

Township of Randolph
Municipal Building
Randolph, NJ
July 22, 2021

A. TAMARACK DAY CAMP TOUR – 4:30 P.M

B. RETURN TO MUNICIPAL BUILDING

C. 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 Forstenhausler. This meeting is held pursuant to the New Jersey Open Public Meetings Act. Adequate and electronic 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, on the main entrance doors to 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 2, 2020, by emailing them the annual resolution adopted by the Council on November 12, 2020. 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 December 10, 2020. The amended annual resolution was adopted by the Council on January 21, 2021, and notice was provided by email to the Randolph Reporter, the Morris County Daily Record and TapInto Randolph on January 22, 2021. The amended annual resolution which included this meeting date was advertised in the Randolph Reporter the official newspaper of Randolph Township and the Morris County Daily Record on January 28, 2021. The time change for this meeting was advertised in the Daily Record on July 13, 2021 and in the Randolph Reporter on July 15, 2021.

2. Roll Call

PRESENT: Councilwoman Carey
Councilman Loveys
Councilman Nisivoccia
Councilman Tkacs
Councilwoman Veech
Deputy Mayor Potter
Mayor Forstenhausler

Also present: Township Manager Mountain and Township Attorney Edward J. Buzak via phone.

3. Pledge of Allegiance

Mayor Forstenhausler led the Pledge of Allegiance.

D. OPEN TO THE PUBLIC

Township Clerk Luciani read the following statement into the record:

Council is now open to the public. If you plan to address the Township Council please bear in mind that you will be asked to limit your comments to six minutes. Council is now open to the public. If you plan to address the Township Council please bear in mind that you will be asked to limit your comments to six minutes. Should you reach the five-minute mark, you will be advised that you have one minute remaining. If you go past the six-minute mark, your microphone will be muted.

David Imbriaco of 44 Center Grove Road urged the council to reverse the course of action relating to opting out of the NJ cannabis business licenses. He explained that opting into the business classes provided a golden opportunity to allow Randolph to be one of the first municipalities in a new market. He stated that 68% of Randolph residents were in support of cannabis legalization. He explained that legal cannabis provided an opportunity to revitalize the local economy and create jobs. He asked why the unused retail space in the community could not be utilized by cannabis businesses. He commented that the state did a poor job of writing the laws, and explained that those laws could be updated to resolve issues and that it was not a good reason to opt-out of the business classes. He stated that the people wanted this and that it was an opportunity to grow and revitalize the community.

Frank Dunn of 1543 Sussex Turnpike echoed Mr. Imbriaco's comments. He stated that the tax revenue from cannabis businesses could benefit the schools and the community. He stated that the town should not miss the opportunity.

Joshua Weiner of 21 Davis Avenue asked that the council keep an open mind. He stated that Randolph is one of the largest municipalities in Morris County and that other towns opting in would be reaping benefits that Randolph would be missing out on. He explained that more than 2/3 of Randolph residents were in favor of cannabis legalization. He did not think the council's reason for opting out was good and stated that opting in would provide a perfect opportunity for Randolph. He explained that the majority of votes in favor of cannabis demonstrated a mandate and explained that although he did not use cannabis, he supported the rights of others to do so. He suggested that the council keep an open mind and consider the comments being shared.

Jennifer Kaden of 59 Dover Chester Road commented that she has seen the cannabis survey results and shared that they parallel the 68% majority of voters in favor of cannabis legalization. She believed that the council was missing an opportunity. She stated that the business Dirty Jerzy was selling cannabis in Randolph. She hoped that the council would revisit their decision.

Edward "Lefty" Grimes of Sativa Cross in East Hanover shared his grievances with the treatment of disabled veterans. He asked the council to consider the point of view of wheelchair-bound people and understand that cannabis is medicine. He stated that disabled people have been asking for virtual schooling, meetings, and other services for a long time. He shared his frustration that healthy people were provided with access to those services for 14 months during the pandemic. He stated that disabled individuals deserved the continuation of those services. He expressed that

depriving medications to troops was a wartime move and commented that the working class would be ignored while large conglomerates would benefit.

Mr. Dunn shared that he proudly served his country. He shared his experiences of getting access to medical marijuana.

David Timpanaro of 450 Quaker Church Road shared his professional experience of working with youths who have been placed in juvenile detention centers because of marijuana violations. He stated that as it is legalized locally; kids should be able to live normal lives. He shared family experiences of how marijuana provided pain relief for a sick family member. He stated that the council has an opportunity to provide locally and that they should not have stigma towards cannabis. He stated that the town has a great opportunity to gain income, and that the town should not wait to see what nearby communities are doing.

Sanjay Chaudhari of 1502 Sussex Turnpike explained that Randolph Township was a part of America, a country founded after declaring independence from Great Britain. He stated that the country was founded on people having a voice. He stated that 68% of Randolph residents voted in favor of cannabis legalization and cited that 63.82% of the survey responses also indicated favor of cannabis businesses. He shared that he owns the business Sweet Virginia Soil, and explained that he was hoping to open a sustainable micro facility in the community. He informed that council that he would need to go through the licensing process and deal with the restrictions of other municipalities if the township opted out. He stated that the result was very clear and that the council should be compelled to opt in. He emphasized the element of affordable local medication over large corporations. He explained how his business could generate \$2 million in taxes, and shared how that tax revenue could be used to support the community and schools.

Clerk Luciani informed Mr. Chaudhari that he had one minute remaining.

Mr. Chaudhari explained that he could not understand their decision after so many meetings where people expressed their support. He stated that this was America and referenced the constitution.

Clerk Luciani informed Mr. Chaudhari that his allotted time was up.

Mr. Chaudhari continued sharing his comments.

Mayor Forstenhausler informed Mr. Chaudhari that he has used his allotted time and asked him to be seated.

Jim McConnell commented that economics was very important to this decision. He hoped the council members would look at the cost and benefits of cannabis businesses.

E. MANAGER'S REPORT

Manager Mountain reported the following:

- 42 Bennett Avenue/EA Porter Conveyance/Closing Agreement - The council will be considering R-193-21 authorizing the conveyance of Block 195, Lot 10 – 42 Bennett Avenue (commonly referred to as the EA Porter property) to the single purpose LLC – Bennett Avenue Randolph created by Morris Habitat for Humanity for the purpose of completing the remediation/construction of affordable housing units proposed for the site. The resolution authorizes the conveyance through a closing agreement attached with the resolution which details the terms and conditions of the transaction. This project has a long history that began with the town acquiring the 2.5-acre tract and associated structures through foreclosure. The township, after acquiring the property, engaged an environmental consulting firm to serve as our Licensed Site Remediation Professional to oversee the remediation of contamination on the property from its prior industrial uses.

Under the terms of a Memorandum of Understanding with Morris Habitat for Humanity, the township completed several phases of the property's remediation with the goal of completing the Remedial Action Work-plan and then transferring the property to Morris Habitat for the construction of 25 affordable housing units on the site. After reviewing the final phase of the remediation, it was mutually determined by the township and Morris Habitat that it would be more efficient and expedient to convey the property, Morris Habitat, at this stage of the project rather than wait for the completion of the Remedial Action Work Plan. The terms and conditions of the conveyance are as follows:

- The town will convey the property to the LLC set up by Morris Habitat for the management of the project.
- Morris Habitat through its LLC will complete the remediation of the property under the direction of an LSRP of their designation, in accordance with the Remedial Action Work-plan.
- Morris Habitat will also be responsible under the agreement for the construction of the 25 affordable housing units established for the site consistent with the town's housing plan.
- The Township is also agreeing to transfer the balance of funds set aside for the completion of the remediation and ongoing monitoring/compliance activities to Morris Habitat.

The balance totaling \$1,473,000 is funded from the Township's Affordable Housing Trust Fund and not the township's general fund budget. The monies in the Trust Fund come from fees paid to the Township by developers for the purpose of supporting the development of affordable housing. Morris Habitat under the agreement will be assuming all responsibility and liability for the completion of the remediation and the construction of the required units.

- American Rescue Act Funding – As required by the Federal government the township submitted its application for funding under the American Rescue Act Plan. The township has been authorized for an award of \$2,656,278.

The submittal breaks the reimbursement request down as follows:

- \$1,832,855 lost revenue

- \$200,000 affordable housing
- \$150,000 HVAC system UV Filter Retrofit
- \$400,000 Water Utility capital
- \$73,422 stormwater infrastructure improvements

The first tranche of funding has been received – 50% of the total funds back last week. The remainder of the funds will be reimbursed in 2022.

- Appointment New CFO – Debbie Bonnano will be appointed to fill the CFO vacancy that will be created by Darren Maloney’s retirement at the end of September. Mrs. Bonnano comes to Randolph with an extensive background in private sector accounting and over thirteen years of experience in public sector finance and administration. She is currently the Borough Administrator/Chief Financial Officer in Franklin Borough.

Mrs. Bonnano was selected after an extensive evaluation process that included an initial screening by the executive search firm Phoenix Consulting and a more extensive interview with himself and the Township Council Finance Work Group. She was the group’s unanimous choice for the position. Mrs. Bonnano will be starting with the Township on August 23rd and will be working closely with himself and Darren Maloney during the six-week transition period to ensure smooth onboarding.

Councilman Nisivoccia asked if there were any updates on the coyote situation on the trails. Manager Mountain informed him that the NJ Fish and Wildlife team captured a second coyote in addition to the coyote they caught two weeks prior. The recently captured coyote tested positive for rabies. He stated that Fish and Wildlife would conclude their trapping exercise at the end of the week. At the recommendation of the Trails Advisory Committee, the afflicted trails would be closed for an additional week for patrolling and investigation. He stated that Fish and Wildlife believe that the recent coyote incidents were a result of the rabies-positive coyotes. He explained that the animals were very difficult to trap and hunt and stated that there was no exact way of knowing if the captured coyotes were the only ones with the issue. He explained that coyotes with rabies generally do not live beyond a week or so, which is why the trails have been closed for an additional week.

F. APPROVAL OF MEETING MINUTES

1. Approving the Regular Council Meeting Minutes from June 24, 2021 and July 8, 2021

Councilwoman Carey made a motion to approve the Regular Meeting minutes for June 24, 2021 and July 8, 2021. Councilwoman Veech seconded the motion and the following roll call vote was taken:

AYES: Councilwoman Carey
Councilman Loveys
Councilman Nisivoccia
Councilman Tkacs
Councilwoman Veech

Deputy Mayor Potter
Mayor Forstenhausler
NAYS: None

G. COMBINED ACTION RESOLUTIONS

Item #5, R-188-21, Awarding a contract for 2021 Leaf Loading, Hauling, and Proper Recycling Services for September 1, 2021 - Councilwoman Veech asked how much the township spent on leaf hauling this year. Manager Mountain informed her that he did not have the figure on hand, but he would get the information to her.

Councilman Nisivoccia asked if the town was utilizing the same vendor as the previous year. Manager Mountain informed him that the township has used the vendor in the past, they were the vendor the township used for several years, but they were not used the previous year.

Item #8, R-191-21, Extending the Tax Due Date for the Third Quarter 2021 Property Tax Payment - Councilman Nisivoccia asked when the tax bills would be sent out. Manager Mountain informed him that the Tax Office expects that the bills will be sent out by the first week of August.

Item #10, R-193-21, Authorizing the conveyance of EA Porter property - Block 195, Lot 10 to 42 Bennett Avenue Randolph, LLC (BARLLC), Morris Habitat for Humanity (MHFH), the approval of the closing agreement - Councilman Loveys thanked Attorney Buzak, Manager Mountain, and John Lovell for the effort and time they have put into the affordable housing process. Attorney Buzak thanked Councilman Loveys. Mayor Forstenhausler echoed Councilman Loveys' comments.

1. R-184-21 Refund Tax Sale Certificate for Block 81, Lot 41, 107 Morris Tpke. to Imperial Realty Partnership, LLP - \$134,942.37
2. R-185-21 Refund 3rd quarter 2021 tax payment for \$1,987.12 and cancel future tax payments for Block 184, Lot 6.01, 601 Wendover Ct. for Mark Zacchini due to disabled veteran tax exemption status
3. R-186-21 Release Cash Road Opening Bonds for \$500 each posted for connecting to the township water service at B92, L16 - 29B Calais Rd. to Lioudis; B51, L1 - 2 Doby Rd., to Prestige Plumbing; B166, L4.01 - 9 Block Ct. - Goldberg; and for a new driveway at B153, L3 - 11 Indian Trail Rd – Trilling
4. R-187-21 Authorizing finding Lubenet, LLC in default and rescission of a portion of MCCPC Contract 11 - Motor Oils & Miscellaneous Lubricants
5. R-188-21 Awarding a contract for 2021 Leaf Loading, Hauling, and Proper Recycling Services for September 1, 2021 - December 31, 2021 to S. Rotondi & Sons, Inc. - not to exceed \$200,000.

CERTIFICATION OF AVAILABILITY OF FUNDS

Dated: July 22, 2021

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:30-14.5, and any other applicable requirement, I, Darren Maloney, Director of Finance for the Township of Randolph, has ascertained that funds will be available in the 2021 General Budget, Recycling O&E, to award a contract to Rotondi and Sons for the leaf loading, hauling and proper recycling, per its response to a bid solicitation by the Township.

Darren Maloney
Chief Financial Officer
Budget Accounts: 01-201-26-300-302 (not to exceed \$200,000)

6. R-189-21 Authorizing contracts with additional approved MCCPC Contract Vendors under the MCCPC
7. R-190-21 Authorizing contracts with additional approved State Contract Vendors for contracting units pursuant to N.J.S.A. 40A:11-12a
8. R-191-21 Extending the Tax Due Date for the Third Quarter 2021 Property Tax Payment
9. R-192-21 Cancellation of Outstanding Checks from the General Account - \$829.94
10. R-193-21 Authorizing the conveyance of EA Porter property - Block 195, Lot 10 to 42 Bennett Avenue Randolph, LLC (BARLLC), Morris Habitat for Humanity (MHFH), the approval of the closing agreement, the transfer of \$1,473,000.00 to MHFH for the purposes of completing the remediation of property and advancing construction of 25 Affordable Housing Units, the execution of all documents related to the transfer of title, and taking all other actions to effectuate purpose of this resolution
11. Raffle License, Off-Premise 50/50, Randolph Soccer Booster, Inc., Freedom Park Snack Stand Terrace, October 24, 2021 at 3:00 p.m.
12. Raffle License, Off-Premise Calendar Raffle, St. Matthew the Apostle Parish, 335 Dover Chester Road, Randolph, December 12, 2021 at 11:45 a.m.

Councilwoman Veech made a motion to approve the Combined Action Resolutions. Councilman Tkacs seconded the motion, and the following roll call vote was taken:

AYES:	Councilwoman Carey
	Councilman Loveys
	Councilman Nisivoccia
	Councilman Tkacs
	Councilwoman Veech
	Deputy Mayor Potter
	Mayor Forstenhausler
NAYS:	None

H. UPCOMING EVENTS

1. Grand Opening and Ribbon Cutting at Lightbridge Academy, 765 Rte. 10, Randolph on Saturday, September 18, 2021 from 10:00 a.m. - 1:00 p.m. with the Ribbon Cutting at 10:00 a.m.

I. ORDINANCES: SECOND READING/PUBLIC HEARING

1. **Ordinance 23-21 – An Ordinance of the Township of Randolph Prohibiting the Operation of Any Class of Cannabis Business within the Geographical Boundaries of the Township of Randolph**

BE IT RESOLVED, that an Ordinance entitled, “An Ordinance Prohibiting the Operation of any Class of Cannabis Businesses within the Geographical Boundaries of the Township of Randolph, County of Morris, State of New Jersey,” be read by title on the second reading, and a hearing held thereon.

Manager Mountain explained that this ordinance memorializes the township’s decision to opt-out of allowing local cannabis business operation at present. The opt-out action was recommended by the cannabis committee. They studied the issue for the past six months, spoke to experts in the field, spoke with neighboring communities, and looked at key details related to the law. The cannabis committee’s recommendation was based primarily on the fact that there is still much to be known about the new laws. The regulations associated with the new laws have not yet been enacted by the State of New Jersey. The other key driver in the decision making process was that the township can opt-in at any time for any or all of the businesses if they feel it would be a good fit for the township in the future.

OPEN TO THE PUBLIC

Mayor Forstenhausler stated that members of the public are allotted six minutes to speak throughout the public session. He informed the members of the public with remaining time that are able to use their remaining time to address the council.

David Imbriaco of 44 Center Grove Road commented that the people speaking against this ordinance were veterans and taxpayers who are passionate about the issue. He asked if other than not liking cannabis, the council had any other reason for their decision. He stated that people have the right to access cannabis and others have the right to choose not to use it.

Jennifer Kaden of 59 Dover Chester Road asked if there was a date for when the council would revisit the issue. Mayor Forstenhausler informed her that the ordinance indicated that once the NJ Cannabis Regulatory Commission released the regulations, the township would revisit the decision. Mrs. Kaden stated that the commission’s deadline was August 21; she asked if the decision would be revisited then. Mayor Forstenhausler stated that the commission would likely ask for an extension; once they released the regulations the council would re-examine the decision. He commented that it did not seem practical to make final commitments for five years without knowing what exactly the town was committing to.

Joshua Weiner of 21 Davis Avenue responded that the council's hands were not tied and that the state was not telling the township what to do. He stated that the regulations would direct how business operations would work. He stated that the council should make a commitment to revisit the decision. He explained that he did not think that the council would revisit the decision and asked them to make a commitment to reconsider the issue once the state's regulations are in place.

Sanjay Chaudhari asked if he had any more time left. Mayor Forstenhausler informed him that he had gone over his allotted time.

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

Councilwoman Carey explained that the Cannabis Committee asked the council to consider reconvening the committee after the state regulations are released. She stated that the committee members did not feel that there was stigma attached cannabis and that their actions were not related to the legalization of cannabis that was passed by residents of Randolph and New Jersey. The committee's decision focused on business licenses and was driven by not taking action before knowing what regulations would be established.

Councilman Loveys agreed with Councilwoman Carey's comments. He explained that the council tasked the Cannabis Committee with looking into the subject matter. He stated that the committee members came from a variety of different segments of the community and heard from community members via public forums. He stated that the council was respectful of and well aware of the 2/3 majority vote in favor of the legalization of recreational cannabis. He stated that he has always been of the opinion that his vote is directed towards the best interest of the entire community. He strongly believed that it would not be prudent or rational to move forward at this time when not all of the questions have been answered.

Mr. Chaudhari interjected, stating that over 50% of the community was in favor. Councilman Loveys informed him that he recognized that and acknowledged it in his comment. Mayor Forstenhausler informed Mr. Chaudhari that the public session was closed and that the current segment was for council discussion.

Councilwoman Carey stated that the council's action this evening would not change the legalization passed by the state. She stated that the discussion was about the six business licenses. Mr. Chaudhari interrupted. Mayor Forstenhausler informed Mr. Chaudhari that he would be asked to leave if he continued interrupting.

Councilwoman Carey explained that the township would be waiting for the state to set the regulations as they did not want to sign a contract without understanding it first.

Mayor Forstenhausler added that Randolph was not the only town in Morris County and New Jersey opting out. Councilwoman Carey added that if the township opted in without knowing the regulations, the town would be locked in for five years, while opting out now allowed the town to opt in at any point in the future.

BE IT RESOLVED, that an Ordinance entitled, “An Ordinance of the Township of Randolph Prohibiting the Operation of Any Class of Cannabis Business within the Geographical Boundaries of the Township of Randolph, County of Morris, State of 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.

Councilwoman Carey made a motion to adopt the ordinance. Councilman Tkacs seconded the motion, and the following roll call vote was taken:

AYES:	Councilwoman Carey
	Councilman Loveys
	Councilman Nisivoccia
	Councilman Tkacs
	Councilwoman Veech
	Deputy Mayor Potter
	Mayor Forstenhausler
NAYS:	None

2. Ordinance 24-21 – An Ordinance of the Township of Randolph Appropriating \$84,901.50 from the Township's Insurance Fund for Refurbishing One Ambulance

BE IT RESOLVED, that an Ordinance entitled, “An Ordinance of the Township of Randolph Appropriating \$84,901.50 from the Township’s Insurance Fund for Refurbishing One Ambulance,” be read by title on second reading and a hearing held thereon.

Manager Mountain explained that the purpose of this ordinance is to appropriate the funding for the township to purchase a refurbished ambulance. He stated that a township ambulance was totaled in an accident the previous year; insurance covered the cost of the damage and the township is now in the process of replacing the vehicle.

OPEN TO THE PUBLIC

Jim McConnell of 45 Carrell Road shared that he has been a member of the Rescue Squad for over 40 years. He supported this ordinance and added that he was a Veteran.

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

BE IT RESOLVED, that an Ordinance entitled, “An Ordinance of the Township of Randolph Appropriating \$84,901.50 from the Township’s Insurance Fund for Refurbishing One Ambulance,” 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.

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

AYES:	Councilwoman Carey
	Councilman Loveys

Councilman Nisivoccia
Councilman Tkacs
Councilwoman Veech
Deputy Mayor Potter
Mayor Forstenhausler
NAYS: None

3. Ordinance 25-21 – An Ordinance of the Township of Randolph Amending Sections 15-2.2 and 15-11.13 of the Land Development Ordinance of the Township of Randolph

BE IT RESOLVED, that an Ordinance entitled, An Ordinance Amending Sections 15-2.2 and 15-11.13 of the Land Development Ordinance of the Township of Randolph, Morris County, New Jersey, be read by title on second reading and a hearing held thereon.

Manager Mountain explained that the purpose of this ordinance is to amend sections 15-2.2 and 15-11.13 of the Land Development Ordinance consistent with certain revisions recommended by the Township of Randolph Board of Adjustment regarding decks. He stated that they have received the Ordinance Referral Confirmation from the Township Planning Board.

OPEN TO THE PUBLIC

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

BE IT RESOLVED, that an Ordinance entitled, An Ordinance Amending Sections 15-2.2 and 15-11.13 of the Land Development Ordinance of the Township of Randolph, Morris County, 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.

Councilwoman Veech thanked Manager Mountain and Zoning Administrator Darren Carney for providing clarification on the passages she had questions on.

Councilwoman Veech made a motion to introduce the ordinance. Councilman Nisivoccia seconded the motion, and the following roll call vote was taken:

AYES: Councilwoman Carey
Councilman Loveys
Councilman Nisivoccia
Councilman Tkacs
Councilwoman Veech
Deputy Mayor Potter
Mayor Forstenhausler
NAYS: None

J. DISCUSSION

1. Municipal Diversity and Inclusion Workgroup Report

Mayor Forstenhausler explained that the Municipal Diversity and Inclusion Workgroup spent over a year working on this report. He informed the public that the report was available online.

Deputy Mayor Potter explained that the workgroup started working towards developing a report in a joint effort with the Morris County Human Relations Commission. She explained that the workgroup felt they were ready to introduce recommendations on the municipal side after receiving information from various sources and meetings. She emphasized that the report only included municipal recommendations. She provided an overview of how the sources contributed to the recommendations. The sources she referenced included the Municipal Alliance Committee, Diversity Inclusion Steering Committee, and the Randolph Partnership Endeavor for All Citizens' Equality (PEACE). She stated that the workgroup felt that the recommendations are a starting point to work from.

Mayor Forstenhausler stated that the recommendations were recently finalized. He explained that the report was published online as a discussion item on Tuesday. He informed the council that one of the larger recommendations from the workgroup was the consideration of establishing a standing Diversity Committee. He explained that the Ordinance Committee was in the process of discussing the potential committee and will report to the council for discussion. He explained that the workgroup's recommendations are for review by Manager Mountain and the Township Council. He encouraged everyone to thoroughly read the report. He explained that the Ordinance Committee would be working towards developing an ordinance.

Deputy Mayor Potter added that the Morris County Prosecutor's Office learned that the number of reported incidents did not always accurately reflect the number of incidents that have taken place. The County Prosecutor's Office explained that some municipalities have reported zero incidents, which they felt was untrue. They stated that Randolph was good at reporting incidents; this reflected the large number reported in Randolph. She felt that another important recommendation to highlight was that the town should make sure that residents report any perception of bias incidents so they can be evaluated. She stated that the town has to do a better job of marketing the ways of recording reports.

Mayor Forstenhausler commented that incidents are difficult to quantify as some cases of incidents go unreported. He stated that the town prided itself on allowing anonymous comments from the public during the DISC town hall meetings. He explained that some of the incidents described during the town halls occurred in the past and were not reported. He explained that had those incidents been reported, they would have been on record when they occurred. He echoed Deputy Mayor Potter's comments and stated that it was not the end of the process, but the beginning. He stated that the workgroup communicated with many different people to obtain information; while some items were difficult to quantify, the workgroup did their best to be as concise as possible when developing the report. He thanked the members of the Morris County Human Relations Commission and the Board of Education for their efforts. He stated that everyone involved learned a lot from the process.

Councilwoman Veech thanked Mayor Forstenhausler for the time and effort he put into the workgroup, along with his mayoral duties and regular workload. After going through the

recommendations, she stated that it was well organized and made sense. She was sorry that the PEACE group and others who were the impetus for the effort were not present to comment on the recommendations.

Councilwoman Carey echoed Councilwoman Veech's comments and recognized the amount of work that had gone into the process. She echoed Mayor Forstenhausler's comment that this was not the end of the process, but the beginning. Deputy Mayor Potter added that there was still time for the public to comment. Councilwoman Carey stated that the town could start working on the issues outlined in the report. She asked who was on the Ordinance Committee. Mayor Forstenhausler informed her that it consisted of Councilman Loveys, Deputy Mayor Potter, and himself.

Mayor Forstenhausler noted that the council was not stagnant for the last year and a half; the town has initiated things as the workgroup continued their work. He explained that reading materials were provided by the library to educate people and resolutions have been developed and passed. He stated that they have been trying to give a voice to more residents as they move forward. He thanked the council for working with the workgroup towards that effort.

K. OPEN TO THE PUBLIC

Bonnie Rosenthal of Shongum Lake shared that she was a member of Randolph PEACE. She explained that New Jersey was among one of the most racist states, and that Morris County was one of the most racist counties in the state. She explained that she has lived in the township for over 40 years. She believed that the town was one step away from having a major incident occur and cited the recent incidents with the Board of Education and the January 6, 2021 U.S. Capital Insurrection. She recounted an incident that was shared at a recent PEACE meeting that involved an African American person sharing that a relative was chased off by a white neighbor after going near the neighbor's property to retrieve a lug nut that had rolled away. She stated that help was needed and they should not have to discuss the implications of a major incident after the fact.

Mayor Forstenhausler explained to Mrs. Rosenthal that incidents needed to be reported to allow them to be investigated, discussed, and noted. He informed her that the incident she shared should have absolutely been reported so it could have been looked into. He informed her that if she was concerned for her own safety, she was welcome to reach out to himself or Manager Mountain so they could meet with the Police Chief to see what could be done. She could also call the police if she has safety concerns.

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

L. COUNCIL COMMENTS

Councilwoman Veech informed Mrs. Rosenthal that she was sorry for what she had gone through. She commented that she truly believed that people should be treated with respect. She shared that the council toured the Tamarack Day Camp and commented that the facility was beautiful and a great reflection of the town.

She reported that the Randolph Community Garden was looking into creating an apiary that will hold 15 to 20 bee hives. The apiary will likely be installed sometime in April. The garden will open the apiary to the County College of Morris and to local schools to get the whole community involved; two semi-professional beekeepers in the community will be leading the effort. She reported that there were currently over 40 people on the Community Garden waitlist. After the current gardening season is over, the committee will be limiting the maximum number of garden beds to two per gardener. She shared that the garden planned to hold an interactive demonstration and food sale during the upcoming Country Fair. The money earned from the event will go to Homeless Solutions. She shared that the garden would be hosting a dinner for gardeners on Friday, September 10.

Mayor Forstenhausler asked if there was any discussion about possibly expanding the garden based on the amount of interest from the community. Councilwoman Veech informed him that the garden committee discussed expansion. She has spoken to Manager Mountain and Parks and Recreation Director Newman about the possibly expanding the garden in the future.

Councilman Loveys asked what the radius would be if the garden enacted the two bed maximum. Councilwoman Veech informed him that it would only free up about seven beds. She explained that many people are requesting a second bed, while others did not even have one.

Councilman Tkacs reported that the Parks Advisory Committee meeting was cancelled for a lack of quorum. He shared that he recently went to the Randolph Lake and commented that it was beautiful and reminiscent of Americana. He reported that the Planning Board voted on Ordinance No. 25-21, and found it to be in compliance.

Councilman Nisivoccia attended the Trails Advisory Committee meeting. He shared that the committee strongly advised the township to keep the affected trails closed for an additional week after NJ Fish and Wildlife concludes their trapping operations. He shared that the committee was in the process of reviewing upcoming trail enhancement projects and would be receiving the Trails Master Plan in the fall.

He reported that Manager Mountain was close to closing out the insurance issues relating to the Liberty Tree project. He checked with the Department of Public Works and confirmed that the tree was ready to be worked on.

He echoed Councilman Tkacs' comments about the Randolph Lake and stated that his family had been enjoying their visits there. He commended Director Newman for the well run operation at the lake.

Councilwoman Carey reported that she attended a Library Board of Trustees meeting. She commented that the usage of library services had rebounded significantly from the figures seen

during the pandemic. She shared that many residents were participating in the One Book, One Community program. She reported that the program had received a lot of positive feedback. She reported that many community members have been attending the library's Free Outdoor Summer Music Concert series. She shared that the town and library was in the process of picking a location for the Story Walk program. She reported that the library had a new program called, Things to Share, which involved borrowing jigsaw puzzles and other items.

Councilman Loveys attended a Recreation Advisory Committee meeting. He reported that the combined participation numbers of the summer camps, clinics, and programs, demonstrated an increase in participation. He reported that a 16 ft high and 30 ft long bounce wall had been erected at Freedom Park.

Deputy Mayor Potter had nothing to report.

Mayor Forstenhausler reported that he attended a Safety Committee meeting. He shared that the committee continued to meet regularly and briefly mentioned the Safety Incentive Program.

Councilwoman Veech informed the council that she provided them with copies of NJLM articles that she thought would be of interest.

M. EXECUTIVE SESSION

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

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

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

1. The public shall be excluded from the Executive portion of the meeting.
2. The general nature of the subject matter to be discussed is as follows:
 - a. Shongum Lake/DEP Loan Agreement
 - b. Update Affordable Housing Litigation
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.

Deputy Mayor Potter made a motion to move into Executive Session at 7:37 p.m. Councilwoman Veech seconded the motion, and the following roll call vote was taken:

AYES: Councilwoman Carey
Councilman Loveys
Councilman Nisivoccia
Councilman Tkacs
Councilwoman Veech
Deputy Mayor Potter
Mayor Forstenhausler
NAYS: None

Councilwoman Veech made a motion to close the Executive Session at 8:45 p.m. Councilwoman Carey seconded the motion, and the following roll call vote was taken:

AYES: Councilwoman Carey
Councilman Loveys
Councilman Nisivoccia
Councilman Tkacs
Councilwoman Veech
Deputy Mayor Potter
Mayor Forstenhausler
NAYS: None

N. ADJOURNMENT

Councilwoman Veech made a motion to adjourn the meeting at 8:46 pm. Councilman Tkacs seconded the motion, and the following roll call vote was taken:

AYES: Councilwoman Carey
Councilman Loveys
Councilman Nisivoccia
Councilman Tkacs
Councilwoman Veech
Deputy Mayor Potter
Mayor Forstenhausler
NAYS: None