

The Regular meeting of the Township Council of the Township of Livingston was held on the above date commencing at 7:30 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, Assistant Township Manager Loehner, Township Attorney Kantor, Township CFO Cucci, and 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) Cricket Championships – The Mayor and Council celebrated Siddharth Sanjeev and Advit Gangwal’s championship title in the U-15 Cricket Nationals and Aaditva Agrawal as a runner up in the U-13 Cricket Nationals.
- 2) Livingston, An Age Friendly Community – Christine Newman, Director of Community Research at AARP NJ, presented a plaque to the Township of Livingston for being the 20<sup>th</sup> community in New Jersey to be accepted as an age friendly community.
- 3) World Polio Day- The Mayor and Council members presented a plaque to the Rotary Club of Livingston for their mission to eradicate polio in the world, and to proclaim October 17<sup>th</sup> as World Polio Day.
- 4) National Breast Cancer Awareness Month - The Mayor and Council proclaimed October 2022 as Breast Cancer Awareness Month and commented that everyone has a friend or a relative that has been affected by the terrible disease.
- 5) Hindu Heritage Month – The month of October was declared Hindu Heritage Month. Hinduism is one of the largest religions in the world and demonstrates a belief that global peace is achievable and sustainable.

Essex County Updates

There were none.

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) October 3, 2022 Regular and Conference Meeting Minutes
- 2) October 3, 2022 Closed Session 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 Escher Alpert, 56 Amherst Pl, inquired about the Township Communication Policies listed for executive / closed session on the October 17, 2022 Regular Agenda and why it couldn't be discussed in an open forum. Township Attorney Kantor and Township Manager Lewis explained that the discussion concerned potential liability to the Township.

There being no more speakers, 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 30-2022 Accepting A Drainage And Two Utility Easements From Kenny Praval On And Over That Certain Property Located On Lots 15.01, 15.02, And 15.04 On Block 5301 Commonly Known As 284 West Hobart Gap Road was read by title.

On motion duly made and seconded, and on voice vote, the hearing was opened on the 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	X		
Al Anthony	X		
Rudy Fernandez	X		
Shawn Klein	X		

Introduction of Ordinances

Resolutions:

Res 22-248 Accepting, Approving and /or Adopting the Consent Agenda

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 October 17, 2022 attached hereto, which are preceded by an "\*" are the Consent Agenda and are hereby accepted, approved and/or adopted.

**\*Res 22-249 Authorizing the Sale of Surplus Property**

**WHEREAS**, the Township of Livingston has determined that the property described on Schedule A attached hereto and incorporated herein is no longer needed for public use; and

**WHEREAS**, the items are appropriate for sale and will be auctioned pursuant to N.J.S.A. 40A:11-36.

**WHEREAS**, the Township of Livingston intends to utilize the online auction services of Municbid located at [www.municbid.com](http://www.municbid.com) under State contract 19-GNSVI-00696; and

**WHEREAS**, the sale is being conducted pursuant to N.J.S.A. 40A:11-36 and the guidance set forth in the Division of Local Government Services' Local Finance Notice 2019-15; 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 the Township of Livingston is hereby authorized to sell the surplus personal property as indicated on Schedule A on an online auction website located at [www.municbid.com](http://www.municbid.com).

Department	Make	Make	Year	VIN
Building	Ford	Ranger	2007	1FTZR15E57PA37957
Building	Ford	Ranger	2007	1FTZR15E77PA37958

**\*Res 22-250 Authorizing the Disposition of Surplus**

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	1999 GMC	C-SERIES C7H042	1GDP7H1C6XJ512041
Building	Vehicle	1	2001 Chevrolet	S10	1GCCS14W118216518

**\*Res 22-251 Authorizing Purchases Under the North Jersey Wastewater Cooperative Pricing System**

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 Cooperative Pricing System of which the Township is a member; and,

WHEREAS, the Township of Livingston is a member of the North Jersey Wastewater Cooperative Pricing System Purchasing Program 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 contract vendors through this resolution and properly executed purchase orders as needed, which shall be subject to all the conditions applicable to current 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 North Jersey Wastewater Cooperative Pricing System Purchasing Program vendors on the attached list, pursuant to all the conditions of the individual 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, 2022 or upon the expiration of the vendors' contract, whichever event first occurs.

**R-22-251**

<b>Commodity/Service</b>	<b>Vendor</b>	<b>Contract #</b>
Furnish & Deliver Instrumentation Equipment, Parts and Supplies	Pumping Services, Inc.	B295-1
Furnish & Deliver Various Manufactures Equipment and Spare Parts for a Two (2) Year Period	Pumping Services, Inc.	B270-2
Various Manufacturer Pumps & Motors Repair & Replacement & Installation	Pumping Services, Inc.	B331-12
Various Manufacturer Pumps & Motors Repair & Replacement & Installation	Rapid Pump and Meter Service Company, Inc.	B331-7

**\*Res 22-252 Authorizing A Contract with PDM Group**

WHEREAS, the Township of Livingston ("Township") has a need for the maintenance and repair of heating, ventilating and air conditioning (HVAC) systems that cannot otherwise be performed by its regular employees; and

WHEREAS, on September 8, 2022, the Township of Livingston issued bid Bid No. 14-2022 as an open ended contract, to solicit bids from contractors experienced in the maintenance and repair of heating, ventilating and air conditioning (HVAC) systems; and

WHEREAS, the bid was advertised on the Township of Livingston website and West Essex Tribune on September 8, 2022 and as a result fourteen (14) bid packages were requested; and

WHEREAS, on October 5, 2022, three (3) bids were received by the bid deadline and publicly read; and

WHEREAS, the firm of PDM Group 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, PDM Group'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 contract to PDM Group; and

WHEREAS, the Township Manager is recommending the award of a twelve (12) month contract to PDM Group; 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 twelve (12) month contract with PDM Group for the maintenance and repair of heating, ventilating and air conditioning (HVAC) systems effective January 1, 2023.

<b>PDM Group</b>
1258 South River Road
Cranbury, NJ 08512

ITEM	Maintenance Contract	
1	Library	\$10,000.00
2	Municipal Complex	\$8,000.00
3	Senior Community Center	\$10,000.00
4	Fire Department Headquarters	\$2,000.00
5	Northfield Fire Station	\$1,500.00
6	Circle Fire Station	\$500.00
7	Old Municipal Court	\$750.00
8	Congressional Well Pumping Station	\$750.00
9	Water Pollution Control Facility	\$5,000.00
10	Monmouth Court	\$1,500.00
11	Northland Community Center	\$1,000.00
12	Maintenance Barracks	\$360.00
13	Town Garage	\$1,000.00
14	Force Homestead	\$360.00
	Total Maintenance All Buildings	\$42,720.00
	<b>Time and Materials</b>	
1	Hourly Rate Repairman (Routine)	\$95.00
2	Hourly Rate Repairman (Emergency)	\$142.50
3	Hourly Rate Repairman (Overtime)	\$142.50
4	Hourly Rate Repairman (Overtime - Emergency)	\$170.00
5	Markup for Parts (Contractors Cost plus)	20.00%

Resolutions 22-248 through 22-252 were read by title. On motion duly made and seconded, and on roll call vote, all members present voted YES. Mayor Meinhardt explained that the

adoption of Resolution 22-253 allowed for the sponsorship of the town-wide flea market occurring on Sunday, October 23, 2022.

	Yes	No	Abstain
Ed Meinhardt	X		
Michael Vieira	X		
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.

Justin Escher Alpert, 56 Amherst Place, stated his opposition again about Township Communication Policies being discussed in Closed session.

Tim Foley, 60 Mount Pleasant Ave, argued that Council member Klein received a \$2,600 donation for his campaign, and Council member Klein stated that it was returned. Mr. Foley also mentioned that the Township was not deserving of the plaque from the AARP as no one can afford to live in the Township anymore. Council member Klein responded that he'd tried to reach Mr. Foley many times after hearing of his accusation.

Clerk Mazzucco read comments submitted by David Reinfeld, 258 E Northfield, inquiring about the plans for a new pool facility in the Township.

There being no other speakers, on motion duly made and seconded, and on voice vote, the public portion was closed.

At 8:30 p.m., the Regular meeting was adjourned.

EDWARD MEINHARDT, Mayor

CAROLYN MAZZUCCO, RMC Township Clerk