

REGULAR MEETING
LAWRENCE TOWNSHIP COUNCIL
LAWRENCE TOWNSHIP MUNICIPAL BUILDING
COUNCIL MEETING ROOM – UPPER LEVEL

January 4, 2011

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, January 4, 2011, at 7:00 P.M.

The meeting was opened with a Prayer and Pledge of Allegiance, led by the Municipal Clerk.

At the commencement of the meeting Mayor Puliti read the following statement of proper notice:

STATEMENT OF PROPER NOTICE: “Adequate notice of this meeting of the Lawrence Township Council being held on Tuesday, January 4, 2011, has been provided through the posting of the annual meeting schedule of said Council in accordance with Section 13 of the Open Public Meetings Act”.

The roll was then called as follows:

Present: Councilmembers Bostock, Kownacki, Mount, Powers and Mayor Puliti.

Absent: None.

Also, in attendance were Richard S. Krawczun, Municipal Manager, and Kevin Nerwinski, Esq., Municipal Attorney.

Proclamations and Honors

There were no proclamations or honors.

Review and Revisions of Agenda

There were no revisions to the agenda.

Public Participation

There was no public participation.

Appointments to Boards and Committees

Mayor Puliti advised that the Liaisons will be casting their nominations for the nominees appointed to the following Advisory committees:

CABLE TELECOMMUNICATIONS ADVISORY COMMITTEE (Abe Abramovich and Paul Alfieri – 4-year term)

Resolution No. 37-11 was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Bostock	X					X	
Mr. Kownacki	X						
Mrs. Mount	X						
Mr. Powers	X						X
Mayor Puliti	X						

~~

CONSTRUCTION BOARD OF APPEALS (John Kontura (fire) – 4-year unexpired term and James Lalli (architect) – 4-year regular term)

Resolution No. 38-11 was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Bostock	X					X	
Mr. Kownacki	X						
Mrs. Mount	X						
Mr. Powers	X			X			X
Mayor Puliti	X						

~~

HEALTH ADVISORY BOARD (Mary C. Baird and Maureen Adams – 3-year term)

Resolution No. 39-11 was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Bostock	X						
Mr. Kownacki	X					X	
Mrs. Mount	X						
Mr. Powers	X						X
Mayor Puliti	X						

~~

HISTORIC PRESERVATION COMMITTEE (Alfredo Trevino – 4-year term)

Resolution No. 40-11 was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Bostock	X						
Mr. Kownacki	X					X	
Mrs. Mount	X						
Mr. Powers	X						X
Mayor Puliti	X						

~~

HUMAN RELATIONS COMMITTEE (Christine Peterson and Keith Dewey – 3-year term)

Resolution No. 41-11 was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Bostock	X						X
Mr. Kownacki	X						
Mrs. Mount	X						
Mr. Powers	X					X	
Mayor Puliti	X						

~~

MUNICIPAL ALLIANCE ON DRUG AND ALCOHOL ABUSE – Kim Taylor and Rich Monacchio - 2-year term)

Resolution No. 42-11 was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Bostock	X						
Mr. Kownacki	X					X	
Mrs. Mount	X						
Mr. Powers	X						X
Mayor Puliti	X						

~~

OPEN SPACE AND STEWARDSHIP ADVISORY COMMITTEE (Marcia Steinberg – 3-year term)

Resolution No. 43-11 was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Bostock	X						
Mr. Kownacki	X						
Mrs. Mount	X					X	
Mr. Powers	X						X
Mayor Puliti	X						

~~

PLANNING BOARD (Kim Y. Taylor - 4-year term and Doris Weisberg - Alternate Member #2 - 2-year term)

Resolution No. 44-11 was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Bostock	X						
Mr. Kownacki	X					X	
Mrs. Mount	X						
Mr. Powers	X						X
Mayor Puliti	X						

~~

RECREATION ADVISORY COMMITTEE (Ed Budzinski, Glenn Collins, Edward Fedorko, Stacy Gallagher and Christopher Sawasky – 3- year term)

Resolution No. 45-11 was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Bostock	X						
Mr. Kownacki	X						
Mrs. Mount	X						
Mr. Powers	X						X
Mayor Puliti	X					X	

~~

RENT STABILIZATION BOARD (Durwood Hankinson – 1-year unexpired term)

Resolution No. 46-11 was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Bostock	X						
Mr. Kownacki	X					X	
Mrs. Mount	X						
Mr. Powers	X						X
Mayor Puliti	X						

~~

SENIOR EXECUTIVE COMMITTEE (Sarah Downing, Bertha Hirsch, Helen Knobl and David Majofsky – 4-year term)

Resolution No. 47-11 was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Bostock	X					X	
Mr. Kownacki	X						
Mrs. Mount	X						
Mr. Powers	X						
Mayor Puliti	X						

~~

SHADE TREE ADVISORY COMMITTEE (Rosemarie Clark and Janet Kane – 3-year term)

Resolution No. 48-11 was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Bostock	X						X
Mr. Kownacki	X						
Mrs. Mount	X						
Mr. Powers	X						
Mayor Puliti	X					X	

~~

ZONING BOARD OF ADJUSTMENT (Charles Lavine and Bruce Kmosko - 4-year regular term and John Gladwell - Alternate #1 – 2- year term)

Resolution No. 49-11 was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Bostock	X						
Mr. Kownacki	X						
Mrs. Mount	X						
Mr. Powers	X						X
Mayor Puliti	X					X	

~~

GROWTH AND REDEVELOPMENT ADVISORY COMMITTEE (Christopher Bobbitt (Class 3) and Tushar Patel (Class 4) – 3-year term)

Resolution No. 50-11 was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Bostock	X						X
Mr. Kownacki	X						
Mrs. Mount	X						
Mr. Powers	X					X	
Mayor Puliti	X						

~~

PUBLIC SAFETY COMMITTEE (Kyle Collins, John Gladwell and Rose Manghisi– 2-year term and John Baran – 2-year unexpired term)

Resolution No. 51-11 was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Bostock	X						
Mr. Kownacki	X						
Mrs. Mount	X						
Mr. Powers	X						X
Mayor Puliti	X					X	

~~

GREEN TEAM ADVISORY COMMITTEE (Phil Duran and Brian Friedlich – 3-year term, Christine Altomari and Christopher Bobbitt – 2-year term , David Matthews and Laurie Emde – 1-year)

Resolution No. 52-11 was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Bostock	X						
Mr. Kownacki	X						
Mrs. Mount	X					X	
Mr. Powers	X						X
Mayor Puliti	X						

Cited Resolutions are spread in their entirety in Resolution Book Volume No. 2 of the Township of Lawrence.

Adoption of Minutes

There were no minutes for adoption.

Introduction of Ordinances

Mayor Puliti read by title an ordinance entitled, “AN ORDINANCE AMENDING ORDINANCE NO. 1960-07 PROVIDING FOR CERTAIN JOB CLASSIFICATIONS AND PROVIDING COMPENSATION FOR THE MUNICIPAL EMPLOYEES OF THE TOWNSHIP OF LAWRENCE, STATE OF NEW JERSEY.”

Mr. Krawczun advised that the Ordinance amends the salary ordinance regulating “fees” paid to the Mayor for performance of a marriage ceremony, and that the change would permit the Mayor to waive such fees that will remain available in the general fund for disbursement.

The Ordinance was introduced and approved on the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Bostock	X					X	
Mr. Kownacki	X						
Mrs. Mount	X						
Mr. Powers	X						X
Mayor Puliti	X						

~~

Mayor Puliti read by title an ordinance entitled, "AN ORDINANCE TO VACATE, RELEASE AND EXTINGUISH ANY AND ALL DEDICATION OF PUBLIC RIGHTS IN OR TO CERTAIN PORTIONS OF PIEDMONT AVENUE IN THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY."

Mr. Krawczun advised that the Ordinance is the second phase of vacating portions of Piedmont Avenue and that the area runs from Route 206 to Rossa Avenue, and is located between Willis Greenhouse and New Jersey Department of Veterans Affairs properties. He then proceeded to discuss the transfer of ownership and the (15) foot wide pedestrian access easement that will provide public access for bicyclists and pedestrians.

The Ordinance was introduced and approved on the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Bostock	X					X	
Mr. Kownacki	X						
Mrs. Mount	X						
Mr. Powers	X						X
Mayor Puliti	X						

~~

Mayor Puliti read by title an ordinance entitled, "ORDINANCE AMENDING THE LAND USE ORDINANCE (LUO) OF THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY TO MODIFY SECTION 400, GENERAL REGULATIONS AND PERMITTED MODIFICATIONS, AND SECTION 522, DRAINAGE AND STORM WATER MANAGEMENT"

Mr. Krawczun advised that the Ordinance amends the portion of the Land Use Ordinance regulating storm water management basins and most notably it will require the same setbacks for a basin being constructed in residential zones. Further, the new regulations will not affect commercial zones, as it is only applicable in the residential zone where the retention basin is to be constructed.

The Ordinance was introduced and approved on the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Bostock	X					X	
Mr. Kownacki	X						
Mrs. Mount	X						
Mr. Powers	X						X
Mayor Puliti	X						

Resolutions

Resolution Nos. 24-11 (8A) thru 35-11 (8L)) were approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Bostock	X						X
Mr. Kownacki	X						
Mrs. Mount	X						
Mr. Powers	X					X	
Mayor Puliti	X						

Cited Resolutions are spread in their entirety in Resolution Book Volume No. 2 of the Township of Lawrence.

Awarding or Rejecting of Bids

Mr. Krawczun provided a detailed review of the bid award to Armando’s Construction for supplemental snow plowing services, to include the hourly rate per truck (\$210) and a detailed explanation as to why the additional service is needed.

Mayor Puliti asked for comments from the public. There being none, Mayor Puliti asked for comments from Council.

Mrs. Mount asked Mr. Krawczun if he had any idea how much money the service would amount to over the year in the winter?

Mr. Krawczun advised right now the contract amount is limited to \$10,000 and they only plan to employ the service during large snow events, like the event they just had or for snow emergencies where roads may need to be salted or sanded. So, they are hoping the service will be a benefit; but if they have any Ivy League storms there will be a need for him to come before the Council and ask for an amendment to the contract.

Mr. Bostock stated he would like to commend and thank the Public Works Department for the excellent job they did in removing the snow after the last snowfall and indicated he had an opportunity to drive around the County, and he can say without contradiction that Lawrence Township streets, by far, were cleared the best and proceeded to discuss the importance of the streets being cleared which is not just for residents convenience - but for medical emergencies, as an impassable street for emergency vehicles could literally result in a matter of life or death.

Mayor Puliti stated in drafting this year's budget the Municipal Manager and his staff found creative ways and strengths that work for the Township – such as the bid for the snow plowing services.

There being none, public participation was closed. On a motion by Mr. Powers, seconded by Mr. Bostock the following resolution was presented for adoption:

Resolution No. 36-11

WHEREAS, on December 7, 2010, bids were received for Re-Bid #1 of Bid No. 10-19, Snow Plowing Services; and

WHEREAS, two bids were received and reviewed by the Municipal Manager and Director of Public Works and the lowest responsible bidder is Armando's Construction, Ewing NJ who submitted a bid in the amount of \$210 per hour per truck; and

WHEREAS, in accordance with N.J.A.C. 5:30-14, a Certificate of Availability of Funds has been provided and the account to be charged is 1-16-56-849-299 (Reserve for Snow Removal);

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that the Township is hereby authorized to award Re-Bid #1 of Bid No. 10-19, Snow Plowing Services, to Armando's Construction in the amount of \$10,000.

Same was carried on the following roll call vote:

Ayes: Councilmembers, Bostock, Kownacki, Powers, Mount, Mayor Puliti.

Nays: None.

Adoption of Ordinances

There were no ordinances of adoption.

Manager's Report –

Mr. Krawczun stated the only item of business he has is the proposed fee schedule that he distributed for Council's review at last month's meeting, and asked if there were any questions or comments regarding the proposed "fees" and proceeded to discuss the sense of urgency regarding the matter. After a brief

conversation relative to the fees being necessary and appropriate, it was the consensus of Council for Mr. Krawczun to move forward on the matter.

Mr. Krawczun additionally discussed the following proposed fee increases: a ambulance transport service fee (\$75), transportation mileage fee (\$1), use of oxygen fee (\$10), first responder medical assistant/engine fee (\$250), a charge for flu shots for non-seniors who are not high risk individuals and a participation fee for organized sport groups who use Township parks that will be based on the number of members and utilized for the purpose of a weekend custodian. A short discussion took place relative to first responder duties, training, fees and the insurance billing process.

Attorney's Report –

Mr. Nerwinski stated there was a question posed by the Mayor with regards to the municipality endorsing a group participating in events promoted by or for non-profit organizations and advised that he did not prepare a formal memo regarding his opinion they should take the conservative approach, meaning they should not and can not actively participate or promote in any way a non-profit organization as a municipality; but, certainly the five of them individually can take a position to promote, endorse and participate on an individual basis – but not as a municipality or local government.

Mr. Nerwinski advised that the matter can be reviewed on a case-by-case basis; they just need to generate the information to him for review and he will provide them with his legal opinion and proceeded to discuss his viewpoint regarding non-profit organizations as it relates to the Township remaining impartial to avoid accusations of favoritism and possible litigation. A short comment, question and answer period took place relative to Mr. Nerwinski's remarks.

Clerk's Report –

Mrs. Norcia advised the Council that Mother's Recovery, Inc. has requested an Appeal before Council based on the denials of Towing License, after which Mr. Nerwinski stated that he would like to review the Towing Ordinance and the decision of denial prior to making a recommendation as to whether or not they should move forward with the request.

Written Communications –

There were no written communications.

Old Business –

Mayor Puliti stated that Mr. Krawczun has been reviewing the budget for next year (2012), and he was looking into talking to the different Unions to help solve the budgetary problems that the Township will be facing next year, and asked Mr. Krawczun if he could provide the Council with an update regarding those discussions.

Mr. Krawczun advised that he did meet with the two Unions (FOP and P.B.A.) that represent the police officers for Superior Officers and Rank and File. In addition, he met with the Blue Collar, White Collar and the Supervisors unions; but he did not meet with the Emergency Medical Services, EMT's or the Firefighters unions, although, he did speak very briefly with their business agent concerning the matter.

Mr. Krawczun further advised after meeting with the five unions, each of the unions were asked what type of contract concessions would they be willing to offer or other cost-saving ideas that the Administration could implement for 2011, ideally, under the 2% cap as their analysis showed that the Township is going to exceed the mandatory cap in the coming year, and advised after numerous discussions each of the unions decided not to open their current contracts, which puts him a position of not being able to recommend a budget to the Council that would be under the 2% cap without some type of personnel changes for 2011. He then proceeded to discuss in detail the conversations he had with the various unions, and the concessions that the municipal employees have already given back with respect to wage freezes and healthcare contributions. A short question, comment and answer period took place relative to the matter.

New Business –

There was no new business.

There being no further business to come before this Council, the meeting adjourned.

7:40 P.M.

Respectfully submitted by,

Kathleen S. Norcia, Municipal Clerk

Attest:

Gregory J. Puliti, Mayor