

Minutes - Livingston Township Council Conference Meeting #13- May 15, 2017

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

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 **Minutes** of April 24, 2017 (Conference and Closed), were approved as corrected, reflecting that Councilmember Meinhardt had not been present at that meeting.

The Council approved the **Minutes** of May 1, 2017 (Conference and Closed).

The Council continued its discussion of the **Facilities Inventory/10 Year Master Plan Draft Reports** regarding Haines (Memorial) and Northland Pools. Councilmember Silverman stated that SYLS Department Head Walker should be present to give her opinion and provide financial based information, and that he would like it conducted in closed session. Councilmember Meinhardt stated that Ken Lomax should also be present, and the Clerk will contact them and schedule the matter for an upcoming Conference meeting. Mayor Klein suggested that a meeting be held with a group of residents, at which the Council could receive public input regarding the pools, such meeting to be held after the Council had heard from SYLS Director Jenn Walker.

Township Attorney Weiner explained that the Planning Board had determined proposed **Ordinance 11-2017** was not consistent with the Master Plan, but that its passage was recommended nonetheless, and how a Resolution of the Council would be required explaining its decision should the Council decide to move forward with the Ordinance. A Resolution will be placed on the Regular Agenda for the May 22 Regular Meeting, and a vote introducing the Ordinance will occur thereafter.

The Council approved the **Legal Fees** of Murphy McKeon (April 2017).

The Council listened to a presentation by Nate Borroughs and Paul Scawegewak concerning **Government Energy Aggregation**. They explained that a passage of an ordinance, a study, and going forward to implement it would take three steps required. He explained the "opt-out provisions, and how residents would receive no invoice from his company.

The Council discussed the recommendation of Acting Township Manager Jones for an award of contract to Giordano Company, Inc. for the **marketing of recyclable materials**. The matter will be listed for the May 22 Regular meeting. In the interim, Acting Township Manager Jones will review the possibility of a 3 year rather than 5 year contract. An appropriate Resolution will be considered at the May 22 Regular meeting.

The Council discussed the request for a \$5000 contribution to **Project Graduation**. The history of the program was discussed, and Councilmember Fernandez stated he was in favor of giving the \$5000 to project Graduation. At the suggestion of Councilmember Meinhardt, it was agreed that if the Board of Education contributed \$2500, that the Council would match it.

The Council agreed to the request for **SYLS Updated Program and Snack Bar fees**, and appropriate Resolutions will be placed on the May 22 Regular Agenda.

The Council heard a presentation on behalf of the **Circle Italia Water Circus** request to hold their event in the parking lot of the Livingston Mall, from June 1-4, 2017.

As to the request of Junior Water Engineer Nathan Kiracofe and Acting Township Manager Jones, for an award of a Professional Engineering Services to Marucci for an **Interim Water Operator**, and the matter will be listed on the May 22 Regular Agenda.

The Council agreed to the recommendation of WPCF Superintendent Joe Greco for an award of contract to O'Brien and Gere for Professional Engineering Services for **450 KW Generator Replacement**, and the matter will be placed on the May 22 Regular Agenda.

The Council agreed to the recommendation of Junior Engineer Nathan Kiracofe and Acting Township Manager Jones for an award of contract to Frank Semiraro Construction Co. for **On-Call Leak Detection Services**, and a Resolution will be placed on the May 22, 2017 Regular Agenda.

The Council agreed to the request of Our Lady of the Philippines Prayer Group to use the inner pathway of the Township Oval for a **Procession**, and the Clerk will so advise.

The Council discussed the request for a fundraising walk for **Food Allergy Research and Education (FARE)**. It was agreed that additional information was needed, and the group will be invited to an upcoming Conference meeting to discuss their request further.

The Council agreed to the recommendation of Junior Utility Engineer Nathan Kiracofe and Acting Township Manager Jones for an award of contract to M2 Associates Inc. for **Professional Engineering Services for Wells 17 &18, for the Preliminary Design and Test Well Construction for Wells 17 and 18.** A Resolution will be placed on the May 22 Regular Agenda.

The Council agreed to the recommendation of Junior Engineer Kiracofe and Acting Township Manager Jones for an award of contract to Mott MacDonald for Professional Engineering Services for **Well Facility and Interconnection SCADA Upgrades.** and the matter will be listed on the Regular Agenda of May 22.

The Council agreed to the recommendation of Junior Engineer Kiracofe for an award of Change Order 2 to Mott Macdonald for Professional Engineering Services for **Water System Improvements—SCADA Expansion; Well #6 Reconstruction,** and a Resolution will be placed on the May 22 Regular Agenda for consideration.

Acting Township Manager Jones discussed his Memorandum concerning bids received for **Tennis Court Reconstruction at Livingston High School (Memorial Park) and Heritage Middle School,** and a Resolution is on the May 22 Regular Agenda. The Contract award for the Heritage Middle School is also expected to be awarded by the Livingston Board of Education on May 22, 2017.

Acting Township Manager Jones distributed an April 24, 2017 memorandum from Communications Coordinator Judith Heller providing the updated information and the next steps regarding the **Community Branding program, Website and Mobile App.**

Councilmember Meinhardt reminded of the May 30, 2017 Diversity **Flag Raising.** He noted that games were now being played at Madonna Field, and that Margie Heller was planning a Grand Opening of the fields for the Fall.

Township Attorney Weiner explained the need for a Resolution Authorizing Entering into a **Water Main Easement** Agreement, and a Resolution will be considered at the May 22, 2017 Regular Council Meeting.

Township Attorney Weiner discussed the purpose of the Amending Agreement with **Congregation B'nai Jeshurun,** and a Resolution will be considered on the evening's Regular Agenda.

Bob Hunter, 89 Elmwood, urged the Council to give the requested money to Project Graduation, saying that "schools sell" the community.

Fred Friedman, 1304 Pointe Gate Drive, discussed how the State had said it would take care of the grassy area at the Route 10 Circle.

RESOLUTION—Authorizing Closed Session—Litigation; Potential Loss of Federal Funding (Welcoming City Resolution)

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 15th day of May, 2017, that the Township Council of the Township of Livingston will go into Closed Session for the purpose of discussing Litigation, Potential Loss of Federal Funding, 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.

At 9:45 p.m., the Conference meeting concluded.

Respectfully submitted,

GLENN R. TURTLETAUB
Township Clerk