

Minutes - Livingston Township Council Conference Meeting #3—January 30, 2017

Present: Mayor Klein; Councilmembers Anthony, Fernandez, Meinhardt, Silverman (via Speakerphone); Acting Township Manager Jones, Township Attorney Weiner; Township Clerk Turtletaub

The Conference meeting commenced at 7:35 p.m. The Mayor stated that all the requirements of the "Open Public Meetings Law" had been met. "Annual Notice" was faxed to the *West Essex Tribune and the Star Ledger* on January 3, 2017.

The Council considered the informational **Multi-Year Contracts** Status Chart provided by Purchasing Manager Sullivan.

Township Attorney Weiner discussed a letter she had prepared to send to affected homeowners regarding an **encroachment on Township Property**. She will add a provision to that letter reflecting that the Council wanted the affected homeowners to stop maintaining the grass, and allow the property to go back to its natural state. It was agreed that the letter would go out over the signature of Construction Official Martin Charolanzio.

The Council approved the **Legal Fees** of McCarter & English (December 2016).

The Council agreed to the Request for an **Ordinance regarding pet stores**, and the matter will be placed on the next February 6 Regular Meeting Agenda.

Shira Rost presented the Council with a description of plans for the town-wide Livingston Clean-Up Day scheduled for April 30, 2017. She read a synopsis of the planned activities, noted that there would be bagels and coffees during sign-in at which time waivers would be signed. Acting Township Manager Jones explained that a Dedication by Rider would be needed regarding use of the funds raised by the group. Councilmember Meinhardt asked whether there would be marketing to Houses of Worship, and suggested that Shira check the April 30 date against planned Sports Calendar activities. He asked what would happen to filled garbage bags, so as not to unnecessarily burden the Department of Public Works. He also asked about police coverage, and it was noted that Insurance questions were being reviewed by the JIF.

Councilmember Silverman joined the meeting via Speakerphone.

Councilmember Anthony noted that Ira Sessler and Horseneck were looking for projects, and that Ira Sessler had suggested Livingston have an "Adopt A Road" plan. Bernard Searle, 14 Washington Court, inquired whether there were signs in the township against littering.

Councilmember Meinhardt stated that a resident had called him regarding the proposed **Bamboo Ordinance**, and that its retroactive application would cost the resident \$25,000. It was agreed that the Second Reading and hearing would begin on February 6 and that if needed would be kept open. Township Clerk Turtletaub was asked to contact LEC Chair Walter LeVine to ensure his presence at the February 6 hearing.

Councilmember Meinhardt announced that the February 9 hearing on **Madonna Field** meeting had been booked, and that emails to interested residents had been sent to ensure the openness of the process and that the residents' questions would be answered.

Acting Township Manager Jones stated that **Electronic Recycling RFPs** had been received and evaluated, and that the existing vendor would be performing the services three times at the same price as this year.

Councilmember Silverman asked whether the Traffic Committee was needed at this time for input. Mayor Klein suggested that John Drumm of the Police **Traffic Division** be consulted first before the matter was sent back to the Traffic Committee.

Acting Township Manager Jones stated that **Municipal Budget** would be ready for Introduction at the March 20 Regular meeting.

Councilmember Meinhardt stated that email confirmation of **no change in cost** should be required.

Acting Township Manager Jones discussed his recommendation to approve the purchase of a new **Fire Engine/Pumper** from Spartan Motors USA through the Houston-Galveston Area Council in an amount not to exceed \$475,427. A Resolution will be placed on the February 6 Regular Agenda.

Acting Township Manager Jones discussed his recommendation that the Council approving a Resolution providing for Change Order and Final Payment for **Milling and Paving** of Belvedere Drive, Canoe Brook Drive, Hastings Lane, North Baum's Court, Stratford Drive and Westgate Road (from Wynnewood to Cul-De-Sac), reducing the contract amount by \$119,849.39. A Resolution making the new contract sum \$1,481,520.41 will be placed on the February 6 Regular Agenda.

The Council agreed to the Request of Shop Rite of Livingston Dietitian Elle Bernardo for presentation of a Proclamation in recognition of **National Nutrition Month**, and the presentation will be listed on the March 6 Regular Agenda.

Public Comment

Bernard Searle, 14 Washington Court, asked about the cost of the Fire Engine/Pumper being considered for purchase; the dates for Budget Hearings, and suggested a shared services agreement with Millburn which currently provides Recycling five days a week. Mr. Searle also stated that it was dark when attempting to find the entrance to the driveway into the Town Hall.

Fred Friedman, 1304 Pointe Gate Drive, discussed stores located at the Village at Livingston.

Mark Fusari noted the passing of Police Sergeant Foley. He also discussed the Sidewalks Committee, and the procedure utilized to hire a new Township Manager

RESOLUTION—Authorizing Closed Session—Contract Negotiations (Agreement with Millburn re: Delivery of Municipal Services and Public Utilities by Livingston via Wilshire Drive)

At 8:55 p.m., the following resolution was considered:

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting; and

WHEREAS, the Governing Body of the Township of Livingston has deemed it necessary to go into closed session to discuss certain matters which are exempted from the Public; and

WHEREAS, the Conference meeting of the Governing Body will reconvene; and

BE IT RESOLVED that this 30th day of January, 2017, that the Township Council of the Township of Livingston will go into Closed Session for the purpose of discussing Contract Negotiations and such other matters as may come before the Council and that are exempted from the public as outlined in N.J.S.A. 10:4-12.

BE IT FURTHER RESOLVED that the matters discussed in closed session will be made public upon disposition.

On motion duly made and seconded, and by voice vote, all members present voted YES.

At 9:20 p.m., the Closed Session concluded.

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Respectfully submitted,

GLENN R. TURTLETAUB
Township Clerk