

Township of Randolph
Municipal Building
Randolph, NJ
February 20, 2025

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 Hathaway. The 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 West Morris Reporter and the Morris County Daily Record on November 27, 2024, by emailing them the annual resolution adopted by the Council on November 26, 2024. The annual resolution, which included this meeting date, was advertised in the West Morris Reporter, the official newspaper of the Township of Randolph, on December 5, 2024, and the Daily Record on December 3, 2024. Notice was also provided to TapInto Randolph, the official Township online digital publication, on November 27, 2024.

2. Roll Call

PRESENT: Councilwoman Carey
Councilwoman Elbaum
Councilman Nisivoccia
Councilwoman Thornton
Councilwoman Veech
Deputy Mayor Forstenhausler
Mayor Hathaway

Also present: Township Manager Poff, Assistant Township Manager Evan Covello, and Township Attorney Edward Buzak from the Law Office of Surenian, Edwards, Buzak, & Nolan, LLC.

3. Pledge of Allegiance

Mayor Hathaway led the Pledge of Allegiance.

B. APPOINTMENTS

1. R-62-25 Authorizing the Reappointment and Granting Tenure to Deborah A. Bonanno as Chief Financial Officer for the Township of Randolph

Councilwoman Veech made a motion to approve R-62-25. Councilwoman Thornton seconded the motion, and the following roll call vote was taken:

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

C. DISCUSSION

1. Affordable Housing Agreement with Randolph Mt. Freedom, LLC

Manager Poff explained that the public is aware that the Township Council has been considering and has approved a resolution during its last meeting supporting the Randolph Mt. Freedom, LLC Developer's application for state funding for what would be the construction of 25 affordable units on the property known as KAB, which is within the township's Affordable Housing Plan. The project, as originally proposed, was 75 total units, with 15 of those being affordable. Due to construction costs, it was determined that the project could not be constructed.

The property owner and developer then approached the township to consider a 25 unit, 100% affordable housing project; as indicated at the last township council meeting, the council is being asked to consider both the Affordable Housing Agreement with the developer and an ordinance that provides for minor modifications to the existing zoning given some changes in regulations for the size of the proposed project, and working in cooperation with the developer to allow the proposed project to proceed. He noted that the Township Attorney has been working with Fair Share Housing for the past two weeks in an attempt to come to some agreement for a consent order that would be a part of the affordable housing agreement the township would enter into with the developer.

Attorney Buzak explained that the township has an agreement with the developer regarding the Affordable Housing Agreement. This agreement is close to being finalized, and it has two attachments: a legal description of the property and a form of a pilot agreement. He has spent a considerable amount of time working on the pilot agreement and noted that while the council is not technically approving it tonight—since it will need to be approved by ordinance later on— the purpose of this discussion is to provide a form of it to ensure it's as close to final as possible to help the process and make it less burdensome for the township moving forward. He noted that there were challenges, but most have been worked through. The agreement is in a form that can be approved.

He shared that the council has already received a summary and a copy of the agreement. One key aspect of the agreement is a provision that outlines certain conditions prior to the township's \$900,000 contribution to the developer. This contribution mainly comes from the Affordable Housing Trust Fund, which comprises funds accumulated from developers who haven't provided affordable housing for their projects. A state statute requires non-residential developers to make payments to this fund, and a local ordinance requires certain residential developers to contribute. Over the years, this fund has grown and now has enough money to cover most of the contribution.

However, should the fund not have enough to cover the entire \$900,000, the township will step in and provide the remainder of the funding. The township plans to reimburse itself once the additional funds are received into the Affordable Housing Trust Fund. At the end of the day, the full amount will be paid out of the Trust Fund.

Another condition in the agreement involves executing a consent order with the Fair Share Housing Center; this was included to address potential issues regarding the township's credits for this project, given it's a different project than initially planned. Although this project will provide 100% affordable housing and is a positive development overall, the township wanted to address any concerns that might arise preemptively. By securing a consent order now, the township can avoid complications.

He explained that an agreement was reached with the developer on the terms of the consent order, and the order was prepared to align with what was agreed upon with the developer. He noted that during the previous council meeting, a significant amount of time was spent in closed session to discuss one small section related to credits. A dialogue was started with the Fair Share Housing Center, which was not amenable to the wording of the consent order. He noted that they have been working tirelessly to overcome the issues, but the Fair Share Attorney was not available for the discussions to resolve their concerns about the language.

He would discuss this further during the Executive Session and explained that this does not stop the council from approving the agreement, as the agreement reflects the consent order in a form the council approved. He explained that Fair Share wants the inclusion of two clauses: one, once adopted, that the project can fit into the ordinance without a variance and obtain site plan approval by June 30, and that there is a contingency in the contract itself that the developer obtains funding from the NJDCA and various sources by December 31. He stated that he did not have an issue with those amendments to the agreement. He recommended that the council adopt the resolution authorizing the execution of the agreement. He noted that because Fair Share has not agreed with the language, a modification may be required at a future meeting. He explained that this project produces 25 affordable housing units, not 75, and allows for 10 more affordable units than initially proposed, in addition to receiving bonus credits.

Deputy Mayor Forstenhausler stated that he liked the project, which was 50 fewer total units than what was initially proposed and would allow for 25 affordable housing units instead of just 15; he also noted that adding 25 bonus credits was beneficial. He stated that the reduced size of the development would lower the impact on the neighborhood and traffic. He expressed frustration with the Fair Share Housing Center's approach, explaining that the new development was better than initially proposed, and rather than going along with it, they created roadblocks. He asked Attorney Buzak to clarify the role of the Affordable Housing Dispute Resolution Program.

Attorney Buzak explained that the resolution program was incorporated under the Fair Housing Act in March 2024. He explained that the Affordable Housing Council on Co-Op was abolished, and in its place, the resolution program was created. The program consists of several judges who make determinations for the fourth round; it is a substitute for COAH and the court – no one knows precisely how it will function because it has not functioned yet. He noted that this clause was one of the things the Fair Share Housing Center wanted to be incorporated. Deputy Mayor Forstenhausler asked if the Fair Share Housing was a part of the program; Attorney Buzak informed him that they are not, though they can bring objections.

Mayor Hathaway noted that seven of the 25-unit complex's units are supportive and will be specifically designated for individuals with disabilities, one of which is developmental disabilities. He stated that the project footprint has been reduced by 2/3 while the development credits have increased by 2/3.

Deputy Mayor Forstenhausler wanted to clarify that though the township is contributing some money to the Affordable Housing Trust Fund, the developer is also applying for state money from the state Affordable Housing Trust Fund.

Laura Schwager of the KAB Mt. Freedom LLC Development explained that roughly \$6 million would come from the state's Affordable Housing Trust Fund, and about \$2.4 million came from the Federal Government through ARPA, which was dedicated to Medicare and Medicaid to provide special needs housing units.

Councilwoman Carey clarified that the \$900,000 the township will contribute to the project will come from the township's Affordable Housing Trust Fund, which has \$0 from taxpayers. Developers are required to pay for the fund, and the money can only be used for this purpose. The funds cannot be used for any other purpose. Attorney Buzak confirmed that she was correct. He also added that if the funds were kept in the trust, it would be likely that the township would lose it as it would go into the state's affordable housing trust.

D. OPEN TO THE PUBLIC

Susan Casarelli of 2 Morgan Court shared concerns about the cost of the upcoming school election. She noted that the approximate cost of the special election was \$81,987.23 and expressed frustration with the Board of Education for committing the community to four consecutive April elections. She shared that an estimated \$400,000 was going toward school elections rather than being allocated to students, facilities, or faculty. While she acknowledged that the Board of Education and the municipality are two separate entities, she emphasized that taxpayers have concerns. She explained that the schools had gone above the tax levy twice, passed a \$41 million referendum that cost \$82,000 in election fees, and were now proposing a \$100 million budget. She cited rumors of the district exceeding the tax levy for a third consecutive year. She also stated that the Board of Education was seeking to reduce voting hours to 2:00 p.m. to 8:00 p.m. and noted that the election was scheduled during spring break. She urged the township to reach out to the Board and engage in a conversation about the budget.

Karina Bernard of 1051 Sussex Turnpike referred to the \$900,000 from the Affordable Housing Trust Fund and asked whether there were any other permitted uses for the funds. She also echoed Mrs. Casarelli's comments regarding the Board of Education referendum and inquired whether the council could enact a law prohibiting changes to election dates. She commented that if the Board wishes to move elections from November to April, the public should be allowed to vote on it.

Mayor Hathaway explained that the New Jersey Division of Elections determines election stipulations. He added that the township could share the expressed concerns. Deputy Mayor Forstenhausler confirmed that the funds in the Affordable Housing Trust Fund can only be used for that specific purpose.

Bonnie Rosenthal of 26 Beaver Dam Road reminded the council that February is designated as Black History Month. She thanked the council for adopting Resolution 01-25, which acknowledged and honored Dr. Martin Luther King Jr. Day and Black History Month. She asked the council to reiterate its support and acknowledgment. She referred to the township's Diversity Inclusion Steering Committee and asked when the next meeting would be held, when a report would be provided on the committee's progress and goals, and what steps would be taken moving forward. She also asked for clarification on the role of the steering committee—whether it is an advisory committee or a working group.

Mayor Hathaway explained that Resolution 01-25 serves as the mechanism through which the council affirms its commitment to recognizing Black History Month. He stated that the council could consider moving the resolution for future adoption in February.

Sandra Fey of 9 Canterbury Court inquired about live streaming council meetings.

Mayor Hathaway informed Mrs. Fey that the township has discussed the idea. He noted that there are associated costs and tools that need to be considered further.

Ben McQue of 100 Center Grove Road asked whether Resolution 01-25 had been shared with the public and whether it had been included in the township newsletter or other communications related to Black History Month.

Mayor Hathaway responded that all meeting agendas and minutes are posted on the township website. He added that the library coordinates many of the township's Black History Month events and suggested sharing resolution information in the weekly Council Corner email segment.

Mr. McQue also raised questions about affordable housing and asked how the units are counted. Deputy Mayor Forstenhausler provided a brief overview of the township's affordable housing process. Mayor Hathaway acknowledged the complexity of the issue and offered to set up a time to discuss it in more detail.

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

E. MANAGER'S REPORT

Fire Department Responds to Three-Alarm Apartment Fire – The Randolph Township Fire Department (RTFD) responded to a three-alarm fire at the Randolph Village Apartment complex early Saturday, February 15. The fire, reported at approximately 12:00 am, caused significant damage to a substantial portion of the building's left side. Twelve apartments were affected, displacing residents who are now being assisted by the Red Cross with temporary shelter.

The Morris County Office of Emergency Management (OEM) played a crucial role, deploying the Mobile Ambulance Bus in conjunction with the Randolph Rescue Squad to support fire and EMS operations. County OEM also collaborated with Randolph Fire Command, Randolph Police Department, and the Randolph Office of Emergency Management to open the Randolph Community Center as a warming center for affected residents. Furthermore, local officials coordinated with the American Red Cross to provide assistance to those displaced by the fire. The

RTFD appreciates the support of all responding agencies and thanks the community for their cooperation during this incident.

Sussex Turnpike Road Construction Updates – Morris County’s Contractor will be working on two consecutive Saturdays, February 22 & March 1, 2025 from 8:00 a.m. to 4:30 p.m., weather permitting, to continue the drilling and installing of metal netting along existing rock slopes at two portions of Sussex Turnpike (CR 617) between Arlyn and Ash Lanes and between Arthur Lane and Washington Valley in Randolph Township.

Black History Month – The Township Council acknowledges, supports, and honors the observance of February as Black History Month via Resolution 01-25, which was adopted on January 2, 2025. The township is devoted to the united goals and commitment to having the township free from hatred, bias, racism, bigotry, or discrimination against any people, as well as to promote a respectful, safe, and enjoyable community for all residents.

Parks and Recreation Master Plan – The request for proposals has been sent to prospective vendors for the Parks and Recreation Master Plan. In addition, the township has established the following timeline for the acceptance, review and award of the RFP.

- Publish advertisement – Tuesday, February 18, 2025
- Receive responses – Friday, April 4, 2025
- Complete purchasing review – Friday, April 11, 2025
- Distribute responses to committee – Monday April 14, 2025
- Hold committee meeting – Monday, April 21, 2025
- Conduct interviews – Monday, April 28, 2025
- Award by Township Council – Thursday, May 15, 2025
- Project complete – Wednesday, March 11, 2026

Resolution 63-25 – This resolution authorizes the execution of an easement holder section of a property owner certification for the Shongum Lake Property Owners Association to the New Jersey Department of Environmental Protection. The association has identified a portion of a sewer easement that is adjacent to the lake that they have asked the township's permission to use for staging and the dewatering of materials. The Engineering Department reviewed the request and had no objections to it, but did have some comments in terms of how they would like the easement to be used. He recommended the council consideration of the resolution to help facilitate the permit application being made by the association.

F. APPROVAL OF MEETING MINUTES

Councilman Nisivoccia made a motion to approve the Regular Council Meeting Minutes from January 16, 2025. Councilwoman Thornton seconded the motion, and the following roll call vote was taken:

AYES: Councilwoman Carey
Councilwoman Elbaum
Councilman Nisivoccia
Councilwoman Thornton

Councilwoman Veech
Deputy Mayor Forstenhausler
Mayor Hathaway
NAYS: None

G. COMBINED ACTION RESOLUTIONS

1. R 50-25 Authorizing Renewal of a Shared Services Agreement Between Randolph Township and Rockaway Borough for Animal Control Services
2. R 51-25 Authorizing Tax Collector to Refund Duplicate First Quarter 2025 Taxes for Block 53, Lot 25, 14 Toye Street to Jenna and Marlena Jordan - \$2,717.06
3. R 52-25 Authorizing Tax Collector to Refund Duplicate First Quarter 2025 Taxes for Block 112, Lot 64, 5 Blue Bird Court to Stuart K. and Mayra Greer - #3,502.65
4. R 53-25 Authorizing Tax Collector to Refund First Quarter 2025 Property Taxes Due to 100% Exemption for Block 81.03, Lot 12, 284 Center Grove Road to Lereta, LLC - \$5,860.17
5. R 54-25 Authorizing Tax Collector to Refund Duplicate First Quarter 2025 Taxes for Block 72, Lot 41, 33 Jennifern Avenue to Corinne N. and Richard L. Bedell, Jr. - \$2,910.27
6. R 55-25 Authorizing Tax Collector to Refund Duplicate First Quarter 2025 Taxes for Block 51, Lot 9.03, 6 Yorkshire Drive to Mitchell Sussis - \$6,119.21
7. R 56-25 Authorizing Tax Collector to Redeem and Refund Tax Sale Certificate #2024-003 for Block 53, Lot 28, 161 Reservoir Road to BALA PARTNERS, LLC - \$14,930.82
8. R 57-25 Authorizing Tax Collector to Redeem and Refund Tax Sale Certificate #2023-023 for Block 184, Lot 1.11, 111 Boulder Ridge Drive to Pro Cap 8 FBO Firsttrust Bank - \$2,145.55
9. R 58-25 Authorizing Tax Collector to Refund First Quarter 2025 Taxes in the Amount of \$1,204.88 and Cancel Balance of 2025 Preliminary Taxes in the Amount of \$1,936.40 Due to 100% Exemption Allowance for Block 93, Lot 27, 64 Old Brookside Road to Joseph J. Orlandi and Robyn M. Vuskalns
10. R 59-25 Authorizing Tax Collector to Refund First Quarter 2025 Taxes in the Amount of \$1,823.69 and Cancel Balance of 2025 Preliminary Taxes in the Amount of \$2,021.82 for Block 167, Lot 2, 116 West Hanover Avenue to Daniel Carrion
11. R 60-25 Authorizing Tax Collector to Refund Duplicate First Quarter 2025 Taxes for Block 123, Lot 1, 30 Musiker Avenue to Richard M. and Suzanne M. Benn - 4,715.03
12. R 61-25 Authorizing Award of a Professional Services Agreement to Sarmad Planning Group, LLC for General Planning Services for the 2025 Calendar Year - Not to Exceed \$7,500.00

CERTIFICATION OF AVAILABILITY OF FUNDS

Dated: February 20, 2025

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, subject to annual appropriation and adoption in the 2025 municipal budget, to award a professional service contract to Sarmad Planning Group, LLC for providing General Planning Services as detailed in the proposal provided to the township.

Deborah Bonanno
Chief Financial Officer

Budget Accounts: 01-201-21-180-303 2025 (not to exceed \$7,500)

13. R 63-25 Authorizing Execution of the Easement Holder Section of a Property Owner Certification of Shongum Lake Property Owners' Association to the New Jersey Department of Environmental Protection
14. Raffle License - Casino Night, Visions and Pathways, at The Grove at Randolph Diner, 517 Route 10, Randolph, April 12, 2025, 6:00 p.m. - 10:00 p.m.
15. Raffle License - On-Premise 50/50, Nourish NJ, Inc., at County College of Morris, 214 Center Grove Road, Randolph, April 27, 2025, 10:00 a.m. - 4:00 p.m.
16. Raffle License - Off-Premise Merchandise Car Raffle, St. Matthew the Apostle Parish, 335 Dover Chester Road, Randolph, June 29, 2025, 11:45 a.m.

Councilwoman Thornton made a motion to approve the combined action agenda. Councilwoman Veech seconded the motion, and the following roll call vote was taken:

AYES: Councilwoman Carey
Councilwoman Elbaum
Councilman Nisivoccia – Abstained to Item #1, R-50-25
Councilwoman Thornton
Councilwoman Veech
Deputy Mayor Forstenhausler – Abstained to Item #13, R-63-25
Mayor Hathaway

NAYS: None

H. RESOLUTION

1. 64-25 Authorizing the Execution of an Affordable Housing Agreement with Randolph, Mt. Freedom, LLC

Attorney Buzak recommended that the council consider R 64-25 after he provides additional information in Executive Session.

I. ORDINANCES: SECOND READING

1. Ordinance 01-25 – An Ordinance to Exceed Municipal Budget Appropriation Limits and to Establish a CAP Bank

BE IT RESOLVED, that an Ordinance entitled, “Calendar Year 2025 Ordinance to exceed

Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A 40A:4-45.15a et seq)”, be read by title on second reading and a hearing held thereon.

Manager Poff explained that the purpose of said ordinance is to exceed the Municipal Budget Appropriation Limits and to establish a Cap Bank for Calendar Year 2025.

Open to the Public

Seeing and hearing none, the public hearing was closed.

BE IT RESOLVED, that an Ordinance entitled, Calendar Year 2025 Ordinance to exceed Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A 40A:4-45.15a et seq), 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.

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

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

J. ORDINANCES: INTRODUCTION

1. Ordinance 02-25 Amending Subsections 15-24.F.3.D.3 and 15-24.F.3J.1.A. 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

Manager Poff explained that the purpose of said ordinance is to amend Subsections 15-24.F.3.D.3., 15-24.F.3.J.1.a. and 15-24.F.3.M.2. 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 regarding the requirements for minimum building setbacks from other tract boundaries, indoor amenity packages and affordable housing deed restrictions.

BE IT RESOLVED, that an Ordinance entitled, “An Ordinance Amending Subsections 15-24.F.3.D.3., 15-24.F.3.J.1.A. and 15-24.F.3.M.2. 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” 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 20th, of March, 2025 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.

Attorney Buzak asked the council to defer the introduction of said ordinance to be conducted after the close of Executive Session. The council agreed to move the consideration of the ordinance after the Executive Session.

2. Ordinance 03-25 Amending Article XI, Body Art Establishments, of Chapter 24, Health and Sanitation, and Appendix A, Fee Schedule, of the Revised Ordinances of the Township of Randolph

Manager Poff explained that the purpose of said ordinance is to amend Article XI, Body Art Establishments, of Chapter 24, Health and Sanitation, of the Revised Ordinances of the Township of Randolph governing body art establishments based upon recommendations from Township staff. In addition, the purpose of the above Ordinance is to amend the Health Section of Appendix A, Fee Schedule, of the Revised Ordinances of the Township of Randolph to update the fees for body art establishment and practitioner licenses and re-inspections.

BE IT RESOLVED, that an Ordinance entitled, “An Ordinance Amending Article XI, Body Art Establishments, of Chapter 24, Health and Sanitation, and Appendix A, Fee Schedule, of the Revised Ordinances of the Township of Randolph” 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 6th, of March, 2025 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. Councilwoman Carey seconded the motion, and the following roll call vote was taken:

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

3. Ordinance 04-25 Amending and Supplementing Article I, in General, of Chapter 2, Administration, of the Revised Ordinances of the Township of Randolph to Establish a

New Division 3 Entitled "Municipal Buildings; Restricted Areas to Safeguard Public Records Containing Confidential or Exempt Information"

Manager Poff explained that the purpose of said ordinance is to amend and supplement Article I, In General, of Chapter 2, Administration, of the Revised Ordinances of the Township of Randolph to establish a new Division 3 which restricts access to areas within municipal buildings as necessary to safeguard public records that are confidential or exempt from disclosure under applicable law.

BE IT RESOLVED, that an Ordinance entitled, "An Ordinance Amending and Supplementing Article I, In General, of Chapter 2, Administration, of the Revised Ordinances of the Township of Randolph to Establish A New Division 3 Entitled "Municipal Buildings; Restricted Areas To Safeguard Public Records Containing Confidential or Exempt Information" 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 6th, of March, 2025 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.

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

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

NAYS: None

4. Ordinance 05-25 Amending Sections 10-1, 10-35, 10-51, 10-91, 10-321, 10-322, 10-323, 10-341 and 10-361 and Deleting Article XI, Community Services Advisory Committee, of Chapter 10, Boards, Commissions, Committees and Agencies, of the Revised Ordinances of the Township of Randolph

Manager Poff explained that the purpose of said ordinance is to amend Sections 10-1, 10-35, 10-51, 10-91, 10-321, 10-322, 10-323, 10-341 and 10-361 of Chapter 10, Boards, Commissions, Committees and Agencies, of the Revised Ordinances of the Township of Randolph regarding the appointment of alternate members, council liaisons and the non-voting membership of the township manager or his/her designee on the Township's various boards, commissions, committees and agencies and to delete Article XI of Chapter 10, Boards, Commissions, Committees and Agencies, of the Revised Ordinances of the Township of Randolph governing

the no longer functioning Community Services Advisory Committee.

BE IT RESOLVED, that an Ordinance entitled, “An Ordinance Amending and Supplementing Article I, In General, of Chapter 2, Administration, of the Revised Ordinances of the Township of Randolph to Establish A New Division 3 Entitled “Municipal Buildings; Restricted Areas To Safeguard Public Records Containing Confidential or Exempt Information” 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 6th, of March, 2025 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 Nisivoccia made a motion to introduce the ordinance. Councilwoman Thornton seconded the motion, and the following roll call vote was taken:

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

K. DISCUSSION

1. 2025 Draft Budget and Direction to Manager on Finalizing Budget

Manager Poff explained that, at the council’s request, he has furnished additional information concerning capital improvements, fund balance, and the library. He noted that throughout the review process, the council has examined Open Space and Recreation Trusts, sources of revenue, uncollected taxes, and more. Notable requests for the 2025 budget include \$110,000—\$100,000 of which is allocated for road resurfacing—as well as increases in pension expenses, financial software, salaries/wages, revenue items, and growing program participation in Parks and Recreation. He recognized the efforts of CFO Debbie Bonanno, who was instrumental in assembling the budget.

The council commended Manager Poff and CFO Bonanno for their thorough work and thoughtful budget process.

Manager Poff thanked the Mayor and Council for their comments. He noted that the state has established a municipal budget calendar with the expectation that municipal governments comply.

Based on the feedback from this evening, he anticipated that he and CFO Bonanno could work toward introducing and approving the municipal budget at the March 6 meeting, with the public hearing and adoption scheduled for April 15. He added that this timeline would provide the required number of days between the introduction and the public hearing/adoption of the budget.

L. OPEN TO THE PUBLIC

Susan Casarelli of 2 Morgan Court thanked the emergency service responders for their heroic efforts during the recent fire in the township. She commented that the Fire Department has been actively trying to recruit new members, and with all the new housing developments, this will put additional strain on the township's emergency services. She asked if there were any incentives for volunteering, such as tax relief or discounted tuition. She concluded her comments by encouraging everyone to vote in the April 15 school election, prior to attending the Township Council meeting scheduled for the same day.

Mayor Hathaway informed Mrs. Casarelli that there are a few programs geared toward incentivizing first responders, such as the LOSAP program for both EMS and Fire. He stated that they are always looking for new ideas.

Karina Bernard of 1051 Sussex Turnpike suggested shared services for emergency response as a cost-saving measure. She asked if the township's services could be offered to neighboring municipalities.

Deputy Mayor Forstenhausler explained that all neighboring towns have mutual aid agreements in place. He shared that when a fire exceeds the township's capacity, a second alarm is issued, which automatically brings in mutual aid. In addition to the LOSAP program, he noted that the township also offers a clothing allowance. Referring to Mrs. Casarelli's comments, he pointed out that the municipality controls only a small percentage of the residential property tax, and this has been a topic of discussion. He emphasized that many hours of training are required to become a volunteer firefighter, and the time commitment presents a significant challenge.

Mrs. Bernard then asked what happens to unspent funds in the budget. Deputy Mayor Forstenhausler explained that there is no surplus, as costs increase each year. He noted that the current budget does not include any service cuts. When allocated funds are not spent, they are placed in reserve. That reserve is evaluated during the following year's budget process to determine if a tax increase can be mitigated. He added that maintaining a reserve also contributes to the township's healthy bond rating.

Manager Poff explained that Randolph is a leader in public procurement and shared services. The township provides public health services to Rockaway Borough and Roxbury Township, manages the Morris County Cooperative Pricing Council, and shares a Construction Official with Roxbury Township.

Lara Schwager of Randolph Mt. Freedom, LLC thanked the council and township professionals for all their work. She noted that they are in a bit of a stalemate with Fair Share Housing but are continuing discussions to meet the April 1st deadline and avoid the loss of a portion of project funding. She requested that the consent order language be removed, as the project cannot absorb

further risk. She stated that the consent order was within the municipality's control and referred the matter to the Township Attorney.

Eliza Schleifstein of 8 Helene Drive expressed trust in the council's budget process. She remarked that the public does not see the council spending funds on "shiny objects," but rather on essential infrastructure. She contrasted this with public perception of the schools, referencing the \$11 million athletic facility and the recent \$41 million referendum, which she described as wasteful spending.

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

M. COUNCIL COMMENTS

Councilwoman Thornton reported that she attended Randolph Middle School's performance of *Legally Blonde* and commended the entire cast for doing a phenomenal job. She shared that she also attended a New Jersey League of Municipalities Legislative Update meeting with Deputy Mayor Forstenhausler and Councilmembers Carey and Veech. She reported that the Library Board of Trustees met on Thursday, February 13. Library staff members are currently being trained on the newly integrated library system, which is scheduled to go live at the end of March. She noted that no book or material holds will be available online between February 20 and March 26. She added that the *Breakfast with Pete the Cat* event was successful, with 210 people in attendance. Other library activities include a pet donation drive, Artworks Studio project displays, and four book displays for Black History Month—one in each library section.

Councilman Nisivoccia thanked Deputy Mayor Forstenhausler and all the first responders for their efforts during the recent fire. He reported that the Trails Advisory Committee met and that Phil Sheehy is continuing to look for a speaker for the Earth Day Walk. He shared that the committee is also preparing to welcome another year of the *Fairy Trail* program. He added that the Ordinance Workgroup met and discussed several of the ordinances introduced this evening. He also reported attending the Morris County League of Municipalities meeting, where affordable housing updates were discussed. He added that there is still no action from the state regarding the withholding of energy tax receipts from municipalities. He expressed frustration, stating that he did not understand how the governor could propose a \$56 billion state budget and still fail to allocate \$300 million to fully fund a program specifically aimed at property tax relief.

Councilwoman Veech reported that the Parks Advisory Committee met and discussed the Parks Master Plan process. She also shared that the Community Garden is exploring options to replace the rotting wood on some of the raised garden beds and noted that there are 60 people on the waitlist. She added that the possibility of expanding the garden will be considered during the Parks Master Plan development.

Councilwoman Carey reported that she had not attended any committee meetings since the last council meeting. She echoed the appreciation expressed for the township's volunteer firefighters and first responders and commended the Community Services Department for assisting the displaced residents.

Councilwoman Elbaum reported that the Health Advisory Committee meeting was canceled. She echoed similar comments recognizing the first responders and firefighters in the community.

Deputy Mayor Forstenhausler stated that he appreciated all the comments made about the volunteers who responded to the fire on Saturday. He emphasized that the most important outcome was that everyone was safely evacuated from the building. He reported being contacted by Commander Angel Soto of VFW Post 7333, who inquired about how the post could support displaced veterans affected by the fire. He also shared that he attended the Morris County Clerk's Manual Ceremony, noting that the second-place winner of the manual contest was Thomas Perrotti, a Randolph High School student.

Mayor Hathaway expressed his gratitude to the community's first responders for their life-saving efforts. He noted that he and Manager Poff visited the site just hours after the fire and remarked that, considering the extent of the damage and the fact that there were no lives lost, it was both incredible and a testament to the importance of first responders. He thanked Manager Poff for being highly responsive to the community's needs. Referring to Deputy Mayor Forstenhausler's inquiry regarding the VFW, he stated that they are continuing to assess the situation to determine the specific needs of those affected.

He reported attending Congresswoman Mikie Sherrill's Mayoral Breakfast event, during which she provided a legislative update and shared information about several bills she is working to advance. These include bills related to auto theft prevention, support for small businesses, and tutoring. She also discussed the state and local tax deduction cap. He added that a member of her staff informed him that federal block grants will be going toward repairs on Route 80. He concluded his report by sharing that he participated in the Morris County Chamber of Commerce's LEAD Morris program and attended a real estate professional "meet and greet" event hosted by a local coffee shop. He noted that it was great to see local businesses working to drive economic growth and said he would share the event with the Economic Development Committee.

N. EXECUTIVE SESSION (1 of 2)

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:
 - KAB Mt. Freedom (1152 Sussex Tpke)
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 will 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.

Councilwoman Veech made a motion to move into Executive Session at 8:11 p.m. Councilman Nisivoccia seconded the motion, and the following roll call vote was taken:

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

Councilwoman Veech made a motion to close the Executive Session and reopen the meeting at 8:45 p.m. Councilwoman Carey seconded the motion, and the following roll call vote was taken:

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

Mayor Hathaway stated that on the advice of counsel, R 64-25 will be considered and carried over to a special meeting to be held on Thursday, February 27, 2025 at 5:00 p.m. The meeting will be appropriately advertised by the Township Clerk.

Mayor Hathaway referred back to the consideration of introduction for Ordinance 02-25.

1. Ordinance 02-25 Amending Subsections 15-24.F.3.D.3 and 15-24.F.3J.1.A. 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

BE IT RESOLVED, that an Ordinance entitled, “An Ordinance Amending Subsections 15-24.F.3.D.3., 15-24.F.3.J.1.A. and 15-24.F.3.M.2. 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” 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 20th, of March, 2025 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 Carey made a motion to support the Randolph Mount Freedom LLC application to the New Jersey Department of Community Affairs, New Jersey Affordable Housing Trust Fund Program for funding to develop 25-units of general occupancy and special needs affordable housing in the Township of Randolph. Councilwoman Veech seconded the motion, and the following roll call vote was taken:

AYES: Councilwoman Carey
Councilwoman Elbaum
Councilwoman Thornton
Councilwoman Veech
Mayor Hathaway
NAYS: None
ABSTAIN: Councilman Nisivoccia
Deputy Mayor Forstenhausler

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

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

O. EXECUTIVE SESSION (2 of 2)

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:

5. The public shall be excluded from the remaining portion of this meeting.
6. The general nature of the subject matter to be discussed is as follows:
 - Manager's Evaluation

7. 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.
8. At the conclusion of the Executive Session, the Council will 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.

Councilwoman Veech made a motion to move into Executive Session at 8:52 p.m. Councilwoman Carey seconded the motion, and the following roll call vote was taken:

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

Councilwoman Carey made a motion to close the Executive Session and reopen the meeting at 9:14 p.m. Councilwoman Veech seconded the motion, and the following roll call vote was taken:

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

P. ADJOURNMENT

Councilwoman Veech made a motion to adjourn the meeting at 9:15 p.m. Councilman Nisivoccia seconded the motion, and the following roll call vote was taken:

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