an opportunity to be heard concerning said ordinance.

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

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

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

I. OPEN TO THE PUBLIC

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

J. COUNCIL COMMENTS

Councilmember Potter had nothing to report for this meeting.

Councilman Forstenhausler had nothing to report for this meeting.

Councilmember Hathaway reported that he attended a Randolph Area Chamber of Commerce meeting with Councilman Forstenhausler. The keynote speaker for the event was from the New Jersey Business Action Center. He suggested that the state's business resource website, business.nj.gov, be shared to promote awareness about the online resources.

He reported that during the Recreation Advisory Committee, a resident expressed interest in establishing a pickleball program. He shared that the Program Subcommittee would be taking it under consideration. He concluded his report by sharing that the committee was evaluating various youth programs; he planned to follow up with more information.

Councilwoman Veech reported that she attended a Facilities Workgroup meeting.

Deputy Mayor Carey shared that a Tap the Talent application was received from Caitlin Costello. She made a motion to appoint Caitlin Costello to the Board of Health to fill the unexpired term of Robert Schneiderman set to expire on December 31, 2023. Councilman Forstenhausler seconded the motion, and the following roll vote was taken:

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

Mayor Nisivoccia had nothing to report for this meeting.

K. EXECUTIVE SESSION

No Executive Session was held for this meeting.

L. ADJOURNMENT

Councilman Forstenhausler made a motion to adjourn the meeting at 6:20 p.m. Councilwoman Veech seconded the motion and following roll vote was taken:

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

July 27, 2023

NAYS: Mayor Nisivoccia
None
ABSENT: Councilmember Elbaum