

Minutes - Livingston Township Council Conference Meeting #9—April 3, 2017

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

The Conference meeting commenced at 7:30 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 approved the Conference and Closed Session **Minutes** of the meetings of March 6, 2017, March 13, 2017 and March 20, 2017.

The Council continued consideration of the request of Sheri L. Goldberg for permission to **raise the Israeli flag** at the Oval on May 2, 2017 in recognition of Israeli Independence Day, and to re-read the Council's November 14 anti-BDS Resolution as part of the ceremony. The Council discussed security concerns, and it was suggested Ms. Goldberg and her group reach out to the Federation, and also see to it that County, Town and State security were apprised. Councilmember Klein said he would ask Chief Handschuch, and Councilmember Silverman urged that the security should be at the Federation's cost. Mayor Klein will advise Ms. Goldberg of the Council's comments. Councilmember Silverman urged that the proper logistics of raising the flag be determined, and resident Billy Fine stated he would check with Assemblyman McKeon's office regarding proper flag procedure.

The Council agreed to the recommendation of Township Engineer Harduby and Acting Township Manager Jones, and a Resolution providing for **2017 Road Improvements at Various Locations** throughout the Township will be placed on the April 17 Regular Agenda for consideration.

The Council met with **Diversity Committee** members Susan Berkenbush and Billy Fine who gave a presentation in support of two requests: (1) extending the time for flying of the LGBTQ flag through the entire month of June concurrent with Pride Month, and (2) changing the Committee' name to the "Livingston Committee for Diversity and Inclusion." The Council voted unanimously in support of granting both requests.

The Council agreed to the recommendation of the Planning Board, and an **Ordinance Establishing a New Zone for Single-family and Two-family Dwellings** will be placed on the Regular Agenda for introduction on April 17, 2017.

The Council considered and agreed to the request of the **4th of July Celebration Committee** that wine in addition to beer be permitted on Township premises on July 4, 2017. An appropriate Ordinance will be placed on the April 17, 2017 Regular Agenda for introduction.

The Council accepted the recommendation of Junior Utility Engineer Nathan Kirakofe, WPCF Superintendent Joseph Greco, and SYLS Director Jennifer Walker, and Resolutions Awarding Contracts for **Water Treatment Chemicals** to Miracle Chemical Company, George S. Coyne Chemical, Inc. and Univar USA, Inc., will be placed on the April 17 Regular Agenda for consideration.

The Council reviewed the March 2017 **Revised Zoning Map**.

The Council agreed to the recommendation of Junior Utility Engineer Nathan Kiracofe and Acting Township Manager Jones, and a Resolution providing for **Change Order 3 and Final Payment for Livingston Wells 3,4,5 and 8** will appear on the April 17 Regular Agenda for consideration.

The Council agreed to the request of Assistant Superintendent of Public Works Frank Giordano, and a Resolution Authorizing **Sale of Surplus Items** detailed on Schedule A will appear on the April 17 Regular Agenda. This request had been reviewed by Township Mechanic Chris Southworth who advised that the items listed should be removed from the Township's Fleet of vehicles as they were no longer fit for fleet use.

The Council considered the Memorandum from Chief Financial Officer Kimberly Kientz advising of the option to publish only certain portion of the **2017 Municipal Budget**. The Councilmembers decided to continue their practice of publishing the entire budget in the *West Essex Tribune*.

The Council agreed to the recommendation of Junior Utility Engineer Nathan Kiracofe, and a Resolution awarding **Professional Engineering Services** contract to Mott MacDonald for upgrades to Well 11 and Water Treatment Plant Facility will be on the April 17 Regular Agenda for consideration.

The Council approved the request of Fire Chief Chris Mullin that a certain **2003 Ford Expedition** be declared surplus for trade in toward the purchase of a new vehicle. This request had been reviewed by Township Mechanic Chris Southworth who advised that the item should be removed from the Township's Fleet of vehicles as it is no longer fit for fleet use. A Resolution will appear on the April 17 Regular Agenda.

Councilmember Silverman will ask Planning Director Jackie Hollis to submit approved **Planning Board Minutes** to the Council.

The Clerk was asked to provide to Township Planner Veena Sawant and BID Executive Director Beth Lippman information received from the Office of Local Planning Services regarding "Planning Assistance Applications".

Councilmember Meinhardt asked Acting Township Manager Jones about the status of the tennis courts project. Mr. Jones distributed a memorandum entitled "Tennis Court Construction Project" concerning Bid 027-2016, and stated that he would be going to the site along with DPW Superintendent Mike Anello tomorrow. He explained that he was awaiting confirmation from the Board of Education that it was happy with the proposal.

The Mayor will respond to Ms. Spector regarding her emails and photographs sent to the Council.

Councilmember Fernandez noted that the Memorial Day Committee photograph would be taken prior to the evening's Conference meeting on May 15, 2017.

Scott Merlin will be added to the Transportation Committee.

At April 6 at 4 p.m., a photograph is scheduled to be taken in the parking lot displaying the new Animal Control truck. Township resident Walter LeVine will check with Alan Karpas regarding scheduling of the event.

Mayor Klein stated that the new Traffic Light at Chestnut and Northfield will be turned on next Friday, April 7 at 4:30 p.m. and then activated on Wednesday, April 12, at which time photographs will be taken, raising public awareness of the light. The Council will invite County personnel to the ceremony, along with resident Dina Goldstein who had first brought the need for the light to the Council's attention.

The Council addressed the upcoming April 17 Council Meetings. A 48 hr. Notice will be published providing for a Conference meeting beginning at 5:30 p.m. (for the purpose of meeting with Greg Fehrenbach in closed session regarding the Township Manager Search). The Notice will also provide that the Regular Meeting (previously scheduled to begin at 8 p.m.) would begin at 7:30, to be followed by the Conference meeting (previously scheduled to begin at 7:30 p.m.).

Acting Township Manager Jones discussed available Sustainable Jersey Clean Energy grants.

Mr. Jones distributed a memorandum from Communications Coordinator Judith Heller entitled "Next Steps: Community Branding Project".

Public Comment

Walter LeVine, 345 Walnut St., asked about the County plans for the Riker Hill Art Park.

Fred Friedman, 1304 Pointe Gate Drive, asked about the County's plans regarding the herd of deer at Riker Hill.

Bob Hunter, 89 Elmwood Drive, described the area on Route 10 near Brandywine as "a mess" and that it needs to be cleaned up. He noted the truck had been removed from the Livingston Cleaners location.

RESOLUTION—Authorizing Closed Session—Litigation

At 9:00 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 3rd day of April, 2017, that the Township Council of the Township of Livingston will go into Closed Session for the purpose of discussing Litigation 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 9:25 p.m., the Closed Session ended.

At 9:25 p.m., the Conference meeting concluded.

Respectfully submitted,

GLENN R. TURTLETAUB, Township Clerk