

Minutes - Livingston Township Council Conference Meeting #13—July 8, 2019

Present: Mayor Anthony; Councilmembers Fernandez, 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, 2019.

The Council approved the **Conference and Closed Minutes** of the June 17, 2019 meetings.

Township Attorney Weiner explained that the Township would like to hear from residents about aggressive or unruly door to door solicitors. She urged residents to call the Police immediately if they feel threatened and file a police report; or, for any prior incidents to contact the clerk's office.

The Council approved the May 2019 **Legal Fees** of Genova Burns and McCarter & English, and asked to reserve questions for **Closed Session**.

Township Manager Lewis explained that the Township needed to find a new site for the **Fall 2019/2020 Leaf Disposal** program as the Township can no longer use the PSE&G site. The Council agreed to remove the Resolution from the July 8, 2019 agenda and place it on a future agenda for consideration.

The Council approved the recommendation by Township Manager Lewis and Township Engineer Harduby for a Change Order on an **Emergency Generator Replacement** which resulted in a final payment reduction of \$16,500. The item is listed on this evening's Regular Agenda for a vote.

The Council approved the recommendation by Township Manager Lewis and Township Junior Utility Engineer Kiracofe for a 12 month **Water System Parts Contract Extension** with Water Works Supply Company, Inc.. The item is listed on this evening's Regular Agenda for a vote.

The Council approved the recommendation by Township Manager Lewis and Township Mechanic Southworth authorizing the disposition of **Two Surplus Vehicles**. The item is listed on this evening's Regular Agenda for a vote.

The Council approved the recommendation by Township Manager Lewis and Township Engineer Harduby awarding the contract to Suburban Consulting Engineers, Inc. for professional engineering design services of the **Wardell Road Pedestrian Bridge**. The item is listed on this evening's Regular Agenda for a vote.

The Council approved the recommendation by Township Manager Lewis and Township Superintendent of Department of Public Works Anello to award the contract to Shauger Property Services, Inc, for the **Catch Basin Repair/Rebuild**. The item is listed on this evening's Regular Agenda for a vote.

The Council approved the recommendation by Township Manager Lewis and Township Land Use / Planning Administrator Hollis to extend the **Community Grants, Planning & Housing, LLC** contract for another 12 month period, in an amount not to exceed \$39,000 for affordable housing and rehabilitation services. Councilmembers agreed that a press release would be warranted to inform the community. The item is listed on this evening's Regular Agenda for a vote.

The Council approved the recommendation by Township Manager Lewis and Township Engineer Harduby for a Change Order on the **Two Inch Mill and Pave of Falcon Road** which resulted in a final payment reduction of \$28,078.74. The item is listed on this evening's Regular Agenda for a vote.

Bob Wild, 13 East Harrison Place, asked Councilmembers to reinstate permit parking on **East Harrison Place** from 9am to 5pm six days per week, excluding Sunday. He explained that the roadway is very narrow, only 17 feet, when cars are parked on both sides of the road, and stated that local business employees are parking there daily. Council members discussed parking lot availability and performing a traffic study in the neighborhood. Township Manager Lewis will check with Captains and Chief for recommendations.

Susan Cox and Ellen Vinesi, lifelong Livingston residents and new homebuyers at Livingston Square, stated that the homebuilders, **Pulte Homes**, were violating the noise ordinance and disregarding other Federal regulations. They asked Councilmembers to intercede. They complained of jackhammers at 5:30am, operating machinery in the dark using propane tanks, lighting fires, and open flames running 24 hours a day. Councilmember Meinhardt will be meeting with Pulte and Construction Official Chiarolanzio to address this.

At 8:07 p.m., the Conference meeting adjourned so the Council could attend the Regular meeting.

At 8:40 p.m., the Conference meeting resumed with everyone previously in attendance present.

Councilmember Klein asked about the status of the Township retaining an **arborist**, and Township Manager Lewis stated they were in the process of finding one. He also asked about the **Senior Community Center sound system**, and what it would entail to replace the system. Regarding the **Camuso Barn**, Township Manager Lewis explained that due to new

legislation requiring “apprenticeship programs” for companies applying for public works contracts, Fetterville will not be able to perform the work.

Councilmember Meinhardt mentioned that LifeTown’s grand opening is 9.9.19, and they would like to formally change their address to **Miracle Way**. Councilmembers agreed that the other businesses on the street should be able to retain their **Microlab Road** addresses, and Attorney Weiner will prepare an amended Ordinance to reflect this change. The street sign on Route 10 will have both street names to prevent confusion.

Township Clerk Turtletaub discussed meeting dates which the Council would like to commend Livingston police officer **Kevin Mullaney** and the **4th of July Committee**.

Councilmember Fernandez recommended the Council have further discussions about **medical marijuana manufacturing and dispensaries** as the Township currently has no regulations. Attorney Weiner mentioned that a request had been received regarding the sale of medical marijuana and that another township held an open public forum on the matter.

Councilmember Fernandez also mentioned that he received some resident complaints about the repaving on **Knollwood Drive**, and Township Manager Lewis responded that he would look into it.

Township Manager Lewis said he was approached by **Living Stone Christian Church** about parking at the Senior Community Center on Sundays, and using a shuttle bus service to bring congregants back and forth. He also mentioned that the **Pingry School** in Basking Ridge contacted him about a pick up and drop off location of school aged children in Livingston.

Mayor Anthony inquired about the **Littell People’s Park Playground** opening, and mentioned that the first meeting for the **Ad Hoc Plastics Committee** will be July 24, 2019 at 7pm at the Senior Community Center.

RESOLUTION—Authorizing Closed Session—Property Acquisitions (Attorney Client and Contract Negotiations); Attorney Client Privilege (Zoning)

At 9:10 p.m., the following Resolution was considered:

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 8th day of July, 2019, that the Township Council of the Township of Livingston will go into Closed Session for the purpose of discussing Property Acquisitions (Attorney Client and Contract Negotiations), Attorney Client Privilege (Zoning) 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 ended.

Respectfully submitted,

CAROLYN S. MAZZUCCO
Deputy Township Clerk