

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

A. OPENING OF REGULAR MEETING

1. Opening of the Regular Meeting

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, 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. APPOINTMENT

Councilwoman Carey made a motion to appoint Ethan Pasia to the Recreation Advisory Committee. 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. OPEN TO THE PUBLIC

Bonnie Rosenthal of 25 Beaver Dam Road thanked the council for recognizing Women's History Month. She shared that the first International Women's Day was designated on March 8, 1911 and President Jimmy Carter established National Women's History Week in 1987. She noted that women have been influencing the course of history long before 1911 and 1987. She asked that as Women's History Month is celebrated in Randolph, the community acknowledges the countless contribution and achievements of women throughout history and continue to champion their voices and stories for a more equitable future. She encouraged everyone to listen to their stories, amplify their voices, and work together to build a future where gender equality is not just a goal, but a reality.

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

D. APPROVAL OF MEETING MINUTES

Councilwoman Carey made a motion to approve the Budget Meeting Minutes from February 1, 2025. Deputy Mayor Forstenhausler 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

E. PUBLIC HEARING

1. Public Hearing - Fullerton Landscape, LLC

Mayor Hathaway explained that the township received an application for a soil movement permit from Fullerton Landscapes, LLC for Block 215, Lots 69, 70, 71, 73 on the tax map. Pursuant to Ordinance 15-47.4C of the Land Development Ordinances, the Township Council has jurisdiction over the matter because the applicant seeks to export more than 2,001 cubic yards of soil from the site. The purpose of the hearing is for the Township Council to review and act on the application. Particular consideration will be given to the following factors: soil erosion by water and wind, drainage, soil fertility, lateral support slopes, grades abutting streets and lands,

land values and uses, and any other factors bearing upon or relating to the physical development of the township.

Mayor Hathaway referred to Clerk Luciani and asked if the township received the applicant's proof of notice to the property owners within 200ft. Clerk Luciani confirmed that the proof of notice was received.

Clerk Luciani explained that the township has a soil movement application process as prescribed by local ordinances. This hearing gives the public the opportunity to understand what the applicant has proposed by way of soil movement. The particular factors deal specifically with soil erosion and drainage, as well as any other factors that may be relevant to the physical development of the property as approved by the Board of Adjustment.

The applicant's representative, Steven Smith, was sworn in. He shared that he is a Principal of Jaman Engineering Associates and is a licensed land surveyor and professional planner. Mr. Smith noted that the applicant, Doug Fullerton, was not present; and that Mr. Fullerton made the application on behalf of the property owner, Mr. Quinn, who was present for the hearing.

Mr. Smith explained that an application was made sometime last year to the township, for the import of approximately 800 cubic yards to the indicated site. He stated that Mr. Fullerton had done more work than that and had actually imported 4,500 cubic yards to the site. In doing so, the plan he had submitted to the township for 800 cubic yards did not resemble what was actually implemented on the site. Jaman Engineering conducted a topographic survey on the site to show the current site conditions resulting from the imported fill. It was determined that some of the fill encroached onto neighboring properties (Lot 71 and Lot 73). Additionally, the existing side slopes exceeded a one-to-one grade, were extremely steep, and were not stable.

He shared that Jaman was asked to prepare a grading plan to address the issue. The plan proposed removing all the fill from Lot 73. Mr. Quinn then contacted two of his neighbors (the owners of Lot 69 and Lot 71) to ask if they would permit some of the slope grading to extend onto their properties. He received their consent, and letters of approval were submitted to the township.

In designing a new grading plan, it was configured to allow a 2.5:1 slope, with the proposed design including planting vegetation on the slopes for stabilization. He explained that the reason they are requesting permission for 4,650 cubic yards in this application is that 3,700 cubic yards was brought in without a permit, and 950 cubic yards now needed to be removed.

He noted that an application has been made to the Morris County Soil Conservation District because the original permit only covered Lot 7. Mr. Fullerton submitted a new application to cover all the lots and was waiting to provide additional documentation to Morris County Soil Conservation after the council's determination.

Councilwoman Carey inquired about the project's timeline. Mr. Smith stated that the work hours would be between 9:00 a.m. and 5:00 p.m., and it was estimated to take about three months, pending additional scanning work, county soil conservation approval, and identifying a location for the exported soil.

Councilman Nisivoccia asked how many truckloads would be needed for the removal. Mr. Smith stated that Mr. Fullerton estimated between 45 and 50 truckloads.

Councilwoman Veech referred to the memorandum in which Water & Sewer Administrator Wayne Corsey noted the need for documentation on the disposal from the pumphouse. Mr. Corsey confirmed that he had not yet received that information; it was a condition of approval and would need to be verified before project construction. Attorney Buzak stated that if that condition is not included in the resolution, it should be. Councilwoman Veech also noted that there were other points in the memorandum that should be considered.

Mr. Smith stated that if the council acts favorably on the application, a sign-off from the Engineering Department on the grading plan would still be required. The two are contingent upon each other. If the council approves the application, the Engineering Department must still review, provide notes, and approve the site work before the project can begin.

Councilman Nisivoccia asked when the project would begin. Mr. Smith stated that the applicant would have to get approval from Morris County Soil and have to find a site to export the dirt. Councilman Nisivoccia asked Mr. Corsey if there is currently a runoff problem. Mr. Corsey explained that the site is not stable, and the land cannot be made stable in its current state. He suggested that the sooner the project is completed, the better.

Mayor Hathaway asked if the resolution needed to be updated, or if the Engineering Department would take further steps after the council's consideration of the resolution. Mr. Corsey noted that the resolution includes specifications of material disposal, and disposal of tree roots. Attorney Buzak suggested that since that information was in the preamble of the resolution which serves as an introduction setting forth the facts, additional points needed to be added to the body of the resolution stating that disapproval is subject to the requirements set forth in Mr. Corsey's memorandum.

Councilwoman Veech acknowledged the absence of Mr. Fullerton, noting that his business frequently operates within the community. She expressed curiosity as to why the work was completed improperly. Mr. Smith could only speculate as to why this occurred.

OPEN TO THE PUBLIC

Seeing and hearing none, the public hearing was closed.

2. R 71-25 Approving Soil Movement Permit, Fullerton Landscape, LLC, Block 215, Lots 69, 70, 71 and 73, 38 Ash Lane

Mayor Hathaway explained that as the council is the issuing authority, they are responsible for determining if the proposed soil movement would not create conditions that are harmful to the public's health, welfare and safety, and would not result in the creation of any pits or depressions, soil erosion or facility problems, depressed land values, nor create any drainage, sewage problems or any other dangerous conditions.

Deputy Mayor Forstenhausler made a motion to approve R 71-25 Approving Soil Movement Permit, Fullerton Landscape, LLC, Block 215, Lots 69, 70, 71 and 73, 38 Ash Lane subject to the additions identified by the Township Attorney and referring to the Engineering Department memo. 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

F. MANAGER'S REPORT

Manager Poff reported on the following items:

Appio Drive Inlet Construction – The DPW is installing a streamflow inlet at the corner of Appio Drive and Mt. Pleasant Turnpike. This is a new inlet to capture all of the storm water coming down Appio Drive on Mt. Pleasant Turnpike. This project will reduce the ice condition that forms every winter in that location. Weather permitting, this project should only take a few days to complete. Utility mark outs have been called in and materials are in stock.

Freedom Park Drainage – The special projects team, with assistance from parks staff, initiated work on the upper baseball field on March 12. The expectation is to continue work as needed through March to complete Phase 1. The expectation is that Phase 2 is to be completed later in the season when the field has fewer scheduled activities.

Den Brook Pump Station Rehabilitation – The Den Brook Pump Station is currently under reconstruction. The existing electrical controls have been removed and replaced, and the new pumps, wet well equipment and grinder were installed on March 10. After installation of the new pumps, it was found that the force main valves were not operating properly and, after further testing, it was determined that both check valves needed to be replaced. All repairs should be complete by the end of March.

Solid Waste and Recycling – The Health Officer is continuing to work with DeFeo Associates to explore the existing solid waste and recycling contracts as well as identifying alternative collection options. In the coming weeks, the administration and the infrastructure workgroup will have several different options to consider. Additionally, the township anticipates a proposal from the MCMUA for recycling collection.

Board of Adjustment (BOA) Annual Report – The BOA adopted its annual report at its meeting of February 13. State statute requires the BOA to review its decisions on applications and appeals for variances and to prepare and adopt by resolution a report of its findings on zoning ordinance provisions. The BOA had no recommendations as to any zoning ordinance amendments at this time.

Curtain Wall Replacement – The curtain wall replacement at the municipal building is progressing with the color of glass now selected. It is anticipated that construction will begin in April depending on delivery confirmation from the supplier. Prior to beginning work, a meeting will be held with the contractor to discuss the final project details.

Board of Public Utilities Basic Generation Services (BGS) auction – The results of the BPU's BGS auction determine the electricity supply costs for customers who do not choose a third-party supplier. Due to rising supply costs, the typical New Jersey residential customer using 777kWh per month will see a 19.9% increase in their total monthly bill. This increase is driven by external market factors, including higher demand and increased capacity costs from limited generation growth. Customers will be receiving an email from JCP&L explaining the Basic Generation Services (BGS).

G. COMBINED ACTION RESOLUTIONS

1. R 72-25 Authorizing Government Body Certification of Compliance With the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"
2. R 73-25 Authorizing Cancellation of Capital Improvement Authorizations
3. R 74-25 Honoring Women's History Month - March 2025
4. R 75-25 Authorizing Award of a Professional Services Agreement to Boswell for Engineering Services Related to the NJDEP 2022 Stormwater Grant for the Period March 20, 2025 Through March 19, 2026 - Not to Exceed \$45,000.00

CERTIFICATION OF AVAILABILITY OF FUNDS

Dated: March 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 to approve a contract with Boswell Engineering, Inc. for Stormwater Engineering Services for an amount not to exceed \$45,000 as detailed in the professional's proposal provided to the township.

Deborah Bonanno
Chief Financial Officer

Budget Accounts: 02-213-41-830-300 \$45,000

5. R 76-25 Endorsing an Application for a Treatment Works Approval Extension for Ten East Realty, LLC, c/o Performance Ford Lincoln
6. R 77-25 Authorizing Appropriation Reserve Transfers Per N.J.S.A. 40A:4-59
7. R 78-25 Authorizing Award of MCCPC Contract #6 (Road Resurfacing - Rebid District 2, Category C Only)

Councilwoman Veech made a motion to approve the combined action agenda. 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

H. RESOLUTIONS

1. R 79-25 Designating the Township of Randolph as a Bee City USA Affiliate

Manager Poff shared that the Bee City USA initiative came out of the township's development of the Environmental Guidebook. Volunteer Lindsay Hesack brought the proposal forward to the Environmental and Landmark Advisory Committee in the fall. She was present for the consideration of the resolution during this meeting.

Councilman Nisivoccia made a motion to approve the resolution. 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

2. R 80-25 A Resolution of the Township of Randolph Supporting RevolutionNJ

Manager Poff explained that the State of New Jersey has created the RevolutionNJ initiative to commemorate the country's 250th anniversary. This resolution supports the larger statewide effort being undertaken to coordinate celebrations. In addition to the resolution, a township steering committee would be created to work locally with interested stakeholders as events are planned for the 2026 commemoration.

Councilwoman Thornton made a motion to approve the resolution. 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

I. ORDINANCES: SECOND READING

1. Ordinance 02-25 Amending Subsections 15-24.F.3.D.3., 15-24.F.3.J.1.A. and 1524.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 IT RESOLVED, that an Ordinance entitled, An Ordinance Amending Subsections 15-24.F.3.D.3., 15-24.F.3.J.1.A. and 1524.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 read by title on second reading and a hearing held thereon.

Manager Poff explained that the purpose of this ordinance is to amend Subsections 15-24.F.3.D.3., 1524.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.

OPEN TO THE PUBLIC

Ben McHugh of 100 Center Grove Road asked if the change to the setback requirement resulted in more or less setback. Manager Poff explained that the setback is being reduced in consultation with the developer, which will allow for the development to move closer to the southern border of the property line.

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

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 1524.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 passed on final reading and that a Notice of Final Passage of said Ordinance be published in the official designated newspaper according to law.

Manager Poff noted that the ordinance was referred to the Planning Board for consideration at its March 3rd meeting. The board did not find the ordinance to be inconsistent with the Master Plan.

Councilwoman Thornton made a motion to adopt 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 10-25 Capital Ordinance of the Township of Randolph Appropriating \$23,287 from the Capital Improvement Fund for the Rosenfarb-Guerin Trail Design

Manager Poff explained that the purpose of this ordinance is to appropriate \$23,287 from the Capital Improvement Fund for the Rosenfarb-Guerin Trail design.

BE IT RESOLVED, that an Ordinance entitled, “A Capital Ordinance of the Township of Randolph Appropriating \$23,287 From the Capital Improvement Fund for the Rosenfarb-Guerin Trail Design” 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 15th, of April, 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.

Mayor Hathaway asked Manager Poff about the timing of the design phase. Manager Poff explained that the Planning Department was already working on gathering the necessary proposals to be able to pursue the design this year. Once the design is completed in 2026, the township will apply for a construction grant from Morris County.

Councilwoman Carey asked if this was connecting to Veterans Park. Manager Poff confirmed she was correct; the connection is to Guerin Drive which is out on Dover Chester Road, near the vicinity of Quail Run.

Councilwoman Thornton made a motion to introduce the ordinance. 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

K. OPEN TO THE PUBLIC

A representative for the property owner of 274 Route 46 shared that the property is a Shell Gas Station located at the intersection of Canfield in Mine Hill. He stated that his friends have completed significant improvements to their property that have been approved by the Mine Hill Planning Board, as well as the county and state. He requested that the council approve the sewer connection to the Mine Hill sewer system, which is transmitted by the township to the Dover Treatment Plant. He stated that they would pay the connection fees and any improvement costs, otherwise they will need to undertake the costs associated with a septic tank which could be anywhere between \$150k – \$200k; resulting in a hardship for the property owner.

Mayor Hathaway stated that a meeting could be arranged to discuss the matter further with township staff.

Ben McHugh of 100 Center Grove Road encouraged the council to start thinking sustainably, incrementally and in the long term about how to achieve the affordable housing obligations during the development of the updated master plan. He stated that in addition to the big development projects, perhaps updates could be made to the zoning code to allow more units across the board. He suggested the council look into the website strongtowns.org, which is hosted by a nonprofit organization/nonpartisan group that advocates for smart housing policies in towns. He referred to the organization's concept of "Incremental Development."

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

L. COUNCIL COMMENTS

Councilwoman Veech reported that the Parks Advisory Committee met on March 11. The committee discussed recent coyote sightings, particularly near the Veterans Community Park area, where an abundance of chicken feathers suggests coyotes have been preying on chickens at Kahana Farm. It was noted that farm employees are authorized to use firearms to eliminate coyotes if they become a nuisance on the property.

Also on March 11, the Community Garden Subcommittee met. Ten individuals are leaving the garden for various reasons, and those ten slots are currently being filled. The community garden waitlist has over 60 people. She noted that Director Newman suggested considering a garden expansion as the Parks Master Plan undergoes updates. The subcommittee also assessed the condition of the raised garden beds and discussed gardening rules, particularly regarding rule violations.

Councilwoman Elbaum had no comments for this meeting.

Councilwoman Carey reported that she attended a Randolph Area Chamber of Commerce meeting earlier in the day with Deputy Mayor Forstenhausler. The meeting focused on a program related to the NJ Highlands. Ben Spinelli, Executive Director of the Highlands organization,

discussed how the region provides water to 9.5 million people in the state. Planning Manager Mary Haddock then spoke about the organization's current branding and marketing campaign to raise public awareness.

She shared that the Communications Workgroup met with Communications Director Robert Rios and Assistant Manager Evan Covello to learn about the New Jersey League of Municipalities' Local Government Week, which will be held from April 6 to April 12. Communications planned for the week include trivia, virtual tours of municipal facilities, and video messages from department staff.

Councilwoman Thornton reported that she attended the ribbon-cutting ceremony for the Angry Egg Deli alongside Mayor Hathaway, Deputy Mayor Forstenhausler, and Councilman Nisivoccia. On March 15, she participated in the Morristown St. Patrick's Day Parade as part of her day job. She noted it was nice to see many Randolph residents and scouts participating.

She shared that the Library Board of Trustees met on March 13. The library staff continues to train on the newly integrated internal system, which will not appear different to the public. The library will participate in the Fairy Trail Opening on May 3 and will again take part in the Neighborhood Forest initiative, allowing Randolph children to register for a free tree provided by the associated nonprofit organization. The trees will arrive prior to Earth Day, which is on April 22. She mentioned that the library also met with the Recreation Department, Artworks Studio, and Brundage Playhouse to discuss ongoing projects and explore potential collaborations, including the *Arts in the Park* initiative.

Councilman Nisivoccia reported that the Trails Advisory Committee invited Steve Ember, a Sierra Club hike leader in North Jersey, to lead a hike at Brundage Park on April 27. The hike will focus on enjoying nature. He also mentioned that the Fairy Trail is scheduled to open on May 3 and that the committee proposed a "trail walk of the month" initiative.

Deputy Mayor Forstenhausler reported that he attended the First Quarter Safety Committee meeting on March 13. He noted that the Elected Officials Training was led by the township's Safety Coordinator earlier in the year. He stated that the township's safety record is very good. The committee reviewed various incidents from the quarter, which were minimal.

Mayor Hathaway reported attending a Randolph Rotary Club meeting, where he provided an update on council initiatives, the municipal budget, and communication strategies. The club representatives shared that they had membership challenges and need more volunteers. He noted that the club was considering jump starting its social media presence to attract younger volunteers.

He also participated in the Roxbury Chamber of Commerce Mayor's Breakfast event, which was attended by local representatives including mayors from Wharton, Arlington, Roxbury, and other township officials. The discussion centered on economic development in various communities and the role of chambers of commerce in supporting small businesses. He shared that he learned valuable insights into how other municipalities operate and promote small businesses. A few members of the Randolph Economic Development Committee were also in attendance. He

concluded by mentioning that he spoke with Manager Poff about preparing an acknowledgment for Mental Health Awareness Day.

Attorney Buzak asked Manager Poff to provide information about the spending plan resolution and the settlement agreement resolution. Manager Poff informed the council that copies of the resolution authorizing the spending plan and the associated amendment had been distributed. He had advised the Township Clerk of his intention to bring both resolutions forward for consideration following Attorney Buzak's briefing during Executive Session.

M. 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 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:
 - A. Litigation: Kazanchy v. Randolph
 - B. Attorney Client Privilege: Affordable Housing Update
 - C. Contract Negotiations: Municipal Court Services
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.

Councilman Nisivoccia made a motion to move into Executive Session at 7:10 p.m.

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

Deputy Mayor Forstenhausler made a motion to close the Executive Session and reopen the meeting at 8:37 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

N. RESOLUTION

1. R 81-25 Authorizing the Execution of Mediation Agreement with Fair Share Housing Center Regarding Fourth Round Present and Prospective Need for Affordable Housing Obligations

Councilman Nisivoccia made a motion to approve the resolution. 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

2. R 82-25 Adopting an Amended Affordable Housing Trust Fund Spending Plan

Councilwoman Carey made a motion to approve the resolution. Deputy Mayor Forstenhausler 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. ADJOURNMENT

Deputy Mayor Forstenhausler made a motion to adjourn the meeting at 8:39 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