

AGENDA

Town Hall --357 South Livingston Avenue -- 7:30 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) Swearings-In: Livingston Police Officers Ryan Collis and Ryan Duffy; Police Chaplin Rick Vossler
 - b) Gabel Associates—Energy Aggregation
- 4. Essex County Update/Questions
- 5. Public Comments on Agenda Items
- 6*. Resolution - Consent Agenda [Includes All Items Marked "*" R-18-60 Packet
- 7*. Approval of Minutes
 - a) January 8, 2018 Packet
- 8.* Approval of Licenses
- 9. Final Hearing Ordinances
- 10. Proposed Ordinances
- 11. Resolutions
 - a) R-18-61 Authorizing a Contract with R&D Trucking, Inc. Packet
 - b) R-18-62 Authorizing Sale of Surplus Property Packet
 - c) R-18-63 Authorizing Purchases Under Morris County Cooperative Purchasing Program Packet
 - d) R-18-64 Authorizing Purchases Under Cranford Police Cooperative Pricing System Packet
 - e) R-18-65 Resolution In Support of Efforts of Governor Murphy to Challenge the New Federal Tax Law Packet
 - f) R-18-66 Cancel 2017 Budget Appropriations of the Sewer Utility Operating Fund Packet
 - g) R-18-67 Cancel 2017 Budget Appropriations of Water Utility Operating Fund Packet
- 12. Public Comment
- 13. Recess

GLENN R. TURTLETAUB
Township Clerk

1/22/18 R
6

R-18-60

RESOLUTION

**Accepting, Approving and/or Adopting the
Consent Agenda of January 22, 2018**

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 January 22, 2018, attached hereto, which are preceded by an "*" are the Consent Agenda and are hereby accepted, approved and/or adopted.

Approved as to form:

Edward Meinhardt

Mayor

Sharon L. Weiner
Township Attorney

Glenn R. Turtleaub Township Clerk

Adopted: 1/22/18

1/22/18 R
110

RESOLUTION AUTHORIZING A CONTRACT WITH R & D TRUCKING, INC.

WHEREAS, the Township of Livingston ("Township") has a need for the removal and off-site disposal of liquid sludge from the Water Pollution Control Facility; and

WHEREAS, on November 22, 2017, the Township of Livingston issued Bid No. 30-2017 as an open-ended contract, to solicit bids from contractors experienced in the removal and off-site disposal of liquid sludge; and

WHEREAS, the bid was advertised on the Township of Livingston website and West Essex Tribune on November 22, 2017 and as a result twelve (12) bid packages were requested; and

WHEREAS, on December 20, 2017, three (3) bids were received by the bid deadline and publicly read; and

WHEREAS, the firm R & D Trucking, Inc. was identified as the lowest responsive and responsible bidder whose bid meets all of the requirements of the bid specifications, complies with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.S.A. 17:27 et seq., is responsive and responsible, and is the most advantageous to the Township; and

WHEREAS, R & D Trucking, Inc. submitted a price of \$27.50 per thousand gallons; and

WHEREAS, the Superintendent of the Water Pollution Control Facility has evaluated the proposal for qualifications, experience, and cost reasonableness, and recommends the award of a contract to R & D Trucking, Inc.; and

WHEREAS, the Acting Township Manager is recommending the award of a twenty-four (24) month contract to R & D Trucking, Inc.; and

WHEREAS, prior to incurring the liability by placing the order, the certification of availability of funds shall be made by the chief financial officer, as appropriate, per N.J.A.C. 5:30-5.5 (b) 2; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Livingston, in the County of Essex, State of New Jersey, that it authorizes the Acting Township Manager to enter into a twenty-four (24) month open-ended contract with R & D Trucking, Inc. effective March 1, 2018, at a cost of \$27.50 per thousand gallons for the removal and off-site disposal of liquid sludge.

Edward Meinhardt, Mayor

Glenn R. Turteltaub, Township Clerk

Approved as to form:

Sharon L. Weiner, Township Attorney

Adopted: January 22, 2018

1/22/18 R
110

RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY

WHEREAS, the Township of Livingston has determined that the property described on Schedule A attached hereto and incorporated herein is no longer needed for public use; and

WHEREAS, some items are appropriate for sale and will be auctioned pursuant to N.J.S.A. 40A:12-13.

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

WHEREAS, the Township of Livingston intends to utilize the online auction services of USGovBid located at www.usgovbid.com; and

WHEREAS, the sales are being conducted pursuant to the Division of Local Government Services' Local Finance Notice 2008-9; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Livingston in the County of Essex, State of New Jersey, that the Township of Livingston is hereby authorized to sell the surplus personal property as indicated on Schedule A on an online auction website entitled www.usgovbid.com.

Edward Meinhardt, Mayor

Glenn R. Turteltaub, Township Clerk

Approved as to form:

Sharon L. Weiner, Township Attorney

Adopted: January 22, 2018

Schedule A

Department	Item	QTY	Make	Model	Serial / VIN Number
WPCF	Generator	1	Cummins Engine Company	60DGCB- 1220	F000113662

1/22/18R

110

R-18-63

AUTHORIZING PURCHASES UNDER MORRIS COUNTY COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Township of Livingston, pursuant to N.J.S.A. 40A:11-11(6) and N.J.A.C. 5:34-7.1 et seq. may by resolution and without advertising for bids, purchase any goods or services under a County Cooperative Pricing System of which the Township is a member; and,

WHEREAS, the Township of Livingston is a member of the Morris County Cooperative Pricing System and has the need on a timely basis to purchase goods or services using those contracts; and

WHEREAS, the Township of Livingston intends to enter into contracts with the attached referenced County contract vendors through this resolution and properly executed purchase orders as needed, which shall be subject to all the conditions applicable to current County 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 Morris County Cooperative Pricing System vendors on the attached list, pursuant to all the conditions of the individual County 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, 2018 or upon the expiration of the vendors' contract, whichever event first occurs.

Edward Meinhardt, Mayor

Glenn R. Turtletaub, Township Clerk

Approved as to form:

Sharon L. Weiner, Township Attorney

Adopted: January 22, 2018

R-18-63			
Commodity/Service	Vendor	Contract #	Contract End Date
Catch Basins and Manhole Castings	Campbell Foundry Company	14	12/31/2018
Concrete Blocks & Granite Curb Blocks	R.P. Smith & Son, Inc.	19A	12/31/2018
Crushed Stones, Gravel & Sand	Stavola Construction Materials, Inc.	9, Category IA, IB, IC & IIA	12/31/2018
Crushed Stones, Gravel & Sand	Tilcon New York, Inc.	9, Category IIC	12/31/2018
Disposal/Recycling of Municipal Road Clean-up Materials	Deer Carcass Removal Service, LLC	49, Category A	12/31/2018
Disposal/Recycling of Municipal Road Clean-up Materials	Custom Environmental Management Company (CEMCO), Inc.	49, Category B & C	12/31/2018
Landscaping Materials & Supplies	Grass Roots Turf Products	42	6/30/2018
Landscaping Materials & Supplies	SiteOne Landscape Supply	42	6/30/2018
Paving Materials	Tilcon New York, Inc.	5, Category I & II	12/31/2018
Police Uniforms & Equipment	Universal Uniform Sales Company, Inc.	23	12/31/2018
Personal Protection Items & Equipment for Emergency Personnel	Gen-El Safety & Industrial Products, LLC	40, Category A 6 & 31; Category B 2 & 34	6/30/2018
Preventative Maintenance/Repair of Emergency Generators	Atlantic Switch & Generator, LLC	46	6/30/2019
Road Resurfacing	Micro Pave Systems, Inc.	6, Category C	12/31/2018
Road Resurfacing	Tilcon New York, Inc.	6, Category A, B & G	12/31/2018
Rock Salt and Calcium Chloride	Morton Salt	3, Category I, II, VII & VII	10/14/2018
Traffic Paint	Garden State Highway Products, Inc.	27	12/31/2018
Traffic Sign Materials	Garden State Highway Products, Inc.	28 A-C; E-I	12/31/2018

Traffic Striping on Roadways	Denville Line Painting, Inc.	36	12/31/2018
Tree Removal, Trimming and Stump Grinding Services	Tree King, Inc.	18	12/31/2018
Water Meters/Data Recorders & Radio Frequency Meter Interface Unit	Rio Supply Inc., d/b/a SLC Meter East	47, Category B, D (Sec. 1), E, G (Sec. 1) & H	6/30/2018

1/22/18 R
11d

AUTHORIZING PURCHASES UNDER CRANFORD POLICE COOPERATIVE PRICING SYSTEM

WHEREAS, the Township of Livingston, pursuant to N.J.S.A. 40A:11-11(6) and N.J.A.C. 5:34-7.1 et seq. may by resolution and without advertising for bids, purchase any goods or services under a Cooperative Pricing System of which the Township is a member; and,

WHEREAS, the Township of Livingston is a member of the Cranford Police Cooperative Pricing System Purchasing Program and has the need on a timely basis to purchase goods or services using those contracts; and

WHEREAS, the Township of Livingston intends to enter into contracts with the attached referenced contract vendors through this resolution and properly executed purchase orders as needed, which shall be subject to all the conditions applicable to current 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 Cranford Police Cooperative Pricing System Purchasing Program vendors on the attached list, pursuant to all the conditions of the individual 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, 2018 or upon the expiration of the vendors' contract, whichever event first occurs.

Edward Meinhardt, Mayor

Glenn R. Turtletaub, Township Clerk

Approved as to form:

Sharon L. Weiner, Township Attorney

Adopted: January 22, 2018

Referenced Essex County Cooperative Purchasing Program Vendors

R-18-64

Commodity/Service	Vendor	Contract #
Police & Administrative Vehicles	Winner Ford	17-01 (3a, 6 & 6a)
Police & Administrative Vehicles	Day Ford	17-01 (3)

1/22/18 R
112

RESOLUTION No. R-18-65

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
LIVINGSTON IN SUPPORT OF THE EFFORTS OF GOVERNOR MURPHY TO
CHALLENGE THE NEW FEDERAL TAX LAW**

WHEREAS, under the prior tax law for federal returns, the state and local deduction better known as SALT was unlimited; and

WHEREAS, the newly passed federal tax law takes away people's abilities to deduct much of what they pay in state and local taxes from their income or federal tax returns with deductions limited to \$10,000.00 in a combination of property taxes and other state and local taxes; and,

WHEREAS, New Jersey is particularly vulnerable because its homes are expensive, its property taxes are the highest in the nation and has high state income taxes; and

WHEREAS, the new tax law disproportionately hurts taxpayers in New Jersey and Livingston.

NOW, THEREFORE, BE IT RESOLVED that the Livingston Township Council urges Governor Phil Murphy to follow through on his declaration that he will "look at all available means-both legal and otherwise-to challenge the new tax law or compensate for it."

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to Governor Phil Murphy as well as Livingston's legislative delegation.

Edward Meinhardt, Mayor

Glenn R. Turteltaub, Township Clerk

Approved as to form:

Sharon L. Weiner, Township Attorney
Adopted:

1/22/18 R

118

R-18-66

**RESOLUTION TO CANCEL
2017 BUDGET APPROPRIATIONS
OF THE SEWER UTILITY OPERATING FUND**

BE IT RESOLVED, by the Township Council of the Township of Livingston that the following 2017 budget appropriations of the Sewer Utility Operating Fund be canceled, effective December 31, 2017.

Salaries and Wages	\$ 10,000.00
Other Expenses	<u>30,000.00</u>
Total	<u>\$ 40,000.00</u>

Edward Meinhardt, Mayor

Glenn R. Turteltaub, Township Clerk

Approved as to form:

Sharon L. Weiner, Township Attorney

Adopted:

1/22/18 R
116

R-18-67

**RESOLUTION TO CANCEL
2017 BUDGET APPROPRIATIONS
OF THE WATER UTILITY OPERATING FUND**

BE IT RESOLVED, by the Township Council of the Township of Livingston that the following 2017 budget appropriations of the Water Utility Operating Fund be canceled, effective December 31, 2017.

Salaries and Wages	\$ 5,000.00
Other Expenses	<u>55,000.00</u>
Total	<u>\$ 60,000.00</u>

Edward Meinhardt, Mayor

Glenn R. Turtleaub, Township Clerk

Approved as to form:

Sharon L. Weiner, Township Attorney

Adopted: