

July 21, 2022

Township of Randolph
Municipal Building
Randolph, NJ
July 21, 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 CFO Debbie Bonanno, Township Attorney Edward J. Buzak (via phone) and Attorney Keli Gallo (via phone)

3. Pledge of Allegiance

Mayor Potter led the Pledge of Allegiance.

B. PRESENTATION

1. Presentation of the 2021 Audit by Kathi Mantell

Auditors Kathi Mantell and Brian Coe of Nisivoccia LLP thanked CFO Bonanno and her staff for their assistance in preparing for this year's audit. Mr. Coe explained that the current fund balance saw an increase of \$532K. He stated that this was a staple fund balance that auditors liked to see. He explained that the miscellaneous revenues increased and that the fees and permits that contribute to the revenues also increased. He reported that the interest and

July 21, 2022

investment deposits decreased by \$291K. He stated that the decrease was seen everywhere across all banks in 2021 from the events of the prior year. He shared that the Recreation Department and Engineering Department fees increased. He stated that there was a tax decrease of \$136K and shared that the unexpended balance appropriation reserves decreased by \$253K. He explained that the current fund balance was healthy. He attributed the good standing to proper planning and budgeting and the township's strong tax collection rate of 99.4%.

Ms. Mantell explained that the township was faring well and that many budget items had revived in 2021 since the COVID-19 Pandemic. She commented that the budget may be getting a little tighter due to the unexpended balance from the appropriation reserves being down.

Mr. Coe stated that the township paid monthly for general improvement bonds. The bonds will continue through 2033 and 2036. He reported that the township collected \$1.6 million in federal grants receivables in 2021. The funds will be used in the current fund and the capital fund. He reviewed the township's trust funds and explained that the reserve for storm recovery was at \$394K. He explained that a reserve of \$300K was created for retirement leave.

He stated that the total estimated balance for compensated absences was \$1.1 million; the reserve will be built up to pay off the compensated absences should the time arise.

Ms. Mantell explained that towns are allowed to establish a reserve for storm recovery with the monies left over from the appropriation reserves of the previous year.

Mr. Manco stated that the audit concluded with no recommendation. He commented that this was attributed to the efforts of township council and municipal staff. He shared a few suggestions for council consideration. He informed the council that the GASB statement regarding any lease or rental agreement would be required to be recorded on the audit, though they have not determined a present value factor yet. He stated that because the township was given COVID-19 federal funding, it was possible that the township could come under federal audit or investigation to confirm how those monies were spent. He shared that the auditors found several older general capital ordinance balances and receivables that could be spent or cancelled. He added that some reserves and receivables should be spent or investigated as well.

Ms. Mantell stated that general capital ordinances usually have a policy of being reviewed every seven years to determine if they should be canceled or spent; she suggested that these items be reviewed annually. She commented that in some cases, federal and state grants are not being spent as quickly as anticipated. She suggested that the township examine if those items could be expended.

She commented that this year's audit result of no recommendations spoke to the amount of care the township puts into the budget.

Councilmember Veech asked if the GASB statement would have a positive or negative impact on the township. Ms. Mantell explained that in Randolph's case it would not affect the township financially; it would be more of a disclosure.

July 21, 2022

Councilmember Loveys commended CFO Bonanno and her staff, retired Township Manager Stephen Mountain, and Ms. Mantell and Mr. Coe for their efforts.

C. PROCLAMATIONS

- 1. Proclamation Randolph Bulldogs Football 60th Anniversary – will be presented on Friday, August 26, 2022 at Freedom Park**
- 2. Eagle Scout – Aidan Christopher Jackson – will be presented by Mayor Potter at Court of Honor on Sunday, July 24, 2022**
- 3. Eagle Scout – Aden Katz – will be presented by Mayor Potter at the Court of Honor on Sunday, July 24, 2022**

Councilmember Carey made a motion to approve the proclamations. 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

D. OPEN TO THE PUBLIC

Drew Hull of 15 Patriots Way shared that he was a member of Boy Scout Troop #109 and a candidate for Eagle Scout. He thanked Councilmember Veech and Deputy Mayor Nisivoccia for answering his questions and inviting him to the council meeting. He thanked the council for being welcoming.

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

E. MANAGER'S REPORT

Manager Poff reported the following:

Road resurfacing – Due to the applicability of state mandated asphalt and fuel price adjustments, the township's 2022 road resurfacing program was reviewed between the Engineering and Public Works Departments. It is estimated these adjustments will add approximately an additional \$230K (on a \$950K resurfacing program). Based upon that review, the resurfacing of two roads (Quail Run and Longview Avenue) is being held in abeyance until actual quantities and price adjustments are calculated. Once the total cost of the modified resurfacing program is known, one or both of the remaining roads may be able to be resurfaced this year.

Councilmember Veech asked if residents of Quail Run and Longview Avenue would be notified of the projects. Manager Poff confirmed that information about the projects would be communicated.

IT update – The email server migration project is complete. As previously reported, the benefits of having performed this migration include built-in security, enhanced accessibility, and more predictability and flexibility on the Microsoft platform. The next project will focus on the municipal building's wireless access. The township is taking advantage of IT consulting services available through a state contract.

Affordable housing update – A meeting was held on Monday, July 18, to review the Settlement Agreement between Randolph Township and the Fair Share Housing Center, the Special Master's Report, and a list of the conditions that need to be satisfied prior to the Final Compliance Hearing scheduled for September 29, 2022. The Township Council will be called upon to adopt a number of affordable housing ordinances, affirmative marketing and spending plan resolutions, and rezoning ordinances to comply with the recently approved settlement agreement. As these documents are currently being drafted, it is recommended that the council consider a special meeting the week of August 15 when the ordinances and resolutions can be reviewed in advance of a September 1 introduction.

New Jersey Natural Gas installation update – The Engineering Department has prepared a formal project notice that will be posted to the website and social media to better inform the community about this on-going project.

- Park Avenue/Pleasant Hill Road Installation of a 6-inch plastic main continues with an estimated completion date of September 2. Pleasant Hill Road installation is proposed to start on August 1 with an estimated completion date of August 12. NJNG proposes, and it is recommended, night work on Pleasant Hill Road August 4 and 5. On Thursday, August 4, and Friday, August 5, weather permitting, Gray Supply will be working overnight from 7:00 p.m. to 5:00 a.m. to install a new gas main at the intersection of Park Avenue and Pleasant Hill Road.
- Openaki Road Installation of a 4-inch plastic main between Shongum Road in Randolph and Casterline Road in Denville is proposed to start on August 1 with an estimated completion date of September 2. NJNG proposes the closure of Openaki Road between Monday through Friday, 8:00 a.m. to 4:30 p.m. Detours will be in place and officers will be there to let residents know which side they can access their homes from. This closure is recommended because of road width and limiting the impact on school buses should the project be delayed into the fall.
- Dover Chester Road Installation of an 8-inch plastic main continues with an estimated completion date of September 2. NJNG proposes, and it is recommended, night work on July 29 to complete the crossing at Sussex Turnpike. On Friday, July 29, 2022, weather permitting, Gray Supply will be working overnight from 7:00 p.m. to 5:00 a.m. to install a new gas main at the intersection of Dover Chester Road and Sussex Turnpike.

July 21, 2022

Councilmember Veech asked how residents were being informed of the projects. Manager Poff explained that the police have gone door-to-door to inform residents who will be immediately impacted. He stated that project notices will also be posted to ensure that residents in the vicinity are given proper notice.

Councilmember Carey asked if the township's displeasure with the lack of communication was shared with NJNG. Manager Poff stated that he made it abundantly clear. He shared that other communities have been dealing with the same communication issues. He stated that the necessity to keep the township informed was stressed.

988 Suicide Crisis & Hotline – P.L. 2022, c.35 was recently signed into law to establish a comprehensive statewide behavioral health crisis system of care, of which the 988 Hotline is a key component. The NJ Department of Human Services released the new 988 Suicide Crisis & Hotline Toolkit on July 16. Anyone may call or text 988, or chat 988lifeline.org for information about assistance and resources. Individuals who are or know of persons struggling with thoughts of suicide or experiencing a mental health or substance use crisis should refer to this service.

F. COMBINED ACTION RESOLUTIONS

1. R-167-22 Refund cash road opening bond posted for the purpose of connecting to the township storm drain at 4 Lookout Road, Block 156, Lot 14 to Christi A. Sauter - \$500.00
2. R-168-22 Authorizing the Person-to-Person Transfer of Plenary Retail Consumption Liquor License No. 1432-33-002-006 from Mr. Crabby's, LLC to Randolph Seafood & Sports Bar, LLC
3. R-169-22 Authorizing Certification of the Annual Audit
4. R-170-22 Refund registration for child to attend Brundage Park Playhouse Summer APW program due to medical issue to Karen Cerreta - \$600.00
5. R-171-22 Release of Performance Bond for \$43,632.00 and Cash Bond of \$4,848.00 plus accrued interest, subject to Metro Storage, LLC posting required Maintenance Guarantee Bond of \$6,060.00 associated with Water Main Improvements at Block 145, Lot 2, 353 Route 10 East
6. Raffle License: On-Premise 50/50, Randolph High School Band Parent Association, 511 Millbrook Avenue, Randolph on October 1, 2022, from 4:00 p.m. – 10:00 p.m.
7. Raffle License: Casino Night at Randolph Engine Co. No. 5, 118 West Hanover Avenue, Randolph, NJ, Saturday, October 15, 2022, from 7:30 pm – 11:30 pm

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

AYES: Councilmember Carey
Councilmember Forstenhausler - Abstained to Item #7 - Raffle License

July 21, 2022

Councilmember Hathaway
Councilmember Loveys
Councilmember Veech
Deputy Mayor Nisivoccia - Abstained to Item #3 - R-169-22
Mayor Potter

NAYS: None

G. UPCOMING EVENTS

1. Library Event: Danny & the Boys, Monday, July 25, 2022, at 7:00 p.m.
2. Morris County Chamber Event, Network After Work at 1776 By David Burke, 67 East Park Place, Morristown on Wednesday, July 27, 2022, 5:30 p.m. at 7:00 p.m.
3. Library Event, 28 Calais Road, Randolph: The Kootz on Monday, August 8, 2022, at 7:00 pm.
4. VFW Post 7333 Summer Picnic at the Pavilion at Veterans Park on Calais Road on Saturday, August 13, 2022, from 12:00 p.m. – 4:00 p.m.
5. Library Event, 28 Calais Road, Randolph: CoolCore Band on Monday August 15, 2022, from 12:00 p.m. – 4:00 p.m.
6. Senior Softball Barbecue and League's 30th Anniversary Celebration at Brundage Park on Tuesday, August 16, 2022, at 12:30 p.m.
7. Bulldogs Youth Football 60th Season Celebration at Freedom Park on Friday, August 26, 2022, at 6:15 p.m.
8. Senior Picnic at Brundage Park on Tuesday, September 13, 2022, at 11:30 a.m. – 2:30 p.m.

H. ORDINANCES: SECOND READING/PUBLIC HEARING

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

BE IT RESOLVED, that an Ordinance entitled, An Ordinance Amending and Supplementing Section 31-52 of Chapter 31, Traffic and Vehicles, of the Revised Ordinances of the Township of Randolph, Morris County, New Jersey, be read by title on second reading and a hearing held thereon.

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

OPEN TO THE PUBLIC

Seeing and hearing none, the public portion was closed.

July 21, 2022

Councilmember Carey asked how this decision came about since it did not go through the Traffic Advisory Committee. Manager Poff explained that it was brought to the Township Engineer's attention and was deemed that a stop sign should be installed after he evaluated the area.

BE IT RESOLVED, that an Ordinance entitled, An Ordinance Amending and Supplementing Section 31-52 of Chapter 31, Traffic and Vehicles, of the Revised Ordinances of the Township of Randolph, Morris County, New Jersey, be passed on final reading and that a Notice of Final Passage of said Ordinance be published in the official designated newspaper according to law.

Councilmember Loveys made a motion to adopt the ordinance. 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

I. ORDINANCES: INTRODUCTION

1. Ordinance No. 19-22 Amending and Supplementing Section 31-431 of Chapter 31, Traffic and Vehicles of the Revised Ordinances of the Township of Randolph, Morris County, New Jersey

Manager Poff explained that the purpose of this Ordinance is to amend and supplement Section 31-431, Designated, of Article XIV, Bicycle Lanes, of Chapter 31, Traffic and Vehicles, of the Revised Ordinances of the Township of Randolph by the addition of a bicycle lane on Morris Turnpike from Calais Road to Dolly Bridge Road.

BE IT RESOLVED, that an Ordinance entitled, "An Ordinance Amending and Supplementing Section 31-431 of Chapter 31, Traffic and Vehicles, of the Revised Ordinances of the Township of Randolph, Morris County, New Jersey," be introduced, read by title by the Township Clerk and passed on first reading.

BE IT RESOLVED, that said Ordinance shall be further considered for final passage at the meeting of the Township Council of the Township of Randolph on the 1st, of September, 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.

July 21, 2022

Councilmember Loveys stated that while he is in favor of bike lanes. He was concerned that the white traffic stripe line on the road was not specifically painted to be a bike lane as it looked more like the shoulder of the road. He commented that the road looked narrow to him.

Manager Poff stated that after Deputy Mayor Nisivoccia shared a similar concern with him, he spoke to Township Engineer Paul Ferriero. He shared that Mr. Ferriero explained that the Master Plan contemplates a bike lane being designated in the area. Mr. Ferriero recommended that the stripping for the bike lane be modified to depict shared bike lane way; this stripping would be consistent with the Uniform Traffic Control Devices Manual. Manager Poff continued to explain that the bike lane was consistent with the Master Plan and that if the council decided not to pursue it, the Master Plan would require amendments.

Councilmember Loveys asked if the one bike lane would allow travel both ways. Manager Poff explained that the bike lane designation would be in accordance with the ordinance and the Master Plan. He stated that Mr. Ferriero suggested the specific shared bike lane stripping modification since the road is narrow.

Councilmember Loveys asked if other roads were suggested for bike lanes in the Master Plan. Manager Poff stated that to the best of his knowledge there were not any other roads. Manager Poff stated that he would examine the history of the bike lane signage on the road.

Deputy Mayor Nisivoccia commented that he liked the idea of a shared bike lane being established in the area. He suggested extending the lane down towards Dolly Bridge Road to meet the trail head.

Manager Poff suggested that the council advance with the ordinance. He stated that the Engineering Department could examine and investigate the possibility of extension.

Councilmember Veech 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. 20-22 Amending Sections 15-12.2 and 15-28.2 of the Land Development Ordinance of the Township of Randolph, Morris County, New Jersey to Permit Drive-In Restaurants in the B-3 Planned Business District

July 21, 2022

Manager Poff explained that the purpose of this Ordinance is to amend Sections 15-12.2 and 15-28.2 of the Land Development Ordinance of the Township of Randolph to permit drive-in restaurants in the B-3 Planned Business District.

BE IT RESOLVED, that an Ordinance entitled, “An Ordinance Amending and Supplementing Section 31-431 of Chapter 31, Traffic and Vehicles, of the Revised Ordinances of the Township of Randolph, Morris County, New Jersey,” be introduced, read by title by the Township Clerk and passed on first reading.

BE IT RESOLVED, that said Ordinance shall be further considered for final passage at the meeting of the Township Council of the Township of Randolph on the 1st, of September, 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 wondered what the historical rationale was for prohibiting drive-in restaurants in the area. He referenced a memo from the Planning and Zoning Administrator that mentioned discussion about a redevelopment plan. He asked if there were more long-term plans at the development and if the project requests would be coming up as they plan.

Manager Poff stated this request may not be the last one the council receives. He explained that this request was specifically addressing the restaurant pads for the two sites.

Councilmember Hathaway asked if the restaurant pads would be located in the vacant parking lot area. Manager Poff confirmed that they would be.

Councilmember Forstenhausler asked if the need for the ordinance indicated that the property owner had plans. Manager Poff confirmed that he was correct. He explained that the property owner/developer would need to review the specifics with the township.

Councilmember Veech made a motion to introduce the ordinance. 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

J. OPEN TO THE PUBLIC

Joseph Amaral of 14 Holly Drive asked how the council determines where businesses or developments are located in the township. He shared that he has been doing research about the community to determine if he wants to purchase a home in Randolph. He asked if the township had a vision and what groups it was seeking to cater to (i.e., families or singles). He shared his frustration about the lack of a coffee shop on West Hanover Avenue.

Manager Poff informed Mr. Amaral that land-use in New Jersey is regulated at the municipal level. He explained that there are a series of planning documents that determine the placement of businesses and developments in the community. He shared that the most extensive of these documents was the Master Plan. He stated that the plan is reviewed regularly and articulates the township's vision, in addition to guiding developments and businesses to see where uses are permitted.

Councilmember Veech explained that developers can approach the township. She stated that Randolph was a pro-business community. She explained that the township tries to cater to everyone and that the council was happy with the community's schools, fields, and passive parks.

K. COUNCIL COMMENTS

Councilmember Loveys reported that he attended a Recreation Advisory Committee meeting. He shared that the registration numbers were up significantly from 2021.

He reported that Parks and Recreation Director Russ Newman, Assistant Director Steve Eisenstein, and a few other Recreation Department employees participated in diversity training sessions.

He concluded his report by sharing that Mr. Eisenstein reported that the department's relationship with the schools for shared use of facilities was good.

Councilmember Hathaway had nothing to report for this meeting.

Councilmember Veech reported that the Parks Advisory Committee did not meet due to a lack of quorum. She shared that she attended a Community Garden meeting; three garden beds have been made available to new gardeners. She stated that the garden waitlist was still very long.

She reported that the Planning Board conducted a minor site review. She asked Manager Poff when the Master Plan re-examination would begin. Manager Poff stated that he would check with the Planning Department.

Councilmember Carey reported that the library audit was under way. She shared that the library's summer programs have been going well and that the summer concert series have been well attended. She reported that Library Director Lore Reinhart requested Attorney Buzak to

July 21, 2022

review the library's internet usage policy to determine how library staff can respond to inappropriate use of the library's computers.

Councilmember Veech shared that she had heard that the library did not want to hold its summer concert series at Veterans Community Park. She asked Councilmember Carey to inquire further. Councilmember Carey stated that it had been discussed; the library staff preferred the concert series to be held on site. She shared that the library recognized that the new park was available. She would bring the idea up again the next Library Board of Trustees meeting.

Deputy Mayor Nisivoccia commended the Parks and Recreation Department for hosting the Movie in the Park event. He commented that it was a great event for families.

Mayor Potter reported that the Rotary Club reached out to her to learn about how they can assist with NJ 2-1-1 efforts.

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. Lease of acquisition of property – Tamarack Day Camp**
 - b. Attorney – Client Communication**
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 7:00 p.m.

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

AYES: Councilmember Carey
 Councilmember Forstenhausler
 Councilmember Hathaway
 Councilmember Loveys

July 21, 2022

Councilmember Veech
Deputy Mayor Nisivoccia
Mayor Potter
NAYS: None

Councilmember Veech made a motion to close Executive Session at 7:20 p.m. Councilmember Carey seconded the motion and the following roll call vote was taken:

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

M. ADJOURNMENT

Councilmember Forstenhausler made a motion to adjourn the meeting at 7:20 p.m. 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
Mayor Potter
NAYS: None