

November 2, 2023

Township of Randolph
Municipal Building
Randolph, NJ
November 2, 2023

A. OPENING OF REGULAR MEETING

1. Call to Order

A regular meeting of the Randolph Township Council was called to order at 6:00 p.m. by Mayor Nisivoccia. This meeting held pursuant to the New Jersey Open Public Meeting Act. Adequate notice of the meeting has been provided by posting written notice of the time, date, location and to the extent known, the agenda of the meeting in Randolph Township. This notice was posted on the bulletin board in Town Hall, it was filed with the Township Clerk, and it was provided to those persons or entities requesting notification. Notice was also provided to the Randolph Reporter and the Morris County Daily Record on December 15, 2022, by emailing them the annual resolution adopted by the Council on December 8, 2022. The annual resolution, which included this meeting date, was advertised in the Randolph Reporter and the Daily Record on December 22, 2022. Notice was also provided to TapInto Randolph, the official Township online digital publication, on December 21, 2022.

2. Roll Call

PRESENT: Councilmember Elbaum – via Phone
Councilman Forstenhausler
Councilmember Hathaway
Councilmember Potter
Councilwoman Veech
Deputy Mayor Carey
Mayor Nisivoccia

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

3. Pledge of Allegiance

Mayor Nisivoccia led the Pledge of Allegiance.

B. PRESENTATION/PROCLAMTION

1. Presentation by Solar Landscape for the Community Solar Project, located at 353 Route 10

Mayor Nisivoccia explained that Solar Landscape is applying to the Board of Public Utilities for a Community Solar Project; a presentation from Solar Landscape will be heard and a public session will follow.

Kevin Dunshee, Chief Commercial Officer of Solar Landscape explained that a provision was included in the Clean Energy Act of 2018 for community solar projects. He explained that the purpose of the mandate was to bring cost savings to utility customers and allow individuals who otherwise could not access solar energy to have the advantages of it without having solar panels installed on their roofs.

He provided a summary of his company's recent projects and explained that the solar panels in these projects are installed on the roofs of logistics centers and commercial buildings to generate energy that is used for residential customers.

He explained that residents enrolled in community solar have typically saved between 21% - 25% on their electricity bills. He informed the council that the state requires 51% of project subscribers to be from low- and moderate-income households. He informed the council that the electricity generated from community solar projects are sent to the grid for Jersey Central Power and Light (JCP&L) and Public Service Enterprise Group (PSE&G).

Councilwoman Veech asked if Solar Landscape required the approval of the Township Council to proceed with their application. Mr. Dunshee explained that the Board of Public Utilities (BPU) asks that projects of this nature be presented to municipal bodies for consideration. The project applications will not be considered by the BPU without a mayoral letter that states that the municipality is aware of the project and that it supports community solar. He provided a brief history of the first two years of the pilot program and what the company improved with regard to bill consolidation. He explained that the 25% discount for community solar is applied against the lowest amount residents pay on their electricity bills.

Mayor Nisivoccia asked if the 25% discount was set annually. Mr. Dunshee explained that the 25% discount is guaranteed for the life of the project. He stated the discounts for the third year of community solar project implementations are not yet known; he suspected that the discount might be higher. He explained that the projects are only rolled out for a certain capacity annually.

Councilman Forstenhausler asked how residents could get the clean energy at a discount. Mr. Dunshee explained that residents could opt in online by visiting the Solar Landscape subscriber portal or any of their competitors' portals. The companies work with JCP&L and PSE&G to determine how the energy is allocated to residential homes.

Councilwoman Veech asked how many people could sign up. Mr. Dunshee explained that it depended on the size of the project. He shared that the proposed project at 353 Route 10 would have the capacity for 460 megawatts, allowing 72 customers to enroll. He stated that the BPU has made these projects utility-wide; if this project were at capacity, additional residents would still be able to enroll in the program and be assigned to another community solar project. He

provided information about the BPU's project finder tool which allows customers to see what projects are available for enrollment.

Mr. Dunshee explained the history of community solar project implementations and shared that people were hesitant in the beginning stages of these projects due to past experiences with third-party energy providers. He informed the council that they start enrolling subscribers for these projects months ahead of completion to allow them to be completely operational once complete. He explained that the project would require the submission of a zoning application, an interconnection application with the BPU, the provision of a mayoral letter, engineering designs, etc. Once a project is approved, they would additionally be completing township permitting and additional local-level submissions for the project.

He shared information about the company's workforce development initiatives and its history of receiving grants to train employees. He discussed the importance of establishing sustainable wages for their employees. He noted that smaller projects of this scale had a great likelihood of being approved by the BPU.

Attorney Buzak asked how the storage facility received income as a result of allowing the solar panels to be installed on its roof. Mr. Dunshee explained that his company signs a 20-year lease agreement with the option to do additional five-year increments. He commented that the useful life of solar panels is 45 years and that Solar Landscapes would be a tenant on the storage facility's roof.

Councilman Forstenhausler asked who was responsible for the installation payment. Mr. Dunshee explained that Solar Landscapes pays, builds, owns, operates, and maintains the solar panels for the full life of the project. He explained that the funding is captured over time through state and federal incentives and s-reqs. He added that it typically takes about six years to be whole after financing.

Councilmember Hathaway asked why this site was chosen, and if the client base for this type of project included commercial customers. Mr. Dunshee explained that his company has collaborated with Metro Storage to find eligible sites. Once a site is identified they purpose-engineered projects that make sense for those locations.

He explained that they choose to cater to individual residential customers as they have found that there is a greater savings impact. He noted that utilities were more generous in terms of the credits they gave back to developers for individual meters. He stated that the BPU's allowance of these projects to be utility-wide allowed them to make the projects hyperlocal.

Deputy Mayor Carey asked if residents living near these projects have complained about visibility issues. Mr. Dunshee stated no. He shared that he presented a similar project in Egg Harbor Township, and the municipality did not know that a project had already existed within their town.

The council shared concerns about High Street's elevation and the Metro Storage building's roof-line. Mr. Dunshee stated that the panels were installed at a five-degree tilt, were nearly flat, and were almost impossible to see. He explained that there is no motorization, and little to no sound coming from the panels.

The council discussed concerns about the panel visibility for residences directly behind the Metro Storage building; additional inquiries were made regarding the effectiveness of the solar panels due to the tall trees in the residential backyards.

Deputy Mayor Carey asked if residents could opt out at any time. Mr. Dunshee confirmed that was correct. He shared that prior to the bill consolidation improvement, individuals did opt out, but that was seen less typically now.

Deputy Mayor Carey asked how much of this project's capacity would be allotted to low- or moderate-income households. Mr. Dunshee explained that half of the project capacity would be reserved for those customers. He added that it was their duty to find those individuals and confirm their eligibility. He explained that the interconnection application submission to the BPU included proving that capacity is available on the grid for reservation; in the event that no capacity is available they would have to provide proof to the BPU of how they would work to ensure that the capacity would be available. These steps are conducted prior to receiving approval for any such projects.

Councilwoman Veech asked if Mr. Dunshee could ensure that neighbors looking down at the roof would be guaranteed to receive the 25% discount on the electric utility bill. Mr. Dunshee stated that he was going to suggest that those individuals receive more. He explained that Solar Landscapes could work with the township to get more information and make those residents happy about what they are seeing and what they are saving. He shared that the application process opens on November 15 and the deadline for submission is November 28.

Councilmember Hathaway asked if the subscription fee for enrollment went to the solar company. Mr. Dunshee explained that there is no subscription fee as they sell the electricity to the grid. He explained that the consolidated billing allows customers to see how it is allocated between solar energy and the electric utility. He stated that the cost would be 25% less than what was currently being paid.

Mayor Nisivoccia understood that a resolution was not mandatory, he asked if that requirement had changed. Mr. Dunshee explained that in the past resolutions had always been required as the BPU felt it was a stronger commitment from the municipality; resolutions are no longer required for the third year of the community solar program. He stated that the BPU opted for requiring a mayoral letter instead.

Councilmember Potter asked about the project's timeframe. Mr. Dunshee estimated that a project of this scale would take about six weeks. He added that they would be mindful of the municipality's and building owner's expectations for work hours.

Councilwoman Veech asked if any resident complaints had been received after project completion. Mr. Dunshee explained that the biggest complaint they have received was related to how long it took to turn on. He explained the interconnection process for solar panels and past struggles with the JCP&L being backlogged. He shared an experience of a town not liking installed carports; his company removed them to resolve concerns. He stated that they could make accommodations to make the project palatable for everyone as they did not want to upset the town or its residents.

Councilwoman Veech asked what percentage of the electricity bill was only for electricity. Mr. Dunshee stated that it was about 80%.

Councilmember Potter asked what point in the process the township would be able to give its conditions, and if it was required to go before the township boards. Mr. Dunshee explained that the process varied for each individual municipality. He stated that conditions could be added to the mayoral letter.

Councilmember Hathaway asked if any municipalities declined on these projects. Mr. Dunshee briefly shared a company experience with a mayor who declined to have a meeting about the project for the first two years of the program's roll-out. He stated that his company would be meeting with that mayor in year three as the mayor was under pressure from commercial real estate owners in his town.

Deputy Mayor Carey inquired about the timeline for the mayoral letter and the BPU's response after receipt of the application. Mr. Dunshee explained that the submission process begins on November 15 and ends on November 28. He stated that it typically takes about two or three months for the BPU to make a determination. He suspected that it could take longer because of the holidays. He estimated that a determination would be received sometime in February. He added that an approved project would take about 5-6 weeks for interconnection on the site roof.

Councilwoman Veech asked how much of the Metro Storage roof was being used for this project. Mr. Dunshee informed her that most of the roof would be used.

Councilmember Potter asked what kind of communications were given to surrounding neighbors for the project. Mr. Dunshee explained that they would work with the township to complete the necessary notification requirements.

Councilmember Hathaway asked if the cap on the wattage for the township was made on a yearly basis. Mr. Dunshee explained that there was a cap on how big a project could be. He stated that a project could not be any more than 5 megawatts per project as a maximum and they cannot collocate.

Councilwoman Veech asked how Solar Landscapes would help get the word out about the project finder. Mr. Dunshee stated that the enrollment portal would communicate information about project capacity, and direct them to projects they are eligible to enroll in. He stated that

they count on the local organization to assist with communicating the information and educating the public.

Councilman Forstenhausler understood that Solar Landscapes received its project funding through state and federal grants, installed the community solar projects, and sold the generated power to the utility company, which then sells the energy to residents. Mr. Dunshee explained that they do not sell the electricity to the utility. The utility delivers the electricity to residents.

Manager Poff explained that the State of New Jersey has mandated that utility companies provide green energy options to their customers.

Public Comment:

Janice Rosamilia of 95 High Street asked if the solar panels would be facing her home or Route 10. Mr. Dunshee explained that the panels would be facing South. He explained that they would be on a 5% tilt. Mrs. Rosamilia shared concerns about sun glare coming into her backyard. Mr. Dunshee stated that the solar panels were typically designed not to do that, but there was metal framing on the equipment.

There was discussion about the five or six homes that are immediately adjacent to the facility. Mr. Dunshee suggested that those individuals receive a 100% discount rather than the minimum 25%. He stated that they would work to make this project palatable. It was suggested that conditions be added to the resolution.

Seeing and hearing none the public comment session was closed.

Manager Poff explained that for this form of government, the council will consider a resolution rather than a mayoral letter.

Councilman Forstenhausler asked if everyone within 200 feet of the property was given notice. Manager Poff confirmed that the notice was sent via regular mail. Residential properties were also provided notice via hand delivery.

Councilwoman Veech asked if there was any way to mitigate the glare from the roof. Mr. Dunshee stated that he would check with the project engineer and communicate a more complete answer.

Councilman Forstenhausler asked if Mr. Dunshee could clear the 100% discount substitute for the immediately affected residents. There was discussion about the challenges of identifying who has a view of the roof and defining a standard for the condition.

Councilmember Potter asked if there was a way to get the Zoning Department to look into applicable conditions for the project, such as work hours, letters to residents, etc. Councilwoman

Veech asked Attorney Buzak to consider what else should be included in the resolution based on previous comments.

Councilmember Potter believed it was best to ensure the resolution details are complete, instead of rushing to approval and missing something. She asked if it was possible to find out how many residents had a view of the roof to determine that deal. There was discussion about potentially including a subject to board review requirement within the resolution.

Attorney Buzak explained that the council did not have the ability to expand the jurisdiction of any board as covered under the MLUL. He understood that the council was concerned, but he cautioned them to be careful about how they would control the project given they have limited knowledge about the field. The council discussed having the township's professionals review the resolution. Manager Poff confirmed that the land-use professionals would be in contact with Solar Landscape to obtain more details about the proposed project. He stated that they could come back with recommended conditions for approval. He informed the council that this action would require the scheduling of a special meeting as the next regularly scheduled meeting on Thursday, November 28, is the deadline date for BPU submission.

Councilmember Potter asked if the homes on High Street across from the Metro Storage site received notice about the project. Manager Poff informed her that those homes were notified so long as they were within 200 feet of the project site. Councilmember Potter asked that another notice be sent to everyone on High Street in the event of a special meeting being held. Manager Poff informed her that an additional notice was possible. He added that the initial notices were sent by the Planning and Zoning Department at his direction. He informed the council that there was no requirement on the part of the applicant to do this.

Mrs. Rosamilia asked that the new letter identify the project site as Metro Storage to make it more identifiable.

Mayor Nisivoccia stated that it was a compelling presentation. He noted that the property was one of the tallest structures in the township, and that the residents in the area may be affected by the panels. He appreciated Solar Landscape's generous offer to provide a lucrative discount to the five or six homes directly affected by the project; he was concerned that neighboring homes not designated to receive larger discounts would work against the reception of the project.

Councilmember Hathaway agreed with Mayor Nisivoccia. He commented that the applicant seemed willing to work with the township. He asked if there was a better way to get a sense of the homes directly affected by the potential visibility to determine potential remedies. Mayor Nisivoccia asked Manager Poff to have the Planning and Zoning Department look into the project. He encouraged the council to visit the area. There was further discussion about the panel visibility and potential sun glare.

Manager Poff stated that the administration had the ability to review the project in terms of things they would be looking at as a part of any land development application. He did not want

to make representations about what the glare is on or off the panels, or other things that are beyond the expertise or knowledge base of the township's professionals. He did not want anyone to be under any misunderstanding that the review of this project would be under anything they otherwise would be looking at for similarly situated projects. He stated that he would come back to the council with an evaluation and prepare a set of recommendations for conditioning the resolution of support, but the review would be in accordance with what the professionals would otherwise do and may not be considered exhaustive.

2. Proclamation – Recognizing Diwali – The Festival of Lights

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

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

C. OPEN TO THE PUBLIC

Seeing and hearing none, the public session was closed.

D. MANAGER'S REPORT

Manager Poff reported the following:

Capital Budget Hearings – The department capital budget hearings have been completed. The township is in the process of developing the 2024 Capital Budget Program. The operating budget hearings are scheduled for Monday, November 6, and Tuesday, November 7; notice about these hearings have been given in accordance with the Optional Municipal Charter Law.

Citizen and Internal Request Tracker – An internal workgroup is currently looking into opportunities for citizen and internal request tracking systems. The goal is to identify an easier way for residents to conduct business with the township.

Rockaway Valley Regional Sewer Authority (RVRSA) – Manager Poff attended a capital project meeting at the RVRSA facility. He planned to review the projects with Councilmember Potter, the township's designated RVRSA representative.

Randolph Middle School Leadership Program – Manager Poff was invited by the middle school to conduct a presentation about the role of the Township Manager and leadership in local government. A group of 35 students attended the presentation. He was appreciative of the opportunity and shared that additional township representatives are invited to hold future presentations.

E. APPROVAL OF MEETING MINUTES

1. Authorizing the Approval of Regular Council Meeting Minutes for October 19, 2023.

Councilman Forstenhausler made a motion to approve the Regular Meeting Minutes for October 19, 2023. Deputy Mayor Carey seconded the motion and the following roll call vote was taken:

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

F. COMBINED ACTION RESOLUTIONS

1. R-216-23 Authorizing the Award of a Professional Services Agreement to Boswell Engineering for Engineering Design Services for Freedom Park Baseball/Softball Field Lighting Improvements - not to exceed \$29,200.00

CERTIFICATION OF AVAILABILITY OF FUNDS

Dated: November 2, 2023

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:30-5.3-5.5, and any other applicable requirement, I, Deborah Bonanno, Director of Finance for the Township of Randolph, have ascertained that funds are available to award a contract in an amount not to exceed \$29,200.00 to Boswell Engineering for the Freedom Park Field Lighting Improvements according to the submitted proposal.

Deborah Bonanno
Chief Financial Officer
Budget Accounts: #04-215-55-999-304

2. R-217-23 Redeem and Refund Tax Sale Certificate #2023-013 for Block 93.01, Lot 12, 40 Heritage Ct. to Pro Cap 8 FBO Firsttrust Bank - \$443.24
3. R-218-23 Authorizing the Settlement of Certain Residential Tax Appeals for Block 51, Lot 10.02 - 14 Ursula Ct. for 2016 and 2023
4. R-219-23 Release Cash Road Opening Bond for the Purpose of a Drainage Pipe Into a Storm Drain, Block 121, Lot 5, 76 Musiker Avenue, Randolph, - \$500.000
5. R-220-23 Adopting the Environmental Guidebook prepared by Pinto Consulting
6. R-221-23 Authorizing the Award of MCCPC Contract #5 (Paving Materials) to Tilcon New York
7. R-222-23 Authorizing the Award of MCCPC Contract #7 (Drainage Pipe- Delivered) to Chemung Supply
8. R-223-23 Authorizing the Award of MCCPC Contract #8 (Anti-Freeze) to Lubenet, LLC
9. R-224-23 Authorizing the Award of MCCPC Contract #9 (Crushed Stone & Sand) to Tilcon New York, Inc.
10. R-225-23 Authorizing the Award to National Highway Products, Inc. and Rejection by Various Other Bidders of MCCPC Contract #28 (Traffic Sign Materials)
11. R-226-23 Authorizing the Award and Rejection By Various Bidders of MCCPC Contract #17 (Water Treatment Chemicals)
12. R-227-23 Authorizing the Award of MCCPC Contract #18 (Tree Removal, Trimming & Stump Grinding Services) to Almstead Tree & Shrub Care Company and Tree King, Inc.
13. R-228-23 Authorizing the Award of MCCPC Contract #14 (Catch Basins & Manhole Castings) to Campbell Foundry Company and General Foundries, Inc.
14. R-229-23 Authorizing the Award of MCCPC Contract #21 (Oil & Stone Treatment) to Asphalt Paving Systems
15. R-230-23 Authorizing the Award of MCCPC Contract #24 (Bagged Cement & Poured Concrete) to Continental Hardware, Inc. and County Concrete Corporation
16. R-231-23 Authorizing the Award of MCCPC Contract #26 (Beam Guide Rail & Safety Ends - Installed) to Road Safety Systems, LLC
17. R-232-23 Authorizing the Award of MCCPC Contract #33 (Clay and Infield Mix for Athletic Fields) to Viersma Sales & Service, LLC
18. R-233-23 Authorizing the Award of Contract MCCPC #38 (Preventive Maintenance/Repair of Communications Equipment) to Communications Specialists, Inc.

19. R-234-23 Authorizing the Award of MCCPC Contract #39 (Furnishing Trophies & Plaques) to TJ's Sportwide Trophy & Awards, Inc.
20. R-235-23 Authorizing the Rejection of Bid from WBE Fence Company and Award to Challenger Fence, Inc. for MCCPC Contract #53 (Fencing Materials & Installation)

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

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

G. UPCOMING EVENTS

1. COUNCIL ONLY - Shongum School Veterans Day Program at 9 Arrow Place, Randolph, on Friday, November 3, 2023, at 10:00 a.m.
2. Groundbreaking Ceremony for the Morris County College Center for Entrepreneurship and Culinary Science, 214 Center Grove Rd., Randolph, on Friday, November 3, 2023, at 10:30 a.m. - Davidson Rooms
3. Diwali Celebration at the Randolph Community Center, 30 Calais Rd., Randolph on Friday, November 3, 2023, 6:00 p.m. - 7:00 p.m.
4. RIA Diwali Party, Aashirwad Palace, 169 South Salem Street, Randolph, on Sunday, November 5, 2023, at 5:30 p.m.
5. Veterans Day Ceremony at VFW Post 7333, 103 Carrell Road, Randolph, on Saturday, November 11, 2023, at 11:00 a.m.
6. COUNCIL ONLY - 66th Annual Randolph Fire Department Inspection Dinner, Saturday, November 11, 2023, Inspection at 4:30 p.m., Co. #4 Ironia Fire House, 331 Dover Chester Rd., Randolph; Cocktail hour at 6:00 p.m. and Dinner at 7:00 p.m. at Meadow Wood Manor, 461 Rte. 10 Randolph, NJ
7. COUNCIL ONLY - New Jersey League of Municipalities 108th Annual Conference, November 14, 2023, - November 16, 2023, Atlantic City Convention Center

8. Table of Hope Thanksgiving Dinner Giveaway at the County College of Morris, 214 Center Grove Road, Randolph, NJ 07869 on Friday, November 14, 2023, at 11:00 a.m. - Register for a Meal or to Volunteer at Springstreetcdc.org
9. Grand Opening/Ribbon Cutting – Triple A Mobile Gaming, parking lot of the Community Center, 30 Calais Road on Saturday, November 18, 2023, at 10:00 a.m.
10. Grand Opening/Ribbon Cutting – Little Cottage of Faith, 425 Rte. 10 East, on Saturday, November 18, 2023, at 11:00 a.m.
11. Holiday Season Lighting Celebration at Veterans Community Park, 100 Calais Rd., Randolph on Friday, December 1, 2023, from 6:30 p.m. - 7:30 p.m.
12. Council Only - Employee Appreciation Breakfast on Wednesday, December 6, 2023, in the Municipal Building Lobby
13. Menorah Lighting by the Chabad at Veterans Park on Monday, December 11, 2023, at 6:00 p.m.
14. Meet Santa and Explore Snoopy's House with Cookies and Cocoa at the Community Center, 30 Calais Road, Randolph on Friday, December 15, 2023, from 5:00 p.m.- 7:30 p.m.

H. ORDINANCE INTRODUCTION

- 1. Ordinance No. 22-23 Providing for the Upgrade of Sanitary Sewer Pump Stations In and By the Township of Randolph in the County of Morris, New Jersey, and Appropriating \$732,489.78 Therefor, Constituting Proceeds of Obligations of the Township Heretofore Issued**

Manager Poff explained that the purpose of this ordinance is to appropriate \$732,489.78 for the improvement and upgrade of sanitary sewer pump stations in and by the township, including but not limited to the CCM, Dogwood and Denbrook pump stations, said moneys constituting proceeds of obligations of the township heretofore issued and no longer necessary for their original purposes.

BE IT RESOLVED, that an Ordinance entitled, “Ordinance Providing for the Upgrade of Sanitary Sewer Pump Stations in and by the Township of Randolph, in the County of Morris, New Jersey, and Appropriating \$732,489.78 therefor, Constituting Proceeds of Obligations of the Township Heretofore Issued,” 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 28th of November, 2023 at 6 o’clock in the evening, prevailing time, at the Town Hall in said Township, at which time

and place all persons interested shall be given an opportunity to be heard concerning said ordinance.

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

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

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

2. Ordinance No. 23-23 Amending Chapter 24, Health and Sanitation, of the Revised Ordinances to Include Article XIII, Privately Owned Salt Storage to Establish NJDEP-Mandated Regulations for Privately Owned Salt Storage

Manager Poff explained that the purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater. This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned), including residences, in Randolph Township to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

BE IT RESOLVED, that an Ordinance entitled, “An Ordinance of the Township of Randolph, County of Morris, State of New Jersey, Amending Chapter 24, Health and Sanitation, of the Revised Ordinances to include Article XIII (13), Privately Owned Salt Storage to Establish NJDEP-Mandated Regulations for Privately Owned Salt Storage,” 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 28th, of November, 2023 at 6 o’clock in the evening, prevailing time, at the Town Hall in said Township, at which time and place all persons interested shall be given an opportunity to be heard concerning said ordinance.

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

Councilman Forstenhausler asked if this ordinance referred to the salt-storage dome at the Department of Public Works (DPW). Manager Poff explained that the DPW dome is regulated under another set of regulations. He explained that the ordinance is referring to privately owned salt storage that would otherwise come to the township's attention. Councilwoman Veech asked who would be enforcing the ordinance. Manager Poff informed her that it would be enforced by the Health Department.

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

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

I. OPEN TO THE PUBLIC

Seeing and hearing none, the public session was closed.

J. COUNCIL COMMENTS

Councilmember Elbaum had nothing to report for this meeting.

Councilmember Potter reported that the Wildlife Management Advisory Committee did not reach a quorum for its meeting on Wednesday, November 1. She reported that the user count for the Recycle Coach Mobile App had been slowly increasing. Currently, there are 530 app users in Randolph; there have been 6,431 app impressions, and 579 app engagements; an 80% increase and a 65.3% increase from the previous year. She shared that the response rate for the app quizzes was 71% for the month of October. She concluded her comments by sharing that user time spent on the app had increased by 68.9% from the previous month.

Councilmember Hathaway had nothing to report for this meeting.

Councilwoman Veech shared that she spoke with Joe Nazaro of the Morris County Parks Commission. She suggested to Mr. Nazaro that the boulder monument at James Andrew Park be moved to the park's trailhead so it would be accessible to the public.

Councilman Forstenhausler had nothing to report for this meeting.

Deputy Mayor Carey had nothing to report for this meeting.

Mayor Nisivoccia stated that the bench dedication for Peter Kenny was a great event. He commended the Friends of the Randolph Meeting House for hosting a successful 125th Anniversary Presentation. He concluded his comments by congratulating the Parks and Recreation Department on its successful Haunted Trail event.

K. EXECUTIVE SESSION

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

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

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

1. The public shall be excluded from the remaining portion of this meeting.
2. The general nature of the subject matter to be discussed is as follows:
 - A. Attorney- Client Privilege – Restrictive Covenant, 1275 Sussex Tpke
 - B. Attorney-Client Privilege State Licensed Housing – CSLR
 - C. Morris County Vocational School
 - D. Collective Bargaining – PBA 403, RTEA, RTSEA, Teamsters 97
 - E. Personnel – Manager Performance Appraisal Process
3. As nearly as can now be ascertained, the matter or matters to be discussed at this time will be disclosed to the public at such time and under such circumstances as are prescribed by law.
4. At the conclusion of the Executive Session, the Council may or may not reconvene in public session for the purpose of taking formal action on matters discussed in closed session or on any matter as permitted by law.

Councilman Forstenhausler made a motion to move into Executive Session at 7:36 p.m. Councilwoman Veech seconded the motion and the following roll call vote was taken:

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

Councilmember Hathaway made a motion to close the Executive Session at 9:15 p.m.
Councilwoman Veech seconded the motion and the following roll call vote was taken:

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

L. ADJOURNMENT

Councilmember Hathaway made a motion to adjourn the meeting at 9:15 p.m. Deputy Mayor Carey seconded the motion and following roll vote was taken:

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