

Thursday, February 16, 2023
Regular Meeting

Randolph Municipal Building
502 Millbrook Avenue
Randolph, NJ 07869
6:00 p.m.

A. OPENING OF REGULAR MEETING 6:00 P.M.

Subject : 1. Call To Order - Open Public Meeting Act
Meeting : Feb 16, 2023 - Regular Meeting
Category : A. OPENING OF REGULAR MEETING 6:
00 P.M.
Access : Public
Type :

Public Content

This meeting is 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.

Subject : 2. Roll Call
Meeting : Feb 16, 2023 - Regular Meeting
Category : A. OPENING OF REGULAR MEETING 6:
00 P.M.
Access : Public
Type : Procedural

Public Content

Mayor Nisivoccia

Deputy Mayor Carey

Councilmember Elbaum

Councilmember Forstenhausler

Councilmember Hathaway

Councilmember Potter

Councilmember Veech

Subject : 3. Pledge of Allegiance
Meeting : Feb 16, 2023 - Regular Meeting
Category : A. OPENING OF REGULAR MEETING 6:00 P.M.
Access : Public
Type : Procedural

B. OPEN TO THE PUBLIC

Subject : 1. The Township is now open to the public for any general public comments. The Township Council welcomes any comments, suggestions, and questions during the public comment period. However, the purpose of this is to allow public comment, not to engage in a dialogue. If you have a specific question, please feel free to pose it and then follow-up with staff via telephone or email. Comments are limited to 6 minutes.

Meeting : Feb 16, 2023 - Regular Meeting
Category : B. OPEN TO THE PUBLIC
Access : Public
Type : Procedural

Public Content

Please state your name and address for the record.

C. MANAGER'S REPORT

D. APPROVAL OF MEETING MINUTES

Subject : 1. Approval of January 19, 2023 Council Minutes

Meeting : Feb 16, 2023 - Regular Meeting
Category : D. APPROVAL OF MEETING MINUTES
Access : Public
Type :

E. COMBINED ACTION RESOLUTIONS

Subject : 1. R-40-23 Refunding 50% of Application Fee Due to Application Being Withdrawn Prior to Public Hearing for Block 44, Lot 10, 873 Route 10 to Elbaum Homes - \$5,629.08

Meeting : Feb 16, 2023 - Regular Meeting
Category : E. COMBINED ACTION RESOLUTIONS

Access : Public

Type :

File Attachments

[R-40-23 Refund Application Elbaum at Pleasant Ridge 50 Percent Refund .pdf \(10 KB\)](#)

Subject : 2. R-41-23 Refunding a Portion of a Registration Fees for Day Camp and Teen Camp for Various Reasons - \$435.00

Meeting : Feb 16, 2023 - Regular Meeting

Category : E. COMBINED ACTION RESOLUTIONS

Access : Public

Type :

File Attachments

[R-41-23 Refund Day Camp.pdf \(41 KB\)](#)

Subject : 3. R-42-23 Refund Bond for Block 111, Lot 4, 149 Center Grove Road to Petrisco International Corp - \$3,000.00

Meeting : Feb 16, 2023 - Regular Meeting

Category : E. COMBINED ACTION RESOLUTIONS

Access : Public

Type :

File Attachments

[R-42-23 Bond Release Petrisco 17-96.pdf \(10 KB\)](#)

Subject : 4. R-43-23 Acknowledging Redemption and Refund of Tax Sale Certificate TSC#18-10 for Block 47, Lot 35.02 for the Estate of Lewis E. and Ruth Guerin - \$259.79

Meeting : Feb 16, 2023 - Regular Meeting

Category : E. COMBINED ACTION RESOLUTIONS

Access : Public

Type :

File Attachments

[R-43-23 Tax Sale Redemption.pdf \(22 KB\)](#)

Subject : 5. R-44-23 Acknowledging Redemption and Refund of Tax Sale Certificate #2022-004 for Block 27, Lot 5.04, 6 Spring Brook Drive to FIG 20, LLC FBO SEC PTY - \$4,595.91

Meeting : Feb 16, 2023 - Regular Meeting

Category : E. COMBINED ACTION RESOLUTIONS

Access : Public

Type :

File Attachments

[R-44-23 OUTSIDE LIENHOLDER TSC#2022-004 6 Spring Brook Dr_.pdf \(23 KB\)](#)

Subject : 6. R-45-23 Acknowledging Redemption and Refund of Tax Sale Certificate #2022-017 for Block 119, Lot 146, 20 Bragman Road to FIG 20, LLC FBO SEC PTY - \$4,924.07

Meeting : Feb 16, 2023 - Regular Meeting

Category : E. COMBINED ACTION RESOLUTIONS

Access : Public

Type :

File Attachments

[R-45-23 OUTSIDE LIENHOLDER TSC#2022-017 20 Bragman Rd_.pdf \(23 KB\)](#)

Subject : 7. R-46-23 Authorizing the Release of Monies Representing a Performance Bond Submitted By Innovative Municipal Products, Inc. for MCCPC Contract #3 (Rock Salt & Liquid Calcium Chloride) - \$22,000.00 plus accrued interest

Meeting : Feb 16, 2023 - Regular Meeting

Category : E. COMBINED ACTION RESOLUTIONS

Access : Public

Type :

File Attachments

[R-46-23 MCCPC Contract #3 - Return Performance Bond Check to Innovative.pdf \(70 KB\)](#)

Subject : 8. R-47-23 Authorizing the Animal Control Shared Services Agreement to Provide Services to the Town of Dover for the Year 2023

Meeting : Feb 16, 2023 - Regular Meeting

Category : E. COMBINED ACTION RESOLUTIONS

Access : Public

Type :

File Attachments

[R-47-23 Health Dept contract animal control w- Dover 2023.pdf \(10 KB\)](#)
[Back up R-47-23 Dover Animal Control Contract.pdf \(462 KB\)](#)

Subject : 9. R-48-23 Endorsing an Application for a Treatment Works Approval for Liberty Village Development

Meeting : Feb 16, 2023 - Regular Meeting

Category : E. COMBINED ACTION RESOLUTIONS

Access : Public

Type :

File Attachments

[R-48-23 Liberty Village - TWA Endorsemt - Resolution.pdf \(64 KB\)](#)

[Backup 48-23 TWA Application.pdf \(328 KB\)](#)

Subject : 10. R-49-23 Endorsing a Waiver of EPA Grant Restrictions Related to Sewer Servicing Lots with Respect to the Liberty Village Development

Meeting : Feb 16, 2023 - Regular Meeting

Category : E. COMBINED ACTION RESOLUTIONS

Access : Public

Type :

File Attachments

[R-49-23 Liberty Village - Waiver of EPA Restriction for RVRSA - Resolution.pdf \(14 KB\)](#)

[R-49-23 Backup RVRSA EPA Grant Waiver.pdf \(1.492 KB\)](#)

Subject : 11. R-50-23 Endorsing an Application for a Water Extension Permit for the Liberty Village Development

Meeting : Feb 16, 2023 - Regular Meeting

Category : E. COMBINED ACTION RESOLUTIONS

Access : Public

Type :

File Attachments

[R-50-23 Liberty Village - NJDEP Water Ext - RT Endorsemt - Resol.pdf \(65 KB\)](#)

[Backup R-50-23 DEP Application for Water Extension.pdf \(146 KB\)](#)

Subject : 12. R-51-23 Authorizing Change Order No. 1 to Kulpeksa Land Improvement Corporation for the Mountainside Retaining Wall Project - \$3,000

Meeting : Feb 16, 2023 - Regular Meeting

Category : E. COMBINED ACTION RESOLUTIONS

Access : Public

Type :

File Attachments

[R-51-23 Change Order for the Mountainside Drive Retaining Wall.pdf \(43 KB\)](#)

Subject : 13. R-52-23 Release of Various Road Opening Cash Bonds - total of \$2,500.00

Meeting : Feb 16, 2023 - Regular Meeting

Category : E. COMBINED ACTION RESOLUTIONS

Access : Public

Type :

File Attachments

[R-52-23 Release of Various Road Opening Cash Bonds.pdf \(73 KB\)](#)

Subject : 14. R-53-23 Refund Tax Sale Certificate #2022-010 for Block 47, Lot 27.22, 14 Nina Place to FIG 20, LLC FBO SEC PTY - \$3,572.30

Meeting : Feb 16, 2023 - Regular Meeting

Category : E. COMBINED ACTION RESOLUTIONS

Access : Public

Type :

File Attachments

[R-53-23 Resolutions - Outside Lienholders TSC#2022-010 .pdf \(22 KB\)](#)

Subject : 15. R-54-23 Authorizing the Increase of an Award of a Professional Services Agreement to Trimboli and Prusinowski, LLC for General Labor Counsel Services for the 2022 calendar year

Meeting : Feb 16, 2023 - Regular Meeting

Category : E. COMBINED ACTION RESOLUTIONS

Access : Public

Type :

File Attachments

[R-54-23 Increasing Award of PSA to Trimboli & Prusinowski, LLC.pdf \(44 KB\)](#)

Subject : 16. R-55-23 Authorizing the Substitution of the Firm of Surenian, Edwards, Buzak & Nolan, LLC for the the Buzak Law Group, LLC on the Professional Services Agreement for Township Attorney Services for the 2023 Calendar Year

Meeting : Feb 16, 2023 - Regular Meeting

Category : E. COMBINED ACTION RESOLUTIONS

Access : Public

Type :

File Attachments

[R-55-23 PSA Reso - AA - Surenian sub for Buzak.pdf \(105 KB\)](#)

[Backup R-55-23 Buzak Law Group to Surenian, Edwards, Buzak and Nolan.pdf \(162 KB\)](#)

Subject : 17. R-56-23 Setting Forth Reasons for the Township Council's Adoption of Ordinance No. 2-23, which is Inconsistent with the 2006 Master Plan

Meeting : Feb 16, 2023 - Regular Meeting

Category : E. COMBINED ACTION RESOLUTIONS

Access : Public

Type :

File Attachments

[R-56-23 TDP Inconsistency Resolution for Ordinance No. 02-23.pdf \(140 KB\)](#)

Subject : 18. R-57-23 Approving the Terms and Conditions of a Certain Temporary License Agreement with New York SMSA Limited Partnership, D/B/A Verizon Wireless for a Temporary Facility to Enhance Wireless Communication Reception and Transmission and Authorizing the Execution

Meeting : Feb 16, 2023 - Regular Meeting

Category : E. COMBINED ACTION RESOLUTIONS

Access : Public

Type :

File Attachments

[R-57-23 Approving Temp License Agmt with Verizon.pdf \(71 KB\)](#)

Subject : 19. R-58-23 Awarding a Lease of Real Property Owned by the Township of Randolph For Co-Location by Wireless Telephone Carriers

Meeting : Feb 16, 2023 - Regular Meeting

Category : E. COMBINED ACTION RESOLUTIONS

Access : Public

Type :

File Attachments

[R-58-23 BP-'22-Cell Tower Co-Location 2 FINAL 02-23 Reso ACTUAL.pdf \(70 KB\)](#)

Subject : 20. Raffle License: On-Premise 50/50, Greek Orthodox Church Community Center of Randolph, Friday, May 12, 2023 from 6:30 p.m. - 10:00 p.m.

Meeting : Feb 16, 2023 - Regular Meeting

Category : E. COMBINED ACTION RESOLUTIONS

Access : Public

Type :

Subject : 21. Raffle License: On-Premise Tricky Tray - Greek Orthodox Church Community Center of Randolph, Friday, May 12, 2023 from 6:30 p.m. to 10 p.m.

Meeting : Feb 16, 2023 - Regular Meeting

Category : E. COMBINED ACTION RESOLUTIONS

Access : Public

Type :

Subject : 22. Raffle License: Off-Premise Merchandise, St. Matthew the Apostle Parish, 335 Dover Chester Road, Randolph, Sunday, June 25, 2023, 11:45 a.m.

Meeting : Feb 16, 2023 - Regular Meeting

Category : E. COMBINED ACTION RESOLUTIONS

Access : Public

Type :

F. UPCOMING EVENTS

Subject : 1. Morris Habitat for Humanity's 18th Annual Hearts & Hammers Gala at Meadow Wood Manor, Rte. 10, Randolph, on Saturday, February 25, 2023, from 6:00 p.m. to 10:00 p.m.

Meeting : Feb 16, 2023 - Regular Meeting

Category : F. UPCOMING EVENTS

Access : Public

Type :

Subject : 2. Liberty Tree Information Event, at the Community Center, 30 Calais Road, Randolph, on Tuesday, February 28, 2023, at 6:00 p.m.

Meeting : Feb 16, 2023 - Regular Meeting

Category : F. UPCOMING EVENTS

Access : Public

Type :

Subject : 3. Grand Opening/Ribbon Cutting: All State, 1243 Sussex Tpke. #2, Randolph, NJ on Wednesday, March 22, 2023, at 5:30 p.m.

Meeting : Feb 16, 2023 - Regular Meeting

Category : F. UPCOMING EVENTS

Access : Public

Type :

Subject : 4. Recreation Volunteer Awards at the Community Center, 30 Calais Road, Randolph, on Sunday, March 26, 2023, 9:30 a.m. - 1:30 p.m.

Meeting : Feb 16, 2023 - Regular Meeting

Category : F. UPCOMING EVENTS

Access : Public

Type :

Subject : 5. Little League Opening Day, at Freedom Park on Saturday, April 22, 2023, 9:30 a.m. - 11:00 a.m.

Meeting : Feb 16, 2023 - Regular Meeting

Category : F. UPCOMING EVENTS

Access : Public

Type :

G. ORDINANCES: SECOND READING/PUBLIC HEARING

Subject : 1. Ordinance No. 01-23 Authorizing the Acquisition of Certain Real Property Described as Block 47, Lot 35.02 on the Official Tax Map of the Township of Randolph and Commonly Known as Guerin Drive for Municipal Public Purposes, and Authorizing All Actions Necessary to Implement and Effect the Acquisition of the Property

Meeting : Feb 16, 2023 - Regular Meeting

Category : G. ORDINANCES: SECOND READING/PUBLIC HEARING

Access : Public

Type :

File Attachments

[Ordinance No. 01-23 Ordinance Guerin Drive \(003\).pdf \(111 KB\)](#)

Subject : 2. Ordinance No. 02-23 Amending Article III, Zoning, of the Land Development Ordinance of the Township of Randolph to Establish the R-10 Multifamily Inclusionary Zone (R-10 Zone) and to Rezone Block 44, Lots 8 and 9 on the Official Tax Map of the Township of Randolph from the R-8 Zone to the R-10 Zone

Meeting : Feb 16, 2023 - Regular Meeting

Category : G. ORDINANCES: SECOND READING/PUBLIC HEARING

Access : Public

Type :

File Attachments

[Ordinance 02-23 TDP Ordinance \(2\).pdf \(5.415 KB\)](#)

[Back up memo D. Carney - Ordinance Referral 02-23 and 03-23_.pdf \(35 KB\)](#)

Subject : 3. Ordinance No.03-23 Amending Section 15-34.F.3.M.1. of Section 15-24.F., VCR-6 Multifamily Inclusionary Zone (VCR-6 Zone), of Article III, Zoning, of the Land Development Ordinance of the Township of Randolph

Meeting : Feb 16, 2023 - Regular Meeting

Category : G. ORDINANCES: SECOND READING/PUBLIC HEARING

Access : Public

Type :

File Attachments

[Ordinance No. 03-23 - VCR-6 Typo Ord.pdf \(79 KB\)](#)

H. ORDINANCES: INTRODUCTION

Subject :	1. Ordinance No. 04-23 Ordinance to Exceed Municipal Budget Appropriations Limits and to Establish a Cap Bank
Meeting :	Feb 16, 2023 - Regular Meeting
Category :	H. ORDINANCES: INTRODUCTION
Access :	Public
Type :	

File Attachments

[Ordinance 04-23 CAP Ordinance.pdf \(113 KB\)](#)

I. OPEN TO THE PUBLIC

Subject :	1. The Township is now open to the public for any general public comments. The Township Council welcomes any comments, suggestions, and questions during the public comment period. However, the purpose of this is to allow public comment, not to engage in a dialogue. If you have a specific question, please feel free to pose it and then follow-up with staff via telephone or email. Comments are limited to 6 minutes.
Meeting :	Feb 16, 2023 - Regular Meeting
Category :	I. OPEN TO THE PUBLIC
Access :	Public
Type :	Procedural

Public Content

Please state your name and address for the record.

J. COUNCIL COMMENTS

K. EXECUTIVE SESSION

Subject :	1. Enter Executive Session
Meeting :	Feb 16, 2023 - Regular Meeting
Category :	K. EXECUTIVE SESSION
Access :	Public
Type :	

Public Content

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231 P.L. 1975 (NJSA 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:
3. As nearly as can now be ascertained, the matter or matters to be discussed at this times 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, Council may reconvene in public session for the purpose of taking formal action.

Subject : 2. Attorney Client Privilege -Contract Negotiations -
Shongum Lake Property Owners Association

Meeting : Feb 16, 2023 - Regular Meeting

Category : K. EXECUTIVE SESSION

Access : Public

Type :

Subject : 3. Attorney Client Privilege -
Communication

Meeting : Feb 16, 2023 - Regular Meeting

Category : K. EXECUTIVE SESSION

Access : Public

Type :

Subject : 4. Close Executive Session

Meeting : Feb 16, 2023 - Regular Meeting

Category : K. EXECUTIVE SESSION

Access : Public

Type : Action

Recommended Action : Motion to close Executive Session and reconvene
Public Session Action

L. ADJOURNMENT

Subject : 1. Adjourn Meeting

Meeting : Feb 16, 2023 - Regular Meeting

Category : L. ADJOURNMENT

Access : Public

Type : Action

Recommended Action : Motion to Adjourn the Meeting