

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

January 18, 2011

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, January 18, 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 18, 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 and Mayor Puliti.
Absent: Councilman Powers.

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

Proclamations and Honors

- A. Presentation of the Annual Landscaping Award by the Garden Gate Garden Club - (Rescheduled for the February 15th Council Meeting)

Review and Revisions of Agenda

The Municipal Clerk advised that the Agenda needs to be amended to include Resolution (8-U), Authorizing an Appointment to the Rent Stabilization Board, and to remove Ordinance (10-C), 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.

On a motion by Mr. Bostock, seconded by Mr. Kownacki, the Agenda was amended to include the above revisions.

Same was carried on the following roll call vote:

Ayes: Councilmembers Bostock, Kownacki, Mount and Mayor Puliti.
 Nays: None.
 Absent: Councilman Powers.

Public Participation

There was no public participation.

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Hearings: Towing Rejection Appeals

Mr. Nerwinski advised that Al's Service Center, Mother's Recovery and Nitro Towing and Transportation requested an Appeal before the Township Council based on the denial of their Towing License Application. So, he will first have the Chief of Police review his decision of denial for each of the companies and each of the applicants present their case as to why their appeal should be reconsidered for approval by Council, Thereafter, an at length comment, question, answer and review period took place relative to the Towing Ordinance as it relates to each of the appeals which led to the following determinations:

The Towing Appeal for Al's Service Center was **adjourned** on the following roll call vote:

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

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The Towing Appeal for Mother's Recovery, Inc. was **denied** on the following roll call vote:

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

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The Towing Appeal for Nitro Towing and Transport LLC was 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						X
Mr. Powers				X			
Mayor Puliti	X						

Adoption of Minutes

On a motion by Mrs. Mount, seconded by Mr. Kownacki, the Minutes of the Regular Meeting of October 26, 2010 were approved without corrections.

Same was carried on the following roll call vote:

Ayes: Councilmembers, Kownacki, Mount, and Mayor Puliti.
 Nays: None.
 Absent: Councilman Powers.
 Abstain: Councilman Bostock.

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On a motion by Mr. Bostock, seconded by Mrs. Mount, the Minutes of the Closed Session Meeting of November 23, 2010 and January 4, 2011 were approved without corrections.

Same was carried on the following roll call vote:

Ayes: Councilmembers Bostock, Kownacki, Mount, and Mayor Puliti.
 Nays: None.
 Absent: Councilman Powers.

Introduction of Ordinances

Mayor Puliti read by title an ordinance entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 2016-09 SUPPLEMENTING CHAPTER 6A AND ADDING A NEW SECTION TO THE ADMINISTRATIVE CODE OF THE

TOWNSHIP OF LAWRENCE ESTABLISHING AND IMPLEMENTING FEES FOR EMERGENCY MEDICAL SERVICES.”

Mr. Krawczun advised that the Ordinance amends the current fees for ambulance transport services (\$675 to \$750), transportation mileage fees (\$10 to \$11), oxygen fees (\$60 to \$70) and the new first responder medical assistance fees (\$250) and proceeded to discuss each of the proposed fees in detail.

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						X
Mr. Powers				X			
Mayor Puliti	X						

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Mayor Puliti read by title an ordinance entitled, “AN ORDINANCE AMENDING ORDINANCE NO. 1996-08 AMENDING CHAPTER 6A FEES THE CONSOLIDATED LICENSE, PERMIT AND FEE CHAPTER OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE - Recreation Fees.”

Mr. Krawczun advised that the Ordinance amends the fees charged for various recreational programs and that the fees would only be used to cover the cost of the programs and not the administrative cost.

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						X
Mr. Powers				X			
Mayor Puliti	X						

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Mayor Puliti read by title an ordinance entitled, “AN ORDINANCE AMENDING ORDINANCE NO. 1153-89 AMENDING THE CHAPTER 6A CONSOLIDATED LICENSE, PERMIT AND FEE CHAPTER OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE – Various Fees”

Mr. Krawczun advised that the Ordinance amends the fees for various Township permits and licenses which will be used to cover the cost for various services and not the administrative cost as previously discussed.

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						X
Mr. Powers				X			
Mayor Puliti	X						

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Mayor Puliti read by title an ordinance entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 1831-05 AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF LAWRENCE TO RPROVIDE FOR THE LICENSING AND REGULATION OF TOWING AND STORAGE SERVICES"

Mr. Krawczun advised that the Ordinance amends the fees for Towing Licenses and that the annual fee will change from \$200 to \$350, and will take effect the next licensing year.

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						X
Mr. Powers				X			
Mayor Puliti	X						

Resolutions

Resolution Nos. 54-11 (8A) thru 72-11 (8U)) with the exception of Resolution (8C) 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					X	
Mr. Powers				X			
Mayor Puliti	X						

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

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Resolution Nos. 55-11 (8C) 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					X	
Mr. Powers				X			
Mayor Puliti	X						

Cited Resolution is spread in its entirety in Resolution Book Volume No. 2 of the Township of Lawrence.

Awarding or Rejecting of Bids

There were no bid awards.

Adoption 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, COUNTY OF MERCER, STATE OF NEW JERSEY"

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

Ordinance No. 2075-11

AN ORDINANCE AMENDING ORDINANCE NO. 1960-07
 PROVIDING FOR CERTAIN JOB CLASSIFICATIONS AND
 PROVIDING COMPENSATION FOR THE MUNICIPAL EMPLOYEES
 OF THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER,
 STATE OF NEW JERSEY

WHEREAS, NJSA 37:1-13 et seq. permits Mayors to perform such ceremonies to solemnize marriages and civil unions; and

WHEREAS, in accordance with NJSA 40:48-1 fees collected in association with the service or performance of a marriage or civil union ceremony shall be established and collected pursuant to an ordinance; and

WHEREAS, an ordinance setting forth the fees for performance of a marriage or civil union ceremony has been introduced and will be adopted simultaneously with this ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey Ordinance No. 1902-06 be and is hereby amended as follows:

Section 2. Salaried Employees

Fees
Marriages and Civil Unions

Title

Mayor

- | | | |
|----|---|-------|
| A. | Within jurisdiction of Lawrence Township | \$100 |
| B. | Outside jurisdiction of Lawrence Township | \$150 |

Section 3. Method of Payment

Persons seeking to be married or joined in civil union by the Mayor shall remit the proper fee as indicated above payable to the Township of Lawrence.

Said fees are to be submitted to the Office of the Municipal Clerk prior to the ceremony and are to be forwarded to the Finance Department for deposit and disbursement to the Mayor through the bi-weekly payroll cycle or may be waived by the Mayor for general fund disbursements.

Section 4. Repealer

All ordinances or parts of same inconsistent with any provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 5. Severability

If any section, paragraph, sentence, clause or phrase of this ordinance shall be declared invalid for any reason, the remaining portions of said ordinance shall not be affected thereby and shall remain in full force and effect.

Section 6. Effective Date

This ordinance shall take effect immediately upon adoption.

The Ordinance 2075-11 was adopted on the following roll call vote:

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

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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"

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

Ordinance No. 2076- 11

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

WHEREAS, there exists certain tax map pages number 23.02 & 23.04, whereon is shown a paper street named Piedmont Avenue; and

WHEREAS, the Township has received a request to vacate this right-of-way; and

WHEREAS, the Township notified all abutting property owners of the intention of said vacation; and

WHEREAS, the Township Engineer notified all utility companies and Township departments of the intention of said vacation and received no comments; and

WHEREAS, the Township, pursuant to N.J.S.A. 40:67-1(b), expressly reserves and excepts from vacation all rights and privileges which may be possessed by a public utility or any cable television company in the right-of-way to be vacated; and

WHEREAS, the Township Council of the Township of Lawrence has determined that the public interest will be best served by vacating this portion of said roadway releasing and extinguishing the public rights in and to such vacation; and

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that:

- I. Any and all public rights be and the same are hereby vacated, released and extinguished in all portions of Piedmont Avenue, particularly described in Section II of this Ordinance, subject to the reservation of a 15' wide pedestrian access easement along the northern property line of the portion to be conveyed to Lot 1.01.
- II. The tract of land to be conveyed to Lot 1.01 in Block 2315 is more particularly described in "Description of a portion of Piedmont Avenue to be vacated and conveyed to Lot 1.01 in Block 2315 to create New Tax Lot 1.01 in Lawrence Township, Mercer County, New Jersey". Description prepared by Van Cleef Engineering Associates, Daniel A. Nagy, PLS, #27513, dated November 29, 2010 and attached hereto as Schedule "A".

Repealer

All ordinances or parts of same inconsistent with any of the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Severability

If any section, paragraph, sentence, clause or phrase of this ordinance shall be declared invalid for any reason, the remaining portions of this ordinance shall not be affected thereby and shall remain in full force and effect.

Notification

Immediately upon adoption of this ordinance, the Municipal Clerk shall file a copy of this ordinance with the Mercer County Clerk as required by law.

Effective Date

This ordinance shall take effect twenty (20) days after final adoption thereof.

The Ordinance 2076-11 was adopted on the following roll call vote:

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

Manager’s Report –

Mr. Krawczun advised that the Administration had the opportunity to meet with the Matrix Consulting Group for the review of staffing for the Lawrence Township Police Department last week and that he and the Police Chief also met with the firm’s President, and today was their first step toward the process of forming the Steering Committee involving him and the police officers. He also advised that he reached out to a member of the Public Safety Advisory Committee; but, as of yet, he has not received any confirmation back as to whether the participant would like to be involved and that the individual was selected based on seniority, after which he discussed the number of upcoming meetings and the purpose of the study group.

Mr. Krawczun advised that the Township Charter requires the Municipal Manager to provide the Governing Body with a Recommended Municipal Budget by January 15th and that the Local Finance Board has extended the statutory dates to February 25th and the revised introduction date to March 11th. So, he will use the additional time to review the budget and the ideas that were previously discussed in order to come under the new 2% cap. He further advised that, as of today, the formula has not yet been finalized for municipalities operating under a calendar year – they are still awaiting the news. A short discussion took place relative to a public forum being held for budget discussions and Mr. Krawczun providing a recap of the 2010 budget year and the 2% tax levy as it applies to the 2011 budget.

Attorney’s Report –

There was no Attorney’s report.

Clerk’s Report –

There was no Clerk’s report.

Council Initiatives/ Liaison Reports –

Councilmember Mount's report:

- Advised that the Green Team Advisory Committee met and they had an excellent discussion on action items associated with the Sustainable Jersey Certification Program and proceeded to discuss the 200-points the Township re-certified with last year, and the 100-points they plan to garner this year with all the projects they have in the works. She further advised that they are working on a joint meeting with other Committees to share ideas and projects and that the intended date is February 17th at 7:30 if it coincides with everyone's schedule.

Councilmember Kownacki's report:

- Stated that none of the Boards/Committees have met – so he has no report.

Councilmember Bostock's report:

- Stated that the Cable Telecommunication Advisory Committee meets next week - so he has no report.
- Reported that the Senior Executive Committee meeting was canceled due to inclement weather.
- Advised that the Environmental Resources Committee did meet and they re-elected Brian Friedlich as Chair for the coming year. He applauded the excellent job he did last year and wished him good luck for the coming year.
- Noted the passing of Ralph Copleman, who was the Executive Director and one of the founders of Sustainable Lawrence along with Councilwoman Mount, and indicated he was a strong, passionate, effective, fair-minded advocate for the environment and helpful to the community, and that his passing is a great loss to the community, and an even greater loss to his family and friends.

Mayor Puliti's report:

- Reported that the Recreation Advisory Committee is still working on increasing participation in sport programs for boys and girls. So, Mr. Groeger, Superintendent of Recreation, is sending out surveys again in hopes of encouraging more participation in the programs.
- Stated that the Public Safety Advisory Committee did not meet due to the inclement weather.

Councilmember Powers report:

- There was no Liaison report. (Absent)

Written Communications –

There were no written communications.

Old Business –

There was no old business.

New Business –

There was no new business.

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

9:20 P.M.

Respectfully submitted by,

Kathleen S. Norcia, Municipal Clerk

Attest:

Gregory J. Puliti, Mayor