

AGENDA

Town Hall --357 South Livingston Avenue - 8:00 P.M.

Notice of this meeting has been given in accordance with the "Open Public Meetings Law."
"Annual Notice" was faxed to the West Essex Tribune and the Star-Ledger on January 4, 2016.

Statement of Decorum

Pursuant to Township Code Section 2-15, while the Township Council is in session, any person who desires to address the Council must first be recognized by the presiding officer. Recognized speakers must make their statements within six cumulative minutes, unless such time is extended by the Council. Appropriate decorum is to be observed at all times.

- 1. Roll Call
- 2. Silent Meditation and Pledge of Allegiance
- 3. Presentations
 - a) Livingston Robotics Club—Team Promethio—Water Conservancy presentation
- 4. CDBG Hearing
- 5. Essex County Update/Questions
- 6. Public Comments on Agenda Items
- 7*. Resolution - Consent Agenda [Includes All Items Marked ""* R-17-211 Packet
- 8*. Approval of Minutes
 - a) November 20, 2017 Packet
- 9.* Approval of Licenses
- 10. Final Hearing Ordinances
- 11. Proposed Ordinances
 - a) Ord. 27-2017 Amending Township Code Chapter 2 Administration Article III Meetings of the Council Packet
Purpose: To establish schedule for regular meetings of the Township Council
 - b) Ord. 28-2017 Amending Chapter 29, Article 10 to Amend Parking Restrictions Packet
Purpose: Revise parking regulations in the area of Congressional Parkway
- 12. Resolutions
 - a) R-17-212 Authorizing Entering Into License Agreement With New Jersey American Water Company for Placement of Leak Detection Communications Equipment on Chetwyn Water Tank Packet
 - b) R-17-213 Amended Municipal Budget to Include Special Items of Revenue and Appropriation Not Determined at the Time of Budget Adoption Packet
 - c) R-17-214 Approving Acceptance of Cops in Shops Fall Incentive Grant from NJ Dept of Law and Public Safety Packet
 - d) R-17-215 Resolution Supporting NJDOT Improvements on Route 10 Packet
 - e) R-17-216 Authorizing Purchases Under the State of New Jersey Cooperative Purchasing Program Packet
 - f) R-17-217 Cancel Grants Receivable and Improvement Authorizations of the General Capital Fund Packet
- 13. Public Comment
- 14. Recess

GLENN R. TURTLETAUB
Township Clerk

12/4/17-R
7

R-17-211

RESOLUTION

**Accepting, Approving and/or Adopting the
Consent Agenda of December 4, 2017**

WHEREAS, the Township Council of the Township of Livingston has determined that certain items on its agenda which have the unanimous approval of all Councilmembers and do not require comment shall be termed the "Consent Agenda"; and

WHEREAS, the Township Council has determined that to increase its efficiency, the Consent Agenda shall be adopted with one resolution;

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the items on the regular agenda for December 4, 2017, attached hereto, which are preceded by an "*" are the Consent Agenda and are hereby accepted, approved and/or adopted.

Approved as to form:

Shawn R. Klein Mayor

Sharon L. Weiner
Township Attorney

Glenn R. Turteltaub Township Clerk

Adopted: December 4, 2017

12/4/17-R
11a

ORDINANCE No. 27-2017

**ORDINANCE OF THE TOWNSHIP OF LIVINGSTON AMENDING CHAPTER 2
ADMINISTRATION ARTICLE III MEETINGS OF THE COUNCIL**

BE IT ORDAINED by the Township Council of the Township of Livingston, County of Essex, State of New Jersey as follows:

Bold and italicized language is added
[Bracketed language is deleted.]

SECTION 1 – ¶2-8 Regular Meetings

A. The Council shall meet annually for organization during the first week in January at a time and location to be determined by the governing body. The Council shall meet regularly thereafter ***for a minimum of two (2) meetings per month.*** [on the first and third Mondays of each month at 8:00 p.m. except that the Council may disperse with one or more of the meetings otherwise scheduled for the months of July and August or as determined by the governing body. When the time for any regular meeting of the Council falls on a legal holiday as prescribed by law, no meeting shall be held. In such case, the Council may by resolution provide for the meeting to be held at the same hour on the next succeeding day which is not a legal holiday, or on the next succeeding Monday night.]

B. Within seven (7) days following the annual organization of the Council, the Council shall:

1. Prominently post and maintain posted throughout the year in at least one public place reserved for such or similar announcements ***a schedule of the regular meetings of the Council.***

SECTION 2. Except as hereby amended, the Code of the Township of Livingston shall remain in full force and effect.

SECTION 3. This Ordinance shall take effect twenty days from final passage and publication in accordance with the law.

SHAWN R. KLEIN, Mayor

GLENN R. TURTLETAUB, Township Clerk

Approved as to form:

SHARON L. WEINER, Township Attorney

Introduced: 12/4/17

Adopted:

12/4/17 R

116

ORDINANCE No. 28 –2017

ORDINANCE OF THE TOWNSHIP OF LIVINGSTON AMENDING CHAPTER 29, ARTICLE 10 TO AMEND PARKING RESTRICTIONS

BE IT ORDAINED by the Township Council of the Township of Livingston, County of Essex, State of New Jersey as follows:

Bold and italicized language is added
[Bracketed language is deleted.]

SECTION 1 – The following changes shall be made to Chapter 29, Article 10.5 – Stopping and Standing Prohibited at All Times
April 1 [July 1] ***August 1***

No person shall stop or stand a vehicle at anytime upon any of the prescribed streets, portions of streets or designated areas.

Streets	Sides	Location
North Ashby Avenue	East	From its northern terminus southerly to its Intersection with Lincoln Avenue a distance of 880 feet
North Ashby Avenue	West	From its northern terminus southerly to a distance of 600 feet

§29-10.2 Stopping and Standing Prohibited at Certain Times from April 1 – [July 1] ***August 1***

During the times designated no person shall stop or stand a vehicle at anytime upon the described streets, portions of streets or designated areas.

Streets	Sides	Hours	Location
Mayhew Drive	Both	Weekdays [6:00 p.m.] <i>5:00 p.m</i> to 9:00 p.m. Saturday and Sunday 8:00 a.m. to 9:00 p.m.	North Ashby to a point 369 feet east of the easterly curblineline of North Ashby

SECTION 2 - §29-10.5 Parking Prohibited at Certain Times; Alternating Odd and Even Sides from April 1 to August 1

No person shall park any vehicle between the hours specified upon any of the following streets or parts of streets or designated areas on the odd-house numbered side during odd-numbered calendar days and on the even-house numbered side during even numbered calendar days, except public holidays.

<i>Streets</i>	<i>Sides</i>	<i>Hours</i>	<i>Location</i>
<i>Cobblewood Road</i>	<i>Odd</i>	<i>Weekdays 5:00 p.m. to 9:00 p.m. Saturday and Sunday 8:00 a.m. to 9:00 p.m. On odd numbered days</i>	<i>From the intersection of Mayhew to a point 175 feet south thereof</i>
<i>Cobblewood Road</i>	<i>Even</i>	<i>Weekdays 5:00 p.m. to 9:00 p.m. Saturday and Sunday 8:00 a.m. to 9:00 p.m. On even numbered days</i>	<i>From the intersection of Mayhew to a point 175 feet south thereof</i>
<i>Congressional Parkway</i>	<i>Both</i>	<i>No parking weekdays 5:00 p.m. to 9:00 p.m. Saturday and Sunday 8:00 a.m. to 9:00 p.m.</i>	<i>(Ballfield) From its western terminous to the intersection with Madison Court</i>
<i>Congressional Parkway</i>	<i>Both</i>	<i>No parking weekdays 5:00 p.m. to 9:00 p.m. Saturday and Sunday 8:00 a.m. to 9:00 p.m.</i>	<i>(Ballfield) From its eastern terminous to The intersection with Madison Court</i>
<i>Filmore Avenue</i>	<i>Odd</i>	<i>No parking weekdays 5:00 p.m. to 9:00 p.m. Saturday and Sunday 8:00 a.m. to 9:00 p.m. On odd numbered days</i>	<i>From the intersection with Congressional Parkway to a point 225 feet east thereof (47 Filmore Avenue)</i>
<i>Filmore Avenue</i>	<i>Even</i>	<i>No parking weekdays 5:00 p.m. to 9:00 p.m. Saturday and Sunday 8:00 a.m. to 9:00 p.m. On even numbered days</i>	<i>From the intersection with Congressional Parkway to a point 225 feet east thereof (42 Filmore Avenue)</i>

SECTION 3. Except as hereby amended, the Code of the Township of Livingston shall remain in full force and effect.

SECTION 4. This Ordinance shall take effect twenty days from final passage and publication in accordance with the law.

SHAWN R. KLEIN, Mayor

GLENN R. TURTLETAUB, Township Clerk

Approved as to form:

SHARON L. WEINER, Township Attorney

Introduced: December 4, 2017

Adopted:

12/4/17 R
12a

RESOLUTION No. R-17-212

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
LIVINGSTON AUTHORIZING ENTERING INTO A LICENSE AGREEMENT WITH
NEW JERSEY AMERICAN WATER COMPANY FOR THE PLACEMENT OF A LEAK
DETECTION COMMUNICATIONS EQUIPMENT ON THE CHETWYN WATER
TANK**

WHEREAS, New Jersey American Water Company has requested permission from the Township to place certain communications equipment on the Chetwyn water tank; and

WHEREAS, the placement on the leak detection communications equipment will not conflict with any existing equipment on the tank.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Livingston, County of Essex, State of New Jersey that the Mayor is authorized to enter into a License Agreement with New Jersey American Water Company in a form acceptable to the Township Attorney.

Shawn R. Klein, Mayor

Glenn R. Turteltaub, Township Clerk

Approved as to form:

Sharon L. Weiner, Township Attorney
Adopted: December 4, 2017

12/4/17 R
126

RESOLUTION TO AMEND ADOPTED 2017 MUNICIPAL BUDGET TO INCLUDE SPECIAL ITEMS OF REVENUE AND APPROPRIATION NOT DETERMINED AT THE TIME OF BUDGET ADOPTION

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the municipal budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township will receive the revenues specified below and wishes to amend its 2017 Municipal Budget to include these amounts as revenues;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Livingston does hereby request the Director of the Division of Local Government Services to approve the insertion of the following items of revenues in the 2017 Municipal Budget:

Miscellaneous Revenues	
Special Items of General Revenue Anticipated with prior written consent of Director of Local Government Services	
<u>Public and Private Programs Offset by Revenues:</u>	
State of N.J. Cops & Shops Grant	\$ <u>2,200.00</u>
	\$ <u>2,200.00</u>

BE IT FURTHER RESOLVED that a like sum be and the same is hereby appropriated under the captions of:

General Appropriations	
(A) Operations Excluded from "CAPS"	
<u>Public and Private Programs Offset by Revenues:</u>	
Cops & Shops – Salaries & Wages	\$ <u>2,200.00</u>
	\$ <u>2,200.00</u>

BE IT FURTHER RESOLVED that two certified copies of this resolution be forwarded to the Director, Division of Local Government Services.

Shawn R. Klein, Mayor

Glenn R. Turtleaub, Township Clerk

Approved as to form:

Sharon L. Weiner, Township Attorney

Adopted: December, 2017

12/4/17R
12c

RESOLUTION No. R-17-214

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF LIVINGSTON APPROVING ACCEPTANCE OF COPS IN SHOPS
FALL INCENTIVE GRANT FROM NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY**

WHEREAS, the Bureau of Alcohol Control of the NJ Department of Law and Public Safety administers the federal grant entitled Cops in Shops Fall Incentive Fiscal Year 2018 Grant #AL-18-45-01; and

WHEREAS, this grant program was established to prevent young people from obtaining alcohol and possibly becoming a danger to themselves and others; and

WHEREAS, the Township of Livingston was approved for a grant of \$2,200,.00 for the Period year 2017- 2018.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Livingston, County of Essex, State of New Jersey that it does accept the Cops in Shops Fall Incentive grant in the amount of \$2,20000.00 to aid in preventing young people from obtaining alcohol.

Shawn R. Klein, Mayor

CERTIFICATION

I, Glenn R. Turtletaub, Municipal Clerk of the Township of Livingston, County of Essex, State of New Jersey, do hereby certify that the foregoing to be a true and exact copy of a Resolution duly authorized by the Township Council on December 4, 2017.

Glenn R. Turtletaub, Municipal Clerk

12/4/17 R
12d

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LIVINGSTON SUPPORTING THE NEW JERSEY DEPARTMENT OF TRANSPORTATION'S IMPROVEMENTS ON ROUTE 10

WHEREAS, the Township of Livingston desires to enhance pedestrian and bicycle safety along Route 10;

WHEREAS, the New Jersey Department of Transportation (NJDOT) recently completed an evaluation of pedestrian safety on Route 10 (East Mount Pleasant Avenue) in the Township of Livingston; and

WHEREAS, the NJDOT's proposed improvements to Route 10 will consist of constructing connecting sidewalk on Route 10 westbound from Chelsea Drive in the Township of Livingston to Kelly Drive in the Township of West Orange with associated curbing, shoulder and drainage modifications;

WHEREAS, a resolution of support is required by the NJDOT for the proposed improvements along Route 10;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Livingston of Essex County, in the State of New Jersey formally support the proposed NJDOT improvements along Route 10 from Chelsea Drive to Kelly Drive in the Township of West Orange.

BE IT FUTHER RESOLVED that a certified copy of this resolution shall be forwarded to the NJDOT as requested.

Shawn R. Klein, Mayor

Glenn R. Turtletaub, Township Clerk

Approved as to form:

Sharon L. Weiner, Township Attorney

Adopted:

My signature and the Clerk's seal serve to acknowledge that the forgoing is a true copy of a resolution adopted by the Township Council.

ATTEST and AFFIX SEAL _____
Glenn R. Turtletaub
Township Clerk

12/4/17 R

12e

**AUTHORIZING PURCHASES UNDER THE STATE OF NEW JERSEY
COOPERATIVE PURCHASING PROGRAM**

WHEREAS, the Township of Livingston, pursuant to N.J.S.A. 40A:11-12(a) and N.J.A.C. 5:34-7.29(c) may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and,

WHEREAS, the Township of Livingston has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the Township of Livingston intends to enter into contracts with the attached referenced State contract vendors through this resolution and properly executed purchase orders, which shall be subject to all the conditions applicable to current State contracts.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Livingston authorizes the purchase of certain goods and services from those approved New Jersey State contract vendors on the attached list, pursuant to all the conditions of the individual State contracts; and

BE IT FURTHER RESOLVED by the Township Council that, pursuant to the N.J.A.C. 5:30-5.5(b), the certification of available funds shall be certified at such time as the goods or services are called for prior to placing the order, and a certification of availability of funds is made by the Chief Financial Officer via an authorized purchase order; and

BE IT FURTHER RESOLVED that the duration of this authorization shall be until December 31, 2017 or upon the expiration of the vendors' contract, whichever event first occurs.

Shawn R. Klein, Mayor

Glenn R. Turteltaub, Township Clerk

Approved as to form:

Sharon L. Weiner, Township Attorney

Adopted: December 4, 2017

Referenced State Contract Vendors

<u>Commodity/Service</u>	<u>Vendor</u>	<u>R-17-216 Contract #</u>
Aboveground Fuel Tanks Installation, Removal, Repair and Related Equipment	Ted Slack Environmental Services, Inc.	42266
Automotive Lubricants: Engine/Gear Oils, Greases, ATF, Tractor Fluid & Hyd. Oils	Petrochoice/Craft Oil Corporation	81514
Automotive Parts for Heavy Duty Vehicles	Beyer Bros Corp	42069
Automotive Parts for Heavy Duty Vehicles	Dover Brake & Clutch, Inc.	42094
Automotive Parts for Heavy Duty Vehicles	Politi Auto Parts, Inc.	42092
Automotive Parts for Heavy Duty Vehicles	Route 23 AutoMall	42073
Automotive Parts for Heavy Duty Vehicles	Trius, Inc.	42108
Breakaway Upost Sign Support	Garden State Highway Products	87100
Copiers, Maintenance and Supplies	Xerox Corporation	40469
Copiers, Maintenance and Supplies	Ricoh USA, Inc.	40467
Fence, Chain Link (Installation & Replacement)	Consolidated Steel & Aluminum Fence Co., Inc.	74881
Firefighter Protective Clothing and Equipment	Skylands Area Fire Equipment & Training, LLC	80948
Firefighter Protective Clothing and Equipment	Firefighter One, LLC	80961
Gasoline, Automotive	Allied Oil, LLC	80914
GSA/FSS Reprographics Schedule Use	Xerox Corporation	51145
Industrial/MRO Supplies & Equipment	W. W. Grainger, Inc.	79875
Industrial/MRO Supplies & Equipment	MSC Industrial Supply Company	79874
Inspection of Fire Supression	Simplex Grinnell	83717
Maintenance and Repairs Services for Vehicles with 15,000 GVWR or Less	Beyer Bros Corp	89258
Maintenance and Repairs Services for Vehicles with 15,000 GVWR or Less	Route 23 AutoMall	89262
Maintenance and Repair Heavy Duty Vehicles	A. Lembo Car & Truck Collision	89274
NASPO Valuepoint Computer	Dell Marketing L.P.	89967
NASPO Valuepoint Computer	Ocean Computer Group, Inc.	40047, 89967, & 89976
OEM Automotive Parts & Accessories	Beyer Bros Corp	79161
OEM Automotive Parts & Accessories	Route 23 AutoMall	79167
OEM & Non-OEM Maintenance & Repair Services	A. Lembo Car & Truck Collision	40825
Parks & Playground Equipment	Ben Shaffer Recreation, Inc.	T0103
Parks & Playground Equipment	James D. Boyce Associates, Inc.	T0103
Parts & Repairs for Road Maintenance Equipment	Jesco, Inc.	85848
Parts & Repairs for Road Maintenance Equipment	Eagle Equipment, Inc.	85862
Parts & Repairs for Lawn & Grounds Equipment	Storr Tractor Company	43038
Police & Homeland Security Equipment & Supplies	Atlantic Tactical, Inc.	81297

Referenced State Contract Vendors

Police & Homeland Security Equipment & Supplies	Decatur Electronics, Inc.	81314
Police & Homeland Security Equipment & Supplies	Eagle Point Gun Shop	81296
Police & Homeland Security Equipment & Supplies	General Sales Administration	81330
Police & Homeland Security Equipment & Supplies	General Sales Administration	81373
Police & Homeland Security Equipment & Supplies	Mobile Vision, Inc.	81311
Police & Homeland Security Equipment & Supplies	Safety League d/b/a Atlantic Tactical	81360
Police & Homeland Security Equipment & Supplies	Tri County Tactical LLC	81360
Police & Homeland Security Equipment & Supplies	Turn Out Fire and Safety	81360
Police & Homeland Security Equipment & Supplies	Lawman Supply Co., NJ Inc.	81351
Police & Homeland Security Equipment & Supplies	Lawman Supply Co., NJ Inc.	81350
Police & Homeland Security Equipment & Supplies	Lawman Supply Co., NJ Inc.	81295
Police & Homeland Security Equipment & Supplies	Atlantic Tactical, Inc.	82102
Police & Homeland Security Equipment & Supplies (Supplemental Equipment)	MPH Industries, Inc.	82101
Police Vehicles: Sedans & Sport Utility Vehicles	Chas S. Winner Inc.	88728
Police Vehicles: Sedans & Sport Utility Vehicles	Hertrich Fleet Services	88729
Print Live Scan System	MorphoTrak, Inc.	81520
Procurement Card System for the State of NJ	FIA Card Services, NA, A Bank of America Company	84675
Radio Communication Equipment and Accessories	Motorola Communications & Electronics, Inc/	83909
Rock Salt & Treated Salt for Roadways	East Cost Salt Dist., Inc.	40200
Sign Blanks	Garden State Highway Products	86462
Snow Plow Parts, and Grader & Loader Blades	A & K Equipment Company, Inc.	88273
Software License and & Related Services	Dell Marketing L.P.	89850
Software License and & Related Services	SHI International Corp.	89851
Statewide Equipment & Space Rental	United Rentals	83007
Telecommunications Equipment & Services	Johnston Communications	80802
Tires, Tubes and Services	Cleveland Auto Tire	82528
Office Supplies & Recycled Copy Paper	W B Mason Company, Inc.	88839
Ultra Low Sulfur Diesel and Biodiesel	National Fuel Oil, Inc.	82768
Vehicles, Cargo Vans, Minivan/Class 1/2/3, Regular / Extended	Chas S. Winner Inc.	83173
Vehicle Collision Repairs	A. Lembo Car & Truck Collision	80723
Vehicles, Trucks, Class 2, Pickup/Utility, with Snow Plow Option	Chas S. Winner Inc.	88726
Vehicles, Trucks, Class 3, Pickup/Utility, with Snow Plow Option	Chas S. Winner Inc.	88758
Vehicle Lifts and Equipment	Stertil Koni USA, Inc.	80126
Wireless Devices and Services	Verizon Wireless	82583

12/4/17 R
12f

R-17-217

**RESOLUTION TO CANCEL
GRANTS RECEIVABLE AND
IMPROVEMENT AUTHORIZATIONS
OF THE GENERAL CAPITAL FUND**

BE IT RESOLVED, by the Township Council of the Township of Livingston that the following grant receivable of the General Capital Fund be canceled:

Due from N.J. Department of Environmental Protection
Green Acres Grant \$ 27,447.51

BE IT FURTHER RESOLVED, that the following capital improvement authorization of the General Capital Fund be canceled:

<u>Ordinance</u>	<u>Improvement Description</u>	<u>Amount</u>
7-2012	Acquisition of Property of 236 Hillside Avenue	\$27,447.51

Shawn R. Klein, Mayor

Glenn R. Turtleaub, Township Clerk

Approved as to form:

Sharon L. Weiner, Township Attorney

Adopted: December ,2017