

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

May 3, 2011

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, May 3, 2011, at 7:00 P.M.

The meeting was opened with the Inspiration 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, May 3, 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 Kownacki, Mount, Powers and Mayor Puliti.
Absent: Councilman Bostock.

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

Review and Revisions of Agenda

The Municipal Clerk advised that the Agenda needs to be amended to remove Resolution 7-E - A Resolution Authorizing Tax Overpayment Refund.

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

Same was carried on the following roll call vote:

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

Proclamations and Honors

Prior to presenting the proclamation Mayor Puliti thanked Lisa Burke, a resident of Lawrence, for bringing such an important event to the Council's attention and for reaching out to them to do the Proclamation. He then turned the floor over to Officer Thomas Everist, who acknowledged all the police officers involved in the Police Unity Tour and discussed the motivation surrounding their participation in the tour, after which he thanked the Mayor and Council for the great honor.

Mayor Puliti read the following Proclamation for the record in recognition of the "2011 Police Unity Tour":

Proclamation

***WHEREAS*, law enforcement officers across the nation at every moment place their own lives at risk to fulfill their sworn oath 'to protect and serve'; and**

***WHEREAS*, there are law enforcement officers who make the ultimate sacrifice giving their lives in the line of duty in order to protect the communities they serve; and**

***WHEREAS*, the Police Unity Tour began in 1997 with 18 riders from the Florham Park, New Jersey Police Department and now includes over 1200 riders from across the country each year commemorating the lives and service of officers who have died in the line of duty; and**

***WHEREAS*, the primary purpose of the Police Unity Tour is to raise awareness of Law Enforcement Officers who have died in the line of duty and its secondary purpose is to raise funds for the National Law Enforcement Officers Memorial and Museum; and**

***WHEREAS*, the National Law Enforcement Officers Memorial bears the names of nearly 19,000 men and women who have given their lives in the line of duty; and**

***WHEREAS*, the Lawrence Township Police Department honors the memory of their fallen brothers and sisters by participating in the Police Unity Tour; and**

***WHEREAS*, the Lawrence Township Police Department 2011 Police Unity Tour Team includes Officer Thomas Everist, Sergeant Christopher Longo, Detective Joseph Lech, Officer Sean Kerins, Officer Suzanne Girard, Officer Kelly Longo and retired Officer Edmund Budzinski;**

***NOW, THEREFORE*, I, Gregory J. Puliti, Mayor, on behalf of the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, do hereby Proclaim Council's gratitude and wishes for a safe and successful event to the Lawrence Township Police Department Police Unity Tour Team for its participation in the 2011 Police Unity Tour.**

Public Participation

There was no public participation.

Introduction of the 2011 Municipal Budget

Mr. Krawczun distributed copies of the 2011 Municipal Budget and proceeded to discuss the introduction of municipal budget, to include the decrease of revenue due to successful tax appeals, the tax rate drop of \$.01 forcing the tax rate to rise, the one million seven hundred thousand dollar (\$1,700,000) anticipated revenue vs. the one million two hundred thousand (\$1,200,000) which was a drop in revenue that led to the Administration proposing a \$.06 tax rate increase to help offset the five hundred thousand dollar (\$500,000) shortfall, as well as, the anticipated revenue that was in the 2010 budget not being repeated in the 2011 budget. He further discussed the loss of revenues and statutory requirements as it relates to balancing the municipal budget and the appropriations/tax levy "CAPS" that has to be included in the budget.

Mayor Puliti and Council thanked Mr. Krawczun and the Administration for all their hard work in preparing the budget and gave their closing remarks.

Resolution Nos. 148-11, Introduction of the 2011 Municipal Budget, was introduced and approved on the following roll call vote:

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

Adoption of Minutes

On a motion by Mr. Kownacki, seconded by Mrs. Mount, the Minutes of the Closed Session Meeting of April 21, 2011 were approved without corrections.

Same was carried on the following roll call vote:

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

Introduction of Ordinances

Mayor Puliti read by title an ordinance entitled, "ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER."

Mr. Krawczun stated within the Local Budget Law there is a Local "CAP" Law which limits certain items of appropriation in the municipal budget to increase no more than 2.5% or the Cost of Living Adjustment or whichever is less. The Governing Body, under the same law, is authorized to adopt a "CAP Bank" Ordinance which allows an increase not to exceed 3.5% over the previous year appropriations and allows any additional amount to be banked and used for the current budget year or one of the two succeeding budget years. He then proceeded with a review of the Township's current "CAP Bank" budget and the authorization that would create a new "bank" of \$399,781.92.

The Ordinance was introduced and approved on 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						

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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."

Mr. Krawczun advised that the Ordinance was previously adopted on January 18, 2011 and is the second phase of vacating portions of Piedmont Avenue which runs from Route 206 to Rossa Avenue adjacent to Willis Greenhouse, and when the Ordinance was adopted there were a couple of residents at the end of the right-of-way near Rossa Avenue who declined participation and have since changed their minds, so the reintroduction of this ordinance will allow for their participation.

The Ordinance was introduced and approved on 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						

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Mayor Puliti read by title an ordinance entitled, "AN ORDINANCE AMENDING CHAPTER 13 OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE ENTITLED 'MOTOR VEHICLES AND TRAFFIC'."

Mr. Krawczun advised that the Ordinance designates Stella Drive as one-way northerly from Gedney Road to Gainsboro Road, as the road is now two directional and the width of an alley and because the residents that live along Route 206 use the road as an access to their driveways and other drivers use it to by-pass the traffic light at Gainsboro and Route 206, it has caused the residents adjacent to Stella Drive to make complaints about speeding in the area which has prompted the Police Department to devise a traffic calming plan. Mr. Krawczun then discussed the Administration's previous attempt to calm the speeding problem by installing speed bumps that proved to be ineffective, as well as, the Police Department's recent recommendation to make Stella Drive a one-way, to try and correct the problem. A brief discussion followed relative to the matter.

The Ordinance was introduced and approved on 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						

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Mayor Puliti read by title an ordinance entitled, "BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF LAWRENCE, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$1,219,900 AND AUTHORIZING THE ISSUANCE OF \$1,158,905 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF"

Mr. Krawczun advised that the Ordinance is a bond ordinance authorizing various capital purchases of equipment, building improvements, public safety equipment and other items for municipal operations in or after 2011, as the authorization period does not end until the end of the fiscal year, and indicated

that the Ordinance authorizes \$1,219,900 in funding, a down payment in the amount of \$60,995 and a balance of \$1,158,905 as authorized debt to borrow and disburse. A short discussion followed relative the reduction of capital expenditures and debt services.

The Ordinance was introduced and approved on 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						

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Mayor Puliti read by title an ordinance entitled, "BOND ORDINANCE PROVIDING FOR TWIN PINES PARKING/RECREATIONAL FACILITY IMPROVEMENTS BY THE TOWNSHIP OF LAWRENCE, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$156,000 AND AUTHORIZING THE ISSUANCE OF \$148,200 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF"

Mr. Krawczun advised that the Ordinance is another bond ordinance authorizing the funding for the purposes of the parking and recreational area at Twin Pines Airport and proceeded to discuss the Change Order that was approved at the last meeting authorizing the debt for parking improvements, changes from seeding to sod and any additional work that might come up during the construction of the project. A brief discussion followed relative to the separation of bond issuance and multipurpose bonding.

The Ordinance was introduced and approved on 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						

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Mayor Puliti read by title an ordinance entitled, "BOND ORDINANCE PROVIDING FOR VARIOUS ROAD IMPROVEMENTS IN AND BY THE TOWNSHIP OF LAWRENCE, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$1,045,000 INCLUDING THE AMOUNT OF \$250,000 EXPECTED TO BE RECEIVED AS A GRANT AND AUTHORIZING THE ISSUANCE OF \$755,250 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF"

Mr. Krawczun advised that the Ordinance is part of the Capital Plan identified in the 2011 budget and that it provides funding for the street programs/improvements and for general pedestrian safety improvements, to include improvements for Bergen Street from Lawrence-Pennington Road to Cold Soil Road, overlays of Johnson Avenue, Lawrence Station Road, Springwood Drive, Woodland Road and the Public Works Department parking lot. In addition, the Ordinance will include funding for path improvements for the Marlboro Footbridge and the annual concrete and striping program, as well as, decking and rail improvements on the bridge over the Colonial Lake Dam. Some discussion took place relative to the overall cost.

The Ordinance was introduced and approved on 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						

Resolutions

Councilwoman Mount questioned the increase of the open space tax appropriation from \$.01 to \$.03, Resolution (8-D) - Authorizing Open Space Tax Appropriation for 2011 Budget, after which the Municipal Manager provided a brief explanation regarding the rate change.

Resolution Nos. 140-11 (8A) thru 149-11 (8G)) with the exception of Resolution 148-11 (Intro-Budget) were 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						

Cited Resolutions are spread in their 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, " BOND ORDINANCE AMENDING BOND ORDINANCE 2052-10 BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, IN ORDER TO REVISE THE DESCRIPTION OF THE IMPROVEMENT HEREIN"

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. 2091-11

BOND ORDINANCE AMENDING BOND ORDINANCE NO. 2052-10
BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER,
STATE OF NEW JERSEY, IN ORDER TO REVISE THE DESCRIPTION
OF THE IMPROVEMENT HEREIN

BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1.

Section 3 of Bond Ordinance 2052-10, finally adopted May 18, 2010, amended by Ordinance 2086-11, finally adopted March 15, 2011, be and is hereby amended to add the following purpose:

Improvements of Municipal Buildings consisting of: "...LNSC Gymnasium Roof and HVAC System..."

Section 2.

The capital budget of the Township of Lawrence is hereby amended to conform with the provisions of this ordinance to the extent of inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of Local Government Services is on file with the clerk and is available there for inspection.

Section 3.

This amending bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The Ordinance 2091-11 was adopted on 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						

Manager’s Report –

Mr. Krawczun advised that he and Mr. Parvesse, Township Engineer, who is not present tonight, are happy to report that after the Council approved the Resolution for the completion of the Lawrence Hopewell Trail at Carson Road Woods the Administration received authorization from NJDEP to utilize the 2008 Recreation Trail Funds that were unutilized for the Trailhead at the Dyson Tract, as they decided not to build the Trail through the wooded area of the Dyson Tract. So, in turn, NJDEP gave approval for the \$25,000 that Lawrence received from the LHT to be re-appropriated in the 2011 budget and used toward Carson Road Woods.

Mr. Krawczun further advised that at the next meeting they will be bringing forth a recommended bid award for the first phase of the project, and they will be introducing the LHT monies they received that must be utilized by June, after which a short discussion took place relative to the low bid that was received for the project and the amount of work the bid will cover.

Mr. Krawczun reported that he was notified earlier today about a formal invitation that will soon be sent out to the Council inviting them to preview all the improvements that have taken place at the Lawrence Community Center, after which he distributed photos relative to some of the improvements and continued to discuss the incredible transition that has taken place at the facility with respect to the before and after school programs and advised that volunteers are still needed to give instruction on computers for various age groups of children.

Mr. Krawczun stated that the Administration was notified by the New Jersey Department of Environmental Protection (NJDEP) about the vapor intrusion test they conducted for property owners who wanted to participate under the Pit Stop remediation and advised that there were eight homes he is aware of that were tested and all of the results, which varied by individual location, came back under the standards for any further remediation and that each of the homeowners will be notified as to the positive results.

Mr. Krawczun advised that the Administration received one application for the position of the Municipal Judge and one is pending receipt. He then asked the wishes of the Council as to when they would like to schedule the interviews,

and stated preferably the next meeting, as Judge Catanese's retirement takes effect June 1st, after which the Municipal Clerk advised that Zoning Board interviews are scheduled for the next meeting date. After a short discussion, it was the consensus of the Council to conduct the Zoning Board and the Municipal Judge interviews on May 17th starting at 6 p.m. – 15 minutes each, and change the start time of the Regular Meeting to 7:30 p.m.

Attorney's Report –

There was no Attorney's report.

Clerk's Report –

Mrs. Norcia asked the Council's wishes with regards to the summer meeting schedule and advised that the meeting schedule for July is the 5th and 19th and August is the 2nd and 16th. After some discussion, it was the consensus of the Council to cancel the last meeting in both July and August.

Written Communications –

There was 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.

7:50 P.M.

Respectfully submitted by,

Kathleen S. Norcia, Municipal Clerk

Attest:

Gregory J. Puliti, Mayor