

AGENDA

Livingston Township Council

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, 2018.
"48-hr. Notice" was faxed to these same publications on June 12, 2018.

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
4. Essex County Update/Questions
5. Public Comments on Agenda Items
- 6*. Resolution - Consent Agenda [Includes All Items Marked "**"] R-18-125 Packet
- 7*. Approval of Minutes Packet
 - a) June 11, 2018
- 8.* Approval of Licenses
9. Final Hearing Ordinances
10. Proposed Ordinances Packet
 - a) Ord. 8-2018 Amending Ch. 170 By Adding Additional Definitions to Article II Definitions and Adding Prohibited Uses to Article XI General Zoning Regulations
11. Resolutions Packet
 - a) R-18-126 Requesting NJDEP Hold A Public Hearing for Williams Transco Freshwater Wetlands Permit Application Packet
 - b) R-18-127 Delta Dental Renewal Packet
12. Public Comment
13. Recess

GLENN R. TURTLETAUB
Township Clerk

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R-18-125

RESOLUTION

**Accepting, Approving and/or Adopting the
Consent Agenda of June 18, 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 June 18, 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. Turteltaub Township Clerk

Adopted: 6/18/18

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ORDINANCE No. 8-2018

ORDINANCE OF THE TOWNSHIP OF LIVINGSTON AMENDING CHAPTER 170 BY ADDING ADDITIONAL DEFINITIONS TO ARTICLE II DEFINITIONS AND ADDING PROHIBITED USES TO ARTICLE XI GENERAL ZONING REGULATIONS

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 – §170-3 Terms Defined

***ELECTRONIC SMOKING DEVICE** means an electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo or pipe.*

***LIQUID NICOTINE** means any solution containing nicotine which is designed or sold for use with an electronic smoking device.*

***LIQUID NICOTINE CONTAINER** means a bottle or other container of liquid, wax, gel or other substance containing nicotine, where the liquid or other contained substance is sold, marketed or intended for use in a vapor product but does not include containers prefilled and sealed by the manufacturer and not intended to be opened by the consumer.*

***VAPOR PRODUCT** means any non-combustible product containing nicotine that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, to produce vapor from nicotine in a solution or any form, including any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or similar product or device, and any vapor cartridge or other container of nicotine in a solution or other form intended to be used with, or in, any such device.*

SECTION 2. §170-108B-1 General Business District.

B. Prohibited Uses in the B-1 General Business District. The following uses and structures are hereby prohibited:

33. Any commercial establishment which has as its principal business the retail sale of or service of electronic smoking devices, liquid nicotine or vapor products.

34. Any commercial establishment engaged in the retail or wholesale sale of any drug paraphernalia as defined in Chapter 122 Drug Paraphernalia of the Code of the Township of Livingston.

SECTION 3. §170-107B Central Business District.

B. Prohibited Uses. No land or building shall be used or occupied for any use other than as permitted in §170-107A above. This shall not be construed to permit any of the following uses in the B zone:

1. Any use prohibited in §170-108B-1 through [27, 29 and 31] 34 of this Chapter.

SECTION 4. Except as hereby amended, the Code of the Township of Livingston shall remain in full force and effect.

SECTION 5. This Ordinance shall take effect twenty days from final passage and publication in accordance with the law.

EDWARD MEINHARDT, Mayor

GLENN R. TURTLETAUB, Township Clerk

Approved as to form:

SHARON L. WEINER, Township Attorney

Introduced: 6-18-18

Adopted:

6/18/18 R

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RESOLUTION NO. R-18-126

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
LIVINGSTON REQUESTING THE NEW JERSEY DEPARTMENT OF
ENVIRONMENTAL PROTECTION HOLD A PUBLIC HEARING FOR THE
WILLIAMS TRANSCO FRESHWATER WETLANDS PERMIT APPLICATION**

WHEREAS, the New Jersey Department of Environmental Protection has a responsibility to protect the environment and the water resources in the State of New Jersey; and

WHEREAS, Williams Transco, the operator of the natural gas compressor station in Roseland is seeking federal approval to expand their operations at their facility in the Borough of Roseland; and

WHEREAS, this project would significantly increase the amount of compressed natural gas flowing through the Township of Livingston and at least fifteen other municipalities in Northern New Jersey; and

WHEREAS, the proposed 27,500 horsepower gas compressor station would be built within a wetlands area and would be in close proximity to the Passaic River; and

WHEREAS, no public hearings have been held, nor have any studies been conducted to determine the potential impacts to New Jersey's critical water resources that fall within the proposed project area.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Council of the Township of Livingston request the New Jersey Department of Environmental Protection hold a Public Hearing on the Freshwater Wetlands Permit Application and 401 Water Quality Certificate associated with the proposed Williams Transco Gateway Expansion Project; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Diane Dow, Debbie Mans and Catherine McCabe of the New Jersey Department of Environmental Protection.

Edward Meinhardt, Mayor

Glenn R. Turtleaub, Township Clerk

Approved as to form:

Sharon L. Weiner, Township Attorney
Adopted: June 11, 2018

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RESOLUTION

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LIVINGSTON TO ENTER INTO A CONTRACT WITH DELTA DENTAL TO PROVIDE A DENTAL PLAN FOR THE TOWNSHIP EMPLOYEES

WHEREAS, the dental plan the Township offers to its employees expired on May 31, 2018.

WHEREAS, Delta Dental is providing a 12-month flat renewal to our current rates.

WHEREAS, based upon a 1 year renewal at +0%, the Township insurance consultant Fairview Insurance did not solicit proposals for a renewal contract.

WHEREAS, based upon the recommendation of Fairview Insurance and the Township Manager, the Township Council had determined that the cost of the Delta Dental plan proposal is at +0% increase while matching the benefit level and network of the current plan; and

WHEREAS, the Chief Financial Officer has certified that funds are available in budget account 11-01-23-220-002-525;

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 accept the Delta Dental proposal and awards the contract to it for a term of one year; and

BE IT FURTHER RESOLVED THAT a copy of this Resolution shall be published in the West Essex Tribune as required by law within ten days of its passage.

Approved as to form:

Edward Meinhardt
Mayor

Sharon L. Weiner
Township Attorney

Glenn R. Turtletaub
Township Clerk

Adopted: