

Township of Randolph
Municipal Building
Randolph, NJ
November 18, 2021

A. OPENING OF REGULAR MEETING

1. Call to Order

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, it was filed with the Township Clerk, and it was provided to those persons or entities requesting notification. The amended annual resolution was adopted by the Township 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.

2. Roll Call

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

Also present: Township Manager Mountain and Township Attorney Edward J. Buzak (via phone) and Attorney Keli Gallo of Buzak Law Group (via phone)

3. Pledge of Allegiance

Mayor Forstenhausler led the Pledge of Allegiance.

B. OPEN TO THE PUBLIC

Seeing and hearing none, the public portion was closed.

C. MANAGER'S REPORT

Manager Mountain reported the following:

Beautify Randolph – A township resident expressed interest in forming a volunteer citizen group to help beautify select township traffic islands and public rights of way.

While the resident is still rounding out the concept, they wanted the Township Council to be aware of the group's formation as social media posts about the group concept will likely be posted. Manager Mountain informed the resident that they would need to present any specific projects to the town for authorization before proceeding. In the resident's initial post about the formation of the group, the individual proposed a project that involved a state-controlled right of way. Manager Mountain informed the resident that the township only controls right-of-ways and islands located on township roadways and that county and state right-of-ways fall under the jurisdiction of those respective agencies. He commended the resident's civic spirit and believed that if the group were to be properly coordinated, it would be beneficial for the community.

COVID-19 Utility Ratepayer Relief Measures – The NJ Division of Local Government services sent out a notice reminding all water, wastewater, and electric utility operators of the Governor's Executive Order that provides relief measures to ratepayers and requires operators to continue to communicate about these measures. The township will be conducting a targeted public information effort on the measures to ensure that Randolph remains in compliance with the order. The Executive Order is currently slated to expire on January 1, 2022, and establishes a moratorium on the disconnection, discontinuance, or termination of utility service. It also allows for the following:

- A deferred bill payment agreement program.
- Bill payment assistance.
- Arrearage forgiveness and restrictions on the imposition of late fees, interest, or liens for late payments.

Leaf Collection Program – The Township's Public Works crews have started curbside leaf collection operations in District #4, which is the largest area. Manager Mountain authorized the Public Works Director to extend the working hours for crews from 6:30 a.m. to 5:00 p.m. This extension has allowed the town to stay on schedule and complete the program prior to the winter season. While crews have been doing a fantastic job, they continue to have issues with residents placing leaves on the road far in advance of their scheduled collection week. The township will be reminding residents of the rules by sending out messages and letters to violators; if necessary summonses will be issued to individuals ignoring the warnings.

Manager's Retirement – Manager Mountain provided a letter advising Mayor Forstenhausler and the Township Council of his intention to retire in 2022. His last day in office will be June 30, 2022. He had informally advised the council of his intentions earlier in the fall, and was now making the announcement public to allow the council to move forward with the selection process for the next Township Manager. He came to his decision after much deliberation and discussion with his family.

He stated that he was grateful to the Township Council for choosing him to serve as Township Manager and for the support provided to him throughout his tenure. He shared that he was proud of what he and the council accomplished together. He recognized the municipal staff for their talents and shared his appreciation and respect for their work in

the organization. He recognized Randolph residents, business owners, and those who volunteer on behalf of the community. He expressed that he would remember his tenure in Randolph fondly. He stated that working as the Township Manager of Randolph has been the fulfillment of a professional dream and that he would miss being a part of the Randolph team and serving the community. He looked forward to working closely with the council to ensure a smooth transition to the next Township Manager. He planned to continue to work to serve the community till his last day.

Mayor Forstenhausler thanked Manager Mountain for doing a great job. He spoke on behalf of the council, stating that they were all pleased to have worked with him over the past few years. He wished Manager Mountain the best of luck in his retirement and stated that he would be missed.

Deputy Mayor Potter thanked Manager Mountain for leading the township through the COVID-19 Pandemic. She stated that through the difficult time Manager Mountain responded by working well over normal operational hours to aid the community. She thanked Manager Mountain in advance for his help during the transition period of the new Township Manager.

Councilwoman Carey explained that she was on the search committee that selected Manager Mountain to fill his role eight years ago. She commented that Manager Mountain has done a great job over the past eight years.

Councilman Loveys stated that in his experience, Randolph has had a tradition of excellence when it comes to the Township Manager position. He explained that the township has been fortunate in having managers who fulfilled their roles with longevity and consistency. He thanked Manager Mountain for the time, heart, and soul he put into his work. He commended Manager Mountain for incorporating himself within the community and stated that while he was sad to see Manager Mountain go, he wished him and his family the best.

Councilwoman Veech thanked Manager Mountain for everything he has accomplished.

Councilman Tkacs commented that Randolph benefited greatly from Manager Mountain's leadership. He could not imagine finding another person with Manager Mountain's level of integrity, professionalism, and calm. He appreciated the work Manager Mountain accomplished with the Township Council.

Councilman Nisivoccia echoed the previous comments. He wished Manager Mountain the best.

Manager Mountain appreciated the council's comments. He stated that he looked forward to continuing to work with the Township Council over the next six months before he officially retires.

D. APPROVAL OF MEETING MINUTES

1. Approving the Regular Council Meeting Minutes for October 21, 2021 and November 2, 2021

Deputy Mayor Potter made a motion to approve the Regular Council Meeting Minutes from October 21, 2021 and November 2, 2021. 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

E. COMBINED ACTION RESOLUTIONS

Item #1, R-289-21, Authorizing the Person-To-Person Transfer of Plenary Retail Distribution Liquor License No. 1432-44-019-003 from Pappas Imports, LLC to 1194 KP Wine and Liquors, LLC – Councilman Tkacs inquired about this resolution item. Manager Mountain and Clerk Luciani explained that the item was a liquor license transfer being conducted for the same location under a different business.

Item #10, R-298-21, Authorizing the Settlement of Certain Residential and Commercial Tax Appeals for A&P – Councilman Loveys asked Manager Mountain to speak on this resolution item and the work the Township’s Tax Assessor put into it. He commented that this was the largest commercial tax settlement that Randolph has. Manager Mountain confirmed that Councilman Loveys was correct. He explained that this tax appeal had been ongoing for a number of years as it was stuck at the state level. He commended Township Tax Assessor Glen Sherman for negotiating a settlement that avoided a larger impact by tying reductions to certain years where adjustments made sense. He briefly explained how Mr. Sherman negotiated around A&P’s bankruptcy settlement to avoid having it be tethered to the tax settlement.

1. R-289-21 Resolution of the Township of Randolph Authorizing the Person-To-Person Transfer of Plenary Retail Distribution Liquor License No. 1432-44-019-003 from Pappas Imports, LLC to 1194 KP Wine and Liquors, LLC
2. R-290-21 Authorizing the award of MCCPC Contract 22 - DPW Uniforms/Works Shoes/Boots to various bidders
3. R-291-21 Authorizing the rejection and award of MCCPC Contract 23 for Police Uniforms and Equipment to various bidders
4. R-292-21 Authorizing the MCCPC award and rejection of MCCPC Contract 41 - Purchase of Communications Equipment to various bidders
5. R-293-21 Awarding a Contract for the Calais Road Repaving Project to J.A. Alexander, Inc. - \$306,797.04

CERTIFICATION OF AVAILABILITY OF FUNDS

Dated: October 21, 2021

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 will be available to award a contract in the amount of \$306,797.04 to J.A. Alexander, Inc., Bloomfield, NJ for the resurfacing of Calais Road as detailed in the contractor's response provided to the Township's public bid solicitation.

Deborah Bonanno
Chief Financial Officer
Budget Accounts: 04-215-56-305-013-300

6. R-294-21 Authorizing the award and rejection of MCCPC contract #20-A - Sporting Goods to various bidders
7. R-295-21 Authorizing contracts with additional approved MCCPC Contract Vendors under the Morris County Cooperative Pricing Council (MCCPC) pursuant to N.J.S.A. 40A:11-11 (5)
8. R-296-21 Authorizing contracts with an additional approved State Contract Vendor (Authorized Distributor) for contracting units pursuant to N.J.S.A. 40A:11-12a
9. R-297-21 Authorizing contracts with an additional approved ESCNJ Contract Vendor under the Educational Services Commission of New Jersey Cooperative Pricing System (ESCNJ) pursuant to N.J.S.A. 40A:11-11(5)
10. R-298-21 Authorizing the Settlement of Certain Residential and Commercial Tax Appeals for A&P - Randolph Grocery Owners from 2011 through 2021
11. R-299-21 Authorizing the award of MCCPC Contract #6 – Road Resurfacing to various bidders
12. R-300-21 Authorizing the award and rejection of MCCPC Contract #19 – Concrete Blocks and Granite Blocks
13. Raffle License, Off-Premise 50/50, Hope and Serenity Recovery Community Center, on Thursday, December 30, 2021 at The Barn, 1178 Route 10 West, Randolph from 5:00 p.m. - 8:00 p.m.

Councilwoman Carey made a motion to approve the Combined Action Resolutions. 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

F. UPCOMING EVENTS

1. Table of Hope Thanksgiving Food Distribution at the County College of Morris, 214 Center Grove Road, Randolph, Parking Lot 1 on Friday, November 19, 2021, from 1:00 p.m. to 2:30 p.m.
2. Grand Opening/Ribbon Cutting, Rosenthal Sambonet USA, Ltd., 685 Route 10 East, Randolph on Tuesday, November 23, 2021 at 2:30 p.m.
3. Randolph Township Holiday Lighting at Veterans' Community Park, 100 Calais Road, Randolph, Saturday, December 4, 2021, 4:00 p.m. start time ending with 7:30 p.m.
4. Menorah Lighting at the Community Center on Calais Road, Randolph, Sunday, December 5, 2021 at 4:30 p.m.
5. Randolph Chamber of Commerce Networking General Meeting – Thursday, December 9, 2021 – Time/Place TBD
6. Randolph Reorganization Meeting, January 6, 2022 – Reception starting at 5:00 p.m. followed by meeting at 6:00 p.m.
7. Randolph Chamber of Commerce – Meet the New Mayor of Randolph – 2022, Thursday, January 20, 2022, Time/Place TBD

G. ORDINANCES: SECOND READING/PUBLIC HEARING

1. Ordinance No. 31-21 Amending Sections 34-32, 34-33, 34-34, 34-35, 34-36, 34-37 and 34-39 of Chapter 34, Parks and Recreation Areas of the Revised Ordinances of the Township of Randolph

BE IT RESOLVED, that an Ordinance entitled, An Ordinance Amending Sections 34-32, 34-33, 34-34, 34-35, 34-36, 34-37, and 34-39 of Chapter 34, Parks and Recreation Areas, of the Revised Ordinances 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 portions of the rules and regulations applicable to the parks and recreations areas set forth in sections 34-32, 34-33, 34-34, 34-35, 34-36, 34-37, and 34-39 of Chapter 34, Parks and Recreation Areas, of the Revised Ordinances of the Township of Randolph, to be consistent with the revisions recommended by the Parks Advisory Committee, the Recreation Advisory Committee, the Township Council, and the Township Staff.

OPEN TO THE PUBLIC

Seeing and hearing none, the public session was closed.

BE IT RESOLVED, than an Ordinance entitled, An Ordinance Amending Sections 34-32, 34-33, 34-34, 34-35, 34-36, 34-37, and 34-39 of Chapter 34, Parks and Recreation Areas, of the Revised Ordinances 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.

Councilman Loveys made a motion to adopt the ordinance. 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

H. DISCUSSION ITEMS

1. Proposed Council Meeting Dates for 2022

Mayor Forstenhausler asked the council to review the proposed Township Council meeting dates for 2022.

Councilwoman Carey asked if any changes were made. Clerk Luciani informed her that only one change was made to correct the time of the December 8, 2022 meeting.

Councilwoman Carey made a motion to approve the proposed 2022 Council Meeting dates. 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

I. OPEN TO THE PUBLIC

Tyler Barth of 4 Country Lane shared his concerns with the deer population in the area. He stated that many cars have been struck by the animals. He inquired about the measures being taken to control the deer population. Manager Mountain informed the resident that the township instituted

a Wildlife Management Program more than a decade ago to aid with deer population control. He explained that the program allows participating hunters to hunt on township public properties by districts. He explained that the program has been successful as data shows that the number of deer-related car accidents has decreased significantly as has the deer population in the area. He informed Mr. Barth that the township has also assigned a group of hunters to hunt private property if approached by property owners. He would provide Mr. Barth with the information and suggested the he share his concerns/ideas with the Wildlife Management Advisory Committee.

Mayor Forstenhausler commented that deer are typically more active this time of year. He invited Mr. Barth to attend a Wildlife Management Advisory Committee meeting to share his concerns.

J. COUNCIL COMMENTS

Councilman Tkacs reported that the Parks Advisory Committee met on Tuesday, November 9. He shared that the park crews spent a significant amount of time getting the parks prepared for the winter season. He shared that the Holiday Tree Lighting event would be taking place on Saturday, December 4, at 4:00 p.m.

He attended a Planning Board meeting and reported that the Town of Dover would be replacing a water tower located on the border of Dover and Randolph Township.

He shared that he attended several other township events, including the retirement dinner for retired Public Health Nurse Supervisor Ginny Maico, and the Veterans Day Celebration at VFW Post #7333.

Councilwoman Veech attended a Traffic Advisory Committee meeting on Tuesday, November 2. The committee received complaints about speeding on Dover Chester Road and issues with the LED traffic sign in front of Fernbrook Elementary not blinking. She reported that the sensors by the intersections on Dover Chester Road and Center Grove Road crossing Route 10 were out. The issue had been resolved, but many residents expressed frustration with the traffic that resulted from the County College of Morris commuters.

She shared that she attended the Annual New Jersey League of Municipalities Conference with a few other council members.

Councilman Nisivoccia reported that he attended various township events, including the Veterans Day Ceremony, Ginny Maico's Retirement Dinner, and the Fire Department's Annual Inspection.

He attended a Trails Advisory Committee meeting and shared that the committee finished reviewing the recommended changes for the Trails Master Plan. The committee will be distributing the plan to Parks and Recreation Director Russ Newman and Planning and Zoning Administrator Darren Carney for final comments before submitting it to Manager Mountain.

He shared that he distributed Performance Appraisal Questionnaires to the council and informed them that the forms must be returned by November 26.

He reported that the Senior Citizen Outreach Program received over 150 greeting cards to date from the students of St. Matthew's Faith Formation and Gottesman RTW Academy. The Resurrection Parish Youth Group and Randolph Township Schools also plan to provide some cards near Christmas.

Mayor Forstenhausler commended Councilman Nisivoccia for the Outreach Program. He commented that it was a great idea and that he was sure the cards would be appreciated.

Councilman Loveys reported that he attended a Board of Health meeting on Tuesday, November 9. He shared that the Mobile Food Truck Subcommittee reviewed the policy for licensing mobile food trucks; they concluded their review by suggesting that an annual license be created for food truck operations. Currently, the township offers a temporary license and a seasonal license for food trucks. He informed the council that Health Officer Mark Caputo would be issuing a memo to the Township Manager's office to be presented to the council at a future meeting. He commended the subcommittee for conducting a thorough review.

He attended various seminars at the NJLM Conference. Among those, he attended a seminar presented by Township Attorney Ed Buzak on Affordable Housing. He commented that the township was fortunate to have Attorney Buzak's services. He shared that the seminar discussed issues resulting from affordable housing projects that are likely to exist and must be considered.

Councilwoman Carey attended many of the previously mentioned events. She complimented the individuals responsible for organizing Ginny Maico's retirement dinner. She commented that the Veterans Day event at the VFW was well attended and that the Fire Department Inspection Dinner was a nice event.

She attended various educational sessions at the NJLM Conference; some of which were on topics of cannabis, businesses, diversity, insurance and liability, OPRA, and maintaining civility in public meetings.

She attended a Library Board of Trustees meeting on Thursday, December 11. She shared that the Story Walk Program was installed between Veterans' Community Park and Heistein Park. The board was grateful for Clerk Luciani's assistance with finding a location for the walk. She reported that the Township Library received a donation of \$6,400.00 from Charlie Huss; he asked that a portion of the donation be used for teenage books. She reported that the Fernbrook PTA used the library to host their annual Scholastic Book Fair after having issues with finding a location. The event was successful.

Deputy Mayor Potter reported that she attended the Watershed Institute's 5th Annual Conference. She participated in sessions covering topics of reconnecting waterways and watersheds, vacant spaces and nature-based strategies, naturalizing detention basins, and best practices for protecting trees.

She shared that she attended Ginny Maico's retirement celebration, the Veterans Day event at the VFW and the annual Fire Department Inspection Dinner. She shared her gratitude for the Township Fire Departments. She attended the NJLM Conference.

Mayor Forstenhausler reported that he attended many of the events previously mentioned. He shared that he attended an Economic Development Committee meeting along with Manager Mountain. He commended the committee members for their energy and efforts. He stated that their work was reflected in the many ribbon cuttings occurring in the township and the many businesses reopening or settling in Randolph.

He commented that the Veterans Day Ceremony had a great turnout. He attended the NJLM Conference and participated in various seminars. He shared that he attended a seminar that covered the NJ Cannabis Regulatory Commission's procedures and licenses.

He also shared that there was much discussion about the state's plastic bag and straw ban that went into effect in November 2021. He reminded the public to stock up on reusable bags, as on May 4, 2022 stores would no longer give out plastic and paper bags. He informed the public that information about the ban and reusable bags could be found on the state website.

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 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. Affordable Housing Litigation Update
 - b. Personnel
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 on matters discussed in closed session or any other matters, according to law.

Deputy Mayor Potter made a motion to move into Executive Session at 6:51 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

Councilwoman Carey made a motion to close the Executive Session at 8:15 p.m. 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

L. ADJOURNMENT

Councilwoman Carey made a motion to adjourn the meeting at 8:16 p.m. 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