

Minutes - Livingston Township Council Conference Meeting # 5—March 09, 2020

Present: Mayor Fernandez; Councilmembers Anthony, Klein, Meinhardt, Vieira; Township Manager Lewis; Deputy Township Manager Jones; Township Attorney Weiner; Township Clerk Turtleaub; Deputy Township Clerk Mazzucco

The Conference meeting commenced at 7:00 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 2, 2020.

The Council approved the amended **Conference and Closed Minutes** of February 24, 2020.

Township Manager Lewis recommended that the **Effluent Pump Station Upgrades (re-bid)** be awarded to DeMaio Electrical Company, Inc., and that the Resolution will be considered on tonight’s March 9, 2020 Regular Agenda.

Township Manager Lewis recommended that since the **Recycling Collection Contract** with Waste Industries, LLC expires in June 2020, he supports the recommendation of Deputy Township Manager Jones to extend the contract for an additional two years. The Resolution will be considered on tonight’s March 9, 2020 Regular Agenda.

Sonal Batra, of Sanskriti NJ, described the combined event of **IndiaFest 2020 and India Independence Day** scheduled for Saturday, August 15, 2020 from 3-7 pm at the gazebo near the Oval. She inquired about the flag raising that needed to be done before dusk, and which flag poles were available, as she was concerned about attendees crossing back and forth on Livingston Ave to participate in the flag raising at Town Hall.

At 7:20 p.m., the following Resolution was considered:

Resolution Authorizing Closed Session – Attorney Client Privilege (MONOC / Barnabas):

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 9th day of March, 2020, that the Township Council of the Township of Livingston will go into Closed Session for the purpose of discussing Attorney-Client Privilege and such matters as may come before the Council and that are exempted from the public as outlined in N.J.S0.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 7:40 p.m., the Closed Session ended.

At 7:40 p.m., the Conference meeting adjourned so the Council could attend the Regular meeting.

At 8:20 p.m., the Conference meeting resumed with everyone previously in attendance present.

Township Attorney Weiner presented a Draft Ordinance entitled **“Establishing Sustainability Programs (Plastics)”** and she discussed how businesses might seek exemptions, or who would be responsible for investigating violations and issuing fines. Mayor Fernandez mentioned there should be an exemption for Styrofoam egg containers and plastic bags for wrapping fresh meat or fish, and that he would like the effective date of the Ordinance to be six months after it is passed. Councilmember Klein suggested plastic utensils should only be made available upon request and to add language that thicker plastic bags are not reusable, as well as stating that the Ordinance should be considered “fluid”, and reviewed every six months. He added that plastics should be eliminated within six months and stores should charge \$.15 per paper bag for the first year, and then not be offered after the first year. Councilmembers agreed that the LEC should make recommendations to the Township Council on exemptions, and the Township Council would make the determination of the exemptions after review.

Township Manager Lewis stated that a **Veteran Friendly Community Resolution** should be prepared by the next Township Council meeting.

The Council approved the **Legal Fees** of Murphy McKeon (January 2020) and McCarter & English (January 2020), with questions reserved for closed session.

The Council discussed a request from temples Awahas Achim Bnai Jacob & David (in West Organge) and Etz Chaim, to have a **Charity Walk-a-Thon** around the Oval on Sunday May 17, 2020.

The Council asked a few follow up questions regarding the **Hillside Elementary PTA Yard Sale** scheduled for April 18th.

The Council discussed a **Livingston Mall Food Truck Event** proposed for April 25, 2020.

The Council discussed invitations to events and other **dates of importance**.

At 8:55 p.m., the following Resolution was considered:

Resolution Authorizing Closed Session – Attorney Client Privilege :

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 9th day of March, 2020, that the Township Council of the Township of Livingston will go into Closed Session for the purpose of discussing Attorney-Client Privilege, and such 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 9:40 p.m., the Closed Session ended.

At 9:40 p.m., the Conference meeting concluded.

Respectfully submitted,

CAROLYN S. MAZZUCCO
Township Clerk