

Livingston, New Jersey
February 24, 2020
Meeting #4

The Regular meeting of the Township Council of the Township of Livingston was held on the above date at 7:38 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, 2020.

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

Absent: None

Silent Meditation and Pledge of Allegiance

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

Presentations

a) Livingston Neighbors Helping Neighbors – Karen Garber, who recently passed away, and Trudi Fredersdorf, who recently retired were honored with proclamations for their herculean efforts with "Livingston Neighbors Helping Neighbors".

Essex County Update/Questions

Public Comments on Agenda Items

Justin Alpert, 56 Amherst Place, asked various questions regarding Resolutions 20-91, 20-93, and 20-87 on the February 24, 2020 Regular Agenda.

Resolution—Consent Agenda (Includes All Items Marked ***) R-20-82

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 February 24, 2020, attached hereto, which are preceded by an "***" are the Consent Agenda and are hereby accepted, approved and/or adopted.

Approval of Minutes

a) February 3, 2020

Approval of Licenses

Final Hearing Ordinances

a) Ord. 3-2020 Ordinance Of The Township Of Livingston Amending And Supplementing Chapter 29 Traffic And Parking
ORDINANCE OF THE TOWNSHIP OF LIVINGSTON AMENDING AND SUPPLEMENTING CHAPTER 29 TRAFFIC AND PARKING was read on second reading. 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.

b) Ord. 4-2020 Ordinance Of The Township Of Livingston Amending And Supplementing Chapter 316 Water
ORDINANCE OF THE TOWNSHIP OF LIVINGSTON AMENDING AND SUPPLEMENTING CHAPTER 316 WATER was read on second reading. 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.

c) Ord. 5-2020 Bond Ordinance Providing An Appropriation Of \$2,600,000 For The Acquisition Of Real Property To Preserve Open Space By And For The Township Of Livingston In The County Of Essex, New Jersey And Authorizing The Issuance Of \$2,470,000 In Bonds Or Notes Of The Township For Financing Part Of The Appropriation BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$2,600,000 FOR THE ACQUISITION OF REAL PROPERTY TO PRESERVE OPEN SPACE BY AND FOR THE TOWNSHIP OF LIVINGSTON IN THE COUNTY OF ESSEX, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$2,470,000 IN BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION was read on second reading. 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.

Resolutions

a) R-20-83 Approving Annual Budget For Livingston Community Partnership Corporation - 2020

BE IT RESOLVED by the Township Council of the Township of Livingston, in the County of Essex and State of New Jersey, that the attached annual budget submitted by the Livingston Community Partnership Corporation, in the amount of \$383,910 is hereby approved.

BE IT FURTHER RESOLVED that:

1. This approval shall constitute a first reading.
2. The budget be published in the West Essex Tribune in the issue of February 27, 2020.
3. A public hearing be scheduled for March 23, 2020 at Town Hall, 357 South Livingston Avenue, Livingston, New Jersey at 7:30 p.m.

				Budget 2020
Revenue				\$ 385,000
	BID Assessments			
	Grants/Sponsorships			
	Interest Income			\$ 300
	Other Income			
Total Revenue				\$ 385,300
Expenses				
	Administrative	Administrative Services		\$ 77,500
	Professional Services			
		Attorney		\$ 500
		Accountant/CPA		\$ 4,200
		Consultants		\$ 5,000
	Office Operations			
		Rent		\$ 6,600
		Insurance		\$ 4,000
		Printing/Postage		\$ 2,500
		Telephone		\$ 500
		Office Misc.		\$ 250
	Visual Improvement	Township Principle Paydown		\$ 104,860
		Maintenance		\$ 68,000
	Promotion/Marketing			\$ 75,000
	Marketing Plan to Include	Business Directory		
		Marketing Program		
		Marketing Printing		
		E-Commerce (Promoted Posts)		
		Web Site		
		Public Events		
		Meetings		
		Advertising		
Interest Expense				\$ 35,000

Total Expenditures			\$ 383,910
Net Revenue in Excess of Expenditures Reserve for Delinquent Assessments			\$ 1,390
Unrestricted Cash Balance - 12/31/19			\$ 70,429
Budgeted Surplus/(Deficit) - 12/31/19			\$ 1,390
Unrestricted Cash Balance - 12/31/20			\$ 71,819
Other Transactions			
	Camuso Receipts		\$ 12,000
	Camuso Expenses		\$ (12,000)

b) R-20-84 Authorizing Disposition of Surplus Property

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 is such that they are not saleable and can be recycled; and,

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

Schedule A

Manufacturer - Item	Model	Quantity	Serial #	Asset Tag
Dell	Optiplex 755	1	1CWZ5F1	1462
Dell	Optiplex 755	1	JBW25F1	1253
Dell	Optiplex 755	1	6FQV7J1	1663
Dell	Optiplex 755	1	1P11D61	1099
Dell	Optiplex GX620	1	18FWVB1	2301
APC	SUA1000	1	AS0752141559	N/A
APC	DLA750	1	AS0849340953	N/A
Dell	1703FPs	1	MX-02Y311-47605-415A0KN	N/A
Dell	Optiplex GX620	1	J7S3QB1	1399
Dell	POWER EDGE 1900	1	1HJQ3J1	1412
Xerox	Phaser 6280	1	UKR180015	2089
Xerox	Phaser 6280	1	UKR162434	1757
HP	HP Laserjet 2015dn	1	CNBJRO9913	1306

LexMark	T630	1	9912VWL	1392
HP	LaserJet 1160	1	CNL1F35215	1275

c) R-20-85 Authorizing a Contract with Stanziale Construction, LLC

WHEREAS, the Township of Livingston ("Township") has a need for the 2020 road improvements that cannot otherwise be performed by its regular employees; and

WHEREAS, on January 16, 2020, the Township of Livingston issued Bid No. 1-2020 to solicit bids from contractors experienced in road improvements; and

WHEREAS, the bid was advertised on the Township of Livingston website and West Essex Tribune on January 16, 2020 and as a result forty-two (42) bid packages were requested; and

WHEREAS, on February 5, 2020, eleven (11) bids were received by the bid deadline and publicly read; and

WHEREAS, Stanziale Construction, 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 Township Engineer has evaluated the proposal for qualifications, experience, and cost reasonableness, and recommends the award of a contract to Stanziale Construction, LLC.; and

WHEREAS, the Township Manager is recommending the award of a contract to Stanziale Construction, LLC in an amount not to exceed \$1,345,697.20; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in accounts C-04-55-017-004-002, C-04-55-017-004-003, C-04-55-015-006-01A, C-04-55-017-004-001 & C-04-55-019-009-001

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 Stanziale Construction, LLC in an amount not to exceed \$1,345,697.20.

d) R-20-86 Authorizing a Contract with Matrix New World Engineering, Inc.

WHEREAS, the Township of Livingston has a need to acquire professional environmental services for the contamination identified at the Dorsa Avenue Well Field 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, the Township Council has determined that Matrix New World Engineering, Inc. has provided environmental services in prior years and has performed in a satisfactory manner; and

WHEREAS, Matrix New World Engineering, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Matrix New World Engineering, Inc. 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 Matrix New World Engineering, Inc. from making any reportable contributions through the term of the contract, and

WHEREAS, the Township Engineer and Township Manager are recommending the award of a contract to Matrix New World Engineering, Inc. to provide professional environmental services for the contamination identified at the Dorsa Avenue Well Field as required by the Township in an amount not to exceed \$22,500.00; and,

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in account C-06-55-014-008-01B; 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 Matrix New World Engineering, Inc. in an amount not to exceed \$22,500.00 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.

e) R-20-87 Authorizing the Award of a Contract to Associated Appraisal Group Inc.

WHEREAS, the Township of Livingston has a need to acquire an appraisal firm to handle tax appeals 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, Associated Appraisal Group, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Associated Appraisal Group, Inc. 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 Associated Appraisal Group, Inc. from making any reportable contributions through the term of the contract, and

WHEREAS, the Township Manager is recommending the award of a contract to Associated Appraisal Group, Inc. to provide tax appeal services as directed by the Township; 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.

NOW THEREFORE, BE IT RESOLVED that the Township Council of the Township of Livingston authorizes the Township Manager to enter into a contract with Associated Appraisal Group, Inc. from January 1, 2020 through December 31, 2020 as described herein; and,

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.

f) R-20-88 Authorizing a Contract with Northeast Roof Maintenance

WHEREAS, the Township of Livingston ("Township") has a need for the phase 2 roof replacements at the Water Pollution Control Facility that cannot otherwise be performed by its regular employees; and

WHEREAS, the Township of Livingston rejected the bids received for the phase 2 roof replacements at the Water Pollution Control Facility on two occasions due to the fact that they substantially exceeded the Township's cost estimate for these services; and

WHEREAS, pursuant to the provisions of 40A:11-5(3) (i) (ii) (iii), the Township negotiated a contract for the phase 2 roof replacements at the Water Pollution Control Facility; and

WHEREAS, Northeast Roof Maintenance submitted a price in the amount of \$147,500.00 which includes a Versiflex PVC roofing system, a 25-year warranty, Railguard 200 safety guardrail with reduced quantities of rail protection and the cover board is removed from the system; and

WHEREAS, Northeast Roof Maintenance's 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 Consulting Engineer and Director of Utilities have evaluated the proposal for qualifications, experience, and cost reasonableness, and recommend the award of a contract to Northeast Roof Maintenance; and

WHEREAS, the Township Manager is recommending the award of a contract to Northeast Roof Maintenance in an amount not to exceed \$147,500.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in account C-09-55-019-006-002.

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 Northeast Roof Maintenance in an amount not to exceed \$147,500.00.

g) R-20-89 Authorizing Approval of Change Order Number 1 and Final With DeMaio Electrical Company, Inc.

WHEREAS, the Township Council of the Township of Livingston entered into a contract ("Contract C1800010") DeMaio Electrical Company, Inc. for Well 6 Improvements at Old Road; and

WHEREAS, the initial Contract was not to exceed One Million, Five Hundred and Sixty-Five Thousand Dollars and no cents (\$1,565,000.00); and

WHEREAS, due to field conditions which resulted in changed quantities, a Change Order has been requested for the following:

A. REDUCTIONS

ALLOWANCE OF UNFORESEEN CONDITION DISCOVERED DURING CONSTRUCTION	-\$45,358.30
ALLOWANCE OF ASPHALT PRICE ADJUSTMENT	-\$25,000.00
ALLOWANCE OF FUEL PRICE ADJUSTMENT	<u>-\$5,000.00</u>
Total	-\$80,358.30

WHEREAS, the total change order decreased the contract amount by 5.13% or \$80,358.30 making the new contract sum \$1,484,641.70; and

WHEREAS, this Change Order has been recommended by the Utility Engineer and Township Manager; and

NOW, THEREFORE, BE IT RESOLVED, the Township Council of the Township of Livingston, Essex County, approves the execution and payment of Change Order Number 1 and Final to the Contract with DeMaio Electrical Company, Inc. for Well 6 Improvements at Old Road; and that this resolution is without prejudice to any rights of the Township of Livingston, that the Township has, had, or may have to charge back or to seek cost of said change orders from third-party and the Township hereby reserves all of its rights hereto.

BE IT FURTHER RESOLVED that a copy of this resolution shall be published in the West Essex Tribune as required by law.

h) R-20-90 Authorizing The Filing Of An Essex County Open Space And Historic Preservation Grant Application In The Amount Of \$150,000

WHEREAS, the County of Essex recently announced that it would be accepting municipal applications for grants from the Essex County Open Space and Historic Preservation Trust Fund for eligible projects; and

WHEREAS, the Township of Livingston has identified the replacement of the Community Center and Northland Park playgrounds as an eligible open space active recreation project;

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Livingston that it does hereby authorize the Township Manager to file an application for an Essex County Open Space and Historic Preservation Trust Fund Grant in the amount of \$150,000 for the replacement of the Community Center and Northland Park playgrounds with ADA accessible and safety compliant playgrounds.

i) R-20-91 Authorizing the Award of a Contract to Preferred Planning Group, LLC

WHEREAS, the Township of Livingston has a need to acquire planning consulting services 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, Preferred Planning Group, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Preferred Planning Group, 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 Preferred Planning Group, LLC from making any reportable contributions through the term of the contract, and

WHEREAS, the Township Manager is recommending the award of a contract to Preferred Planning Group, LLC to provide planning consulting services as required by the Township; and

WHEREAS, the fees for services provided on applications before the Planning Board and Zoning Board of Adjustment will be charged to applicants through escrow; and

WHEREAS, any fees for services provided on Township matters will be paid from funds appropriated in the 2020 Township Budget, Planning OE account.

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.

NOW THEREFORE, BE IT RESOLVED that the Township Council of the Township of Livingston authorizes the Township Manager to enter into a contract with Preferred Planning Group, LLC for the period of January 1, 2020 through December 31, 2020 in an amount not to exceed \$20,000 for Township matters and in such amount as warranted for services charged to applicant escrow accounts; and,

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.

i) R-20-92 Transfer 2019 Appropriation Reserves

WHEREAS, transfers between appropriation reserves are permitted by N.J.S.40A: 4-59 during the first three months of the next succeeding fiscal year; and

WHEREAS, certain 2019 appropriation reserves are expected to be insufficient to meet expenditure requirements for 2019 liabilities, and certain 2019 appropriation reserves 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 following transfers listed on the attached page between 2019 appropriation reserves be made.

CURRENT FUND		February 24, 2020	
Department	Line Item	From	To
Clerk	Salaries & Wages	2,300	
Assessment of Taxes	Salaries & Wages	3,000	
Planning Board	Salaries & Wages	2,000	
Police Dispatch	Salaries & Wages	4,000	
Court	Other Expenses	2,500	
Administrative & Executive	Other Expenses	5,000	
Public Communications	Other Expenses	5,000	
Finance	Other Expenses	5,000	
Planning	Other Expenses	5,000	
Other Insurance	Other Expenses	2,000	
General Liability	Other Expenses	10,000	
Worker's Compensation	Other Expenses	13,000	
Group Health Insurance Plan for Employees	Other Expenses	21,000	
Police Dispatch	Other Expenses	10,000	
Fire	Other Expenses	5,000	
PERS	Other Expenses	5,200	
Legal Services & Costs	Other Expenses		45,000
Assessment	Other Expenses		55,000
TOTAL TRANSFERS		\$ 100,000	\$ 100,000

j) R-20-93 Authorizing The Planning Board To Conduct A Preliminary Investigation Of Conditions Of Block 6100, Lots 12 And 13, For Determination As A Non-Condemnation Area In Need Of Redevelopment Pursuant To The Local Redevelopment And Housing Law, N.J.S.A. 40a:12a-1 Et Seq., And Awarding A Contract To Beacon Planning And Consulting Services, Llc For Professional Planning And Engineering Services

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 the property commonly known as Block 6100, Lots 12 and 13 on the tax map of the Township, commonly known as 8 Peach Tree Hill Road (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 preparation of a study of the Study Area (the “**Services**”), to be provided by means of a non-fair and open contract; 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 provided the Township with a proposal (the “**Proposal**”) to perform the Services for a lump sum of Eight Thousand Two Hundred and Fifty Dollars (\$8,250.00); and

WHEREAS, the Township desires to authorize a contract with the Planner for a maximum term of one (1) year, subject to the Planner’s completion and submission of a Business Entity Disclosure Certification pursuant to *N.J.S.A. 19:44A-20.4, et seq.* certifying that the Planner has not made any reportable contributions to a political or candidate committee in the Township in the previous year, and that the contract will prohibit the Planner from making any reportable contributions through the term of the contract; and

WHEREAS, in accordance with the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.* (the “**LPCL**”), professional services contracts may be awarded by resolution of the municipal governing body without competitive bidding; and

WHEREAS, notice of the award of the contract hereunder shall be publicly advertised in accordance with the requirements of the LPCL.

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 parcel 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 awards a professional services contract for professional planning and engineering services to the Planner for an amount not to exceed Eight Thousand Two Hundred and Fifty Dollars (\$8,250.00), payable in accordance with the Proposal, for a period of up to one (1) year. The Planner shall provide the Services when and as directed by the Township.

Section 8. The Township Manager is hereby authorized to enter into a contract on behalf of the Township, with such modifications, deletions or additions as deemed necessary in consultation with counsel to the Township, all subject to receipt of the Planner's completed Business Disclosure Entity Certification and Political Contribution Disclosure Form.

Section 9. The contract authorized herein has been awarded as a professional services contract under the provisions of the LPCL and as a non-fair and open contract pursuant to *N.J.S.A. 19:44A-20.5* without competitive bidding.

Section 10. In accordance with the LPCL, the Township Clerk is hereby directed to publish notice of this award once in the official newspaper of the Township stating the nature, duration, service and amount of the contract authorized herein, which notice shall state that a copy of this Resolution and the contract are on file and available for public inspection in the office of the Township Clerk.

Section 11. A copy of this resolution, the Business Disclosure Entity Certification and Political Contribution Disclosure Form, and the contract shall be available for public inspection at the offices of the Township.

Section 12. This Resolution shall take effect immediately.

On roll call vote of Resolutions R-20-83 through R-20-93, all members present voted YES.

Public Comment

Justin Alpert, 56 Amherst Place, mentioned the acquisition by Simon Properties, the owner of the Livingston Mall, of the Short Hills Mall.

David Reinfeld, 257 E. Northfield Ave., inquired about the status of sidewalk improvements. Township Manager Lewis responded that it would be part of capital improvements in this year's budget and that an overall plan would be presented in a month or two. Mr. Reinfeld mentioned that he would like to see the improvements happen faster.

Bob Hunter, 89 Elmwood Dr., talked about his various concerns and also thanked Mike Izzo for the History section in the West Essex Tribune.

Councilmember Ed Meinhardt, stated that Livingston was the best place to live because of "Livingston Neighbors Helping Neighbors" and other similar organizations.

Recess

At 8:15 p.m., the Regular Meeting concluded.

RUFINO FERNANDEZ, JR, Mayor

CAROLYN MAZZUCCO, Deputy Township Clerk