

Township of Randolph
Municipal Building
Randolph, NJ
September 7, 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
Councilman Forstenhausler
Councilmember Hathaway
Councilmember Potter
Councilwoman Veech
Deputy Mayor Carey
Mayor Nisivoccia

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

3. Pledge of Allegiance

Mayor Nisivoccia led the Pledge of Allegiance.

B. PRESENTATIONS

1. Presentation of the 2022 Audit by Kathi Mantell

Auditors Kathi Mantell and Brian Coe outlined the 2022 Audit Report. Mr. Coe reviewed increases in the Current Fund Balance, Anticipated Revenues, and Miscellaneous Revenues Non-Anticipated and Recreation fees. He shared that fee and permits decreased as did Board of Adjustment fees, and Water & Sewer fees. He provided information on the increasing interest rate costs on taxes and deposits. He reviewed the township's anticipated reserve to pay debt service, and the township's receipt of \$1.7 million through the American Rescue Plan act throughout the year.

He explained that Delinquent Taxes decreased. Unexpended balances of appropriation reserves increased, and the township's reserve for Pending Tax Appeals as of the end of December last year was \$553,000. He stated that the township's Current Fund Balance was in a healthy position. He stated that the township was able to maintain its reserves for different activities, while also providing for municipal operations.

Mrs. Mantell explained that delinquent taxes fluctuate as the item is based on whatever was collected the previous year. She stated that if there is a good year in collections, the subsequent year there will be a decrease in collections.

Mr. Coe reviewed the township's trust funds and briefly spoke about the Storm Recovery Reserve and the Retirement Leave Reserve. He stated that the township currently has an estimated comp. absence of almost \$1.1 million.

Mrs. Mantell stated that the township had good policy for managing reserves. She shared that she met with Manager Poff and CFO Bonanno to go over the audit; she commended the township for doing a marvelous job and recognized the management of the General Capital Improvement Authorization Schedule and capital projects. She referred to the cancellation of unexpended balances for projects not pursued.

She stated that the township has completed many projects without a tax increase in previous years and that municipalities are able to increase taxes by 2%, or for meeting increased costs for a variety of variables such as pension and health care. She stated that consideration for increasing the tax levy should be given as the next budget is prepared.

She reviewed the GASB Statement No. 87. and explained that municipalities are required to submit leases of assets in financial statements for disclosure. She stated that the township's administrative team were very helpful in getting its various agreements together. She shared that there are two additional GASB statements on the horizon; the first requires the reporting of technology-based subscriptions, and the second is about the record keeping of COVID-19 related funding for federal government review.

Mrs. Mantell concluded the presentation by sharing that the report resulted in no recommendations for the township. She commended the township staff for their efforts.

Manager Poff thanked Mrs. Mantell and Mr. Coe for their work. He commended CFO Bonanno and her staff for their efforts. He concurred with the auditor's assessment. The council thanked the auditors and township staff.

2. Presentation – Trails Master Plan – Update

Parks and Recreation Director Russ Newman and Trails Advisory Committee Chair Phil Sheehy presented and reviewed 13 possible trail additions to the township's trail system. Mr. Sheehy stated that the committee was working on creating and disseminating communication about activities that can be completed on various trails and bear safety knowledge. There will be a public session sharing this information at the library sometime in March. Councilwoman Veech suggested that the trail map identifies the various uses available on each trail. Mr. Sheehy confirmed that the committee was working towards that. Mr. Sheehy and Director Newman continued to review the proposed trails and answer questions posed by the council.

There was a discussion on the feasibility of the various trails, the surrounding landscape and area features, trail use, land ownership, and the Trails Master Plan. Director Newman stated that the trails were a work in progress that would continue to be explored.

1. Old Shunpike Road/Patriots' Path Connector: new trail from end of Old Shunpike Road crossing Old Brookside Road south of the current trailhead onto township owned land to connect with existing trail.
2. Liberty Village to James Andrews Park: a new trail using trailhead easement at new development at W. Hanover Road to follow sewer right of way to connect to existing trails in James Andrews Park.
3. Gateways Apartments to Hawthorne Avenue: short connector trail over sewer right of way connecting apartment complex to Hedden Park (Morris County Facility).
4. Veterans Community Park to Guerin Drive: trail using existing right of way through preserved farmlands and township open space to connect to Dover Chester Road at Guerin Drive (potential future trail to Nina Place would provide access to rest of trail system via Tucker Avenue trailhead).
5. Brundage Preserve to Brundage Sussex: Connector trail from south end of Brundage Preserve field to power line northeast of Brundage Sussex park to form additional loop trail.
6. Freedom Park Perimeter Trail: trail around the outside perimeter of Freedom Park to connect existing trails into a formalized loop trail.
7. Combs Hollow Connector: Connector trail between existing white trail leading to Combs Hollow trail head and existing trail heading south from Dollybridge Road trail head toward Mendham.

8. Birchwood Road to Brundage Park: trail connecting Birchwood Road neighborhood to Brundage Park connecting to existing trails behind the Brundage Park maintenance yard. September 1, 2023
9. Mountainside Drive to Skyline Drive: Connection from end of Skyline Drive through township owned property to existing trails on east side of Mountainside Drive. (Ties in with #11).
10. Hidden Valley Park to Bragman Road: trail parallel to Radtke Road along existing power lines to connect Blue Trail to Bragman Road through existing township owned space.
11. Preserve Connector Trails: connector trails linking Appio Drive and Roc Etam neighborhoods through publicly held lands to existing trail between Mountainside Drive and Red Oak Lane.
12. E. Logan Road to West Morris Greenway: connector trail through township owned open space and along existing power line to cross Park Avenue and connect with existing West Morris Greenway trail between Pleasant Hill Road and Righter Road (potential future connection to existing parking at Sherwood Court).
13. Ann Street Connector: short trail from end of Ann Street to Hawthorne Ave entrance to Hedden Park.

Manager Poff stated that a resolution endorsing or approving the amendments as presented can be prepared for the next Township Council agenda for consideration. He stated that the resolution would allow the council to formally approve the amendments and aid the township with seeking grant funding.

Deputy Mayor Carey asked if the resolution would reflect the trail locations and not include costs or timelines. Manager Poff stated that the resolution would simply approve the amendments as presented to be incorporated into the Trails Master Plan, it doesn't commit the township to an obligation.

Mayor Nisivoccia stated that he appreciated the efforts of the Trails Advisory Committee. He acknowledged that many years of work went into exploring additions to the trail system.

C. OPEN TO THE PUBLIC

Deepak Das of 8 Devonshire Road stated that he was concerned about the matter regarding 1275 Sussex Turnpike scheduled for the Executive Session. He summarized his concerns relating to the restrictive covenant for the property and the Board of Adjustment's decision to approve the variance application. He explained that the township submitted an application to the Morris County Open Space Trust Fund back in 2016, and in the application, the property was characterized and designated as a passive open space part of the Brundage Park facilities.

He commented that the application was a high priority for the Open Space Element of the Master Plan and that the original premise in the grant request clearly indicated that the conservation easement of the site continued to be used as a private recreation facility that is open to the general public. He stated that an agreement was made between the current land owner and township back in 2017 for a sum of \$675,000, half being paid by Randolph taxpayers and the other half being covered by a Morris County Open Space Grant. He stated that the exchange was finalized with a declaration of covenant on the property and a clause that stated any commercial recreational facility would be open to the general public. He believed that the original premise of the application was that the land be preserved for conservation and recreation; and as it was funded by local and county taxpayers, the recreation aspect is meant to wholly benefit those groups.

He stated that the applicant was fully aware of the restrictive covenant and its language. He felt that the variance application approved by the Board of Adjustment provided a way for the applicant to circumvent the process of including the public in the project design. He stated that any application for commercial recreation should allow public input. He commented that the Board of Adjustment's decision robbed taxpayers of the full value of that exchange. He felt that the board should have been governed by the limitations of the covenant and that any accommodation negotiated in private with the applicant for providing partial access to the public violated the original intent of the restrictive covenant. He stated that the board was wrong to accept the application in its current form under the presumption and validity clause within the covenant.

He stated that the board's decision did not legitimize the consideration of the application and that there was a legal precedent for when the law is ambiguous. He stated that in this case the board was obligated to determine the intent of the council when drafting the covenant. He stated that the board should have read the covenant's language and consulted with the drafter or pushed back on the application so that it would be consistent with the logical goal of the legislative body that enacted it.

He stated that the variance application that approved the construction of an elite athletic facility took away the public access element of the tax-payer-funded initiative. He commented that if the council allowed the project to go through in its current form, it would facilitate one of the largest socially funded privatized uses in Morris County. He stated that any application for commercial recreational use had to satisfy the open to the public clause. He stated that there were other possible commercial options that would be beneficial to the community and be in line with the original expectations of the grant. He concluded his comments by clarifying that he was not concerned about the facility being in his backyard but about the facility being designed for use by all.

Marjorie Collins spoke about the necessity for more housing for people with disabilities.

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

D. MANAGER'S REPORT

Manager Poff reported the following:

Cybersecurity checklist – The township has aggressively pursued compliance with the joint insurance fund’s cybersecurity checklist. The township has completed all of the minimum and advanced security requirements. The township’s compliance will reduce our current co-pay of \$50,000 plus a 20% copay of the next \$300,000 (up to \$110,000 out of pocket) to \$0, effective January 1, 2024.

Technical Review Committee Meeting – Newman Turf LLC (Block 86, Lot 63.01) – A meeting was held on September 5 to discuss this zoning board of adjustment application for the preliminary and final site plan consistent with the prior approval for a recreational synthetic athletic field facility on the property. The property is located at 1275 Sussex Turnpike. The application was deemed incomplete for a number of reasons and the applicant will be advised of the same.

Highlands Council grant opportunity for MS4 Compliance – The Highlands Council has issued guidance for developing a Scope of Work (SOW) to request grant funding to support compliance with the 2023-27 MS4 permit. Highlands Council grants can augment NJDEP funding to complete certain required components of the new/modified MS4 permit requirements. It is recommended that municipalities submit SOWs for tasks that can be completed in a one-year time frame. I will be working with the Division of Engineering in the development of an appropriate SOW, which can be submitted to the Highlands Council for its consideration.

Zoning Officer – This full-time position has been advertised on the township website. Under the direction of the Planning and Zoning Administrator, the zoning officer is responsible for reviewing applications for development and/or construction prior to the issuance of construction permits to determine compliance with zoning standards, issuing zoning permits, performing regular inspections within the township to ensure compliance with zoning ordinances and approvals, and issuing warning notices and/or summonses for violations of the zoning code or violations of site plan conditions as set by the Planning Board or Board of Adjustment. Applications are due by September 22, to planning@randolphnj.org.

WeatherWorks 2023-24 Winter Preview – This preview focuses on the major pattern drivers for the upcoming season and provides some preliminary thoughts on temperature and precipitation trends this winter. Moving forward, the WeatherWorks team will continue to hone the outlook, while continually monitoring global patterns. More details on snowfall and the most active periods of the winter will be released later this month. He will be meeting with the Department of Public Works in preparation for this year’s winter season.

Ordinances – The Township Council is being asked to consider the following ordinances at its regularly scheduled meeting on September 7.

Ordinance No. 17-23 – Authorizing the Private Sale of Property Known as Block 80, Lot 10 - 9 Birch Street. Pursuant to N.J.S.A. 40A:12-13(b)(5), 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.

Ordinance No. 18-23 – Amending Division 2, Individual and Semipublic Water Supply Code of Article 11, Water, of Chapter 50, Water and Sewers of the Revised Ordinances. The purpose of this ordinance is to amend Division 2, Individual and Semipublic Water Supply Code, of Article II, Water, of Chapter 50, Water and Sewers, of the Revised Ordinances, which regulates the location, construction and alteration of individual and semipublic water supplies, to incorporate revisions required as the result of changes in the law.

Councilman Forstenhausler inquired about the timeframe for fire hydrant installation off of Carrol Road. Manager Poff informed him that engineering is associated with its installation; he will provide an update next week.

E. APPROVAL OF MEETING MINUTES

1. Authorizing the Approval of Regular Council Meeting Minutes for July 27, 2023

Councilman Forstenhausler made a motion to approve the Regular Meeting Minutes for July 27, 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
ABSTAIN:	Councilmember Elbaum

F. COMBINED ACTION RESOLUTIONS

Item #2, R-173-23, Item #13, R-184-23 – Councilmember Potter inquired about the Director of the Division of Local Government Services. Manager Poff informed her that it was a state level office.

1. R-166-23 Authorizing the Certification of the Annual Audit
2. R-173-23 Requesting the Approval of Items of Revenue and Appropriations Per NJSA 40A:4-87 - Lead Grant Assistance Program (LGAP) - \$5,500.00

3. R-174-23 Authorizing an Extension of an Agreement with USGovBid/Auction Liquidation Services for Online Auction Services for an Additional One-Year Period
4. R-175-23 Authorizing the Award of a Professional Services Agreement to Ferriero Engineering, Inc. for Engineering Design Services for the Calais Road Improvements Section 2 Project - not to exceed \$48,675.00

CERTIFICATION OF AVAILABILITY OF FUNDS

Dated: September 7, 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 to award a contract in the amount of \$48,675.00 to Ferriero Engineering, Inc. for the Phase 2 engineering design of Calais Road according to the submitted proposal.

Deborah Bonanno
Chief Financial Officer
Budget Accounts: 04-215-56-030-303

5. R-176-23 Authorizing the Award of a Professional Services Agreement to Ferriero Engineering, Inc. for Engineering Design Services for the South Road Improvements Project - not to exceed \$49,250.00

CERTIFICATION OF AVAILABILITY OF FUNDS

Dated: September 7, 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 to award a contract in the amount of \$49,250.00 to Ferriero Engineering, Inc. for the surveying & design of Improvements to South Road according to the submitted proposal.

Deborah Bonanno
Chief Financial Officer
Budget Accounts: 04-215-55-992-300

6. R-177-23 Awarding a Contract for the Purchase of New, Unused 2023 or Newer Ford or Equivalent SUVs and Trucks to Ciocca FMFL, Inc. - \$373,660.00

CERTIFICATION OF AVAILABILITY OF FUNDS

Dated: September 7, 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 to award a contract to Ciocca FMFL, Inc. for the purchase of new, unused 2023 or Newer Ford or Equivalent SUVs and Trucks according to the bid provided to the township

Deborah Bonanno
Chief Financial Officer

Budget Accounts:	02-213-41-794-400	\$155,778
	04-215-55-998-302	\$ 52,889
	04-215-56-011-319	\$ 57,805
	06-215-55-922-603	\$ 28,902
	08-215-55-924-304	\$ 49,383

7. R-178-23 Refunding Cash Road Opening Bonds for Various Properties and Purposes
8. R-179-23 Release Performance Bonds for Stabilization and Winter Grading - Randolph Woods Development - \$2,000.00 plus accrued interest
9. R-180-23 Refund Tax Sale Certificate #2022-001 for Block 21, Lot 65, 44 Sanford Drive to Evolve Bank & Trust - \$22,825.20
10. R-181-23 Release Police Detail Escrow to William J. Guarini Plumbing and Heating - \$117.20
11. R-182-23 Cancelling Capital Improvement Authorizations - \$116,077.20
12. R-183-23 Cancelling Grant Receivable Balances totaling \$17,364.97 and Reserve Balances totaling \$32,189.18
13. R-184-23 Approval of the Items of Revenue and Appropriations Per NJSA 40A:4-87 NJACCHO Enhancing Local Public Health Infrastructure Grant - \$346,849.00
14. Raffle License: Off Premise 50/50, Catholic Charities, Diocese of Paterson, 461 Route 10, Randolph, NJ 07869, on Saturday, November 9, 2023, at 9:00 PM
15. Raffle License: Off-Premise 50/50, Randolph Soccer Club Inc., Brundage Park, 2 Bungalow Lane, Randolph, on November 8, 2023, at 6:45 pm

Councilwoman 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
Councilman Forstenhausler
Councilmember Hathaway
Councilmember Potter
Councilwoman Veech
Deputy Mayor Carey
Mayor Nisivoccia – Abstained to Item #1, R-166-23

NAYS: None

G. UPCOMING EVENTS

Mayor Nisivoccia noted that the Randolph Township 4th Battalion – Ironia Fire Department Wet Down event will be held on Saturday, September 30.

1. Patriot's Day Remembrance Ceremony at VFW, 103 Carrell Road, Randolph, Monday, September 11, 2023, at 11:00 a.m.
2. 9/11 Remembrance Ceremony and Candlelight Vigil - 22nd Anniversary - Morris County 9/11 Memorial on West Hanover Avenue, Parsippany-Troy Hills, on Sunday, September 10, 2023, at 6:00 p.m.
3. Senior Picnic at Brundage Park on Tuesday, September 12, 2023, at 11:30 a.m. - 2:30 p.m.
4. Grand Opening/Ribbon Cutting, Prasada Center for Well-Being, 1247 Sussex Tpke., Thursday, September 21, 2023, at 11:00 a.m.
5. Clean Communities Day, Saturday, September 23 2023, - participants will meet at their assigned site
6. Confidential Paper Shredding, Saturday, September 23, 2023, from 9:00 a.m. - 12 noon in the Municipal Building parking lot at 502 Millbrook Avenue, Randolph, NJ 07869
7. Randolph Country Fair at Veterans Park, 100 Calais Road, Randolph, Saturday, September 23, 2023, 11:00 a.m. - 5:00 p.m.
8. Groundbreaking Ceremony for the Morris County Career Training Center at the County College of Morris on Wednesday, September 27, 2023, at 10:00 a.m.
9. Randolph Athletic Hall of Fame Induction Ceremony at the Randolph HS Commons on Saturday, October 21, 2023, at 5:00 p.m.

H. ORDINANCE: SECOND READING/PUBLIC HEARING

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

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

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. He explained that is the final part of the ordinance of effectuate the sale of this property.

OPEN TO THE PUBLIC

Seeing and hearing none, the public session was closed.

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

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

I. ORDINANCE: INTRODUCTION

1. Ordinance No. 18-23 Amending Division 2, Individual and Semipublic Water Supply Code of Article 11, Water, of Chapter 50, Water and Sewers of the Revised Ordinances of the Township of Randolph

Manager Poff explained that the purpose of this ordinance is to amend Division 2, Individual and Semipublic Water Supply Code, of Article II, Water, of Chapter 50, Water and Sewers, of the Revised Ordinances of the Township of Randolph, which regulates the location, construction and alteration of individual and semipublic water supplies, to incorporate revisions required as the result of changes in the law.

BE IT RESOLVED, that an Ordinance entitled, “An Ordinance Amending Division 2, Individual and Semipublic Water Supply Code, of Article II, Water, of Chapter 50, Water and Sewers, of the Revised Ordinances of the Township of Randolph,” 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 21st, 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:	Councilmember Elbaum Councilman Forstenhausler Councilmember Hathaway Councilmember Potter Councilwoman Veech Deputy Mayor Carey Mayor Nisivoccia
NAYS:	None

J. OPEN TO THE PUBLIC

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

K. COUNCIL COMMENTS

Councilmember Elbaum had nothing to report for this meeting.

Councilmember Potter reported that the Environmental Guidebook Subcommittee met with Pinto Consulting to review the latest draft of the guidebook. She shared that the guidebook would be

presented at two public meetings to garner public input; the meetings will be held on September 26 and October 6. After the input is evaluated the Environmental/Landmarks Committee will present the guidebook to the council. She stated that the guidebook would be reviewed annually and submitted for council review on a yearly basis.

Councilmember Hathaway reported that the Ordinance Workgroup reviewed ordinances pertaining to student member appointments on advisory boards/committees, amending the township's fee schedule to formalize fee modifications, and an ordinance to establish a filming permit process and parameters for the activity.

He reported that the Traffic Advisory Committee reviewed a number of traffic-related elements within the circulation of the Master Plan. He shared that Audrey Verona had resigned from the committee, and thanked her for her contributions to the committee.

He made a motion to move Ron Pawlowski from his current position as Alternate to fill Mrs. Verona's unexpired term as a full member. Deputy Mayor Carey seconded the motion, and the following roll call vote was taken:

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

Councilman Forstenhausler had nothing to report for this meeting.

Councilwoman Veech had nothing to report for this meeting.

Deputy Mayor Carey had nothing to report for this meeting.

Mayor Nisivoccia thanked the Parks and Recreation Department for managing another successful season at Randolph Lake. He shared that he attended a centennial celebration for Arthur Basso.

Manager Poff asked the council to consider adding an additional item to the Executive Session; "Attorney-Client Privilege Communication". Clerk Luciani was directed to add the item to the OPMA Executive Session reading.

L. EXECUTIVE SESSION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231 P.L. 1975 (N.J.S.A. 10:4-12) permits the exclusion of the public from a meeting under certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Randolph, in the County of Morris, and in the State of New Jersey as follows:

1. The public shall be excluded from the remaining portion of this meeting.
2. The general nature of the subject matter to be discussed is as follows:
 - A. Attorney-Client Privilege - Restrictive Covenant, 1275 Sussex Turnpike
 - B. Personnel
 - C. Attorney-Client Privilege Communication
3. As nearly as can now 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 on matters discussed in closed session or on any matter as permitted by law.

Councilwoman Veech made a motion to move into Executive Session at 7:10 p.m.

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

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

Councilwoman Veech made a motion to close the Executive Session at 8:05 p.m. Councilman Forstenhausler seconded the motion and the following roll call vote was taken:

AYES: Councilmember Elbaum
Councilman Forstenhausler
Councilmember Hathaway
Councilmember Potter

Councilwoman Veech
Deputy Mayor Carey
Mayor Nisivoccia
NAYS: None

M. ADJOURNMENT

Councilman Forstenhausler made a motion to adjourn the meeting at 8:05 p.m. Deputy Mayor Carey seconded the motion and following roll vote was taken:

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