

July 7, 2022

Township of Randolph  
Municipal Building  
Randolph, NJ  
July 7, 2022

## **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 Potter. This meeting is held pursuant to the New Jersey Open Public Meetings 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 within 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 November 19, 2021, by emailing them the annual resolution adopted by the Council on November 18, 2021. The annual resolution, which included this meeting date, was advertised in the Randolph Reporter, the official newspaper of the Township of Randolph and the Daily Record on November 24, 2021.

### **2. Roll Call**

PRESENT: Councilmember Carey  
Councilmember Forstenhausler  
Councilmember Hathaway  
Councilmember Loveys – via Phone  
Councilmember Veech  
Deputy Mayor Nisivoccia  
Mayor Potter

Also present: Township Manager Greg Poff, Township Attorney Edward J. Buzak (via phone) and Attorney Keli Gallo (via phone)

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

Mayor Potter led the Pledge of Allegiance.

## **B. PRESENTATION**

### **1. Tamarack Day Camp**

Manager Poff explained that his predecessor, Stephen Mountain, received a letter from Jonathon Gold the owner and operator of Tamarack Day Camp asking to present a proposal to the Township Council.

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Mr. Gold reviewed the history of the leasing agreement he has with the township. He explained that when he initially took over the property lease his group had to complete an extensive amount of work in a short period to get the camp facility up to speed and running. He stated that virtually almost every piece of infrastructure required work to be brought up to code. He reviewed the camp's capital and shared that the general target for the camp throughout its initial 15-year lease was to hit \$2.2 million. He stated that the camp exceeded that goal with a present total of \$2.46 million, and a few years on the lease remaining. He explained that the township owns the majority of the property with the exception of a house at the center of the camp. This house is used by camp staff, and program leaders as an administrative building. He proposed that in exchange for a lease extension at the end of the current 15-year lease agreement; he would deed the house over to the township. This would grant the township ownership of the entire property.

Councilmember Carey asked if he was seeking the lease extension at the end of the current lease agreement. Mr. Gold clarified by stating that upon the receipt of the extension at the end of the first 15-year lease he would deed the house over to the township.

Mr. Gold shared that he would like to build a structure to go over the turf field at the camp to allow for use during inclement weather. He explained how the structure would benefit the Tamarack Camp and Randolph Township recreation programs. He shared that the Recreation Department annually certifies camp figures and that this data is available to the council. He explained that a cost estimate taken in April priced the structure at about \$400,000; this estimation did not include the electric/foundation work and the cost of miscellaneous repairs. He estimated that the price for the structure and its installation would be around \$600,000.

Councilmember Veech inquired about what the structure would look like. Mr. Gold described the structure as an open-air pavilion. He stated that by receiving the extension he would be able to finance the project privately and apply through the township to complete the necessary permits. Councilmember Veech asked if the turf field was used by the camp for ten weeks and then was available to the Recreation Department for the rest of the year. Mr. Gold confirmed that she was correct.

Deputy Mayor Nisivoccia asked if the covering would be made out of fabric. Mr. Gold stated that he was looking into a model with a steel roof and girders.

Councilmember Carey asked if snow would fall off the structure. Mr. Gold informed her that the structure will have a shallow slope and will comply with building spec standards.

Councilmember Forstenhausler inquired about the structure's height. Mr. Gold approximated the height to be around 30 ft at its peak. The structure will not go over the tree line on the street.

Councilmember Veech stated that there were six more years on the current lease and that she understood that Mr. Gold was open to whatever period the council determined the extension to be. Mr. Gold stated that he was ideally looking for an extension of seven or ten years to fund the project. He added that he would like to start the project sooner rather than later as it would be a great addition to the township.

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Councilmember Veech asked if the house was in good shape. Mr. Gold stated that the property is an old colonial that was renovated to include central air, heating, and plumbing. He stated that it required a lot of work, but was now in good condition. He commented that the camp offices and divisions operate out of the house during the summer.

Councilmember Loveys assumed that Mr. Gold would be building the structure out of his Cap X fund and that he wanted to ascertain if an extension would be approved sooner rather than later so he could start the project and have more than the remaining six years on his lease to finance it.

Attorney Buzak inquired about the rent agreement for the extension. Mr. Gold stated that he would leave that up to the council as they are the property landlords. There was a brief discussion on rent.

Councilmember Loveys corrected Mr. Gold by informing him the original goal at the end of the lease was \$2.5 million.

### **C. OPEN TO THE PUBLIC**

Brad Swenson of 54 Park Avenue shared that he and his wife operate Soulshine Farm, a small business that runs summer camp programs during the warmer seasons. He shared his concerns about the short notice of the NJ Natural Gas project on Park Avenue and how it would affect the businesses on the street. He stated that he called the Engineering Department and was told that the project would likely be finished by the end of the year although they were given no indication of when the project would start. He stated that the detours and road closures would make it challenging for parents to drop their kids off at the camp. He added that time was essential for their business as programs run on a morning schedule. He stated that the summer camp programs make up 80% of the business' revenue. He was concerned about the effect the project would have on businesses on Park Avenue and about the inability to anticipate the extent of the disruption. He was disappointed that they did not learn about the construction project earlier to allow them to prepare accordingly.

Manager Poff shared that he received an email from Mr. Swenson's wife that expressed similar concerns. He stated that he shared Mr. Swenson's frustration at the lack of communication from NJ Natural Gas. He explained that he received notice of the project within the last 48 hours and immediately released the information to spread awareness. He commented that his experience working with NJ Natural Gas in the past has led him to believe that their communication protocols are spotty at best. He explained that he met with the Township Engineer and directed his staff to review how far back communication about the Park Avenue project was shared. He stated that he will be meeting with the Township Engineer, other municipal staff, and the Police Department to discuss communication developments. The group will reach out to NJ Natural Gas with the expectation that they will provide additional information. He stated that, if possible, they would coordinate a meeting and invite the public.

Mr. Swenson stated that he and his wife were active members of the community. He asked if the township would be able to control the effect the project will have on the businesses located on Park Avenue.

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Mr. Poff explained that the project operations are overseen by NJ Natural Gas. He stated that the township will share their communications with residents; he commented that he expects a better job from NJ Natural Gas in their communication efforts.

John Torres of 22 Prince Henry Drive stated that he was concerned about the effects the police gun range training sounds were having on students. He shared that his children were used to the sounds of range shooting. He stated that he respected the Police Department, but he wanted to share his concerns, especially because of recent incidents. He has spoken with the Police Department. He asked that the police communicate with the schools to notify them of when the officers are training on the range. He asked that communication about the preparation of school shooting drills and emergency response be shared.

Manager Poff stated that he would discuss the topic of notifying the schools of gun range training with the Police Chief. He explained that response plans and emergency preparedness plans are not publicly available for security purposes. He suggested that he reach out to the Police Chief to learn more about preparedness.

Councilmember Veech shared that the mayor meets with the Board of Education on a quarterly basis. She stated that the schools have plans and have discussed the subject with the Police and EMS.

Mr. Torres stated that he was mainly seeking communication that such plans exist and are practiced and rehearsed.

Councilmember Veech stated that the communication is usually shared in the Township Quarterly Newsletters once a year.

#### **D. MANAGER'S REPORT**

Manager Poff reported the following:

Road Resurfacing - A meeting was held last week between the Purchasing and Engineering Departments and the Township Attorney to discuss road resurfacing contracts and the applicability of state-mandated asphalt and fuel price adjustments. The impact of these adjustments on the township's 2022 road resurfacing program is being reviewed by Engineering and Public Works to determine what modifications to the program will be required. Once the impact is quantified that information will be shared with the Township Council.

Email Server Migration – The IT Manager advised that the township will be migrating to a new Microsoft 365 email server on Monday, July 11, beginning at 9:00 a.m. During this period, users will experience intermittent disconnects to the current email system. A public notice has been distributed indicating that during this time township departments should be contacted by phone for help, especially for time-sensitive items. The public is further asked concerning Open Public Records Act (OPRA) requests to follow up with a phone call to the Clerk's office at (973) 989-7042 to confirm receipt. The project is to be completed by Friday, July 22, at the latest.

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2021 Audit Exit Conference – 2021 Audit Exit Conference – The 2021 Audit Exit Conference was held today. CFO Bonanno, Township Auditor Kathi Mantell, and her staff were in attendance. He reported that there were no current year recommendations. He acknowledged Ms. Bonanno and her staff for their dedication and diligence in ensuring the township's sound financial practices and fiscal health. The council can expect a presentation on the 2021 Audit at the Thursday, July 21, meeting in addition to certifying its review by group affidavit.

Moving wall Motorcade and Tribute – As the proud host for the Vietnam Moving Wall Tribute that will be displayed at the County College of Morris July 7 through 11, 2022, township employees at the municipal building and the public works building stood outside as the procession passed along Millbrook Avenue and Sussex Turnpike earlier today. A number of township employees (both current and retired) are volunteering at the tribute over the next several days. He looked forward to participating in a number of the scheduled events at the Moving Wall over the next few days.

New Jersey Natural Gas installation along Park Avenue – The township has been advised that on Thursday, July 7, 2022, Gray Supply will begin installing a new natural gas line on Park Avenue between Sussex Turnpike and Pleasant Hill Road. The roadwork is expected to take four months to complete. Detours will be in place between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday. The work is currently being done on Dover Chester Road (CR-513) and should be completed by the end of August. He will be working with the Engineering Department and the Police Department to determine the best way to provide more advanced notice to the public with projects of this magnitude.

Councilmember Loveys asked if there was any discussion on identifying a reason to stop the NJ Natural Gas project. Manager Poff stated that there currently was not enough information. He will be working in the coming days to get more information on the project and push NJ Natural Gas to be more responsive.

Councilmember Veech asked if NJ Natural Gas frequently gave towns short notice about projects. Manager Poff stated that the company develops plans and fails to appropriately communicate the information to local jurisdictions. He stated that the utilities were regulated by the state. He commented that the township will be clear in expressing displeasure with their practices.

Councilmember Carey commended CFO Bonanno and her staff for the work and the outcome of the audit.

## **E. COMBINED ACTION RESOLUTIONS**

Item #5, R-151-22 - 2021 LOSAP Benefit to be paid in 2022 Volunteer Fire Department and Volunteer Rescue Squad – Mayor Potter thanked the Fire Department and Rescue Squad for their efforts.

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1. R-147-22 Authorizing the Trade-In of Surplus Township Property No Longer Needed for Public Use Towards the Purchase of New Equipment and Authorizing the Purchase of the New Equipment

CERTIFICATION OF AVAILABILITY OF FUNDS

Dated: July 7, 2022

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 \$197,419.90 to Foley Incorporated for a wheel loader for the Department of Public Works using the ESCNJ Contract #18/19-25.

Deborah Bonanno  
Chief Financial Officer  
Budget Accounts: 04-215-56-024-301

2. R-148-22 Authorizing Contracts with Additional Approved Vendors under the MCCPC
3. R-149-22 Authorizing Contracts with Additional Approved Vendors under the Educational Services Commission of New Jersey Cooperative Pricing System (ESCNJ)
4. R-150-22 Authorizing submission of a Supplemental Funding application to the Morris County Commissioners stating that the Township will provide a 50% match in the amount of \$1,000.00 to the Municipal Alliance Committee (MAC)
5. R-151-22 - 2021 LOSAP Benefit to be paid in 2022 Volunteer Fire Department and Volunteer Rescue Squad
6. R-152-22 Requesting the Approval of Items of Revenue and Appropriation Per NJSA 40A:4-87 US DOJ Bulletproof Vest Partnership Grant - \$9,999.99
7. R-153-22 Endorsing an Application for Utility Opening for Canoe Brook Development - 855 Route 10 and 134 Dover Chester Road, Block 44, Lots 12 & 25
8. R-154-22 Endorsing an Application for a Treatment Works Approval for Canoe Brook Development - 855 Route 10 and 134 Dover Chester Road, Block 44, Lots 12 & 25
9. R-155-22 Endorsing an Application for a Water Extension Permit for Canoe Brook Development - 855 Route 10 and 134 Dover Chester Road, Block 44, Lots 12 & 25
10. R-156-22 Refund a portion of registration fee for child to attend Summer Day Camp due to scheduling conflict - Annie Dixon - \$1,060.00

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11. R-157-22 Refund a portion of registration fee for children to attend Summer Day Camp due to family illness- Keren Or Ofri - \$1,915.00
12. R-158-22 Refund a portion of registration fee for child to attend Spring/Summer Travel Rising Rams due to child's lack of interest to Lori Branigan - \$332.76
13. R-159-22 Refund a portion of registration fee for child to attend Summer Sports Camps due to parent's work conflict to Lori Cogan - \$415.00
14. R-160-22 Refund a portion of registration fee for children to attend Summer Sports Camp due to scheduling conflicts to Amelia Munning- \$488.00
15. R-161-22 Authorize Premium Payment Turned over to the Treasurer for Block 135, Lot 18, 14 Willow Ave - \$300.00
16. R-162-22 Authorize Premium Payment Turned over to the Treasurer for Block 116, Lot 57, "off Oak Lane" - \$15,000.00
17. R-163-22 Refund Tax Sale Certificate #19-08 for Block 110, Lot 7, 30 Charles St. including principal, interest, and fees to FNA DZ LLC FBO WSFS - \$50,350.16
18. R-164-22 Authorizing the Tax Collector to sell all municipal liens in accordance with NJ Statutes and NJ Administrative Code at an electronic tax sale in 2022
19. R-165-22 Release cash road opening bond posted for the purpose of widening the entrance of driveway at 32 Bonnell Lane, Block 221, Lot 38 to Patrick Jagodzinski \$500.00
20. R-166-22 Authorizing an extension of the Shared Services Agreement with the Township of Mendham for Randolph Township to provide Temporary Tax Collection Services

Councilmember Veech made a motion to approve the Combined Action Resolutions. Deputy Mayor Nisivoccia seconded the motion, and the following roll call vote was taken:

|       |                                                                |
|-------|----------------------------------------------------------------|
| AYES: | Councilmember Carey                                            |
|       | Councilmember Forstenhausler – Abstained to Item #5 – R-151-22 |
|       | Councilmember Hathaway                                         |
|       | Councilmember Loveys                                           |
|       | Councilmember Veech                                            |
|       | Deputy Mayor Nisivoccia                                        |
|       | Mayor Potter                                                   |
| NAYS: | None                                                           |

## **F. UPCOMING EVENTS**

1. Moving Wall Proclamation presentation at CCM on Center Grove Road, Randolph, on Friday, July 8, 2022, at 11:00 a.m.
2. Placing a Memorial Wreath at The Vietnam Moving Wall Tribute on Saturday, July 9, 2022, at CCM on Center Grove Road, Randolph at 2:00 p.m. - COUNCIL ONLY - "Wreath Training" at 1:00 p.m.
3. Senior Softball Barbecue and League's 30th Anniversary Celebration at Brundage Park on Tuesday, August 16, 2022 at 12:30 p.m.
4. Bulldogs Youth Football 60th Season Celebration at Freedom Park on Friday, August 26th at 6:15 p.m.

## **G. ORDINANCES: INTRODUCTION**

- 1. Ordinance No. 18-22 Amending and Supplementing Section 31-52 of Chapter 31, Traffic and Vehicles, of the Revised Ordinances of the Township of Randolph, Morris County, New Jersey**

Manager Poff explained that the purpose of this Ordinance is to amend Section 31-52 of Chapter 31, Traffic and Vehicles, of the Revised Ordinances of the Township of Randolph, Morris County, New Jersey, to designate one intersection as a stop intersection.

BE IT RESOLVED, that an Ordinance entitled, "An Ordinance Amending and Supplementing Section 31-52 of Chapter 31, Traffic and Vehicles, of the Revised Ordinances of the Township of Randolph, Morris County, New Jersey," 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 July, 2022 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.

Mayor Potter asked what spurred this ordinance. Manager Poff explained that the Township Engineer certified that it would be appropriate to have the stop sign installed. He stated that he would follow up with more information.

Councilmember Hathaway and Councilmember Loveys commented that the stop sign made sense in the area.



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Councilmember Veech made a motion to introduce the ordinance. Councilmember Carey seconded the motion, and the following roll call vote was taken:

|       |                              |
|-------|------------------------------|
| AYES: | Councilmember Carey          |
|       | Councilmember Forstenhausler |
|       | Councilmember Hathaway       |
|       | Councilmember Loveys         |
|       | Councilmember Veech          |
|       | Deputy Mayor Nisivoccia      |
|       | Mayor Potter                 |
| NAYS: | None                         |

## **H. OPEN TO THE PUBLIC**

John Torres of 22 Prince Henry Drive asked if any consideration was given towards installing a traffic stoplight at the intersection on Quaker Church Road. Councilmember Forstenhausler explained that the township has discussed the project with the state. The state will not provide the required approval based on their road guidelines.

Joseph Amaral of 4 Holly Drive commented that active shooter drills at the school would only make children more frightened. He stated that officers should not share response plans with the public as doing so would make it vulnerable. He stated that the schools should not feel like fortresses and that preparedness was a balancing act between discreetly protecting kids and making people feel safe and confident. He concluded his statement by stating that it was not possible to stop all dangers, but it was possible to prepare for them.

Christina Laden of 57 Park Avenue shared that there was no easement in the area of the NJ Natural Gas Park Avenue project and that she essentially owned the road. She asked if NJ Natural Gas was able to come in and dig a hole in the middle of her property.

Manager Poff stated that there are certain prescriptive rights that the public enjoys to maintain travel ways; the utilities were no exception to that. He stated that the responsibility for the project rests exclusively with NJ Natural Gas.

Brad Swenson of 54 Park Avenue shared Ms. Laden's concern about the easement and liability concerns.

## **I. COUNCIL COMMENTS**

Councilmember Forstenhausler reported that the Infrastructure Work Group met on Thursday, June 30. The group discussed various retaining wall projects. He shared that the township will be going out to bid for a retaining wall project on Mountainside Road. They are working to keep the projects as reasonably priced as possible and up to standards that would prevent future maintenance issues.

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He shared that former councilmember and current RVRSA representative Mike Guadagno provided an update on the Rockaway Valley Regional Sewer Authority (RVRSA). He shared that the Jersey City lawsuit was still being worked on and that Randolph looked to be in good shape no matter the outcome.

Councilmember Loveys commented that Mr. Guadagno would be finishing up the last year of his five-year appointment to the RVRSA. Mr. Guadagno indicated that he would not be seeking reappointment to the RVRSA or the MCMUA after the completion of his terms.

Councilmember Hathaway attended an Environmental/Landmarks Advisory Committee. He shared that the committee discussed the progress being made on creating and installing ceremonial signage in the Mount Freedom area. The landmark signs will draw attention to the historic nature of the district. The committee will be working with the Economic Development Committee to discuss how local businesses can offset and support the costs of the project.

He reported that the Recycling Subcommittee was exploring ways to enable the recycling of certain plastics that the township does not collect such as plastic bags and saran wrap. He explained that the subcommittee is looking into replicating Denville Township's partnership with schools to set up receptacles. The goal is to encourage residents to recycle those plastics.

He shared that the Environmental Action Plan Committee met before the Environmental/Landmarks Advisory Committee meeting. The committee was excited and motivated to act on the actions and outcomes of the environmental plan.

He congratulated the U-11 Little League Baseball Team for their win in the District 1 Championship. He commended the team and coaches for their sportsmanship.

Councilmember Veech suggested working with Morris County to support the costs of the historic/landmark signage. She shared that there is a county committee devoted to the development of signage and the development of commercialization and public attraction.

She shared that she has been speaking with firemen from other towns and learned that their public employees are trained as firefighters and emergency responders. She asked if that was something the township ever looked into. Councilmember Forstenhausler stated that it has been discussed before. He explained that the cost of the training, drills, and certification outside of the normal work day was a major expense. The employees would need to be fully trained and have the proper certification to be able to respond to emergencies; the effort would lead to significant costs and a loss of work hours for the public employees.

Councilmember Carey shared that the Traffic Advisory Committee meeting was canceled and that the Library Board of Trustees meeting was scheduled for the next week.

She reported that she and Councilmember Hathaway attended the Pride Festival at the County College of Morris. During the event, Councilmember Hathaway presented a resolution for Pride Month. She shared that the event turnout was good and that the organizers expected the event to

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grow annually. She concluded her comments by sharing that she received positive feedback on the Freedom Festival fireworks.

Deputy Mayor Nisivoccia reported that the Municipal Alliance Committee applied for supplemental funding for their year balance. He shared that the purchase of two yellow picnic tables was approved. The tables will be installed at Freedom Park and Veterans Park. He added that the Boys and Girls Basketball Booster Club also purchased picnic tables, however, the location for the table's installation has not been determined.

Mayor Potter asked if the tables will display any kind of information regarding their meaning. Deputy Mayor Nisivoccia informed her that a plaque would be installed at the site. He explained that the tables would be delivered as plain wood and will be painted with the help of volunteers, possibly from the high school or the Hope and Serenity Recovery Community Center. He stated that the picnic table dedication would likely be held in the fall.

Mayor Potter shared that the parents of the Randolph U-11 All-Star Little League team were keeping her up to date with their championship progress.

She reported that the Environmental Action Plan Committee had its initial meeting with Pinto Consulting on Tuesday, June 28. The consulting group gave an overview of the environmental plan they are facilitating and discussed the look of the plan, data, graphics, and the attachment of a live excel document.

## **J. EXECUTIVE SESSION**

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

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

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

1. The public shall be excluded from the Executive portion of the meeting.
2. The general nature of the subject matter to be discussed is as follows:

### **a. Lease of acquisition of property – Tamarack Day Camp**

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.

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Councilmember Forstenhausler made a motion to move into Executive Session at 7:10 p.m.  
Councilmember Carey seconded the motion, and the following roll call vote was taken:

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

Councilmember Veech made a motion to close Executive Session at 7:30 p.m. Councilmember Carey seconded the motion and the following roll call vote was taken:

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

#### **K. ADJOURNMENT**

Councilmember Forstenhausler made a motion to adjourn the meeting at 7:30 p.m.  
Councilmember Veech seconded the motion, and the following roll call vote was taken:

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