

The Regular and Conference Meeting of the Township Council of the Township of Livingston was held via Livestream from Facebook @facebook.com/LivingstonTownshipNJ on the above date at 7:00 p.m. The Mayor 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 2, 2020, and that "48-hr. notice" was faxed and emailed to these same publications and posted on the Livingston Township website (livingstonnj.org) on July 13 and July 31, 2020 and posted on the Livingston Township website (livingstonnj.org).

Present (via Livestream): Mayor Fernandez, Deputy Mayor Klein, Councilmember Anthony, Councilmember Meinhardt, Councilmember Vieira, Township Manager Lewis, Deputy Township Manager Jones, Township Attorney Weiner, Township Clerk Turtletaub, Deputy Clerk Mazucco

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

Presentation--Andrew Depasquale —Mayor Fernandez read a Citation issued by the Council to Andrew Depasquale, in recognition of his receipt of the Comcast Leaders and Achievers Scholarship award. Andrew participated remotely and explained the procedure leading up to his award.

Essex County Update/Questions

Legal Fees--The Council approved payment of the Legal Fees of Antonelli Kantor, P.C. (June 2020), Antonelli Kantor, P.C. (2019 Industrial Way expenses), and McCarter & English (June 2020).

New Business--

Coronavirus/COVID 19 Update—Township Manager Lewis provided an update of the Township's responses to the Coronavirus pandemic. He stated that Health Director Lou Anello is providing updated demographic information, charts and graphs which would be put on the Township website.

Public Comments on Agenda Items

Township Clerk Turtletaub read aloud questions to the Council submitted by residents via email.

Justin Alpert, 56 Amherst Place, praised the Council for its creation of the Mall Committee to explore possible future utilization of the Livingston Mall space, and asked for specific information concerning the Committeemembers' backgrounds. Mayor Fernandez responded, and explained the members' backgrounds.

Resolution—Consent Agenda Includes All Items Marked “*” R-20-164

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 August 3, 2020, attached hereto, which are preceded by an “*” are the Consent Agenda and are hereby accepted, approved and/or adopted.

On roll call vote, all members present voted YES.

Approval of Minutes

- A) Regular and Conference Minutes--July 20, 2020
- b) Closed Session Minutes--July 20, 2020

Approval of Licenses

Final Hearing Ordinances

a) Ord. 9-2020 Prohibit Certain Activities at the 9-11 Memorial

ORDINANCE OF THE TOWNSHIP OF LIVINGSTON AMENDING CHAPTER 210 PARKS AND RECREATION AREAS BY ADDING A NEW ARTICLE IV LIVINGSTON 9/11 MEMORIAL GARDEN was read by title. Scott Goldman, 42 N. Baums Court, addressed the amount of the fine provided for in the proposed Ordinance, and suggested that penalties for violation of the Ordinance be tiered. He asked whether loitering would be a violation, and suggested a small sign be erected reminding people of what they were permitted to do at the site. Mr. Goldman criticized the timing of introduction of this Ordinance which he characterized as “tone deaf”. Mayor Fernandez reviewed the history leading to the introduction of the Ordinance, and suggested that the posting of such sign would not have mattered in the case of a recent utilization of the space for exercise classes. Councilmember Meinhardt suggested that such sign be posted following the passage of the Ordinance. There being no other speakers, on motion duly made and seconded and on voice vote, the hearing was closed. 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. The Ordinance was ordered advertised according to law.

Proposed Ordinances

Resolutions

Mayor Fernandez announced that the following three Resolutions would not be considered on this evening’s Agenda: R-20-165 (Canceling Outstanding Checks in the Current Fund), R-20-168 (Canceling Outstanding Checks in the Current Fund (2)), and R-20-175 (Cancellation of Grant Fund Receivables and Reserve Balances in the Current Fund).

b) Res 20-166 Special Items of Revenue

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the municipal budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount,

WHEREAS, the Treasurer certifies that the Township of Livingston has realized or is in receipt of written notification of the state or federal monies cited in this resolution, which meets all statutory requirements and will be included in the 2020 municipal budget,

Ann M. Cucci, Chief Financial Officer

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue and appropriation in the budget of the year 2020 as referenced below:

Revenue Title: NJACCH O-COVID-19 Reimb Grant Amount: \$29,809.00

Appropriation Title: NJACCH O-COVID-19 Reimb Grant Amount: \$29,809.00

Local Match - Source: _____ Amount: _____

BE IT FURTHER RESOLVED, that pursuant to N.J.S.A 40A:4-87 this resolution has been duly adopted by the Mayor and Township Council of the Township of Livingston and that one (1) certified copy of this resolution be forwarded to the Division of Local Government Services.

Adopted this **3rd** day of **August 2020**
and certified as a true copy of an original.

Glenn R. Turteltaub, Clerk

c) Res 20-167 Authorizing a Person-to-Person Transfer and Place-to-Place Reduction of Mamun Inc. to Livingston Legend Inc. (t/a Wine Legend)

WHEREAS, MAMUN INC. has applied for a Person-to-Person Transfer of Plenary Retail Distribution License No. 0710-44-005-005 to LIVINGSTON LEGEND INC t/a Wine Legend; and a Place-to-Place transfer for the purpose of reducing the premises under license wherein the sale, service and storage of alcoholic beverages are authorized; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business;

WHEREAS, the pending transfer was advertised in the West Essex Tribune on March 19, 2020 and March 26, 2020 and no complaints have been filed with the Township Clerk.

NOW, THEREFORE, BE IT RESOLVED that the Township of Livingston does hereby approve, effective August 3, 2020, the reduction of the aforesaid Plenary Retail Distribution Licensed premises located at 277 Eisenhower Parkway, Livingston, NJ 07039 and transfer of license to LIVINGSTON LEGEND INC t/a Wine Legend, and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its

terms and conditions, is hereby transferred to LIVINGSTON LEGEND INC t/a Wine Legend, effective August 3, 2020.”

e) Res 20-169 Authorized Purchases Under Morris County Cooperative Purchasing Program

**TOWNSHIP OF LIVINGSTON
ESSEX COUNTY, NEW JERSEY**

WHEREAS, the Township of Livingston, pursuant to N.J.S.A. 40A:11-11(6) and N.J.A.C. 5:34-7.1 et seq. may by resolution and without advertising for bids, purchase any goods or services under a County Cooperative Pricing System of which the Township is a member; and,

WHEREAS, the Township of Livingston is a member of the Morris County Cooperative Pricing System and has the need on a timely basis to purchase goods or services using those contracts; and

WHEREAS, the Township of Livingston intends to enter into contracts with the attached referenced County contract vendors through this resolution and properly executed purchase orders as needed, which shall be subject to all the conditions applicable to current County contracts.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Livingston authorizes the purchase of certain goods and services from those approved Morris County Cooperative Pricing System vendors on the attached list, pursuant to all the conditions of the individual County contracts; and

BE IT FURTHER RESOLVED, by the Township Council that, pursuant to the N.J.A.C. 5:30-5.5(b), the certification of available funds shall be certified at such time as the goods or services are called for prior to placing the order, and a certification of availability of funds is made by the Chief Financial Officer via an authorized purchase order; and

BE IT FURTHER RESOLVED, that the duration of this authorization shall be until December 31, 2020 or upon the expiration of the vendors' contract, whichever event first occurs.

f) Res 20-170 Blue Ribbon Committee

WHEREAS, due to changes in market or economic conditions the Livingston Mall or portions of it may close or be proposed for repurposing; and

WHEREAS, the members of the Township Council felt they would benefit from the expertise of Livingston residents in the area of redevelopment.

Now, be it resolved that the following individuals are appointed to The Blue Ribbon Committee on Redevelopment of the Livingston Mall with their terms ending on December 31, 2020:

Peter Boockvar
Andrew Fawer
Curtis Foster
Alan Glazer
Scott Loventhal
Alan Pines
Jonathan Schwartz

Jeff Spector
Dina Wright

g) Res 20-171 Ch. 159—Body Armor 2019 Award

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount,

WHEREAS, the Treasurer certifies that the Township of Livingston has realized or is in receipt of written notification of the state or federal monies cited in this resolution, which meets all statutory requirements and will be included in the 2020 municipal budget,

Ann M. Cucci, Chief Financial Officer

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue and appropriation in the budget of the year 2020 as referenced below:

Revenue Title: Body Armor Grant – 2019 Award Amount:

\$6,543.29

Appropriation Title: Body Armor Grant – 2019 Award Amount:

\$6,543.29

Local Match - Source: _____ Amount: _____

BE IT FURTHER RESOLVED, that pursuant to N.J.S.A 40A:4-87 this resolution has been duly adopted by the Mayor and governing body of the Township of Parsippany-Troy Hills and that one (1) certified copy of this resolution be forwarded to the Division of Local Government Services.

Adopted this 3rd day of August 2020
and certified as a true copy of an original.

Glenn R. Turtletaub, Clerk

Approval is hereby given to the cited resolution adopted by the governing body pursuant to N.J.S.A40A: 4-87

h) Res 20-172 Approving and Authorizing the Execution of a Funding Agmt with 8 Peachtree Owner LLC

ESSEX COUNTY, NEW JERSEY

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LIVINGSTON APPROVING AND AUTHORIZING THE EXECUTION OF A FUNDING AGREEMENT WITH 8 PEACHTREE OWNER, LLC TO PROVIDE FOR THE FUNDING OF REDEVELOPMENT ACTIVITIES ON BLOCK 6100 LOTS 12 AND 13 IN THE TOWNSHIP OF LIVINGSTON

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, pursuant to the Redevelopment Law, on July 8, 2020 by Resolution 20-145 the Township Council designated the property identified on the tax maps of the Township as Block 6100, Lots 12 and 13 (collectively, the “**Property**”) as an area in need of redevelopment without the power of eminent domain (the “**Redevelopment Area**”); and

WHEREAS, 8 PEACH TREE OWNER, LLC, a New Jersey limited liability company, having its offices at 900 Route 9, Suite 400, Woodbridge, New Jersey 07095 (and its successors and assigns, including an affiliated urban renewal entity, the “**Developer**”) is the owner of the Property and is interested in redeveloping the Property; and

WHEREAS, the Parties have negotiated the terms of this Agreement to provide for the funding of redevelopment activities regarding the Property; and

WHEREAS, the Developer has agreed to fund certain Township costs, including but not limited to those relating to the adoption of a redevelopment plan for the Redevelopment Area and negotiation and execution of a redevelopment agreement for the construction of a project on the Property (the “**Project**”); and

WHEREAS, Parties have negotiated the Funding Agreement, attached hereto as Exhibit A, to provide for the funding of redevelopment activities, including planning and legal costs incurred to date, costs to prepare a redevelopment plan for the Redevelopment Area, costs to negotiate a redevelopment agreement between the Parties and other costs associated with the redevelopment of the Property, in order to establish a mechanism for the provision of sufficient funds so that the undertaking of such work causes no financial hardship to the Township; and

WHEREAS, in consideration for such funding the Township shall enter into exclusive negotiations with the Developer for the aforementioned purposes,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP 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 Township Council hereby approves the attached Funding Agreement with 8 Peachtree Owner, LLC for the purposes recited above and set forth in the Funding Agreement.

Section 3. The Township Manager is hereby authorized to execute the Funding Agreement on behalf of the Township, with such modifications, deletions or additions as deemed necessary in consultation with Redevelopment Counsel to the Township.

Section 4. This Resolution shall take effect immediately.

i) Res 20-172A Authorizing Beacon Planning and Consulting Services, LLC to Prepare a Redevelopment Plan for the Property Described as BI 6100 Lots 12 and 13

**RESOLUTION OF THE TOWNSHIP OF LIVINGSTON
AUTHORIZING BEACON PLANNING AND CONSULTING
SERVICES, LLC TO PREPARE A REDEVELOPMENT PLAN
FOR THE PROPERTY DESCRIBED AS BLOCK 6100 LOTS 12
AND 13 IN THE TOWNSHIP OF LIVINGSTON**

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 rehabilitation; and

WHEREAS, on July 8, 2020, the Township Council adopted Resolution # 20-145 declaring Block 6100 Lots 12 and 13, also described as 8 Peach Tree Hill Road, to be and Area in Need of Redevelopment; and

WHEREAS, the Township is in need of a Redevelopment Plan for Block 6100 Lots 12 and 13 to facilitate the redevelopment of the properties; and

WHEREAS, the Township has a need for professional planning and engineering services for the preparation of a Redevelopment Plan for Block 6100 Lots 12 and 13 (the "**Services**"), to be provided by means of a non-fair and open contract; and

WHEREAS, funds shall be available for this purpose by virtue of a Funding Agreement with 8 Peachtree Owner, LLC; 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’s Redevelopment Counsel with a proposal (the “**Proposal**”) to perform the Services for state hourly rates with a not to exceed cap of Eleven Thousand Two Hundred Dollars (\$11,200.00); 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 Township Council hereby awards a professional services contract for professional planning and engineering services to the Planner for an amount not to exceed Eleven Thousand Two Hundred Dollars (\$11,200.00), payable in accordance with the Proposal, for a period of up to one (1) year to prepare a Redevelopment Plan for Block 6100 Lots 12 and 13. 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.

Rufino Fernandez, Jr., Mayor

Glenn R. Turteltaub, Township Clerk

j) Res 20-173 Safe and Secure Communities Grant Program

**STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE**

SAFE AND SECURE COMMUNITIES PROGRAM

RESOLUTION OF PARTICIPATION

**A RESOLUTION APPROVING PARTICIPATION WITH THE
STATE OF NEW JERSEY FEDERAL GRANT PROGRAM ADMINISTERED BY THE DIVISION OF
CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY**

WHEREAS, the Township of Livingston desires to apply for and to accept funding in the amount of \$60,000; and

WHEREAS, the Township of Livingston desires to apply for and to accept funding in the amount of \$60,000.00 dollars, with a match of fringe benefits, under the Safe and Secure Communities Program, State Fiscal Year 2020, State Grant #20-0710; and

WHEREAS, the Township of Livingston has reviewed the accompanying applications and has approved said requests, and

WHEREAS, this project is a joint effort between the Department of Law and Public Safety and the Livingston Township Police Department for the purpose described in the application;

THEREFORE, BE IT RESOLVED this 3rd day of August , 2020, by the Township Council of Livingston Township, Essex County, New Jersey that:

1. As a matter of public policy the Livingston Township Police Department wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General will receive funds on behalf of the applicant.

3. The Division of Criminal Justice will be responsible for the receipt and review of the application for said funds.
4. The Division of Criminal Justice will initiate allocations to each applicant as authorized.
5. The Grant Duration Period is 4/15/20 through 4/14/21.

**STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE**

CERTIFICATION OF RECORDING OFFICER

This is to certify that the foregoing Resolution is a true and correct copy of a resolution which was duly and regularly introduced and finally adopted at the meeting of the Township of Livingston held on the 26th day of August, 2019 and duly recorded in my office; that all requirements of law pertaining to the conduct of said meeting and the passage of this resolution were observed; and that I am duly authorized to execute this certificate.

DATED this _____ day of _____, 2019.

SEAL

Carolyn S. Mazzucco, Deputy Township Clerk

k) Res 20-174 Recognizing and Expressing Appreciation for the Service of Our Veterans and Township's Commitment to Being a Veteran Friendly Community

**TOWNSHIP OF LIVINGSTON
ESSEX COUNTY, NEW JERSEY**

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
LIVINGSTON RECOGNIZING AND EXPRESSING APPRECIATION FOR
THE SERVICE OF OUR VETERANS AND STATING THE TOWNSHIP'S
COMMITMENT TO BEING A VETERAN FRIENDLY COMMUNITY**

WHEREAS, our country has been served for generations by countless men and women in military service; and

WHEREAS, the service, dedication and sacrifice of these brave men and women deserves the respect the Township and its residents; and

WHEREAS, the Township Council believes that our veterans should be recognized for their service; and

WHEREAS, the Township Council deems it appropriate to express the appreciation of our community to our veterans by making Livingston a Veteran Friendly Community.

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

1. The Township Council, on behalf of all of the residents of Livingston expresses its deepest appreciation for the service and sacrifice of all of the Veterans of the United States military services.

2. The Township Council commits to making Livingston a Veteran Friendly Community and in furtherance thereof commits to continuing and/or implementing the following policies and practices to express the Township's continuing commitment and appreciation to our veterans:

- a. In the hiring of employees, the Township of Livingston, subject to all applicable state and federal laws, will continue to make good faith efforts in hiring veterans;
- b. Where permissible, the Township will offer discounts for veterans on local license and permit fees;
- c. The Township will reserve preferred parking spaces for veterans in municipal facility parking lots;
- d. The Township will continue to hold public programs and events honoring the service of veterans including on Veterans Day, Memorial Day, 9-11 Ceremony, 4 Chaplains Ceremony, Old Guard social club, and Flag Day;
- e. The Township will continue its public recognition of the service of residents of the community who have served in the military through our military Wall of Honor in Town Hall, which is being updated and will be regularly updated;
- f. The Township will explore and establish new programs for Veterans such as a possible Counselor on Veteran Benefits, and a possible quarterly Veterans lunch program.

3. This Resolution shall take effect immediately.

Res 20-176 Ch. 159—Clean Communities FY 2020

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount,

WHEREAS, the Treasurer certifies that the Township of Livingston has realized or is in receipt of written notification of the state or federal monies cited in this resolution, which meets all statutory requirements and will be included in the 2020 municipal budget,

Ann M. Cucci, Chief Financial Officer

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue and appropriation in the budget of the year 2020 as referenced below:

Revenue Title: Clean Communities – FY 2020 Amount: \$55,487.39

Appropriation Title: Clean Communities – FY 2020 Amount: \$55,487.39

Local Match - Source: _____ Amount: _____

BE IT FURTHER RESOLVED, that pursuant to N.J.S.A 40A:4-87 this resolution has been duly adopted by the Mayor and governing body of the Township of Livingston and that one (1) certified copy of this resolution be forwarded to the Division of Local Government Services.

Adopted this 3rd day of August 2020
and certified as a true copy of an original.

Glenn R. Turtletaub, Clerk

Approval is hereby given to the cited resolution adopted by the governing body pursuant to N.J.S.A40A: 4-87

On motion duly made and seconded, and on roll call vote of Resolutions R-20-166, 167,169, 170, 171, 172, 172A, 173, 174 and 176, inclusive, all members present voted YES.

Public Comment

Township Clerk Turtletaub and Deputy Clerk Mazzucco read comments submitted by Township residents.

Justin Alpert, 56 Amherst Place, asked whether the numbers, data, and methodology used in the Revaluation process had been received from Appraisal Systems as had been promised. Township Manager Lewis stated he would reach out to Appraisal Systems and determine the status.

Jac Bloomberg, 45 Heron Road, addressed the issue of sidewalk repair in town, asserting that “no one is repairing anything”, and suggesting that a committee be formed to help address the matter.

Mayor Fernandez noted that formation of a Sidewalks Committee and development of a Mission Statement had been in the process of being developed in the past, and he agreed that the Town could go forward with such a Committee.

David Reinfeld, 2 Sycamore, stated he was the ‘squeaky wheel’ and that the Township Ordinance in place regarding repair of sidewalks was “being ignored”. He offered his assistance in addressing the matter.

Manager Lewis gave a history of the Township’s addressing of sidewalk issue during his time as Manager, and explained how roads are rated and a priority list created. He provided numbers reflecting the cost of repair, stressing that it was a “huge undertaking”, and that to address all roads at once would amount to costing the average taxpayer an additional \$200 per year in taxes. Manager Lewis explained how the Township’s approach has been to build up heavily trafficked sidewalks first, and that the Council had given thought to whether the Town should utilize asphalt or concrete in repairing the sidewalks. Councilmember Vieira suggested getting rid of the asphalt, and going back to blacktop while the Township provides a blacktop program. Mr. Reinfeld will provide relevant information to all Councilmembers.

Councilmember Vieira suggested the Township hold a Nonbinding referendum on the sidewalk issue including asphalt versus concrete.

Judy Penaherrera wrote that she was a new resident of Livingston, that sidewalks are not safe to walk especially along Northfield Rd., and as a new resident of Livingston, she was “curious how sidewalks are maintained.”

Stacey Abenstein, 11 Browning Drive, wrote “Where are we on chartering the Justice Committee?” The Mayor responded that the matter would be discussed during Closed Session this evening.

At 8:00 p.m., the following Resolution was considered:

Resolution Authorizing Closed Session—Personnel (Blue Ribbon Committee on the Redevelopment at the Livingston Mall); Attorney-Client Privilege (Sustainable Energy); Personnel (Social Justice Committee)

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 3rd day of August, 2020, that the Township Council of the Township of Livingston will go into Closed Session for the purpose of discussing Personnel, Attorney-Client Privilege, 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.

The Closed Session adjourned at 9:15 p.m.

Adjournment

The meeting was adjourned at 9:15 p.m.

RUFINO FERNANDEZ, Jr. Mayor
GLENN R. TURTLETAUB, Township Clerk