

The Regular meeting of the Township Council of the Township of Livingston was held on the above date commencing at 7:40 p.m. The Mayor read the statement of compliance with the Sunshine Law N.J.S.A. 10:4-10 and stated that notice of this meeting has been given in accordance with the "Open Public Meetings Law", and that Annual Notice was faxed to the West Essex Tribune and the Star Ledger on January 6, 2022.

A Quorum Roll Call was held.

	Present	Absent
Mayor Meinhardt	X	
Deputy Mayor Vieira		X
Councilmember Anthony	X	
Councilmember Fernandez	X	
Councilmember Klein	X	

Also present were professionals Township Manager Lewis, Deputy Township Manager Jones, Township Attorney Kantor, and Deputy Township Clerk Mazzucco.

Moment of Silence and Pledge of Allegiance

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

Proclamations & Presentations

1) Don Schwartz Day – April 25, 2022 was proclaimed "Don Schwartz Day", as the Mayor and Council celebrated "Mr. Livingston" for his dedication to the Township and photographing special moments and almost everyone in the Township.

2) Public Service Recognition Week – May 1-7, 2022 was proclaimed Public Service Recognition Week in honor of the many public employee contributions.

3) Arbor Day – The Mayor discussed the Township's annual Arbor Day ceremony, and read highlights from a Proclamation issued in recognition of Arbor Day.

Appointment Resolution

Res 22-153 Appointing Carolyn Mazzucco as Municipal Clerk of the Township of Livingston

WHEREAS, N.J.S.A. 40A:9-133 provides that every municipality shall have a Municipal Clerk, appointed by the governing body for an initial term of three years; and

WHEREAS, with the recent retirement of the Township's long-time Municipal Clerk there exists a vacancy in the position of Municipal Clerk for the Township of Livingston; and

WHEREAS, no person shall be appointed as a Municipal Clerk unless that person holds a Registered Municipal Clerk certificate issued by the State of New Jersey after successful completion of the required coursework, passing the required state examination, and meeting the statutory eligibility requirements; and

WHEREAS, Carolyn Mazzucco is a Registered Municipal Clerk of State of New Jersey; and

WHEREAS, Carolyn Mazzucco has served as the Deputy Municipal Clerk for the Township of Livingston since 2018; and

WHEREAS, through her performance as Deputy Clerk, demonstrated knowledge of the duties and responsibilities of the Clerk’s office, and commitment to the Township, Ms. Mazzucco has proven herself ready to assume the position of Municipal Clerk for the Township; and
 WHEREAS, the Township Council is desirous of appointing Carolyn Mazzucco as the Township's Municipal Clerk
 NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Livingston, in the County of Essex, that Carolyn Mazzucco is hereby appointed as Municipal Clerk of the Township of Livingston effective this date for an initial term of three years pursuant to, and with all of the powers, duties and responsibilities granted under, N.J.S.A. 40A:9-133, et seq.

On motion duly made and seconded, and on roll call vote, all members present voting YES, Resolution 22-153 was adopted.

	Yes	No	Abstain
Ed Meinhardt	X		
Michael Vieira (Absent)			
Al Anthony	X		
Rudy Fernandez	X		
Shawn Klein	X		

Approval of Minutes, Pending Any Corrections

On motion duly made and seconded, and on voice vote, the Council approved the following, pending any corrections:

- 1) April 4, 2022 Regular and Conference Minutes
- 2) April 4, 2022 Closed Session Minutes
- 3) April 15, 2022 Special Meeting Minutes

Public Portion (Agenda Items Only—4 Minute Limit)

On motion duly made and seconded, and by voice vote, the hearing on the Public Portion was opened.

Justin Alpert, 56 Amherst Place, inquired about Resolution 22-147 and its intention. Township Attorney Kantor explained that the Township was court ordered to consider the Esplanade project, and that by rejecting the Esplanade project, the Township was vulnerable to litigation.

On motion duly made and seconded and on voice vote, the public portion on Agenda items was closed.

Passage of Ordinances

Final Hearing/2nd Reading

Ord. 5-2022 Adopting Chapter 135, Filming, of the Township Code was read by title. On motion duly made by Councilmember Anthony to amend the Ordinance, and seconded, and on voice vote, Township Attorney Kantor explained that on page 6, section 6, the first sentence was amended to read “The provisions of this chapter shall not apply to the

filming of new stories, including and without limitation LTV and other Township Affiliated Groups, within the Township of Livingston“. On motion made and seconded, and on roll call vote, all members voted yes on the amendment.

	Yes	No	Abstain
Ed Meinhardt	X		
Michael Vieira (Absent)			
Al Anthony	X		
Rudy Fernandez	X		
Shawn Klein	X		

On motion duly made and seconded, and on voice vote, the hearing was opened on the amended ordinance. There being no speakers, on motion duly made and seconded, and on voice vote, the hearing was closed. On motion duly made and seconded, and on roll call vote, all members present voted yes. It was ordered advertised according to law.

	Yes	No	Abstain
Ed Meinhardt	X		
Michael Vieira (Absent)			
Al Anthony	X		
Rudy Fernandez	X		
Shawn Klein	X		

Introduction

Ord 06-2022 Bond Ordinance Providing for Phase A of the Well Remediation Project Appropriating the Issuance Not to Exceed \$6.4 Million Bonds or Notes was read by title. On motion duly made and seconded, 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, May 9, 2022.

	Yes	No	Abstain
Ed Meinhardt	X		
Michael Vieira (Absent)			
Al Anthony	X		
Rudy Fernandez	X		
Shawn Klein	X		

Ord 07-2022 Bond Ordinance Providing for the Improvement of the Dorsa Ave Wellfield Appropriating the Issuance Not to Exceed \$15.7 Million Bonds or Notes was read by title. On motion duly made and seconded, 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, May 9, 2022.

	Yes	No	Abstain
Ed Meinhardt	X		
Michael Vieira (Absent)			

Al Anthony	X		
Rudy Fernandez	X		
Shawn Klein	X		

Ord 08-2022 Bond Ordinance Providing for Phase B of the Well Remediation Project Appropriating the Issuance Not to Exceed \$4 Million Bonds or Notes was read by title. On motion duly made and seconded, 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, May 9, 2022.

	Yes	No	Abstain
Ed Meinhardt	X		
Michael Vieira (Absent)			
Al Anthony	X		
Rudy Fernandez	X		
Shawn Klein	X		

Ord 09-2022 Partially Releasing the Sanitary Sewer Easement at 29 Westmount Dr was read by title. On motion duly made and seconded, 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, May 9, 2022.

	Yes	No	Abstain
Ed Meinhardt	X		
Michael Vieira (Absent)			
Al Anthony	X		
Rudy Fernandez	X		
Shawn Klein	X		

Ord 10-2022 Amending §170-86 By Adopting Revised Official Zoning Map was read by title. On motion duly made and seconded, 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, May 23, 2022.

	Yes	No	Abstain
Ed Meinhardt	X		
Michael Vieira (Absent)			
Al Anthony	X		
Rudy Fernandez	X		
Shawn Klein	X		

Ord 11-2022 Amending and Supplementing Ch 2, Administration, of the Township Code was read by title. On motion duly made and seconded, 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, May 9, 2022.

	Yes	No	Abstain
Ed Meinhardt	X		
Michael Vieira (Absent)			
Al Anthony	X		
Rudy Fernandez	X		
Shawn Klein	X		

Ordinance 12-2022 was pulled from the Agenda.

Res 22-139 Consent Agenda for Resolutions

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 25, 2022 attached hereto, which are preceded by an “*” are the Consent Agenda and are hereby accepted, approved and/or adopted.

*Res 22-140 Township of Livingston DMHAS Youth Leadership Grant (LMAC)

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse (GCADA) 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. In coordination with GCADA, the New Jersey Department of Human Services/Division on Mental Health and Addiction Services (DMHAS) has awarded a Youth Leadership Grant to the GCADA Municipal Alliance Program.

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 DMHAS Youth Leadership funding through 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 an application for DMHAS Grant funding for the Livingston Municipal Alliance for Year One Grant Term 7/1/22 – 3/14/23 in the amount of:

DMHAS Grant Funding **\$5883.53**

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

***Res 22-141 Designating the Month of May as “Bag Up NJ” Month**

WHEREAS, P.L.202, c.117, signed into law on November 4, 2020 is the most progressive disposable bag law in the country, with the goal of phasing out single-use plastic and paper bags and encouraging the use of reusable bags throughout New Jersey; and

WHEREAS, New Jersey is working to reduce reliance on single-use products to ensure that future generations have a clean and healthy environment to live, work, and recreate in; and

WHEREAS, banning or limiting the use of single-use plastic and paper carryout bags is a significant step in this effort; and

WHEREAS, the New Jersey Clean Communities Council, the New Jersey Department of Environmental Protection, the New Jersey Department of State, policymakers, environmental and business groups, as well as other stakeholders, are working together to educate consumers, businesses, and communities about the new law and encouraging residents to "Bag Up" before the ban on single-use plastic bags goes into effect on May 4, 2022; and

WHEREAS, the comprehensive "Bag Up NJ" campaign will include educational programs, public and media engagement and reusable bag distribution programs throughout the state, with an emphasis on underserved communities; and

WHEREAS, this statewide public education campaign will provide residents, businesses and visitors with information about the types of reusable and sustainable bags and containers that they may use and where to access these products.

NOW, THEREFORE, BE IT RESOLVED, by the Township of Livingston that it is critical to begin educating the public about this new law; and

BE IT FURTHER RESOLVED, that one way to gain important recognition is to deem the month of May each year as “Bag Up NJ” month in the Township of Livingston, as a further reminder that all residents should bring their own reusable bags to the store; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be transmitted to the NJ Clean Communities Council, and the New Jersey State League of Municipalities.

***Res 22-142 Authorizing AINR Study for Block 2700, Lots 50, 51, and 52**

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “Redevelopment Law”), authorizes municipalities to determine whether certain parcels of land in the Township of Livingston (the “Township”) constitute areas in need of redevelopment; and

WHEREAS, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law the municipal council of the Township (“Municipal Council”) must authorize the planning board of the Township (the “Planning Board”) to conduct a preliminary investigation of the area and make recommendations to the Municipal Council; and

WHEREAS, the Municipal Council hereby requests that an investigation occur with respect to certain property located at the southeast corner of S. Livingston Avenue and Northfield Road, identified as Block 2700, Lots 50, 51 and 52 on the tax maps of the Township, commonly known as 531 S. Livingston Avenue and also known as 25 E. Northfield Road, 521 S. Livingston Avenue, and unnumbered parcel located on E. Northfield Road and S. Livingston Avenue (hereinafter the “Study Area”), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A. 40A:12A-5*, and should be designated as an area in need of redevelopment; and

WHEREAS, the redevelopment area determination requested hereunder authorizes the Township and Municipal Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, other than the power of eminent domain (hereinafter referred to as a “Non-Condemnation Redevelopment Area”); and

WHEREAS, to carry out its powers under the Redevelopment Law, the Township has a need for professional planning and engineering services, including the undertaking of a study of the Study Area and preparation of a report in connection with same (the “Services”); and

WHEREAS, funds shall be available for this purpose; and

WHEREAS, Beacon Planning and Consulting Services, LLC (the “Planner”) possesses the experience and qualifications to perform the Services; and

WHEREAS, the Planner has been appointed as the Planner for the Township and the Planning Board for the calendar year 2022, in accordance with the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*, which authorizes the award of professional services contracts by resolution of the municipal governing body without competitive bidding; and

WHEREAS, the Township Council desires to authorize the Planner to perform the Services.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF LIVINGSTON, NEW JERSEY AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Planning Board is hereby authorized and directed to conduct an investigation pursuant to *N.J.S.A. 40A:12A-6* to determine whether the Study Area satisfies the criteria set forth in *N.J.S.A. 40A:12A-5* to be designated as an area in need of redevelopment.

Section 3. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the parcels contained therein, and appended thereto shall be a statement setting forth the basis of the investigation.

Section 4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically *N.J.S.A. 40A:12A-6*, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall not authorize the Township or Municipal Council to exercise the power of eminent domain to acquire any property in the delineated area, as the Study Area is being investigated as a possible Non-Condemnation Redevelopment Area.

Section 5. At the public hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area. All objections to a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

Section 6. After conducting its investigation, preparing a map of the Study Area, and conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the Municipal Council as to whether the Municipal Council should designate all or some of the Study Area as an area in need of redevelopment.

Section 7. The Municipal Council hereby authorizes the Planner to provide the Services under its 2022 Township Planner professional services contract. The Planner shall provide the Services when and as directed by the Township.

Section 8. A copy of this resolution, applicable Business Disclosure Entity Certification and Political Contribution Disclosure Forms, and the 2022 Township Planner professional services contract shall be available for public inspection at the offices of the Township.

Section 9. The Township Manager and other necessary Township officials and professionals are hereby authorized to take such actions and to execute and/or prepare such documents as are necessary to effectuate this Resolution, all in consultation with counsel to the Township, and any and all actions taken heretofore with respect to the transactions contemplated hereby are hereby ratified and confirmed.

Section 10. This Resolution shall take effect immediately.

***Res 22-143 Authorizing the Award of a Contract to Mott MacDonald, LLC (Lead Service)**

WHEREAS, the Township of Livingston has a need to acquire professional engineering services for the lead service line inventory 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, Mott MacDonald, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Mott MacDonald, LLC 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 Mott MacDonald, LLC from making any reportable contributions through the term of the contract, and

WHEREAS, the Utility Engineer and Township Manager are recommending the award of a contract to Mott MacDonald, LLC to provide professional engineering services for the lead service line inventory as required by the Township in an amount not to exceed \$25,000.00; and,

WHEREAS, the Township Council has determined that Mott MacDonald, LLC has provided engineering services in prior years and has performed in a satisfactory manner; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in account C-06-55-021-028-B01; 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 Mott MacDonald, LLC in an amount not to exceed \$25,000.00 as described herein.

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.

***Res 22-144 Authorizing Disposition of Surplus Vehicles**

WHEREAS, the Township of Livingston is the owner of certain personal property described on the attached Schedule A and which is no longer needed for public purposes; and

WHEREAS, the condition of the items are such that they are not saleable and can be junked; and,

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Livingston that said property listed in the attached schedule shall be junked

Department	Item	QTY	Make	Model	Serial / VIN Number
DPW	Vehicle	1	2009 Ford	Escape Hybrid	1FMCU59369KC41554
DPW	Vehicle	1	2006 Ford	Escape Hybrid	1FMCU96H26KC63652
DPW	Vehicle	1	2007 Dodge	Caravan SE	1D8GP25E57B181980

***Res 22-145 Authorizing a Contract with Faircut Services, LLC**

WHEREAS, the Township of Livingston (“Township”) has a need to have a contractor furnish, deliver and install trees that cannot otherwise be performed by its regular employees; and

WHEREAS, on March 17, 2022, the Township of Livingston issued Bid No. 6-2022 as an open-ended contract, to solicit bids from companies that furnish, deliver and install trees; and

WHEREAS, the bid was advertised on the Township of Livingston website and West Essex Tribune on March 17, 2022 and as a result eleven (11) bid packages were requested; and

WHEREAS, on April 6, 2022, three (3) bids were received by the bid deadline and publicly read; and

WHEREAS, Faircut Services, 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, Faircut Services LLC’s schedule of pricing is attached; and

WHEREAS, the Superintendent of Public Works has evaluated the proposal for qualifications, experience, and cost reasonableness, and recommends the award of a twenty-four (24) month contract to Faircut Services, LLC; and

WHEREAS, the Township Manager is recommending the award of a twenty-four (24) month contract to Faircut Services, LLC; 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 Township Manager to enter into a twenty-four (24) month contract with Faircut Services, LLC effective May 1, 2022.

Township of Livingston

Bid 6-2022 - Furnish, Deliver & Install Trees- Open-Ended Contract (Re-Bid)

BID TABULATION

Prepared By: Karen Sullivan, Purchasing Manager

1

			Faircut Services, LLC
			17 Timber Drive
			Montville, NJ 07045
ITEM	UNIT	DESCRIPTION	UNIT PRICE
		2"-2.5" caliper	
1	EA	Acer Rubrum (RED MAPLE)	\$540.00
2	EA	Acer Saccharum (SUGAR MAPLE)	\$520.00
3	EA	Quercus Alba (WHITE OAK)	\$499.00
4	EA	Quercus Rubra (RED OAK)	\$499.00

***Res 22-146 Authorizing a Contract with S Brothers Inc.**

WHEREAS, the Township of Livingston (“Township”) has a need for the Belmont Drive- Section One Two Inch Mill and Pave that cannot otherwise be performed by its regular employees; and

WHEREAS, on March 24, 2022, the Township of Livingston issued Bid No. 7-2022 to solicit bids from contractors experienced in milling and paving; and

WHEREAS, the bid was advertised on the Township of Livingston website and West Essex Tribune on March 24, 2022 and as a result twenty (20) bid packages were requested; and

WHEREAS, on April 13, 2022, ten (10) bids were received by the bid deadline and publicly read; and

WHEREAS, S. Brothers, 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 Township Engineer has evaluated the proposal for qualifications, experience, and cost reasonableness, and recommends the award of a contract to S. Brothers, Inc.; and

WHEREAS, the Township Manager is recommending the award of a contract to S. Brothers, Inc. in an amount not to exceed \$648,401.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in account C-04-55-021-030-B01.

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 S. Brothers, Inc. in an amount not to exceed \$648,401.00.

***Res 22-147 Rejecting the Esplanade Project and Excluding It From Its Affordable Housing Settlement Agreement and Plan**

WHEREAS, on October 30, 2020 the Township of Livingston (the “Township”) entered into a settlement agreement (the “Agreement”) with the Fair Share Housing Center (“Fair Share”) relative that certain litigation entitled “In the Matter of the Township of Livingston, County of Essex” and bearing Docket Number: ESX-L-4849-15 (the “Litigation”); and

WHEREAS, the Agreement was the product of much negotiation and was approved by Resolution of the Township Council on November 2, 2020; and

WHEREAS, in Paragraph 2 of the Agreement, FSHC and the Township expressly acknowledged that the Township did not “accept the methodology or calculations proffered by FSHC, and the parties agree to the terms of this Agreement solely for the purposes of settlement”; and

WHEREAS, Paragraph 6 of the Agreement thereafter confirmed the Township’s compliance in meeting and exceeding its prior round obligation of 375 units and generating a surplus of 27 additional credits; and

WHEREAS, Paragraph 7 of the Agreement acknowledged that the Township’s Third Round obligation had been reduced through a Vacant Land Adjustment based on prior COAH regulations, resulting in a Realistic Development Potential (“RDP”) of 151 units; and

WHEREAS, Paragraph 7 of the Agreement then established that the Township had not only met its RDP of 151 units, but actually had achieved 46 “Excess Credits against RDP”, and

WHEREAS, notwithstanding having already met and exceeded its RDP by 46 excess credits, and accepting FSHC’s asserted unmet need (derived through calculations and methodology with which the Township expressly disagreed) “solely for purposes of settlement”, the Township agreed in Paragraph 9, as detailed below, to a number of “mechanisms” to address the unmet need asserted by FSHC; and

WHEREAS, pursuant to section 9(b) of the Agreement, the Township agreed to introduce for adoption in accordance with the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq., overlay zoning on the following areas/properties permitting inclusionary development, which may include mixed use:

- i. Former Gibbs College Site (Block 100, Lot 3) – Overlay mixed-use zoning of this 6-acre property to permit up to a total of 300 residential units, subject to a 20% set-aside for affordable housing, with 13% of the affordable units being restricted for very low income households;
- ii. 70 South Orange Avenue (Block 6100, Lot 5) – Overlay zoning permitting development at net density of 15 du/ac subject to a 20% set aside for affordable housing, providing up to 100 total dwelling units including 20 affordable units;
- iii. 651 Old Mount Pleasant Avenue (Block 6100, Lot 2) – Overlay zoning permitting residential development at net density of 14 du/ac subject to a 20% set-aside for affordable housing providing up to 45 total dwelling units including 9 affordable units;
- iv. Former Lexus Dealership Site (Block 101, Lots 3 & 4) – Overlay zoning permitting mixed use development up to 12 du/ac subject to a 20% set-aside to provide up to 10 affordable housing units;
- v. Mark Built (Block 601, Lots 25 & 26) – Overlay zoning of this 3.57-acre site to permit inclusionary residential development at 20 units per acre to provide up to 72 total units including a 20% set aside of 14 affordable housing units;
- vi. 389-405 East Mount Pleasant (Block 2100, Lots 22 to 25 & 35.01 to 35.03) – Overlay zoning of this approximately 14 acre site (after netting out 1.75 acres to be retained for church use)

a gross density of 16 units per acre resulting in a maximum of 224 units subject to a 20% affordable housing set-aside of 45 units; and

(Collectively, “New Developments”)

WHEREAS, ordinances authorizing each of the above New Developments have been adopted by the Township following the public’s input and comment. Specifically:

- i. Ordinance # 19-2021 was adopted for the Former Gibbs College site on September 13, 2021; and
- ii. Ordinance # 33-2021 was adopted on September 27, 2021 for the 70 South Orange Avenue site; and
- iii. Ordinance # 31-2021 was adopted for the 651 Old Mount Pleasant Avenue site on September 27, 2021; and
- iv. Ordinance # 16-2021 was adopted for the Former Lexus Dealership site on July 12, 2021; and
- v. Ordinance # 1-2022 was adopted for the Mark Built site on January 24, 2022 (after the original Ordinance # 7-2021 expired at year end) following a total of 8 public hearing; and
- vi. Ordinance # 6-2021 was adopted for the 389-405 East Mount Pleasant site on May 10, 2021, and

WHEREAS, in the course of the many public hearings on the above Ordinances authorizing the New Developments, the public raised objections related to, and among other concerns, density, traffic, general enjoyment, stress on infrastructure, overbuilding, impact on schools, and walkability; and

WHEREAS, newspaper articles, letters to the editor, emails, and opinions were expressed vocalizing objections to the New Development related to, and among other concerns, density, traffic, general enjoyment, stress of infrastructure, overbuilding, impact on schools and walkability; and

WHEREAS, despite these objections and concerns, many of which were shared by the Township as expressed by the governing body, the Township approved each of the New Developments in good faith and as part of its obligation under its Agreement; and

WHEREAS, in its continuing good faith efforts to meet its obligations, the Township actually authorized more units on two projects than required by the Agreement. Specifically, for the project identified in paragraph 8.a. of the Agreement, AH-Zone, Ordinance #8-2021 authorized a total of 71 units with 14 affordable, whereas the Agreement only required 48 units with 10 affordable. Similarly, for the project identified in paragraph 9.b.vi. of the Agreement, 389-405 E. Mt. Pleasant, the Township amended Ordinance #6-2021 by adopting Ordinance # 40-2021 adopted on December 6, 2021, which amendment increased the project from 224 units with 45 affordable to 254 units with 51 affordable;

WHEREAS, after adopting the above Ordinances, as agreed in Paragraph 9.b., the Township has exceeded its RDP of 151 units by a total of 200 units (a total of 351 affordable units authorized); specifically, the 46 Excess Credits identified in Paragraph 8, the additional 4 affordable units in project 8.a., and the additional 150 affordable units authorized in the New Development ordinances, (which will ultimately yield additional credits via rental bonus credits; and

WHEREAS, over the last 18 months, since reaching the settlement with FSHC as memorialized in the Agreement, the Township has adopted zoning ordinances covering the four properties identified in Paragraph 8 (credits towards the RDP) and the six properties identified in Paragraph 9.b. (credits over and above the RDP) authorizing a cumulative total of 887 housing units and 179 affordable units; many of which have already received site plan approval by the Township Planning Board; and

WHEREAS, in Paragraph 9.c. of the Agreement, the Township further agreed to incorporate mixed use overlay zoning on the Livingston Mall in the event of a closure or repurposing of the mall or portions thereof; and

WHEREAS, Paragraphs 9.b. and 9.c. were the extent of the Township's commitments to adopt zoning on specific properties; and

WHEREAS, in addition to the commitments on specific properties, the Township prospectively agreed in Paragraphs 9.d. and 9.e. to require affordable housing in future developments that the Township determined were appropriate; and

WHEREAS, in Paragraph 9.d. the Township agreed to adopt an ordinance requiring affordable housing units in any future residential development of five units or more; and

WHEREAS, in Paragraph 9.e. the Township agreed to consider inclusionary affordable housing in any "future redevelopment opportunities that may arise"; and

WHEREAS, the communications between the Township and FSHC establish that the intent of Paragraph 9.e. was to address "Any other sites where the Township wants to encourage redevelopment" (emphasis added); and

WHEREAS, on February 9, 2021, following a noticed Fairness Hearing held on January 14, 2021, the Honorable Robert H. Gardner, J.S.C. entered an Order Confirming Fairness Determination as to the Agreement, and therein determined the Agreement ".to be fair and reasonable and to adequately protect the interests of the region's very low, low and moderate income households" and the Court therein approved the FSHC Agreement with the Township; and

WHEREAS, Esplanade Livingston, LLC & 570 West Mount Pleasant Associates, LLC (the "Proposed Developer") wish to be included in the Agreement as a "redevelopment opportunity" related to the properties located at 550 W. Mt. Pleasant Ave, Livingston, NJ identified as Block 100, Lot 16 and 570 W. Mount Pleasant Avenue, Livingston, NJ identified as Block 101, Lot 2 (collectively, the "Proposed Development Site"); and

WHEREAS, the Proposed Developer sent the Township a development proposal to be considered for inclusion in the Township's affordable housing plan (the "Proposal");

WHEREAS, such Proposal is seeking to build two (2) residential apartment buildings with a total 380 apartment units; and

WHEREAS, on March 11, 2022, the Honorable Robert H. Gardner, J.S.C. ordered the Township, to "consider the Esplanade proposed development plan before the date of the Case Management Conference..."; and "make a good faith effort to either accept or reject Esplanade's proposed development plan"; and

WHEREAS, in compliance with the Court's Order, the Township has considered the Proposal. Specifically, subsequent to the Court's Order, the Township met with the Proposed Developer on March 16th and April 6th; and

WHEREAS, as an initial matter of consideration of the Proposal, the Township does not believe that this Proposal meets the intent of Paragraph 9.e. to be considered a “redevelopment opportunit[y]” as it is not a “site where the Township wants to encourage redevelopment”. Specifically, the Proposed Development property contains the fully operating, 4 Star Westminster Hotel with newly a renovated restaurant along with an occupied Office Building which includes the corporate headquarters of Regal Bank, the only Livingston based bank; and

WHEREAS, the Township is further aware, based on other developments in the Township and surrounding municipalities, that the hotel industry remains viable and poised to become stronger following the decline of COVID; and

WHEREAS, a prospective hotel developer, Livingston Mall Venture, recently successfully intervened and litigated the right to develop a hotel only two miles from the location of the current Westminster Hotel on the Proposed Development site, confirming that a hotel is a viable business in this immediate area, See: Miller v. Mayor & Twp. Council of Livingston, 2021 N.J. Super. Unpub. LEXIS 442 ; and

WHEREAS, at the Proposed Developer’s request, the Township previously had its Planner review the Proposed Development Site and the opinion was that the properties did not meet the criteria for designation as an area in need of redevelopment under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* ; and

WHEREAS, in compliance with the Court’s Order to consider the Proposal, the Township directed the Township’s Planner, Beacon Planning and Consulting Services, LLC (“Beacon”), to review the Proposal; and

WHEREAS, Beacon has prepared a Memorandum to the Township which found in relevant part that:

- (i) The concept plan depicts multifamily residential fronting along a commercial corridor of the Township disrupting the continuity of same. The north side of Route 10 is zoned C-I Commercial Industrial and is characterized by commercial and institutional uses. Concept plans appear to depict courtyards with seating for residents fronting along Mount Pleasant Avenue (Route 10) as well as commercial uses to the west, further conflating residential and commercial areas within the Township.
- (ii) The proposed multifamily buildings are surrounded by commercial, retail, future distribution, office and institutional uses. The multifamily structures are isolated from other residential areas of the community.
- (iii) Traffic generated by residential uses will share roads and internal circulation with commercial uses.
- (iv) Remarkable Foods, Inc. submitted an application to the Livingston Township Planning Board seeking to utilize 576-586 West Mt. Pleasant Avenue (Block 101, Lots 3 and 4) as a wholesale trade distribution center, a permitted use within the C-I Commercial Industrial District. Therefore, the courtyard for Building 2 would be oriented towards a food distribution use. Operating hours for Remarkable Foods are concentrated during evening and weekends.
- (v) The proposed residential development is likely to experience conflicts with the established commercial corridor. For example, vans returning to the Remarkable Foods property late in the evening with associated door closings and trash disposal or traffic visiting retail storefronts after work when residents are seeking to return home.
- (vi) While in certain instances mixed-use development or residential development in close proximity to downtown areas may include aspects that complement one another, the character of

the established commercial development precludes same. This portion of the Township does not present as a walkable neighborhood and the development would, potentially, generate pedestrian traffic seeking to access the adjoining shopping center cross a busy road servicing same.

(vii) The property is bisected by Microlab Road, which would be a primary ingress/egress point for the off-site commercial, institutional, and medical uses to the north. Apartments are located in close proximity to Microlab Road and Daven Avenue. The commercial, medical, and institutional uses are likely to generate peak trips at similar times to residents entering or leaving the apartments. No buffering is proposed along the roads to protect residents from the visual and/or noise impacts. Therefore, the nature of the existing development pattern will heighten conflicts and inhibit the peaceful enjoyment of residents during hours the apartments would most frequently be occupied; and

WHEREAS, in further compliance with the Order and the Township’s obligation to consider the Proposal, the Township retained Klein Traffic Consulting, LLC (“Klein”) to prepare a Preliminary Traffic Engineering Review relative the Project; and

WHEREAS, Klein found, in relevant part, that there could be a capacity problem due to the short length of the eastbound jughandle to Okner Parkway whose queueing capacity issues might be exacerbated by the Project’s traffic as well as the capacity issue with the Walnut Street Jughandle; and

WHEREAS, following the receipt of those professional reports, the Township held a Special Meeting on April 15, 2022 to further discuss the Project; and

WHEREAS, COAH based site selection criteria were also reviewed by the Township and its professionals and they concluded that the Proposal does not meet those criteria; and

WHEREAS, in the Agreement, the Township, in a good faith effort to meet its obligations, (and in fact authorizing more than double the RDP), has already authorized zoning on three separate properties (identified in Paragraph 9.b. i., iii. and iv.) located within .5 miles or less from the Proposed Development Site, which have a combined total of 395 apartments; and

WHEREAS, the Township Council already had major concerns and reservations (without including the Proposed Development) with the simultaneous concentrated development of those three sites in such close proximity and all accessing the same heavily trafficked State Highway Route 10, including the disruption caused by simultaneous construction, the peak hour impacts on traffic, and the overall strain on infrastructure; and

WHEREAS, those concerns are significantly heightened if the Proposed Development of 380 apartments within less than .5 miles of the already authorized 395 units were to be contemplated in addition to the other three already authorized projects; and

WHEREAS, in addition to being concerned with any redevelopment on this site at this time, the Township also has significant concerns with the intensity of the Proposed Development. Specifically, the proposal of 380 apartments on 9 acres results in a density of 42 units per acre, which is more appropriate in a heavily urban/metropolitan location, and which is substantially higher than any density ever approved in the Township. As reflected in the Agreement, the other inclusionary projects authorized in Paragraphs 8 and 9 of the Agreement have the following densities:

- | | | | |
|---------|---------------------|----------|---------------------|
| 8.a. | 10.6 units per acre | 9.b.iii. | 14.0 units per acre |
| 8.c. | 6.0 units per acre | 9.b. iv. | 12.0 units per acre |
| 8.d. | 14.5 units per acre | 9.b.v. | 20.2 units per acre |
| 9.b.i. | 18.9 units per acre | 9.b.vi. | 16.0 units per acre |
| 9.b.ii. | 15.0 units per acre | | |

The Proposed Development density of 42 units per acre is more than double, and in many cases triple or more, the density of all of the other inclusionary projects. As a result, if any residential development of this site was appropriate now or in the future, it would have to be significantly reduced in intensity; and

WHEREAS, the Township has complied with all of its obligations under the Court approved Settlement Agreement with Fair Share in good faith; including its obligation to Consider this Proposal; and

WHEREAS, the Township acknowledges that it has continuing affordable housing obligations in the future and on-going; and

WHEREAS, any rejection of the Proposal is without prejudice and the Township is willing to consider some development on these properties in the future; and

NOW THEREFORE BE IT RESOLVED by the Mayor and the Township Council of the Township of Livingston, County of Essex, State of New Jersey having duly and in good faith considered the Proposal and hereby rejects the Proposal at this time for the reasons set-forth above; and

BE IT FURTHER RESOLVED, that the Township does not wish to include this Project or amend its Agreement with Fair Share Housing to include such Project.

***Res 22-148 Establishing Technical Review Fees for Commercial Applicants and Minor and Major Subdivision and Site Plan Applicants**

WHEREAS, the Township Council previously established Technical Review Fees in Resolution R-22-082 adopted January 24, 2022, which was found to have inadvertently stated an incorrect fee for one position and is therefore in need of correction and restatement as follows.

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Livingston, County of Essex, State of New Jersey, that the following shall be established for technical review fees for commercial applicants and minor and major residential subdivision and site plan applicants effective May 1, 2022; and

BE IT FURTHER RESOLVED, that an escrow fee deposit shall not be collected from residential applicants that do not require site plan or subdivision review.

Attorneys for Planning Board and Zoning Board of Adjustment

The following fees and charges are hereby fixed and established for the attorney for the Planning Board and the attorney for the Zoning Board of Adjustment. Applicants shall be assessed technical review fees at the rate of \$185.00 per hour for the following services:

1. Attendance at all meetings of the Board, regular as well as special meetings.
2. Attendance at site visits by the Board
3. Preparation of Resolutions, the findings and decisions of the Board
4. Preparation of Orders or Subpoenas of the Board

5. Research and preparation of legal advice to the Board when the Board has determined that an application before it presents issues not commonly considered by the Board or when an issue arises as to which the attorney cannot advise without conducting research.

6. Meetings, conferences, telephonic or other communications with attorneys for applicants

7. Representation of the Board in litigation, or assistance to the attorney representing the Township of Livingston when the Township is a party to litigation; including preparation of pleadings, court appearances, research, discovery, travel, negotiations, and other customary services.

b. Township Personnel.

Applicants shall be assessed technical review fees at the following rates.

<u>Title</u>	<u>Amount to be paid by applicant</u> <u>(200% of hourly salary)</u>	
Township Engineer	\$ 170.00	
Assistant Engineer		\$118.00
Junior Engineer	\$ 67.00	
Land Use Administrator	\$ 102.00	
Planning Assistant	\$ 56.00	
Zoning Official	\$ 151.00	
Public Works Inspector	\$ 67.00	

These fees shall be assessed for the following services:

1. Attendance at all regular and special Planning Board and Zoning Board meetings including site visits
2. Attendance at meetings of the Technical Review Advisory Committee
3. Review of all material submitted in support of an application, including preparation of memos
4. Preparation for all meetings, including preparation of memos
5. Follow up after meetings, including preparation of memos
6. Consultation with applicant, including applicant's attorney, engineer, architect, planner or other expert witnesses
7. Consultation with board attorney and board members on legal or other issues related to application

c. This Resolution supersedes and replaces all prior Resolutions establishing Technical Review Fees, including, but not limited to R-22-082 adopted January 24, 2022

d. **Effective Date.** This Resolution and the rates established herein shall take effect May 1, 2022.

***Res 22-150 Authorizing 2022 Temporary Emergency Appropriations #2**

WHEREAS, an emergent condition as arisen in that the Township of Livingston is expected to enter into contracts, commitments and/or payments prior to the 2022 budget adoption and no adequate provision has been made in the CY2022 temporary budget for the aforesaid purposes; and

WHEREAS, N.J.S.A. 40A: 4-20 provides for the creation of an emergency temporary appropriation for said purpose, and

WHEREAS, the total emergency temporary appropriation resolutions adopted in the year 2021 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution is:

Current Fund	\$1,778,625.00
Sewer Utility	200,000.00
Water Utility	<u>300,000.00</u>
Total	\$2,278,625.00

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Livingston, County of Essex, (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with the provision of N.J.S.A. 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made in the amount of \$2,278,625.00 as per attached.
2. Said emergency temporary appropriations will be provided for in the 2022 Budget.

3. That one certified copy of this resolution be filed with the Director, Division of Local Government Services.

Current Fund	Salary & Wages	Other Expenses
	\$	
Township Clerk	100,000.00	\$ -
Information Technology		13,000.00
Assessment of Taxes		25,000.00
Planning Board		30,000.00
General Liability Insurance		100,000.00
Group Health Insurance		400,000.00
Aid to Volunteer Fire Companies	15,000.00	
DPW - Streets & Roads		400,000.00
Parks		23,625.00
Fleet Maintenance		50,000.00
Senior, Youth & Leisure Services		34,000.00
Utilities: Street Lighting		50,000.00
Telephone		50,000.00
Capital Improvements		400,000.00
Administration of Public Assistance	40,000.00	
Maintenance of Free Public Library		<u>48,000.00</u>
Total Current Fund	<u>155,000.00</u>	<u>1,623,625.00</u>
TOTAL		<u>\$ 1,778,625.00</u>
Water Utility		
Other Expenses		<u>300,000.00</u>
Total Sewer Utility		<u>\$ 300,000.00</u>
Sewer Utility		
Other Expenses		<u>200,000.00</u>
Total Sewer Utility		<u>\$ 200,000.00</u>
GRAND TOTAL		<u>\$ 2,278,625.00</u>

***Res 22-151 Authorizing the Execution of the Developer's Agreement with Livingston Corporate Park Relative to 100 Eisenhower Parkway**

WHEREAS, Livingston Corporate Park Associates, LLC (the "Developer") received Preliminary and Final Site Plan Approval pursuant to Planning Board Application No. 2020-57-PFSP to develop that certain real property designated as Block 6101, Lot 45 on the Official Tax Map of the Township of Livingston and commonly known as 100 Eisenhower Parkway, Livingston, New Jersey 07039 (the "Property"); and

WHEREAS, the nature and extent of the improvement/development are set forth in the Resolution of the Township of Livingston Planning Board adopted on August 5, 2021 (the "Resolution"); and

WHEREAS, the Developer is required to enter into a Developer's Agreement with the Township of Livingston (the "Township") setting forth the rights, duties and obligations of the parties in connection with the Development; and

WHEREAS, The Township Council and the Developer have determined it to be in their mutual best interest to enter into the Developer's Agreement; and

WHEREAS, the Township desires to authorize the execution of the Developer's Agreement attach hereto as Exhibit "A"; and

NOW THEREFORE BE IT RESOLVED by the Mayor and the Township Council of the Township of Livingston, County of Essex, State of New Jersey that the Mayor is hereby authorized to execute the Developer's Agreement based upon the terms and conditions set forth herein and, in a manner, substantially similar to the Agreement attached hereto as Exhibit "A."

*Res 22-152 Authorizing the Execution of the Developer's Agreement with Kenny Praval Relative to 284 West Hobart Gap Rd

WHEREAS, Kenny Praval (the "Developer") received Preliminary and Final Major Subdivision Approval with various variance pursuant to Planning Board Application No. 2017-74-MAJSUBV to develop that certain real property designated as Block 5301, Lot 15 on the Official Tax Map of the Township of Livingston and commonly known as 284 West Hobart Gap Road, Livingston, New Jersey 07039 (the "Property"); and

WHEREAS, the nature and extent of the improvement/development are set forth in the Resolution of the Township of Livingston Planning Board adopted on March 20, 2018 (the "Resolution"); and

WHEREAS, the Developer is required to enter into a Developer's Agreement with the Township of Livingston (the "Township") setting forth the rights, duties and obligations of the parties in connection with the Development; and

WHEREAS, The Township Council and the Developer have determined it to be in their mutual best interest to enter into the Developer's Agreement; and

WHEREAS, the Township desires to authorize the execution of the Developer's Agreement attach hereto as Exhibit "A"; and

NOW THEREFORE BE IT RESOLVED by the Mayor and the Township Council of the Township of Livingston, County of Essex, State of New Jersey that the Mayor is hereby authorized to execute the Developer's Agreement based upon the terms and conditions set forth herein and, in a manner, substantially similar to the Agreement attached hereto as Exhibit "A."

On motion duly made and seconded, and on roll call vote, all members present voting YES, Resolutions 22-139 through Resolutions 22-148, and Resolution 22-150 through Resolution 22-152, were adopted. Resolution 22-149 was pulled from the Agenda.

	Yes	No	Abstain
Ed Meinhardt	X		
Michael Vieira (Absent)			
Al Anthony	X		
Rudy Fernandez	X		
Shawn Klein	X		

Q. Public Portion (on any subject—3 minute time limit)

On motion duly made and seconded, and on voice vote, the public portion was opened.

Clerk Mazzucco read the comments emailed to livcomments@livingstonnj.org from Mila Svetnikova, Jack Chan, 9 Roosevelt Terrace, Thomas and Kathleen Long, 11 South Cedar Parkway, and Gentian Blloshmi, 4 North Cedar Parkway, and Lisa Arias, N Cedar Parkway, objecting to the sale of the property at 28 Harvest Lane to Habitat for Humanity.

Township Manager addressed their objections explaining that the noticing procedure followed legal requirements, that 28 Harvest Lane had never been considered green acres nor open space, nor ever on the ROSI, and that was a result of an unfortunate miscommunication. He added that there was a conversation easement on the north side that will still provide a buffer and if any trees are removed they would have to be replaced. Regarding drainage, he explained that all projects are approved by engineering to make sure water run-off does not increase.

Scott Kushel, 14 Mansfield Ct, inquired about a lighting violation at Livingston Mart and Manager Lewis stated the owner has been told by the Township to remove the light or face a violation.

Frank Levine, 30 Harvest La, inquired about the underground stream below the street and mentioned everyone on the street as sewage problems.

Roslyn Mofsenson, 9 Cedar Pkwy North, mentioned that there is an underground stream and his sub pump is always running.

Matt Ladolcetta, 5 Cedar Pkwy North, stated that Harvest La is the lowest area in the Township and there are water and drainage issues in that area.

Joel Lightner, 12 Cedar Pkwy North, mentioned that many more people were upset about the sale of the property than in attendance the evening.

Justin Alpert, 56 Amherst Pl, felt there was too much construction on Route 10 and that a park would be a better alternative.

Margaret Ladolcetta, 5 Cedar Pkwy North, was very upset about not being noticed of the sale of property.

Roslyn Mofsenson, 9 Cedar Pkwy North, explained that she just ripped out her carpet in her basement due to water damage from Hurricane Ida and that she doesn't want to have to replace the carpet again.

Scott Goldman, 42 N Baums, expressed that it was important that the Township become proactive with the next round of Affordable Housing (2025) and find one location for all the housing.

Laurie Kahn, 8 Balmoral Dr, discussed menstrual equity and asked if the Township would consider menstrual products in all public spaces.

A resident at 20 Wardell Rd asked if the Township would vacate the paper road between 16 and 20 Wardell Rd to the respective owners on either side.

Alyse Berger Heilpern, 4 Highland Dr, followed up on an inquiry for Women's Veterans Day.

On motion duly made and seconded, and on voice vote, the public portion was closed.

At 9:22 p.m., the Regular meeting was adjourned.

EDWARD MEINHARDT, Mayor

CAROLYN MAZZUCCO, Deputy Township Clerk