

The Regular meeting of the Township Council of the Township of Livingston was held on the above date at 8:00 p.m. at Town Hall, 357 South Livingston Avenue, Livingston, New Jersey. The Mayor stated that all the requirements of the "Open Public Meetings Act" had been met. "Annual Notice" was faxed to the West Essex Tribune and the Star Ledger on January 2, 2019. "48-Hour Notice" was faxed to these same publication on January 3, 2019.

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

Silent Meditation and Pledge of Allegiance

Mayor Anthony asked everyone to stand for a Moment of Silence, followed by the Pledge of Allegiance.

Presentations

Essex County Update/Questions

Eileen Fishman, Livingston Liaison to Essex County Executive Joseph DiVincenzo, gave an update of County activities and events, including the Essex County State of Address on February 25, 2019 from 7-8:30pm at the Hospital Center in Cedar Grove.

Public Comments on Agenda Items

Consent Agenda R-19-60 Approving Consent Agenda (Includes All Items Marked (*))

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 14, 2019, attached hereto, which are preceded by an "*" are the Consent Agenda and are hereby accepted, approved and/or adopted.

On motion duly made and seconded, and on roll call vote, all members present voted YES.

*Approval of Minutes

a) December 17, 2019

*Approval of Licenses

Final Hearing Ordinances

Proposed Ordinances

- a) Ord. 1-2019 AUTHORIZING THE ACCEPTANCE OF PROPERTY DONATED BY FORMOSA PLASTIC, NAME CHANGE TO VOLUNTEER WAY was read by title. There being no speakers, on motion made by Councilmember Fernandez and seconded by Councilmember Klein, and on roll call vote, all members present voted YES. It was ordered advertised according to law, to come up for public hearing second reading and final consideration at a Regular Meeting of the Township Council on Monday, January 28, 2019.
- b) Ord. 2-2019 AMENDING CHAPTER 104 CHILDCARE CENTERS, ARTICLE 104-5 HEALTH REQUIREMENTS was read by title. There being no speakers, on motion made by Councilmember Fernandez and seconded by Councilmember Meinhardt, and on roll call vote, all members present voted YES. It was ordered advertised according to law, to come up for public hearing second reading and final consideration at a Regular Meeting of the Township Council on Monday, January 28, 2019.

Resolutions

a) R-19-61 LMAC Grant

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Township Council of the Township of Livingston, County of Essex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Essex;

NOW, THEREFORE, BE IT RESOLVED by the Township of Livingston, County of Essex, State of New Jersey hereby recognizes the following:

1. The Township Council does hereby authorize submission of a strategic plan for the Livingston Municipal Alliance grant for fiscal year 2020 in the amount of:

DEDR	\$60,060
Cash Match	\$15,015
In-Kind	\$65,045

2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: _____
Al Anthony, Mayor

CERTIFICATION

I, Glen Turteltaub Municipal Clerk of the Township of Livingston, County of Essex, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council on this day of _____, 2019.

(Name), Municipal Clerk

b) R-19-62 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, 2019 or upon the expiration of the vendors' contract, whichever event first occurs.

c) R-19-63 Township Council Rejecting Bid

WHEREAS, the Township of Livingston ("Township") has a need for a contractor to furnish and install electrically operated partition doors at the Senior Community Center that cannot otherwise be performed by its regular employees; and

WHEREAS, on November 15, 2018, the Township of Livingston issued Bid No. 018-2018 to solicit bids from contractors experienced in furnishing and installing electrically operated partition doors; and

WHEREAS, the bid was advertised on the Township of Livingston website and West Essex Tribune on November 15, 2018 and as a result seven (7) bid packages were requested; and

WHEREAS, on December 19, 2018, one (1) bid was received by the bid deadline and publicly read; and

WHEREAS, in accordance with Section VI.D., "Award of Bid", in the bid documents, the Township of Livingston desires to exercise its right to reject this bid for the furnishing and installation of electrically operated partition doors due to the fact that this bid substantially exceeds the appropriation for these services (N.J.S.A. 40A:11-13.2 (b)); and

WHEREAS, the Township Manager recommends rejecting the bid and reissuing the bid as soon as practicable.

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 bid received in connection with the issuance of Bid No. 018-2018 is hereby rejected.

d) R-19-64 Acceptance of Cops in Shops Fall Incentive Grant from New Jersey Department of Law and Public Safety

WHEREAS, the Division of Alcoholic Beverage Control of the NJ Department of Law and Public Safety administers the federal grant entitled Cops in Shops College Fall Initiative Fiscal Year 2019 Grant #AL-19-45-05-01; 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 Program Period from December 18, 2018 through May 15, 2019.

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 College Fall Initiative grant in the amount of \$2,200.00 to aid in preventing young people from obtaining alcohol.

Alfred M. Anthony, 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 January 14, 2019.

Glenn R. Turtletaub, Municipal Clerk

e) R-19-65 Transfer 2018 Budget Appropriations

WHEREAS, transfers between budget appropriations are permitted by N.J.S. 40A: 4-58 during the last two months of the fiscal year; and

WHEREAS, certain 2018 budget appropriations are expected to be insufficient to meet expenditure requirements through the end of this fiscal year, and certain 2018 budget appropriations are expected to have funds available to offset these expenditure requirements;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Livingston (not less than two-thirds thereof affirmatively concurring) that the transfers listed on the attached page be made effective December 31,2018.

CURRENT FUND

<u>Department</u>	<u>Line Item</u>	<u>January 14, 2019</u>	
		<u>From</u>	<u>To</u>
Administrative & Executive	Salaries & Wages	485	
Human Resources	Salaries & Wages	250	
Town Clerk	Salaries & Wages	1,270	
Finance	Salaries & Wages	705	
Information Technology	Salaries & Wages	225	
Tax Collection	Salaries & Wages	2,215	
Assessment	Salaries & Wages	525	
Planning	Salaries & Wages	26,590	
Zoning	Salaries & Wages	650	
Uniform Construction Code	Salaries & Wages	1,385	
Road Repairs & Maintenance	Salaries & Wages	895	
Health	Salaries & Wages	1,735	
Police Dispatch	Salaries & Wages	1,485	
Engineering	Salaries & Wages	2,545	
Parks	Salaries & Wages	1,125	
Legal	Salaries & Wages	705	
Court	Salaries & Wages	1,300	
Electric, Gas & Heat	Other Expenses	75,000	
Tax Collection	Other Expenses	550	
Health	Other Expenses	3,400	
Leaf Collection	Other Expenses	70,000	
Human Resources	Other Expenses	36,495	
Information Technology	Other Expenses	2,590	
Planning	Other Expenses	10,170	
Uniform Construction Code	Other Expenses	4,200	
Public Communications	Other Expenses	3,940	
Police	Other Expenses	1,830	
Police Dispatch	Other Expenses	16,870	
Fire	Other Expenses	7,375	
Engineering	Other Expenses	7,620	
Legal	Other Expenses	3,450	
SYLS	Other Expenses	925	
General Liability	Other Expenses	10,515	
Employee Group Health	Other Expenses	3,815	
Dental	Other Expenses	4,825	
Police	Salaries & Wages		100,000
Leaf Collection	Salaries & Wages		23,520
Building Maintenance	Other Expenses		65,000
Fleet	Other Expenses		61,500
Telephone	Other Expenses		4,900
Gas & Oil	Other Expenses		36,470
Other Insurance	Other Expenses		10,270
Social Security	Other Expenses		6,000
TOTAL TRANSFERS		\$ 307,660	\$ 307,660

Pool Utility

	<u>Line Item</u>	January 14, 2019	
		<u>From</u>	<u>To</u>
Other Expenses	Insurance	5,002	
Statutory Expenditures	Social Security	8,225	
Debt Service	Payment of Notes		13,000
Debt Service	Interest on Notes		227
TOTAL TRANSFERS		\$13,227	\$13,227

f) R-19-66 Approving Memorandum of Agreement with PBA Local 263

WHEREAS, the Township of Livingston (the "Township") and PBA LOCAL 263 (the "PBA") previously entered into Collective Negotiations Agreement which expired on December 31, 2016; and

WHEREAS, the Township Manager and the PBA have engaged in negotiations to establish the terms of a new successor Collective Negotiations Agreement and, having reached an understanding have agreed to the attached Memorandum of Agreement (the "MOA"); and

WHEREAS, the PBA has ratified the MOA and the Township Manager has recommended that the Township Council approve the MOA.

NOW THEREFORE, it is hereby resolved that the Township Council of the Township of Livingston hereby approves the attached Memorandum of Agreement with the PBA Local 263 to establish the terms to be incorporated into a new Collective Negotiations Agreement covering the term from January 1, 2017 through December 31, 2021.

g) R-19-67 Authorizing a Contract with Ranco Mechanical, LLC

WHEREAS, the Township of Livingston ("Township") has a need for the Lavatory Renovations at the Northfield Fire Station that cannot otherwise be performed by its regular employees; and

WHEREAS, on December 6, 2018, the Township of Livingston issued Bid No. 021-2018 to solicit bids from contractors experienced in lavatory renovations; and

WHEREAS, the bid was advertised on the Township of Livingston website and West Essex Tribune on December 6, 2018 and as a result twenty-seven (27) bid packages were requested; and

WHEREAS, on January 9, 2019, fifteen (15) bids were received by the bid deadline and publicly read; and

WHEREAS, Ranco Mechanical, LLC 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 Fire Chief has evaluated the proposal for qualifications, experience, and cost reasonableness, and recommend the award of a contract to Ranco Mechanical, LLC; and

WHEREAS, the Township Manager is recommending the award of a contract to Ranco Mechanical, LLC in an amount not to exceed \$46,900.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in accounts C-04-55-013-014-003 and C-04-55-014-007-02B.

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 Ranco Mechanical, LLC in an amount not to exceed \$46,900.00.

On motion of Councilmember Meinhardt, seconded by Councilmember Fernandez, and on roll call vote of Resolutions R-19-61 to R-19-67, inclusive, all members present voted YES. Councilmember Meinhardt praised LMAC and the Township Council for the LMAC grant, and Mayor Anthony thanked Township Manager Lewis for solidifying the Memorandum of Agreement with the PBA, Resolution 19-66.

Public Comment

Bob Hunter, 89 Elmwood Drive, praised Robert Leopold and acclaimed him as the "elder of the tribe and fountain of wisdom." He also inquired about the names of the candidates from the Democratic County Committee to fill ex-council member Silverman's position.

Mayor Anthony announced that the three candidate names received from the Committee were Michael M. Viera, Laurie S. Kahn, and Scott Goldman.

William O'Neal, 22 Amherst Place, said that he's observed cars traveling south on S. Livingston Avenue cut through the Quick Check parking lot, cross W. Cedar St. and pass through the back of the CVS parking lot to avoid the backup of traffic at the traffic light. He added that he's almost been hit on a few occasions by these drivers. Township Manager Lewis said he would follow up with the Police Department.

Adjournment

At 8:30 p.m., the Regular Meeting adjourned.

ALFRED M. ANTHONY, Mayor

GLENN R. TURTLETAUB, Township Clerk

