

Township of Randolph
Municipal Building
Randolph, NJ
August 19, 2021

A. OPENING OF EMERGENCY COUNCIL MEETING

1. Call to Order

This meeting of the Randolph Township Council was called to order at 5:30 p.m. by Mayor Forstenhausler. This emergency meeting is held pursuant to the New Jersey Open Public Meetings Act. Adequate written and electronic notice of the meeting has been provided by posting 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. This notice was also emailed to TapInto Randolph on August 18, 2021, and posted on the Township website and the doors within Town Hall on August 18, 2021. This emergency council meeting is for the purpose of adopting a resolution authorizing the execution of agreement for affordable housing litigation.

2. Roll Call

PRESENT: Councilwoman Carey - Absent
Councilman Loveys
Councilman Nisivoccia
Councilman Tkacs
Councilwoman Veech - (via phone)
Deputy Mayor Potter
Mayor Forstenhausler

Also present (in person): Township Manager Mountain; Attorney Ed Buzak, and Attorney Keli Gallo from the 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 session was closed.

C. 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
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 on any other matter as permitted by law.

Deputy Mayor Potter made a motion to move into Executive Session at 5:33 p.m. Councilman Tkacs seconded the motion, and the following roll call vote was taken:

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

Councilwoman Veech made a motion to close the Executive Session at 6:48 p.m. and reopen the meeting to the public. Deputy Mayor Potter seconded the motion, and the following roll call vote was taken:

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

D. COMBINED ACTION RESOLUTIONS

Item #1, R-194-21, Authorize Execution of Agreement for Affordable Housing Litigation – Manager Mountain explained that this resolution authorizes the execution of the settlement

agreement with the Fair Share Housing Center (FSHC). This agreement has been the culmination of six years of negotiations with the FSHC and has been signed by the center. He stated that the negotiations were in response to filed litigation relating to the NJ Supreme Court's ruling regarding COAH and affordable housing obligations. He shared that township professionals have worked closely with the council throughout the past six years to prepare and negotiate the agreement. He recommended that the council take action on the resolution as it was the most favorable agreement that could be negotiated within the circumstance of the settlement.

1. R-194-21 Authorize Execution of Agreement for Affordable Housing Litigation

Deputy Mayor Potter made a motion to approve the Combined Action Item. Councilman Tkacs seconded the motion, and the following roll call vote was taken:

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

E. OPEN TO THE PUBLIC

Seeing and hearing none, the public session was closed.

F. COUNCIL COMMENTS

Mayor Forstenhausler thanked those involved in the Fair Share Housing Agreement for the time and effort they put into the process over the past six years. He commented that the township negotiated in good faith and he believed that this was the best possible agreement to satisfy Randolph's Fair Share Housing obligation.

G. ADJOURNMENT

Deputy Mayor Potter made a motion to adjourn the meeting at 6:52 pm. Councilman Nisivoccia seconded the motion, and the following roll call vote was taken:

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