

Township of Randolph
Municipal Building
Randolph, NJ
April 3, 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
Councilman Nisivoccia
Councilwoman Thornton
Councilwoman Veech
Deputy Mayor Forstenhausler
Mayor Hathaway
ABSENT: Councilwoman Elbaum

Also Present: Township Manager Poff, Assistant Township Manager Evan Covello, Township Attorney Keli Gallo from the Law Office of Surenian, Edwards, Buzak, & Nolan, LLC.

3. Pledge of Allegiance

Mayor Hathaway led the Pledge of Allegiance.

B. PRESENTATION/PROCLAMATION

1. Proclamation – Parkinson’s Awareness Month April 2025

Mayor Hathaway read the proclamation into the record.

Councilman Nisivoccia made a motion to approve the proclamation. Councilwoman Carey seconded the motion and the following roll call vote was taken:

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

C. APPOINTMENT

Councilwoman Carey made a motion to appoint Madison Marks to the Board of Health. Councilwoman Thornton seconded the motion and the following roll call vote was taken:

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

D. OPEN TO THE PUBLIC

John Thompson of Madison Randolph RE, LLC stated that he was representing the applicant for the Soil Movement Hearing scheduled for this meeting.

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

E. MANAGER'S REPORT

Manager Poff reported on the following items:

Upcoming Elections - The school election is scheduled to be held on April 15. The primary election has been rescheduled for June 10. Preparations for both elections are underway, and information about key voting dates for the school election has been shared with Communications Director Robert Rios. Similar communication will be prepared for the primary election.

Annual Township Road Survey - The Department of Public Works is completing its annual road survey and road condition rating program in collaboration with the Engineering Department. Assessment of all 419 township roads will be conducted based on six categories: longitudinal cracks, transverse cracks, alligator cracks, potholes, rutting, and raveling along curb lines. During this assessment, roads requiring crack sealing will be identified. Upon completion of the assessment, a meeting with the Township Engineer and Township Manager will determine which roads will be selected for milling and paving within the 2025 budget.

Major Intersection Assessment - The Police Department is undertaking a major intersection assessment involving a comprehensive evaluation of 20 key intersections, which began on March 25. This assessment is in response to the Route 80 closure, which has caused traffic overflow onto local roads. The results will clarify the traffic impact and help develop strategies to address congestion.

Local Government Week (April 6–12) - The Assistant Township Manager and Communications Director are spearheading the township’s observance of Local Government Week. A coffee session with Township officials has been scheduled for Wednesday, April 9, along with township trivia, department head interviews, and facility walkthroughs to be shared throughout the week.

Calais Road Phase 2 and South Road Improvements - All contract documents have been finalized for this project, and the pre-construction meeting and field mark-outs have been completed. Concrete work is expected to begin on March 31 on Calais Road. Traffic will be maintained in both directions with two police officers on site. The concrete work is expected to take three weeks for both roads.

Den Brook Pump Station - The Division of Water and Sewer is continuing its management of the Den Brook Pump Station Rehabilitation project. Pumping Services, Inc. (PSI) completed the replacement of pumps, VFD controls, wet well components, and the grinder between March 10–14. The station is currently operating with the new equipment, though the check valves still require replacement. Parts are expected to be delivered in 12 weeks, and installation will take approximately two days. The project is estimated to be completed by the end of June 2025.

2025 Adopted Budget and Capital Information - The Finance Department is providing township departments with their 2025 adopted budget and capital information. The ranking of tax per person for Morris County has been completed. Randolph ranks as follows:

- 20th in total taxes per housing unit (or median)
- 14th in total school taxes per person
- 34th in municipal taxes per person
- 12th in open space taxes per person
- 20th in total taxes per person (or median)

The historical calculation of state energy tax obligations has also been provided to the Council for review. Phoenix Advisors, LLC, the township’s financial advisor, provides periodic market updates. Notably, the U.S. Commerce Department revised its estimate for fourth-quarter 2024 GDP growth to 2.4%, up from 2.3%. Most economists anticipate slower GDP growth in the first quarter of 2025, projecting it to fall below 2%. The next Federal Reserve meeting is scheduled for May 7. A combination of stagnant growth and rising prices—referred to as “stagflation”—could make it more challenging for the Fed to lower interest rates this year.

F. APPROVAL OF MEETING MINUTES

Councilman Nisivoccia made a motion to approve the Budget Meeting and Regular Meeting minutes from February 6, 2025. Councilwoman Carey seconded the motion, and the following roll call vote was taken:

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

G. PUBLIC HEARING – SOIL MOVEMENT HEARING – MADISION RANDOLPH RE, LLC

1. Public Hearing – Madison Randolph RE, LLC

Mayor Hathaway explained that the township received an application for a soil movement permit from Madison Randolph RE, LLC for Block 42, Lot 5 on the tax map. Pursuant to Ordinance 15-47.4C of the Land Development Ordinances, the 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 Deputy Clerk Sabri and asked if the township received the applicant's proof of notice to the property owners within 200ft. Deputy Clerk Sabri confirmed that the proof of notice was received.

Manager Poff 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, John Thompson, was sworn in. He shared that he represented the partner in the development firm redeveloping the property for Madison Randolph. He shared that they have presented major and final site plans to the Board of Adjustment; for which they received approval. He noted that this project will be at the Skylands site, and will result in acquiring soil for the new building going up on the site; which will be a third of the original Skylands building. He noted that the old building was 50,000 sq ft, and the new one would be 13,000 sq ft, with a lower lawn area for outdoor weddings. He shared that he has experience as an OEM representative and that he understood traffic concerns. He stated that they would work with any requirement this township has including noise and traffic.

Councilwoman Carey asked when the project would begin. Mr. Thompson explained that they would be ready to start work as soon as the final site plan is signed off on by the Board of Adjustment Engineer.

Deputy Mayor Forstenhausler asked whether the project could be postponed until Route 80 partially reopens, referring to the traffic issues resulting from the highway closure. Mr. Thompson acknowledged that his team has discussed the Route 80 closure and its financial impact, particularly regarding soil movement and travel on local roads.

Deputy Mayor Forstenhausler asked how many trucks would be needed for the soil import daily. Mr. Thompson responded that they are importing 10,000 cubic yards of soil, which would require approximately 400 truckloads, and they aim to complete this portion of the project within a two- to three-week period. He added that construction on the building itself has a projected timeline of 10 months, excluding January and February. He stated that they could likely adhere to the postponement as the soil is not needed to start their construction, but they would prefer to do the work in conjunction.

Deputy Mayor Forstenhausler stated that he would like to see a contingency plan to delay soil movement until Route 80 is at least partially reopened to relieve pressure on local roads.

A discussion followed regarding the tentative repair dates provided by NJDOT for Route 80, the reliability of the project timeline, the proposed start date for construction, potential restrictions on hours or days for soil transport, and the possibility of providing a definitive contingency that permits soil movement only after partial lane reopenings on Route 80.

Attorney Gallo informed the council that they could enter into a closed session to discuss her advised course of action.

Manager Poff suggested that the council proceed with the public hearing to allow input from the public to inform the conversation in closed session. He also recommended moving consideration of R 90-25 to follow the closed session.

Councilman Nisivoccia noted that the truck trips would amount to 30-40 truck loads per day. Mr. Thompson explained that multiple trucks would be hired per day, depending on financing. He stated that if this does move into the summer, and some days have more traffic than others, they could be flexible; it was noted that soil movements are not permitted during the weekends. There was further discussion about the traffic congestion and recent accidents on Route 10.

Mr. Thompson stated that they would probably want to wait to move the dirt until after Route 80 opens, he was just concerned about being held to a contingency they could not foresee.

OPEN TO THE PUBLIC

Seeing and hearing none, the public hearing was closed.

2. R 90-25 Approving Soil Movement Permit, Madison Randolph RE, LLC, Block 42, Lot 5, 792 Route 10

Mayor Hathaway explained that as the council is the issuing authority, it is their responsibility to determine 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.

Consideration of R 90-25 was postponed to be held after the Executive Session.

H. COMBINED ACTION RESOLUTIONS

1. R 83-25 Authorizing Release of Police Detail Escrow
2. R 84-25 Authorizing Cancellation of Grant Funds
3. R 85-25 Authorizing Tax Collector to Redeem and Refund Tax Sale Certificate #2022-015 to Pro Cap 8, FBO Firsttrust Bank - \$25,309.82
4. R 86-25 Authorizing the Acceptance and Execution of a Developer's Agreement with 10 East Realty, LLC and Morris County Investments, LLC, c/o Collision Center, for Preliminary and Final Site Plan and Minor Subdivision Approval for Block 44, Lots 1, 2 and 56, 971-979 Route 10 East and 65 Canfield Avenue
5. R 87-25 Authorizing Emergency Change Order #1 to the Pumping Services, Inc. Contract Under an Exception and Cooperative Pricing Agreements for the Upgrade of the Denbrook Pump Station

CERTIFICATION OF AVAILABILITY OF FUNDS

Dated: April 3, 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 fund are available to approve a change order of \$30,000 to the contract with Pumping Services, Inc. for repairs at the Den Brook Pump Station.

Deborah Bonanno

Chief Financial Officer

Budget Accounts: 08-215-55-924-301 \$30,000

6. R 88-25 Authorizing Cooperative Purchasing Agreement Between the Township of Randolph and Sourcewell
7. R 89-25 Updating a Resolution Authorizing Township of Randolph Qualified Purchasing Agent to Procure Goods & Services Via New Jersey State Approved Cooperative Contracts, Including the State of New Jersey Cooperative Purchasing Program
8. Raffle License - Chabad of Randolph - Tricky Tray, April 27, 2025 at 7:00 p.m., 26 West Hanover Avenue, Randolph, NJ 07869 (Conditional Approval CCFJL Must Receive Their Gaming License Prior to Event)

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

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

I. ORDINANCES: INTRODUCTION

1. Ordinance 11-25 Granting Consent to Utilize Easement Area to the Town of Dover Water Commission – Block 195, Lot 24

Manager Poff explained that the purpose of this ordinance is to authorize the execution of a Consent to Utilize Easement Area which grants consent to the Town of Dover Water Commission for the installation of a water line in the area of a Sanitary Sewer Easement held by the Township.

BE IT RESOLVED, that an Ordinance entitled, “An Ordinance Granting Consent to Utilize Easement Area to the Town of Dover Water Commission” be introduced, read by title by the Township Clerk and passed on first reading.

BE IT RESOLVED, that said Ordinance shall be further considered for final passage at the meeting of the Township Council of the Township of Randolph on the 1st, of May, 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 asked whether there was already a sewer line on an existing easement and if there was sufficient capacity on the line to ensure it would not hinder future use. Manager Poff explained that the Water Commission indemnifies the township and has provided guarantees that the work is being done with the understanding that they are obligated to fix any issues should they arise.

Mayor Hathaway asked whether Randolph was responsible for managing, fixing, and maintaining the line, or if the Town of Dover held that responsibility. Attorney Gallo explained that if something happens to Dover’s line and it impedes the township’s line, Dover must allow the township to repair its own line before fixing theirs. She summarized by stating that if their actions affect Randolph’s lines, Randolph takes priority.

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

J. OPEN TO THE PUBLIC

Seeing and hearing none, the public session was closed.

K. COUNCIL COMMENTS

Councilwoman Veech had no comments for this meeting.

Councilwoman Thornton reported that she attended a Morris County Board of Commissioners meeting, during which Randolph volunteer Ginger Vukas was recognized as the recipient of the 2025 Seeds of Change Award. She shared that the annual award honors women who uplift others and contribute to their communities through volunteerism. She highlighted Mrs. Vukas' contributions to the community and stated that the township was fortunate to have a resident who cares and gives as much as she does.

Councilwoman Thornton continued her report by sharing that she attended a Traffic Advisory Committee meeting on Tuesday, April 1. She noted that the NJDOT has adjusted the timing of the traffic lights at Sussex Turnpike and Calais Road. She concluded her report by mentioning that the county is conducting a traffic study at South Morris Street and Franklin Road.

Councilman Nisivoccia echoed Councilwoman Thornton's praise for Ginger Vukas. He commended Mrs. Vukas for her work on the Economic Development Committee and her advocacy for the elderly. He reported that the Environmental and Landmark Advisory Committee met and discussed a proposal to install eight welcome signs at major township entrances. He encouraged the council to share feedback with Committee Chair Mike Whiting. The committee also discussed Morris County's consideration of a possible Open Space referendum for the general election. The referendum would ask for public approval to permit Open Space funds to be used for the stewardship of preserved land. He concluded his report by stating that the committee will be working with the Communications Director to develop more environmental-themed social media posts.

Councilwoman Carey reported that she and Mayor Hathaway visited the Randolph Athletic Club to congratulate the Zero Gravity Gymnastics Team, which placed first at the State Championship. She attended a Morris County Chamber of Commerce meeting on Tuesday, March 25, during which Assemblywoman Aura Dunn was honored with the Alex DeCroce Public Leadership Award. She attended the Coffee with a Cop event held the previous week at VFW Post #7333 and a Recreation Advisory Committee meeting on Thursday, March 27.

She noted that registration for spring sports, summer camps, and clinics is ongoing, and the department is already close to reaching 2024 enrollment numbers; 1,900 students are currently enrolled in spring sports and 2,400 students are expected to participate in summer camps and clinics. She shared that the committee discussed the Volunteer Awards ceremony, which was held on Sunday, March 9, at 10:00 a.m. They noted poor attendance and discussed how to improve communication about the event in the future. She also mentioned a few upcoming recreation events, including the Easter Egg Flashlight Hunt and the Earth Day Walk and Talk. She concluded her report by sharing concerns raised about children using electric go-karts and bicycles on the oval walking track at Veterans Community Park.

Deputy Mayor Forstenhausler noted that motorized vehicles are banned on township trails. Manager Poff stated that the ordinance could be reviewed and, if necessary, a recommendation would be provided for appropriate action.

Deputy Mayor Forstenhausler stated that he attended many of the previously mentioned events, in addition to a Wildlife Management Advisory Committee meeting. However, the meeting was canceled due to a lack of quorum.

Mayor Hathaway reported that he attended an Economic Development Committee meeting. He shared that the EDC concluded its March Madness social media campaign, which led to strong business engagement and increased the EDC's Instagram following from 758 to 1,103 followers.

He also shared that he had the pleasure of attending Randolph Middle School's sixth-grade problem-solving challenge sessions, along with the Township Manager. He noted that all of the students' ideas focused on bringing the community together.

L. EXECUTIVE SESSION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231 P.L. 1975 (N.J.S.A. 10:4-12) permits the exclusion of the public from a meeting under certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Randolph, in the County of Morris, and 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. Attorney-Client Privilege: Mine Hill - Jackson Brook Interceptor
 - B. Attorney-Client Privilege: Soil Movement Permit, Madison Randolph RE, LLC
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 7:02 p.m. Councilwoman Carey seconded the motion, and the following roll call vote was taken:

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

Deputy Mayor Forstenhausler made a motion to close the Executive Session and reopen the meeting at 7:39 p.m. Councilman Nisivoccia seconded the motion, and the following roll call vote was taken:

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

1. R 90-25 Approving Soil Movement Permit, Madison Randolph RE, LLC, Block 42, Lot 5, 792 Route 10

Attorney Gallo informed Mr. Thompson that the matter was discussed in closed session. She asked if the applicant would be agreeable to including a condition in the resolution recognizing that as the NJDOT has estimated that Route 80 would be partially reopened by Saturday, May 18, the applicant would wait until after June 1 to start importing soil.

Mr. Thompson stated that he was fine with the condition so long as it does not impact their construction permit. Mayor Hathaway explained that the condition was for the soil movement, not construction. Mayor Hathaway clarified stating that there is going to be an additional condition put in the resolution that recognizes the Route 80 construction and the NJDOT's estimated partial reopening of the highway. If the NJDOT's projected reopening dates do not go as planned after June 1, the applicant and township would meet to come up with a mutually acceptable resolution.

Councilman Nisivoccia made a motion to approve R 90-25 Approving Soil Movement Permit, Madison Randolph RE, LLC, Block 42, Lot 5, 792 Route 10 as amended. Deputy Mayor Forstenhausler seconded the motion, and the following roll call vote was taken:

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

M. ADJOURNMENT

Councilwoman Thornton made a motion to adjourn the meeting at 7:42 p.m. Deputy Mayor Forstenhausler seconded the motion, and the following roll call vote was taken:

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