

October 6, 2022

Township of Randolph
Municipal Building
Randolph, NJ
October 6, 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
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. OPEN TO THE PUBLIC

Joseph Amaral of 14 Holly Drive referred to the Township Council meeting on September 22, 2022. He complimented Councilmember Loveys for the statements he made regarding integrity and his explanation of the thought process that went into the Affordable Housing Settlement. He stated that the meeting was evolving into chaos and Councilmember Loveys single-handedly changed the tone. He thought that authenticity was the most important quality a person could possess. Mr. Amaral apologized to Councilmember Hathaway for a previous incident. He emphasized the importance of being an open book. He shared his frustrations with party politics.

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Tim Potter of 11 Highview Terrace stated that he was attending the council meeting to discuss one of the five Sober Living facilities located in the township. He stated that progress was being made recently. He shared that his neighborhood was in Zone R-3, which requires a conditional waiver to allow Cooperative Sober Living Residences. He explained that Section 15-35 of Conditional Uses of the township's Land Development Code, states that the lot must be at least three acres, which the current lot is not. He explained that according to Governing Regulations, CSLRs are governed under local ordinances. He stated that Planning Board and Planning Department does not know anything about the facility. He explained that in order for the facility to get a license they must have zoning approval. He added that Section 15-35 stated that the Planning Board can approve conditional uses only if they find that the use meets all requirements of the article and does not substantially impair the present and future use, and enjoyment of surrounding properties.

Mayor Potter stated that they were working diligently on the issue from many different angles both on local levels and with State Legislators. She shared that they were collecting emails from interested residents for the purpose of receiving updates on the issue.

Cheryl Tal of 24 Center Road shared that her backyard backs into a CSLR Facility. She explained that she no longer feels comfortable at her home. She stated that it was unsettling seeing people walk around just outside her backyard. She stated that it was affecting the enjoyment of her property and home.

A resident referred to CSLRs and stated that his children grew up in the neighborhood that was once a nice cul-de-sac, and tranquil. He felt that their peace had been taken away. He asked that the township continue to take action to assist residents in maintaining their quality of life.

Jeff Bashe of 29 Clover Lane stated that he was attending the meeting to hear the Manager's Report on the Affordable Housing Hearing. He stated that he has been an active volunteer in Morris County and was a member of the Morris County Human Services Advisory Council. He has been working to address homelessness and affordable housing for the past eight years.

He understood that the actions taken during the September 22 Township Council meeting were necessary and he understood why the township had to settle with the Court and State to provide affordable housing. He felt that the reason for much of the public's frustration was that the township did a bad job of keeping the public informed. He stated that Councilmember Loveys did a good job of clarifying the situation for the public. He emphasized that communication was critical. He stated that people had legitimate concerns when they spoke at the last meeting. He was concerned about the large concentration of the units that were being placed in the Mt. Freedom area. He stated that unless it was planned properly it would have huge impacts on the community. He commented that the way the ordinances were presented scared many people.

Mayor Potter stated that she heard and understood the need to improve communication about the issue.

Marc Shortino of 32 Barbara Drive shared that the September 1, 2022, Township Council meeting was the first that he had participated in, and he subsequently participated in the September 22, 2022 meeting. He explained that he attended a Traffic Advisory Committee (TAC) meeting and learned that the TAC was not aware of the proposed affordable housing developments. He explained that Greg Mohr, the Committee Chair, planned to reach out to the council to learn more. He did not understand why the TAC was not informed and shared his frustration with the lack of communication. He stated that the committees should be involved especially when voting on issues that impact their oversight.

Manager Poff explained that he received an email from Greg Mohr which expressed what Mr. Shortino relayed. Mr. Mohr had raised some issues relative to the committee receiving and providing information. Manager Poff explained that he has since communicated with the Planning Department to advise a procedure he has used in the past to ensure that the council's advisory bodies are furnished with applications. From his understanding, over time, the number of advisory groups who were given applications from the Land-Use Board had been narrowed; he did not know what the reason behind that was. He stated that moving forward the issue has been corrected.

Councilmember Veech explained that the Board of Adjustment is a semi-judicial board. The council is not allowed to go to the meetings and talk to anybody about the cases coming before them. She explained that the board was on its own when making decisions.

Mr. Shortino clarified that he was only suggesting that the TAC be involved to ask questions and be informed about such meetings.

Joanne Leech of 5 Matthew Court stated she was concerned with the checks and balances for the CSLR facilities. She learned that when people sell their homes, they do not have to disclose the vicinity of those facilities.

C. APPOINTMENTS

- 1. Board & Committee Appointments – Student Liaisons**
 - a. Giacomo Lenge – Recreation Advisory Committee**
 - b. Abigail Vetter – Board of Health**
 - c. Makena Gibb – Environmental and Landmarks**

Councilmember Forstenhausler made a motion to approve the student liaison appointments. Deputy Mayor Nisivoccia 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

NAYS: Mayor Potter
None

D. MANAGER'S REPORT

Manager Poff reported the following:

15th Annual Country Fair – He commended the Parks and Recreation Department and the Rotary Club of Randolph for their efforts in hosting a successful event at Veteran Community Park which was held on Saturday, September 24. In total, there were over 50 vendors and several food trucks. In addition, the Economic Development Committee presented its Business of the Year Award to Simply Gourmet and Mario's Pizza. The fair provided a great opportunity to recognize local business owners for their contributions to our community.

Swift 911 – The township utilizes the community notification service, Swift 911, to rapidly notify residents in event of emergencies. Swift 911 has been acquired by Rave Mobile Safety. It was reported this acquisition will provide users of this technology with wide-ranging capabilities and unmatched infrastructure to ensure optimal communications under the most demanding circumstances. Together with Township Clerk Donna Luciani, he participated in a virtual demonstration of this technology. The township is evaluating migrating its emergency notification service to Rave Mobile Safety and integrating it into Morris County's Office of Emergency Management alert system.

Township website – Information is being gathered to determine the most cost-effective way of upgrading the township's website. As the township looks to move away from its current vendor-supported website, an integrated technology platform is being sought. He recommended that the township use a portion of its Local Fiscal Recovery Funds to support this effort.

CSLRs - The township has met with Assemblymembers Brian Bergen and Aura Dunn. Assemblywoman Dunn reported, "I am pleased to see that the legislation we discussed did get introduced last week and assigned a number, A.4663. The bill requires the Department of Community Affairs (DCA) to establish a credentialing entity and certification program for recovery residences throughout the state." The township continues to evaluate a number of options to address residents' concerns. He would continue to brief the Township Council as additional information becomes available.

Jackson Brook Interceptor and Mine Hill – The township has a meeting scheduled next week to discuss a number of items with Mine Hill including:

1. Properties outside of the watershed that have been connected to the system.
2. The connection of a commercial piece of property with a failing septic into the system will require a modification to the 2009 JBI agreement. We are requesting what other amendments to the agreement, if any, does Mine Hill anticipate needing.
3. Randolph will be awarding a contract for a video inspection of the JBI and it will be completed by year end. According to the JBI agreement, Mine Hill is responsible for 50% of the cost of this inspection. The total cost is expected to be approximately, \$22,000.

Stormwater management – The State of New Jersey has made modifications to the general permit which authorizes the discharge of stormwater from municipal storm sewers and addresses stormwater quality issues. The council can expect to hear from Township Engineer Paul Ferriero at an upcoming meeting about the township's responsibilities under the general permit, upcoming training of elected officials and staff, and the anticipated costs of complying with the State's requirements.

Ordinances – The Township Council will be asked to consider the following ordinances at its regularly scheduled meeting of October 6.

Ordinance No. 29-22 Appropriating \$10,000 from the Water Capital Improvement Fund and \$30,000 from the Sewer Capital Improvement Fund for Additional Capital needed to Purchase a Dump Truck Body and Equipment to complete the Build of a Dump Truck for the Water and Sewer Department. The council is being asked to authorize additional funds to complete the build of a dump truck authorized in the 2022 capital improvement program. The council recently cancelled a number of Water and Sewer Capital unused balances in excess of \$300,000 via Resolution 197-22.

Ordinance No. 30-22 Appropriating \$102,000 from the General Capital Improvement Fund for Various Improvements to Municipal Properties and for the Purchase of a Replacement Maintenance Utility Vehicle and Associated Equipment for the Buildings and Grounds Department. The council is being asked to authorize additional funds for a number of projects that impact health and safety or were otherwise deferred. The health and safety projects include replacement of the Brundage Park Maintenance Garage roof and the refurbishment of the Community Center generator. The deferred projects include the purchase of two sheds for Veterans Community Park for the storage of equipment and materials and the replacement of the maintenance utility vehicle for Buildings and Grounds. The council recently cancelled a number of General Capital unused balances of a comparable amount via Resolution 199-22.

Ordinance No. 31-22 Repealing Ordinance Nos. 2-93 and 3-97 and Amending Article IV, Open Space Trust Fund of Chapter 18, Finance and Taxation, of the Revised Ordinances of the Township of Randolph. This is a housekeeping item that updates the Township Code to be consistent with the Proposition approved by the voters in 2009 on the Municipal Open Space, Recreation, and Farmland and Historic Preservation Trust Fund.

Affordable Housing Compliance Hearing Update – The township was directed by the Court and Special Master to provide the Fair Share Housing Center with additional documentation related to the creditworthiness of the various affordable housing sites that are found in the Settlement Agreement; the direction is to be completed within the next 30 days.

He stated that the Court also directed the township to meet with developers that have shared objections - particularly in regards to Zoning Ordinance 27-22. The Court seeks to have the township resolve those issues within 90 days of the Compliance Hearing.

The Court denied and rejected for the fourth time; the objections raised by the Randolph-Mountain Partnership in connection with their Zoning Ordinance which was adopted 14 years ago. The court directed the township to provide additional documentation to the Special Master

and Fair Share Housing Center within 90 days. The Court further directed that water was to be preserved for the affordable housing projects not yet built and lifted the Scarce Resource Order, which will allow non-affordable housing projects to proceed using the remaining available water within the township's capacity.

The township's immunity from Builders Remedy Lawsuits was continued until further order of the Court. A continued compliance hearing has been established for January 5, 2023, at 10:00 a.m.

Bench Dedication – The Bench Dedication Ceremony for Dolores Madison, a longtime township employee, was tentatively scheduled for Thursday, October 20 at Heistein Park.

E. APPROVAL OF MEETING MINUTES

1. Approving the Special Council Meeting Minutes for August 16, 2022 and the Regular Council Meeting Minutes for September 1, 2022

Councilmember Veech made a motion to approve the Special Council Meeting Minutes for August 16, 2022, and the Regular Council Meeting Minutes for September 1, 2022.

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

AYES:	Councilmember Carey - Abstained from the September 1, 2022 Minutes
	Councilmember Forstenhausler
	Councilmember Hathaway
	Councilmember Loveys
	Councilmember Veech
	Deputy Mayor Nisivoccia
	Mayor Potter
NAYS:	None

F. COMBINED ACTION RESOLUTIONS

Item #4, R-221-22 Requesting the Approval of Items of Revenue and Appropriation Per NJSA 40A:4-87-US DOJ Bulletproof Vest Partnership Grant and Item #5, R-222-22 Requesting the Approval of Items of Revenue and Appropriation Per NJSA 40A:4-87 Department of Human Services Division of Family Development Hiring and Retention Bonus Grant – Manager Poff explained that these items are Chapter 159s, which allows the township to receive monies via grants. He explained that the township regularly received the Bulletproof Vest Partnership Grant and explained that the Human Services Bonus Grant was being furnished for the Rompers Teachers' performance of services during the COVID-19 Pandemic.

1. R-218-22 Release Cash Road Opening Bonds posted for various properties and purposes totaling \$3,000.00

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2. R-219-22 Awarding a Contract for the CCM Pump Station Project to Dulaine Contracting Inc. - \$957,498.

CERTIFICATION OF AVAILABILITY OF FUNDS

Dated: October 6, 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 not to exceed \$957,498 to Dulaine Contracting, Inc. for the CCM Pump Station Project as detailed in the contractor's bid provided to the Township.

Deborah Bonanno
Chief Financial Officer

Budget Accounts: 08-215-55-917-301 \$722,148.72
 08-215-55-922-301 \$200,000.00
 08-215-55-923-300 \$ 35,349.28

3. R-220-22 Redeem and Refund Tax Sale Certificate #19-03 for Block 44, Lot 14.02 to FIG CUST for FIG NJ19 LLC & Secured Party - \$2,041.66
4. R-221-22 Requesting the Approval of Items of Revenue and Appropriation Per NJSA 40A:4-87-US DOJ Bulletproof Vest Partnership Grant
5. R-222-22 Requesting the Approval of Items of Revenue and Appropriation Per NJSA 40A:4-87 Department of Human Services Division of Family Development Hiring and Retention Bonus Grant
6. R-223-22 Refund Due to Cancellation of Ice Hockey Program - Bantam Level - Kathy Kinnier - \$800.00
7. R-224-22 Redeem and Refund Tax Sale Certificate #19-10 for Block 119, Lot 109.37 to FNA DZ, LLC FBO WSFS - \$18,282.81
8. R-225-22 Authorizing Rescission of MCCPC Contract #15E - Hybrid Vehicles, 2023 Vehicles to Nielsen Ford
9. R-226-22 Authorizing Contracts with Additional Approved Vendors Under the Educational Services Commission of NJ Cooperative Pricing System (ESCNJ)
10. R-227-22 Release of Police Detail Escrow to Frank J. Scarola, Inc at Scarola Paving - \$308.62
11. Raffle License: Off-Premise 50/50, St. Matthew the Apostle Parish, 335 Dover Chester Road, Randolph, NJ on December 18, 2022, Time: 12:00 pm

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

G. UPCOMING EVENTS

1. Library Event, 28 Calais Road, Randolph Guitarist, Peter Biedermann, Sunday, October 9, 2022 at 2:00 p.m.
2. Randolph Area Chamber of Commerce, Monthly Networking Meeting on Thursday, October 20, 2022, from 12:00 p.m. - 1:00 p.m.
3. Council Only - 65th Annual Randolph Fire Department Inspection Dinner, Saturday, November 12, 2022, 4:30 p.m., Co. #2 Millbrook Fire House, 340 Rte. 10 West, Randolph; Cocktail hour 6:00 p.m. and Diner at 7:00 p.m. at Meadow Wood Manor, 461 Rte. 10 East, Randolph, NJ
4. Council Only: Employee Appreciation Breakfast, Wednesday, December 7, 2022, in the Municipal Building Lobby at 9:00 a.m.

H. ORDINANCES: INTRODUCTION

1. **Ordinance No. 29-22 Appropriating \$10,000 from the Water Capital Improvement Fund and \$30,000 from the Sewer Capital Improvement Fund for Additional Capital needed to Purchase a Dump Truck Body and Equipment to complete the Build of a Dump Truck for the Water and Sewer Department**

Manager Poff explained that the purpose of this ordinance is to provide funding from the Water Capital Improvement Fund and the Sewer Capital Improvement Fund for the purchase of a Dump Truck Body and Equipment to complete the build of a Dump Truck Body for the Water and Sewer Department.

BE IT RESOLVED, that an Ordinance entitled, "An Ordinance of the Township of Randolph Appropriating \$10,000 from the Water Capital Improvement Fund and \$30,000 from the Sewer Capital Improvement Fund for Additional Capital Needed to Purchase a Dump Truck Body and Equipment to Complete the Build of a Dump Truck for the Water and Sewer Department," 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 20th, of October, 2022 at

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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 Forstenhausler made a motion to introduce the ordinance. Councilmember Hathaway 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

2. Ordinance No. 30-22 Appropriating \$102,000 from the General Capital Improvement Fund for Various Improvements to Municipal Properties and for the Purchase of a Replacement Maintenance Utility Vehicle and Associated Equipment for the Buildings and Grounds Department

Manager Poff explained that the purpose of this ordinance is to provide funding from the General Capital Improvement Fund for various improvements to municipal properties, including the repair of the Community Center generator and to replace the maintenance utility vehicle and other associated equipment for the Buildings and Grounds Department.

BE IT RESOLVED, that an Ordinance entitled, "An Ordinance of the Township of Randolph Appropriating \$102,000 from the General Capital Improvement Fund for Various Improvements to Municipal Properties and for the Purchase of a Replacement Maintenance Utility Vehicle and Associated Equipment for the Buildings and Grounds Department," 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 20th, of October, 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.

Councilmember Loveys asked if they were simply accelerating the purchase of the utility vehicle since that would most likely come up during the budget preparation. He asked if it was using the same account. Manager Poff confirmed he was correct.

Deputy Mayor Nisivoccia inquired about what happened to the generator. Manager Poff explained that there was a regional power outage a month ago, as a result when the power was restored it was determined that the generator suffered some failure in the automatic transfer switch; a quote was obtained for the repair. He explained that the Community Center was a vital location for emergency operations as it functions as a warming and charging center.

Councilmember Forstenhausler made a motion to introduce the ordinance. Councilmember Loveys 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

3. Ordinance No. 31-22 Repealing Ordinance Nos. 2-93 and 3-97 and Amending Article IV, Open Space Trust Fund of Chapter 18, Finance and Taxation, of the Revised Ordinances of the Township of Randolph

Manager Poff explained that the purpose of this ordinance is to update the Revised Ordinances of the Township of Randolph to be consistent with a proposition approved by the voters in 2009 which combined the Open Space Trust Fund and the Reserve for Parks and Recreation Development, Redevelopment and Improvement into one fund entitled the Municipal Open Space, Recreation, and Farmland and Historic Preservation Trust Fund. The combination expanded the purposes for which the Trust Fund could be utilized to include the acquisition, development and maintenance of lands acquired for recreation and conservation purposes, the development of parks and recreation areas and the payment of debt service on indebtedness issued or incurred for any of those purposes.

BE IT RESOLVED, that an Ordinance entitled, “An Ordinance Repealing Ordinance Nos. 2-93 and 3-97 and Amending Article IV, Open Space Trust Fund, of Chapter 18, Finance and Taxation, 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 20th, of October, 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.

Councilmember Veech asked how this housekeeping item was found. Manager Poff explained that the Recreation Department was looking to finance a project to be charged against the Open Space Trust Fund, he and CFO Bonanno examined the underlying authorization for that and notice that something did not look right. He explained that it was just tidying up, there was no question about the validity. He stated that the statutory underpinnings of propositions being put to voters take into effect according to the language of the statutory provisions.

Councilmember Forstenhausler made a motion to introduce the ordinance. 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

I. DISCUSSION

1. Request to Vacate a Utility Easement – Mt. Freedom Road, Block 120, Lot 39

Manager Poff explained that a resident was requesting the township's consideration to vacate what the resident presented as a utility easement across their property. When he received the request, he distributed it to township staff to determine if they saw it as something that could be used in the future.

The Planning Department reported that the Memory Lane and Mt. Freedom Avenue subdivisions were originally constructed without public sewer; at the time the township had a municipal utility authority that had requested the easement in the late 1980s in anticipation of a future sewer line connection from Memory Lane down to Mt. Freedom Avenue. He explained that the sewer connection was later constructed from Memory Lane to West Hanover Avenue and down Mt. Freedom Avenue; this made the easement requested by the municipal utility authority moot.

He stated that the Engineering and Water and Sewer Departments, and the Planning Department found that there was no need for the easement. The staff recommendation had been forwarded to the Infrastructure Work Group; they had no objections. The recommendation was that the council consider the vacation of the entire easement and not just the easement that runs along the property owner. It was not anticipated that this easement would be used in the future. The easement was specific to sewer lines.

Councilmember Veech asked how long the easement area was for the vacation. Manager Poff stated that he did not have the linear number, but it incorporated several properties. He would follow up with the information.

Councilmember Loveys recalled that previous Councilmember Mike Guadagno was always adamant about seeking easements wherever they were possible for the purposes of future development and to address the need for gas, sewer, and water lines. He stated that he was comfortable with the vacation because the area has access to utilities and because of the feedback from the township departments.

Manager Poff stated he would work with the Township Attorney to prepare an ordinance.

2. Holiday Lighting in Mt. Freedom

Manager Poff explained that the township received a request to extend the holiday lighting period in Mt. Freedom. The lights are typically put up just prior to thanksgiving for a period of 30-45 days and taken down the first week of January. He explained that the extension for 60 days would result in the lights being displayed through January 22.

Councilmember Veech stated that she asked the previous Township Manager, Stephen Mountain, a similar question in the past. Manager Mountain explained to her that the cost of electricity for displaying the lights during the typical 45-day period was \$10,000. She wondered what the extension would cost.

Manager Poff explained that the \$10,000 may have been for the initial installation of the lights. He explained that running the lights last year cost the township approximately \$1,300. He stated that the fee is fixed based on JCP&L rates. He estimated roughly that the cost would not exceed \$3,000 for the total of 60 days.

Councilmember Hathaway asked if the lighting timeframe would encompass the entire winter holiday season.

Councilmember Veech asked about the calculations. Manager Poff stated that it was based on rates.

Councilmember Carey stated that it was a winter lighting fixture and she was in favor of keeping it up longer, especially since they were donated by local businesses.

Mayor Potter asked if there would be any additional wear and tear on the lights as a result of the extension. Manager Poff stated no.

Deputy Mayor Nisivoccia suggested that additional areas could be considered for snowflake lighting.

J. OPEN TO THE PUBLIC

Marc Shortino of 32 Barbara Drive stated that he understood that a builder objected to an ordinance during the court hearing. He asked if the council could share which builder objected, and to which ordinance they had issues. He stated that there was a rumor that the Skylands property was once a property considered to satisfy affordable housing and commented that if that

was an avenue that could be explored, he would be in favor of it. He stated that there was a reference from the court reversing the Scarce Resource Order; he asked if that would impact environmental issues.

Manager Poff explained that it was public record who the developer was and informed Mr. Shortino that it was Avalon Bay and ten development partners objecting to Ordinance 27-22. He referred to Mr. Shortino's question about the Skylands property and explained that it was not a rumor as Skylands was considered at one time for the development of affordable housing, however, the property owner had withdrawn their site; this forced the township to seek other available properties. He stated that in his opinion the lifting of the Scarce Resource Order was a good thing as it allows for non-residential developments to be able to access available water capacity in the township and takes it out of Court control.

John Herold of 1201 Sussex Turnpike thanked the council for their consideration of extending the winter holiday lighting time period. He explained that in the future he was looking to expand the lighting to the municipal building area. He added that the poles along Sussex Turnpike are suitable for banner flags that could possibly be displayed during Labor Day and Memorial Day. He stated that he would bring some ideas forward.

K. COUNCIL COMMENTS

Councilmember Forstenhausler thanked Manager Poff and the Parks and Recreation Department for their work on the Country Fair. He thanked Pediatric Dental for their Mission Gratitude event.

He wished more residents had stayed through the end of the September 22 Township Council meeting, as he felt many people would have gained a little more insight into the Affordable Housing Settlement and the Court process. He shared that a developer spoke at the end of the meeting to express complaints about the specifications and bulk requirements of an ordinance.

He stated that it was an example of what the process has been like with developers. He explained that Skylands was in the Settlement Agreement last year, but the property owner backed out. He stated that they have been working hard over the past five years to make sense of the situation, fulfill the township's moral and legal obligation, and protect the township while trying to mitigate the impacts of the developments.

Councilmember Hathaway reported that the Environmental Landmark Advisory Committee met in September to discuss the initial phases of the Environmental Action Plan. He expected the committee to be very productive in 2023. He shared that the committee would be focusing on educating the community on environmental issues via social media to drive consumer awareness on beneficial environmental practices and options. He commended the committee for its great relationship with student liaisons and communication with high school students.

Councilmember Veech addressed Mr. Shortino's comments and briefly explained how the properties were determined when the Skylands property owner dropped out. She referred to the

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concerns about the CSLRs and stated that she had faith in the township's State Legislative Representatives, Mayor Potter, and the township professionals.

She reported that the Communications Work Group met on Wednesday, October 5. The committee spoke about the need for a full-time Public Information Officer (PIO); the workgroup felt that the township needed an individual who is more educated in government work and can help with township communications. She stated that the PIO could also educate the public on how government works. She reported that the group was looking to update the township's Communication Plan annually.

Councilmember Loveys reported that the Recreation Advisory Committee met on Thursday, September 8. He stated that he would review his notes and update the council during the Thursday, October 20, Township Council meeting on anything pertinent.

He attended a Wildlife Advisory Committee meeting and shared that the Fall Hunt was ongoing. The committee and township received the dates of the annual Shot Gun Hunt; the areas will be posted at the appropriate time. He stated that the members were asked to note any additional public land they deemed worthy for the hunt to share with the Planning and Zoning Administrator for review. He concluded his report by sharing that the committee was considering adjusting the meeting schedule from bi-monthly to quarterly.

Councilmember Carey commended the Parks and Recreation Department for their work on the Country Fair; she heard a lot of positive feedback. She echoed Councilmember Veech's comments on the CSLRs and sympathized with the affected neighborhoods. She stated that she knew that the Mayor and Township Manager were working to address the situation.

She shared that Randolph Library's Summer Concert Series had a total attendance of 1,860 people and the Children's Summer Reading Club had over 434 participants. She reported that the Library Directory was working with Clerk Luciani to replace the gazebo with an alternative structure. She explained that the library was considering going fine-free as the fines contribute to less than 1% of the library budget, and it has been demonstrated that going fine-free increases patronage, positive customer service experiences, better morale, and goodwill in the community.

Deputy Mayor Nisivoccia attended the Tuesday, September 6, Economic Development Committee meeting. He reported that the committee was seeking additional businesses for the Business Spotlights. He suggested this information be shared with businesses that each of the council members frequent. He stated that the committee was working on their annual update of the business listing directory.

He attended the Tuesday, September 27 Municipal Alliance Committee meeting and reported that Liz Ritter would not continue to serve in the upcoming year. He shared that along with Councilmember Hathaway, he assisted in painting two picnic tables yellow in honor of mental health awareness. He stated that a ribbon cutting/unveiling date would be announced. He shared that a third yellow picnic table will be sponsored by the Basketball Boosters Club. He reminded the council that the Randolph High School Hall of Fame ceremony would be held on Sunday, October 9.

Mayor Potter provided an update on NJ211. She shared that to date 575 contacts have been made from Randolph residents to NJ211. The top requests were for housing and shelter, and utility assistance.

She asked for a moment of silence for Roy Claps, a long-time Board of Adjustment Commissioner and youth coach in the community.

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 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. Attorney Client Privilege: Affordable Housing**
 - b. Attorney Client Privilege: State Licensed Housing**
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.

Councilmember Veech made a motion to move into Executive Session at 7:40 p.m.

Councilmember Forstenhausler 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 Forstenhausler made a motion to close Executive Session at 9:30 p.m.

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

October 6, 2022

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

M. ADJOURNMENT

Councilmember Forstenhausler made a motion to adjourn the meeting at 9:30 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