

AGENDA

Livingston Township Council

Livingston Town Hall—357 S. 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 2, 2019.

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-19-110 Packet
- 7.* Approval of Minutes Packet
 - a) March 25, 2019
- 8.* Approval of Licenses
9. Final Hearing Ordinances
 - a) Ord. 5--2019 Amending Chapter 170 Creating Inclusionary Assisted Living Conditional Use on Block 6300 Lot 30 (**Adjourned to 4/22**) Packet
 - b) Ord. 7-2019 Adopting Amended Zoning Map to Eliminate Split Lot Zoning on Block 6100 Lots 30.01, 30.02 and 30.03 Packet
 - c) Ord. 9--2019 Exceed Calendar Year 2019 Municipal Budget Appropriation Limits and to Establish a CAP Bank (**Adjourned to 4/22**) Packet
10. Proposed Ordinances
11. Resolutions
 - a) R 19-111 Appointing Special Counsel for Saint Barnabas Tax Appeal 4/8
 - b) R-19-112 Approving Developers Agreement with Jorge Taboda 4/8
 - c) R-19-113 Auth. Contract to Shauger Property Services, Inc. Packet
 - d) R-19-114 Award of Contract to Remington & Vernick Packet
12. Public Comment
13. Recess

GLENN R. TURTLETAUB
Township Clerk

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R-19-110

RESOLUTION

Accepting, Approving and/or Adopting the
Consent Agenda of April 8, 2019

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 April 8, 2019, attached hereto, which are preceded by an "*" are the Consent Agenda and are hereby accepted, approved and/or adopted.

Approved as to form:

Alfred M. Anthony

Mayor

Sharon L. Weiner
Township Attorney

Glenn R. Turtletaub Township Clerk

Adopted: 4/8/19

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AB.

ORDINANCE NO. 7- 2019

**ORDINANCE OF THE TOWNSHIP OF LIVINGSTON ADOPTING
AMENDED ZONING MAP TO ELIMINATE SPLIT LOT ZONING ON
BLOCK 6100 LOTS 30.01, 30.02 and 30.03**

WHEREAS, the 2018 Master Plan, at III. Land Use, General Land Use Recommendations, contains the following recommendation:

Split Lots

Zone District lines sometimes run through a lot, with the result that the lot straddles two districts. This will often necessitate the consideration of variances in order that the lot can be developed. Recommendations for change presented in the 2007 Master Plan have been underway.

Recommendation: Continue to adjust district boundary lines to reduce or eliminate split lots.

and

WHEREAS, a subdivision of Block 6100 Lot 30 was previously approved subdividing the property into Lots 30.01 housing the Joseph Kushner Hebrew Academy (JKHA) which is zoned R-L and 30.02 which was approved for the Livingston Square development by Pulte Homes and which is zoned R5-G; and

WHEREAS, there is a pending application before the Planning Board for a lot line adjustment/subdivision involving Block 6100 Lot 30.01 and Block 6100 Lot 30.02 which will create Lot 30.03 out of a portion of Lot 30.02 and a portion of Lot 30.01 and which will adjust the lot line so that land currently part of Lot 30.01 and zoned R-L will become a part of the new Lot 30.03 the entirety of which should be zoned R5-G; and

WHEREAS, the boundary of the new Lot 30.03 will also be adjusted as a result of the County of Essex vacating a right of way and conveying the vacated strip (currently zoned R-L) to be merged into and become a part of Lot 30.03; and

WHEREAS, the above recommendation from the 2018 Master Plan to eliminate split zoned lots can be accomplished by adopting the attached Amended Zoning Map to reflect R5-G zoning for the entirety of Block 6100 Lot 30.03;

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

Section 1. The Zoning Map referenced in § 170-86 of the Code of the Township of Livingston, as heretofore amended, is further amended to achieve R5-G zoning for the entirety of Block 6100 Lot 30.02 and Lot 30.03 and to retain R-L zoning for the remaining Lot 30.01 and the attached Amended Zoning Map reflecting that rezoning is hereby adopted.

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 upon final passage and twenty days from the date of publication in accordance with law.

Al Anthony, Mayor

Glenn R. Turteltaub, Township Clerk

Approved as to form:

Sharon L. Weiner, Esq.
Township Attorney

Introduced: March 13, 2019

Adopted: _____, 2019

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RESOLUTION AUTHORIZING A CONTRACT WITH SHAUGER PROPERTY SERVICES, INC.

WHEREAS, the Township of Livingston (“Township”) has a need for the Water Main Rehabilitation that cannot otherwise be performed by its regular employees; and

WHEREAS, on February 7, 2019, the Township of Livingston issued Bid No. 001-2019 to solicit bids from contractors experienced in water main rehabilitation; and

WHEREAS, the bid was advertised on the Township of Livingston website and West Essex Tribune on February 7, 2019 and as a result thirty-seven (37) bid packages were requested; and

WHEREAS, on March 22, 2019, five (5) bids were received by the bid deadline and publicly read; and

WHEREAS, Shauger Property Services, 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

WHEREAS, the Consulting Engineer and Junior Utility Engineer have evaluated the proposal for qualifications, experience, and cost reasonableness, and recommend the award of a contract to Shauger Property Services, Inc.; and

WHEREAS, the Township Manager is recommending the award of a contract to Shauger Property Services, Inc. in an amount not to exceed \$997,176.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in account C-06-55-018-005-002.

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 Township Manager to enter into a contract with Shauger Property Services, Inc. in an amount not to exceed \$997,176.00.

Alfred M. Anthony, Mayor

Glenn R. Turteltaub, Township Clerk

Approved as to form:

Sharon L. Weiner, Township Attorney

Adopted: April 8, 2019

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RESOLUTION AUTHORIZING A CONTRACT WITH REMINGTON & VERNICK ENGINEERS, INC.

WHEREAS, the Township of Livingston has a need to acquire professional engineering services for the 2019 Water Main Improvements on Laurel Avenue pursuant to the provisions of N.J.S.A. 19:44A-20.4 and 20.5; and

WHEREAS, the Township Manager has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, Remington & Vernick Engineers, Inc. has completed and submitted a business Entity Disclosure Certification which certifies that Remington & Vernick Engineers, Inc. has not made any reportable contributions to a political or candidate committee in the Township of Livingston in the previous one year, and that the contract will prohibit Remington & Vernick Engineers, Inc. from making any reportable contributions through the term of the contract, and

WHEREAS, the Junior Utility Engineer and Township Manager are recommending the award of a contract to Remington & Vernick Engineers, Inc. to provide professional engineering services for the 2019 Water Main Improvements on Laurel Avenue as required by the Township in an amount not to exceed \$24,500.00; and,

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in account C-06-55-016-003-007; and

NOW THEREFORE, BE IT RESOLVED that the Township Council of the Township of Livingston authorizes the Township Manager to enter into a contract with Remington & Vernick Engineers, Inc. in an amount not to exceed \$24,500.00 as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be Placed on file with this resolution.

BE IT FURTHER RESOLVED that a notice of this action shall be printed in the West Essex Tribune as required by law within ten (10) days of its passage.

Alfred M. Anthony, Mayor

Glenn R. Turteltaub, Township Clerk

Approved as to form:

Sharon L. Weiner, Township Attorney

Adopted: April 8, 2019

Certification of Availability of Funds

This is to certify to the of the TOWNSHIP OF LIVINGSTON that funds for the following resolutions are available.

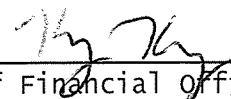
Contract Amount: 24,500.00
Resolution Date: 04/08/19
Resolution Number: R-19-114

Vendor: REMIN005 REMINGTON & VERNICK
ENGINEERS II
232 KINGS HGWY EAST
HADDONFIELD, NJ 08033

Contract: C1900013 Professional Engineering
Services: 2019 Water Main
Improvements on Laurel Ave.

Account Number	Amount	Account Description
C-06-55-016-003-007	24,500.00	WATER MAIN PIPE REPLACEMENT
Total	24,500.00	

Only amounts for the 2019 Budget Year have been certified. Amounts for future years are contingent upon sufficient funds being appropriated.



Chief Financial Officer