

Township of Randolph
Municipal Building
Randolph, NJ
April 7, 2022

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 Deputy Mayor Nisivoccia. This 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 Randolph Reporter and the Morris County Daily Record on November 19, 2021, by emailing them the annual resolution adopted by the Council on November 18, 2021. The annual resolution, which included this meeting date, was advertised in the Randolph Reporter, the official newspaper of the Township of Randolph and the Daily Record on November 24, 2021.

2. Roll Call

PRESENT: Council Member Carey
Council Member Forstenhausler
Council Member Loveys
Council Member Tkacs – via phone
Council Member Veech
Deputy Mayor Nisivoccia
Mayor Potter – via phone

Also present: Township Manager Mountain and Township Attorney Edward J. Buzak (via phone)

3. Pledge of Allegiance

Deputy Mayor Nisivoccia led the Pledge of Allegiance.

B. PRESENTATION

1. Supporting the 2022 UDrive. UText. UPay. Distracted Driving Crackdown April 1-30 2022

Council Member Carey presented Randolph Township Officer Richard Biase with a proclamation supporting the 2022 April UDrive. UText. UPay. Distracted Driving Crackdown campaign. She read the proclamation into the record:

Whereas, distracted driving is a serious, life-threatening practice that is preventable; and

Whereas, distracted driving can result in injuries and deaths to all road users (motorists, pedestrians and bicyclists); and

Whereas, distracted driving occurs when drivers divert their attention away from the task of driving to focus on another activity instead; and

Whereas, in 2019 alone distracted driving-related crashes resulted in 3,142 deaths and 400,000 injuries on our nation's roads; and

Whereas, in New Jersey distracted driving was listed as a contributing circumstance in 49-percent of all motor vehicle crashes in 2019; and

Whereas, the State of New Jersey will participate in the nationwide Distracted Driving 2022 Crackdown from April 1 - 30, 2022 in an effort to raise awareness and decrease driver distraction through a combination of enforcement and education; and

Whereas, the national slogan for the campaign is UDrive. UText. UPay; and

Whereas, a reduction in distracted driving in New Jersey will save lives on our roadways;

Now, Therefore, Be It Proclaimed that Randolph Township declares its support for the Distracted Driving 2022 Crackdown both locally and nationally from April 1 - 30, 2022 and pledges to increase awareness of the dangers of distracted driving.

On behalf of the Police Department, Officer Biase thanked the council for their support.

2. Sewer Master Plan - Suburban Engineering

Manager Mountain explained that the report has taken about a year to complete. The first stage of it was seen eight or nine months ago in the Jackson-Brook Interceptor chapter, which has now been incorporated as a piece of the overall Sewer Master Plan. He explained that the Council Infrastructure Work Group reviewed the plan and was pleased with the report.

Township Engineering, Water and Sewer Administrator Wayne Corsey and Suburban Engineering Project Engineer Dave Chonda provided a brief introduction/overview of the Sewer Master Plan.

Mr. Chonda explained that the project was a large endeavor that was split into two distinct chapters. The first part involved the Jackson-Brook analysis and the contributions that went towards analyzing the effect on the overall master plan authority. He reviewed a few key recommendations that pertain to how the township should move forward when working with the sewage authority portion over the next ten years:

- Closed Circuit Television Video (CCTV) Program
- Completion of Above-Grade Asset Management Plan (AMP).
- Future Development Areas

Council Member Loveys asked, in regards to the CCTV program, if the township's agreement with Mine Hill would not pertain to running from Arrowgate a portion of JBI. Mr. Chonda explained how the lines were an ancillary recommendation to further evaluate Arrowgate. The potential for I&I could contribute to that.

Council Member Veech asked Mr. Chonda if the installation of a small portion of CCTV lines at a time was recommended rather than a large portion all at once. Mr. Chonda stated that the engineering group determines what best suits the subcollections. He stated that they typically go for large subcollection areas. He suggested examining it on a sub-zone by sub-zone basis.

Mr. Corsey explained that back in 2012 or 2014, the township conducted a large portion of video investigation in the southern part of town and the Shongum area; part of which was with the Morris Township Sussex Turnpike Interceptor. He explained that the town has some video footage and that Mr. Chonda was referring to a continual project that will monitor and assist with upkeep to prevent infiltration and capacity issues.

Manager Mountain stated that the recommendation would become part of the capital program for future years. He explained that it would not be a budgetary issue as there is funding for the utility.

Deputy Mayor Nisivoccia recalled that the Arrowgate pipe was installed in 1998. He asked about the pipe's useful life. Mr. Chonda explained that sewer collections systems typically have long lives. He stated that they are affected by foundations, materials, infiltrations and what is happening around the sites they are located in. He stated that rehab programs and non-invasive line programs could extend the useful life by an additional 50 years.

Council Member Veech asked Mr. Chonda to explain what I&I meant. Mr. Chonda explained that it stood for inflow and infiltrations.

Council Member Loveys referred back to the CCTV recommendation and commented that he thought the focus of the element was to place lines in areas that don't allow good access, i.e., in woodlands or easements. Mr. Chonda explained that he was correct as those areas would tie back to the asset management plan. He stated that they would take a tactful approach by prioritizing which areas need CCTV. They would assess whether it is needed in areas such as offshoots, woods, waterways, or previously reviewed areas.

Council Member Loveys commented that he associated pump stations, communicators, and other tangible things as assets. He asked if a section of pipe potentially being run was considered an asset. Mr. Chonda stated that the NJDEP was very specific about the renewal and replacement cycle of subgrade systems. He explained that any asset management program would consider the tangible things he mentioned as well as the pipping collections as assets.

Council Member Loveys asked if the mapping involved actually surveying the area and physically locating points to tie back to GIS. Mr. Chonda explained that the information is digitized into the GIS file and that it is not necessarily all survey accurate. He commented that a survey could be done every five years to improve accuracy. Mr. Corsey stated that everything is

an asset, property boundaries from GIS perspectives, the functionality of maps, and the video investigations provide integral information needed for management.

Deputy Mayor Nisivoccia asked if there were any components of the system that were starting to fail. Mr. Corsey stated that the only concern with the pumping stations was the stations' capacity to handle the many affordable housing units coming into the township. He added that this was being investigated.

Mayor Potter asked about the security of assets. She stated that she was referring to the alarms at the pump stations. Mr. Chonda stated that security should be evaluated under a station-by-station audit; it could be placed under the asset management program as they would want to develop an emergency response plan to assess vulnerabilities at the stations. He explained that the NJDEP was very big on those programs.

Manager Mountain stated that security concerns would be addressed as a good portion of the pump stations are upgraded over the years.

Deputy Mayor Nisivoccia asked if the station alarms function on dial-up connection systems. Mr. Corsey explained that the alarms are functional and not for security. He stated that they are digital and operate under a radio frequency.

Mr. Chonda thanked the council for their time.

C. OPEN TO THE PUBLIC

David Gilenson of 1360 Sussex Turnpike had questions and concerns regarding the Health and Fire Department fees for Mobile Food Trucks. He explained that Randolph's fees were among the most expensive he has had to pay in comparison to other towns. He asked the council to reconsider the fees to make them more realistic and fairer and mentioned that he has heard that they are considering adopting an annual fee of \$275 in place of the current \$100 per permit health fee. He asked that the fire inspection fee also be considered as an annual fee. He stressed that this action should be completed sooner rather than later as it was food truck season and he had many events coming up. He shared that he had paid for a health permit for a June event, and asked that food truck operators be given a credit for the fees they have paid in advance of the annual fee's adoption.

Deputy Mayor Nisivoccia informed Mr. Gilenson that the ordinance for the Health Department mobile food truck annual fee was up for introduction during this meeting. Manager Mountain explained that the fire inspection fee was being changed to an initial inspection fee of \$100 and \$50 per inspection after that. He explained that the fee was being introduced under the fee schedule ordinance.

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

D. MANAGER'S REPORT

Manager Mountain reported the following:

Cannabis Committee Update – The Cannabis Committee met the previous week to review the zoning considerations that would need to be taken into account if the town were to proceed with opting-in for retail cannabis business. A few of the considerations that were discussed included location and proximity to neighborhoods, schools, churches, and park areas, sighting on major roads versus secondary roadways, security, waste control, hours of operation, parking requirements, and other site controls. The committee also discussed the pros and cons of establishing a local licensing procedure that will be added along with the state’s licensing procedure. The committee determined that they needed to learn more about how retail cannabis would work and decided to assemble a panel discussion with representatives from towns who have opted in for retail business to learn about their experiences. The panel discussion will be scheduled sometime in the coming months.

Morris Park Alliance Awards – The Morris Parks Alliance has selected Veterans Community Park for the Class II Facility Award. Class II is for municipalities with a population service area of over 18,000 people. Manager Mountain thanked Parks and Recreation Director Russ Newman for putting together the successful application for the award. He also thanked the team of individuals who contributed to the design and development of the park. The award will be presented at a ceremony scheduled for Wednesday, April 20, 5:30 – 7:30 p.m. at the Haggerty Education Center of the Frelinghuysen Arboretum.

Township Recognized – Randolph was honored this past week by its appearance on two different New Jersey’s Best Lists. The township was listed by safewise.com in its annual safe communities rating as the 16th safest city/town in New Jersey. The township has moved up several spots from the group’s 2021 ranking; the process takes into account a variety of different public safety metrics.

The township was also recognized by a group called Mommy Poppins, which selected the Randolph Park Beach facility in their Top 30 Summer Day Trips for NJ Families listing. The beach was ranked number ten on the list and noted that the park beach had many wonderful amenities.

Morris County 2022 Road Resurfacing – The 2022 Township Road Resurfacing Program will be reviewed during this meeting. He explained the county recently shared its 2022 and 2023 Road Resurfacing Programs and added that two roads in Randolph are included in the plans. In 2022, the county will be paving West Hanover Avenue between Westminster Drive and Black Birch Drive. In 2023, the county plans to pave Sussex Turnpike between Speedwell Avenue in Morristown and West Hanover Avenue in Randolph.

E. APPROVAL OF MEETING MINUTES

1. Approving the Budget Council Meeting Minutes for February 26, 2022 and the Regular Council Meeting Minutes for March 3, 2022 and March 17, 2022.

Council Member Veech made a motion to approve the Budget Meeting Minutes for February 26, 2022 and the Regular Meeting minutes for March 3, 2022 and March 17, 2022. Council Member Carey seconded the motion and the following roll call vote was taken:

AYES:	Council Member Carey
	Council Member Forstenhausler
	Council Member Loveys
	Council Member Tkacs
	Council Member Veech
	Deputy Mayor Nisivoccia
	Mayor Potter
NAYS:	None

F. COMBINED ACTION RESOLUTIONS

Deputy Mayor Nisivoccia read R-71-22 Recognizing April 2022 as Autism Awareness and Acceptance Month into the record:

WHEREAS, Autism Awareness Month in April aims to celebrate and promote acceptance for the condition that occurs in one in every 54 children in the United States; and

WHEREAS, while there is no cure for autism, it is well-documented that if individuals with autism receive treatment early in their lives, it often is possible for those individuals to lead significantly improved lives; and

WHEREAS, Autism is a complex, lifelong developmental disability that affects essential human behaviors such as social interaction, the ability to communicate ideas and feelings, imagination, self-regulation, and the ability to establish relationships with others; and

WHEREAS, acceptance comes with understanding, and while individuals and families living with autism live this life every day, there is still a need for factual education and awareness for the general public. Knowledge promotes acceptance because it allows people to understand how to be more inclusive, and build more supportive experiences; and

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Township of Randolph recognize April 2022, as National Autism Awareness in Randolph Township, and emphasizes the need for public awareness to promote acceptance, celebrate the differences, and be more inclusive towards autistic individuals around us.

Deputy Mayor Nisivoccia presented Randolph resident Seth Rafkin, whose son Max is an autistic child, with a copy of this resolution. He shared a personal anecdote about the Rafkin family regarding a milestone for Max related to his daily routine.

Mr. Rafkin shared that his family moved to Randolph from California to allow their son to attend a private school for autistic children. He commented that Deputy Mayor Nisivoccia has been a great neighbor for years, and that he was happy to live in Randolph.

Council Member Forstenhausler read R-72-22 Celebrating April 2022 as Diversity Month into the record:

WHEREAS, April is Celebrate Diversity Month and since 2004, has been designated as a time period to recognize and honor the diversity that surrounds us all; and

WHEREAS, by celebrating our differences and similarities during this month, the hope is that people will develop a deeper understanding of each other. The Township of Randolph recognizes that people of all backgrounds contribute to our Township's democracy, culture and economy; and

WHEREAS, we welcome, value and respect one another's differences and cultural backgrounds and recognize the many barriers that impede diversity, equity and inclusion; and

WHEREAS, the Township denounces any attacks, harassment, or intimidation of individuals based on race, color, ethnicity, gender, age, religion, immigration or refugee status, sexual orientation or identity, special physical or mental needs, familial status, economic status or other social identities; and

WHEREAS, the Township strongly believes that diverse and vibrant backgrounds, perspectives, and abilities contribute to the health, welfare and economy of Randolph, support the basic principles upon which the United States was founded, and affirms the equality and dignity of all people regardless of their background; and

WHEREAS, the Township of Randolph is committed to maintaining a safe, inclusive, and welcoming environment for all diverse backgrounds in our community; and

WHEREAS, diversity makes our community stronger and more vibrant, and we are proud of what every resident has to offer.

THEREFORE, BE IT RESOLVED that the Township of Randolph Mayor and Council does hereby reaffirm their commitment to creating an inclusive culture and continuing their strong commitment to maintaining a community culture that values and celebrates the similarities as well as the differences among our neighbors.

1. R-71-22 Recognizing April 2022 as Autism Awareness and Acceptance Month
2. R-72-22 Celebrating April 2022 as Diversity Month

3. R-73-22 Redeem and Refund Tax Sale Certificate 18-37 for Block 160, Lot 50, 41 Lake Shore Drive S. to Four Corners Capital for \$731.99 and Dovenmuehle Mortgage for \$28.80
4. R-74-22 Redeem and Refund Tax Sale Certificate 19-13 for Block 133, Lot 2, 10 Comfort Ct. to Shirea Carroll for \$3,030.65 and SN Servicing Corp for \$19.81
5. R-75-22 Authorizing contracts with additional approved vendors under the Hunterdon County Educational Services Commission Cooperative Pricing System (HCESC)
6. R-76-22 Extending the maintenance contract with Fire & Safety Services Ltd. for the Township's Fire Apparatus (Rebid) for the Period of July 1, 2022 through June 30, 2023

CERTIFICATION OF AVAILABILITY OF FUNDS

Dated: April 7, 2022

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 will be available, subject to annual appropriation and adoption in the 2022 and 2023 municipal budgets, to extend the 2020 contract to Fire & Safety Services for providing maintenance services for the Township's Fire Apparatus for the period July 1, 2022 through June 30, 2023 as per the existing agreement.

Deborah Bonanno
Chief Financial Officer

Budget Accounts: 01-201-26-315-308 (not to exceed \$10,000)

7. R-77-22 Awarding a contract to Building Inspection Underwriters, Inc. for Electrical Subcode Inspection Services for the period of June 1, 2022 - May 31, 2023 with the option to extend for two one-year periods ending May 31, 2025

CERTIFICATION OF AVAILABILITY OF FUNDS

Dated: April 7, 2022

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 will be available, subject to annual appropriation and adoption in the 2022 municipal budget, to award a contract with Building Inspection Underwriters, Inc. of Feasterville, PA for providing Electrical Subcode Inspection services as detailed in the contractor's response provided to the Township's public bid solicitation.

Deborah Bonanno
Chief Financial Officer

Budget Accounts: 01-201-22-200-300-3033 (not to exceed \$125,000)

8. R-78-22 Releasing cash road opening bond posted for the purpose of tying into the township storm drain at 54 Meadowbrook Road, Block 157, Lot 14 to Stewart Roberts - \$500.00
9. R-79-22 Finding WB Mason Company, Inc. in default of MCCPC Contract #30
10. R-80-22 Refund remaining escrow funds for 48 Musiker Ave., Block 121, Lot 19 to Philip Pascarella - \$664.00

Council Member Loveys made a motion to approve the Combined Action Resolutions. Council Member Forstenhausler seconded the motion, and the following roll call vote was taken:

AYES:	Council Member Carey
	Council Member Forstenhausler
	Council Member Loveys
	Council Member Tkacs
	Council Member Veech
	Deputy Mayor Nisivoccia
	Mayor Potter
NAYS:	None

G. UPCOMING EVENTS

Council Member Veech asked Manager Mountain if the UPS Store grand opening would also be conducting paper shredding. Manager Mountain explained that the owner arranged for a shredding truck to be at the grand opening as part of his event. There was a brief discussion on the township's Community Shredding Day.

1. Grand Openings/Ribbon Cutting, HK Furnishings, 503 Rte. 10, Randolph, on Saturday, April 9, 2022, starting at 11:00 a.m. with Ribbon Cutting at 11:30 a.m.
2. Council Only - Morris Park Alliance Awards at the Frelinghuysen Arboretum, 353 East Hanover Ave., Morristown, on Wednesday, April 20, 2022 at 5:30 p.m.
3. Grand Opening/Ribbon Cutting, La Rosa Chicken & Grill, Dover Chester Road and Route 10, Thursday, April 21, 2022 starting at 10:00 a.m., Ribbon Cutting at 10:30 a.m.
4. Randolph Chamber of Commerce Monthly Networking Luncheon, at La Strada, 1105 Route 10, Randolph, on Thursday, April 21, 2022, at 11:45 a.m.
5. Little League Opening Day at Freedom Park, Saturday, April 23, 2022, parade starts at 9:15 a.m., ceremony at 9:45 a.m., activities for players and families at 10:30 a.m. and first games begin at 12:00 p.m. and 12:30 p.m.
6. Confidential Paper Shredding, Saturday, April 23, 2022 from 9:00 a.m. - 12 noon in the Municipal Building parking lot at 502 Millbrook Avenue

7. Community Garage Sale - Clean Up and Clean Out - Saturday, April 23, and April 24, 2022, from 9am to 4pm - Register online at randolphnj.org
8. Council Only - Ironia Firemen's Installation Dinner at the Meadow Wood on April 29, 2022, at 6:00 p.m.
9. Grand Opening/Ribbon Cutting/Paper Shredding, UPS Store, 161 Center Grove Road, Saturday, April 30, 2022, at 10:00 a.m., Ribbon Cutting at 10:30, ends at 1:00 p.m.
10. Council Only- Recreation Volunteer Award Ceremony, Saturday, April 30, 2022 from 3:00 p.m. - 5:00 p.m. at Veterans Community Park, if inclement weather, it will be held at the Community Center
11. Healthy Body-Healthy Mind Expo on Saturday, May 7, 2022, 11:00 a.m. - 2:00 p.m. at the Randolph Community Center and Randolph Library on Calais Road
12. Arts in the Park, at Veterans Community Park, 100 Calais Road, Randolph, Saturday, May 21, 2022, from 11:00 a.m. to 6:00 p.m.

H. ORDINANCES: INTRODUCTION

1. **Ordinance No. 08-22 Amending Sections 14-261 and 14-281 of Article VII, Retail Food Establishments, of Chapter 14, Businesses, and Appendix A, Fee Schedule, of the Revised Ordinances of the Township of Randolph Regarding Mobile Food Establishments**

Manager Mountain explained that the purpose of this ordinance is to amend and supplement Sections 14-261 and 14- 281 of Article VII, Retail Food Establishments, of Chapter 14, Businesses, of the Revised Ordinances of the Township of Randolph, to establish conditions for licensure of mobile food establishments. Additionally, the purpose of the Ordinance is to amend Appendix A, Fee Schedule, of the Revised Ordinances of the Township of Randolph to add a mobile frozen dessert license fee and an annual licensing fee for mobile food establishments.

BE IT RESOLVED, that an Ordinance entitled “An Ordinance Amending Sections 14-261 and 14-281 of Article VII, Retail Food Establishments, of Chapter 14, Businesses, and Appendix A, Fee Schedule, of the Revised Ordinances of the Township of Randolph Regarding Mobile Food Establishments” 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 21st, of April, 2022 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.

Council Member Carey asked if it did not matter when applicants applied for the annual license as it is established to expire on December 31st of each year. Manager Mountain confirmed she was correct.

Council Member Forstenhausler commented that food truck owners would have to visit the Health Department annually during normal business hours to obtain their license and have their vehicles inspected by health officials. He explained that the process differed for the Fire Official, as the official has to physically go out to the sites of the trucks to conduct each inspection; this oftentimes is during evening hours.

Attorney Buzak informed the council that the current ordinance up for introduction did not include language regarding issuing credit to food truck vendors who have paid the pre-established fee for use in advance of the adoption of ordinance 08-22. He informed the council that they could add language that pertains to credit into the ordinance before it is introduced and publish the ordinance with the new section/wording.

There was a brief discussion on the language that would be used to identify which and if parties might be eligible for a credit. The council determined that any person who has purchased a Temporary Mobile Food License in 2022 prior to the effective date of ordinance 08-22, who thereafter purchases an Annual Mobile Food License in 2022, shall receive a credit toward the fee for the Annual Mobile Food License in an amount equal to the amount paid in 2022 prior to the effective date of this ordinance for the Temporary Mobile Food License. The credit is not to exceed the amount of the fee in 2022 for the Annual Mobile Food License.

Attorney Buzak stated that the additional language would be added to the ordinance.

Deputy Mayor Nisivoccia commented that the Mobile Frozen Dessert License season of 60 days was a tight timeframe. Manager Mountain explained that the timeframe has always been 60 days and is specifically for the summer season. He added that he had not heard any complaints about the license. Deputy Mayor Nisivoccia suggested changing the timeframe to 120 days to cover May, June, July, and August. Manager Mountain explained that the mobile frozen dessert trucks typically come out in full force when schools let out.

Council Member Loveys suggested that the idea be run by the Board of Health. The remaining council members agreed. As liaison to the Board of Health, Deputy Mayor Nisivoccia stated that he would communicate the idea to the board.

Council Member Forstenhausler made a motion to introduce the ordinance. Council Member Carey seconded the motion, and the following roll call vote was taken:

AYES: Council Member Carey
Council Member Forstenhausler
Council Member Loveys
Council Member Tkacs
Council Member Veech
Deputy Mayor Nisivoccia
Mayor Potter

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 21st, of April, 2022 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.

Council Member Forstenhausler made a motion to introduce the ordinance. Council Member Veech seconded the motion, and the following roll call vote was taken:

AYES:	Council Member Carey
	Council Member Forstenhausler
	Council Member Loveys
	Council Member Tkacs
	Council Member Veech
	Deputy Mayor Nisivoccia
	Mayor Potter
NAYS:	None

4. Ordinance No. 11-22 Capital Ordinance of the Township of Randolph Appropriating \$1,836,000 from the Capital Improvement Fund for Various 2022 Capital Improvements and \$481,700 in Grants from the New Jersey Department of Transportation for Park Avenue Improvements

Manager Mountain explained that the purpose of this ordinance is to provide funding for improvements to Park Avenue and various 2022 Capital Improvements.

BE IT RESOLVED, that an Ordinance entitled "Capital Ordinance of the Township of Randolph Appropriating \$1,836,000 from the Capital Improvement Fund for Various 2022 Capital Improvements and \$481,700 in Grants from the New Jersey Department of Transportation for Park Avenue Improvements" 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 21st, of April, 2022 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.

Council Member Forstenhausler made a motion to introduce the ordinance. Council Member Carey seconded the motion, and the following roll call vote was taken:

AYES:	Council Member Carey
	Council Member Forstenhausler

Council Member Loveys
Council Member Tkacs
Council Member Veech
Deputy Mayor Nisivoccia
Mayor Potter
NAYS: None

5. **Ordinance No. 12-22 Bond Ordinance
Appropriating \$1,000,000, And Authorizing the Issuance of \$947,000 Bonds or
Notes of the Township, for Various Improvements or Purposes Authorized to be
Undertaken by the Township of Randolph in the County of Morris, New Jersey**

Manager Mountain explained that the purpose of this ordinance is to fund various improvements including the purchase of one wheel loader for the Department of Public Works and the acquisition by purchase of new firefighting equipment and one fire truck for the preservation of life and property in the Township and for use by the Randolph Township Volunteer Fire Department.

BE IT RESOLVED, that an Ordinance entitled “Bond Ordinance Appropriating \$1,000,000 and Authorizing the Issuance of \$947,000 Bonds or Notes of the Township, for Various Improvements or Purposes Authorized to be Undertaken by the Township of Randolph, in the County of Morris, New Jersey” 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 21st, of April, 2022 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.

Council Member Tkacs made a motion to introduce the ordinance. Mayor Potter seconded the motion, and the following roll call vote was taken:

AYES: Council Member Carey
Council Member Forstenhausler
Council Member Loveys
Council Member Tkacs
Council Member Veech
Deputy Mayor Nisivoccia
Mayor Potter
NAYS: None

6. **Ordinance No. 13-22 Amending Appendix A, Fee
Schedule, of the Revised Ordinances of the Township of Randolph, Morris County,
New Jersey**

Manager Mountain explained that the purpose of this ordinance is to amend Sections of Appendix A, Fee Schedule, of the Revised Ordinance of the Township of Randolph, Morris County, New Jersey, governing Administrative Fees, Building and Construction, Engineering, Water and Sewer, Fire Prevention and Health fees.

BE IT RESOLVED, that an Ordinance entitled “An Ordinance Amending Appendix A, Fee Schedule, of the Revised Ordinances of the Township of Randolph, Morris County, New Jersey” 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 21st, of April, 2022 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.

Council Member Veech made a motion to introduce the ordinance. Council Member Forstenhausler seconded the motion, and the following roll call vote was taken:

AYES:	Council Member Carey
	Council Member Forstenhausler
	Council Member Loveys
	Council Member Tkacs
	Council Member Veech
	Deputy Mayor Nisivoccia
	Mayor Potter
NAYS:	None

7. Ordinance No. 14-22 Authorizing the Vacation of East Ferromonte Drive, West Ferromonte Drive, the Entirety of Grove Street and a Playground within the Township of Randolph

Manager Mountain explained that this vacation ordinance was a result of affordable housing discussions with Toll Brothers. He stated that the vacation was necessary for the project to move ahead.

Attorney Buzak explained that back in 1952 a subdivision was granted and a map including Grove Street was filed. He provided a brief history of the subdivision and explained that development in the area did not move forward. In the 80s, the township embarked upon a program where they examined various roads that had been dedicated but not accepted; in 1985 the township adopted an ordinance accepting Grove Street making it a township road.

He explained that an issue arose as the Toll Brothers development plans did not include that road. He shared that recently Toll granted an easement over that road/property to access it off of

Route 10. He stated that the purpose of this ordinance is to vacate the township's interest in Grove Street, any of the other unaccepted roads, and the playground; the entire subdivision, as a result of the approval of the new proposed development on that property. He explained that the easement that was granted over the public road would be the source of action temporarily for the lot and that the lot owner's access would not be affected. He explained that part of the Toll Brothers application was to make the lot a land lot, and turn the easement area into a flag lot.

Council Member Loveys asked why the area would become a flag lot. Attorney Buzak explained that it was a result of the township vacating the road. The lot will be accessible from Route 10 through the easement granted by Toll. He stated that the easement would allow for adequate access to the property and that Toll planned to convey the easement to become an expanded part of the lot. He stated that it would not be created as a result of what the township does.

BE IT RESOLVED, that an Ordinance entitled "An Ordinance Authorizing the Vacation of East Ferromonte Drive, West Ferromonte Drive, the Entirety of Grove Street and a Playground within 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 5th, of May, 2022 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.

Council Member Forstenhausler made a motion to introduce the ordinance. Council Member Veech seconded the motion, and the following roll call vote was taken:

AYES:	Council Member Carey
	Council Member Forstenhausler
	Council Member Loveys
	Council Member Tkacs
	Council Member Veech
	Deputy Mayor Nisivoccia
	Mayor Potter
NAYS:	None

I. DISCUSSION ITEMS

1. 2022 Road Program

Manager Mountain explained that the 2022 Road Overlay Program included 14 roads that are scheduled for resurfacing and another four roads that would be worked on in conjunction with the gas company to complete milling and paving. He explained that the roads were re-evaluated coming out of the winter months and the scoring system for the roads was updated. He explained

that the Council Infrastructure Work Group reviewed and discussed the plan over the past several weeks and endorsed the recommendation. He explained how the system has allowed the township to catch up on road work and move road improvements along. He stated that the program is funded in majority by cash which allowed the township to save taxpayers money and prevent impacts on the budget as the cost is not being compounded and everything is being paid for in real-time. He added that state aid will be used for Park Avenue and Calais Road improvements.

Council Member Carey commented that the program was laid out well and that she always felt that it was very easy to explain this process to the public.

Council Member Forstenhausler echoed Manager Mountain's comments about the benefits of funding the program with cash. He added that doing so allowed the township to improve more roads. He recognized Council Member Loveys for his efforts in identifying some of the roads.

Council Member Loveys reminded the public that the program is not an exact science. He explained that the township staff utilizes several different criteria to rank the roads and has one individual establishing the ranking for consistency. He shared that he has driven on some of the roads that are recommended. He fully supported the plan and thanked the township staff for their efforts.

Mayor Potter inquired about the zipper work. Manager Mountain explained that in the past few years he has asked the DPW to provide a cracked sealing list and a list of roads being targeted for zipper work. He stated that the sections of roads identified on the zipper list were determined due to a significant amount of deterioration that could not be handled with patchwork or crack sealing. He briefly explained how the zipper machine worked. He stated that the township targeted six roads that will benefit from zipper work.

J. OPEN TO THE PUBLIC

David Gilenson of 1360 Sussex Turnpike asked if the Thursday, April 21 meeting with the second hearing for Ordinance 08-22 would officially resolve his situation. Manager Mountain explained that the 21st would be the day the ordinance is adopted. He stated that there is an estoppel period of 20 days for anyone who wanted to appeal the council's action.

Mr. Gilenson commented that the addition of the timeframe for the credit was a great point. He stated that the Health Department's annual fee of \$275 was for the annual inspection and the Fire Department's fee was \$100 for the initial and \$50 per each inspection after that. Manager Mountain explained that the Health Department may have spot inspections on site, but no additional fee would be charged.

K. COUNCIL COMMENTS

Mayor Potter reported that the Economic Development Committee met on Tuesday, April 5. The committee discussed the bench dedication for Peter Kenny. She reported that the Shop Local signs have been designed and will be displayed sometime in May. She attended a virtual event

by the Jewish Federation of Greater MetroWest New Jersey. She thanked Deputy Mayor Nisivoccia for leading the meeting in her absence.

Council Member Tkacs reported that the Toll Brothers application was approved during the recent Planning Board meeting. He attended a Municipal Alliance Committee meeting and shared that the Healthy Body, Healthy Mind event would be taking place, and a prescription pillbox would be installed at the Police Department.

Council Member Forstenhausler reported that he was unable to attend a few meetings due to several events on the council's calendar. He attended a business grand opening and the grand opening of the library's Story Walk. He commented that he was pleased to see that many ribbon cuttings have continued to take place into 2022. He stated that it showed that businesses in Randolph were doing well and that the township is accommodating to businesses, as recently demonstrated by the Health Department and Fire Department fee changes for mobile food vendors. He stated that Randolph has been working hard to be a pro-business community.

Council Member Loveys reported that he was unable to attend the recent Wildlife Advisory Committee meeting; he stated that he would report on the past hunting season data at the Thursday, April 21 Township Council meeting.

He congratulated the library on the opening of the Story Walk program and thanked the library staff and Clerk Luciani for their efforts in establishing the program.

Council Member Veech commented that she was happy to see that The Morris Parks Alliance selected Veterans Community Park for the Class II Facility Award. She spoke with Manager Mountain and Mr. Newman about going for a state award due to the passive nature of the park. She thanked Manager Mountain for sharing the information about the township's safety ranking with residents. She commented that out of the state's many municipalities she was pleased that the township ranked 16th. She asked that the information continue to be publicized and that the work being done to keep the town safe continues.

She attended a Cannabis Committee meeting and a Facilities Work Group meeting. She reported that the workgroup is concentrating their efforts on the Artworks facility project. The options for the project are to either improve the existing building, create a new building, or rehabilitate the existing property. She stated that the rehabilitation option would be the most cost-effective; she would have a more definitive report for the council in the coming weeks.

Council Member Carey agreed with Council Member Veech on the facility update. She attended a Cannabis Committee meeting and a Traffic Advisory Committee meeting. She shared that Officer Biase updated the Traffic Committee on the intersection that she reported on during the last council meeting. The committee is reviewing speed studies and traffic counts and will discuss the matter with Police Chief Harzula and Manager Mountain. She echoed Council Member Forstenhausler's comments on the grand openings and ribbon cuttings in the township. She concluded her report by sharing that the library has received positive feedback on the Story Walk.

Deputy Mayor Nisivoccia reported that he and Mayor Potter attended a meeting with Assemblywoman Aura Dunn on the topic of Sober Houses. He thanked Manager Mountain and Attorney Buzak for their work on the issue. He echoed previous comments about grand openings in the township.

He attended the Bike Rodeo event and commented that the Police Department's efforts on bike safety were appreciated. He attended a Randolph Area Chamber of Commerce meeting and reported that the chamber is looking into the possibility of hosting network events again. He concluded his report by sharing that he officiated his first wedding ceremony.

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 State of New Jersey, as follows:

1. The public shall be excluded from the Executive portion of the meeting.
2. The general nature of the subject matter to be discussed is as follows:
 - a. Affordable Housing Litigation**
 - b. New Township Manager Terms & Conditions of Employment**
3. As nearly as now can be ascertained, the matter or matters to be discussed at this time will be disclosed to the public at such time and under such circumstances as are prescribed by law.
4. At the conclusion of the Executive Session, the Council may or may not reconvene in public session for the purpose of taking formal action.

Council Member Veech made a motion to move into Executive Session at 7:45 p.m. Council Member Forstenhausler seconded the motion, and the following roll call vote was taken:

AYES:	Council Member Carey
	Council Member Forstenhausler
	Council Member Loveys
	Council Member Tkacs
	Council Member Veech
	Deputy Mayor Nisivoccia
	Mayor Potter
NAYS:	None

Council Member Veech made a motion to close Executive Session at 8:47 p.m. Council Member Forstenhausler seconded the motion and the following roll call vote was taken:

AYES:	Council Member Carey
	Council Member Forstenhausler
	Council Member Loveys
	Council Member Tkacs
	Council Member Veech
	Deputy Mayor Nisivoccia
	Mayor Potter
NAYS:	None

M. ADJOURNMENT

Council Member Forstenhausler made a motion to adjourn the meeting at 8:47 p.m. Council Member Veech seconded the motion, and the following roll call vote was taken:

AYES:	Council Member Carey
	Council Member Forstenhausler
	Council Member Loveys
	Council Member Tkacs
	Council Member Veech
	Deputy Mayor Nisivoccia
	Mayor Potter
NAYS:	None