

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

October 4, 2011

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

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

Mayor Puliti asked for a moment of silence for Ellie Downs, member of the Environmental Resources Committee, who passed away.

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, October 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 Michael W. Herbert, Esq., Municipal Attorney.

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Review and Revisions of Agenda

The Municipal Manager advised that the Agenda needs to be amended to include Resolution (8-U) – Lawrence Township Professional Charges Appealed by Simone Investment Group, LLC (SP-11/10) Being Referred to Mercer County Construction Board of Appeals and Resolution (8-V) – Authorizing the Closing of a Portion of Charles Way for a Neighborhood Block Party.

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.  
Abstain: Councilman Powers.

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Prior to reading the Resolution into record, Mayor Puliti stated he would like to publicly thank each of the following organizations very much for their assistance during Hurricane Irene and extend a sincere appreciation on behalf of the Township Council for their great service. Thereafter, he presented the following Award to Rider University for their great service and being wonderful neighbors to the Township.

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Special Presentations to: Rider University

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*Resolution*

**WHEREAS**, on August 28th, 2011, the Township of Lawrence and the entire State of New Jersey was struck by Hurricane Irene, a large category 1 hurricane; and

**WHEREAS**, the rain and wind from the hurricane resulted in extensive flooding, power outages and property damage in numerous residential and commercial areas of the Township, particularly in low lying areas and along the Route 1 corridor; and

**WHEREAS**, to protect displaced residents and visitors from the dangers of the flooding, a large scale evacuation operation was established under the guidance of Lawrence Township Office of Emergency Management resulting in the temporarily sheltering of approximately 364 citizens as well as 26 pets; and

**WHEREAS**, Rider University, under the authorization of President Mordechai Rozanski, graciously opened the campus Student Recreation Center as a temporary shelter to the Lawrence Township citizens and visitors who were victimized by the storm; and

**WHEREAS**, Under the direct supervision of Dean of Students Anthony Campbell and Security Coordinator Frank Scharibone, University security officers, building maintenance and food service personnel worked tirelessly along with Lawrence Township and County of Mercer emergency services to provide security, food and shelter to the citizens and visitors during the fourteen and a half hours the shelter was in full operation.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that it recognizes and expresses a sincere debt of gratitude to Rider University, President Rozanski, Dean Campbell and all their supporting personnel for partnering with the Township by allowing the use of the Student Recreation Center as a temporary shelter during this natural disaster.

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## Public Participation

**Bergen Street Matter** – A lengthy discussion took place between the people in the audience and the Township Council relative to the Complete Street Initiative and the new striping that was completed on Bergen Street; a project they feel has caused the image of their street to look more like a thoroughfare rather than a residential neighborhood, thereby, causing additional traffic and speeding on Bergen Street and the general area.

The following individuals voiced their concerns and/or objections to the new striping/lineage on Bergen Street. (For detailed comments regarding the matter, please refer to the Minutes of September 20<sup>th</sup>)

- 1) Ms. Ruthann Jennings, 1 Woodland Road & Bergen Street, Lawrence Township, NJ 08648
- 2) Ms. Babette Rutman, 414 Bergen Street, Lawrence Township, NJ 08648
- 3) Mr. Scott Bentivegna, 107 Nassau Drive, Lawrence Township, NJ 08648
- 4) Mr. Godwin Etuk, 403 Bergen Street, Lawrence Township, NJ 08648
- 5) Ms. Chuening Tseng, 402 Bergen Street, Lawrence Township, NJ 08648

The following individuals voiced their opinion concerning the Complete Streets Initiative and why they feel the striping/lineage is appropriate and an amenity to Bergen Street.

- 1) Mr. Donald Pillsbury, 28 Nassau Drive, Lawrence Township, NJ 08648
- 2) Mr. Grady Newman, 89 Fairfield Avenue, Lawrence Township, NJ 08648
- 3) Mr. Peter Kremer, 16 Laurel Wood Drive, Lawrence Township, NJ 08648
- 4) Ms. McCaella Daffern, 89 Fairfield Avenue, Lawrence Township, NJ 08648
- 5) Ms. Jacqueline Pillsbury, 28 Nassau Drive, Lawrence Township, NJ 08648

Mayor Puliti stated a lot of the issues that were discussed tonight were addressed at the last Council Meeting (September 20<sup>th</sup>), and after that meeting it was the consensus of the Council to put any future Complete Streets plans on hold until the matter could be further reviewed by the Municipal Manager. He then turned the floor over to the Municipal Manager who addressed the following concerns:

- Removal of striping – Discussed several options related to the residents request to remove the striping.
- Traffic Survey – Discussed traffic survey/speed counts that the Police Department will be conducting at various times, dates and places, to see whether or not road humps can be installed with or without the permission of NJDOT.
- Complete Streets Application – Discussed the Complete Streets roadwork on Bergen Street being funded by DOT's Transportation Trust Fund and changes to the roadwork possibly jeopardizing the \$250,000 the Township received to implement the Complete Streets concept.

In closing, Mr. Krawczun stated once the Administration receives the data back from the traffic survey they can review the various options and proceed from there, after which members of Council voiced their concerns and opinions regarding the Complete Streets Initiative/Model, pedestrian/public safety on Bergen Street and the general area, Bergen Street as it relates to being a collector road, possible cost associated with changing the Complete Streets concept and the Town Council awaiting the results of the traffic data prior to making any further decisions on the matter.

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Ms. Linda Dlabik, 1358 Lawrence Road, stated that she has been attending the Council Meetings for a long time and for the last several months she was not in attendance due to her two children being very, very sick to the point that one of them almost died, and they thought their issues were associated with the mold problem that was found at the Lawrence Road Firehouse. So, she spoke with the Municipal Manager concerning the mold issue and he advised her that he would be discussing the findings at the September 6<sup>th</sup> Council Meeting which she attended; but nothing was discussed.

Ms. Dlabik advised after that meeting she spoke to Mr. Krawczun again concerning the matter and he advised her that the results were not yet put together. So, she decided to look on the Township website to see if the matter would be listed on the Agenda for discussion at the September 20<sup>th</sup> Meeting and nothing was posted; yet, she later heard that the matter was discussed at that meeting and she now feels that she was cut out of that meeting. She indicated if the problem is going to cost as much as she heard (\$60,000) to fix the Lawrence Road Firehouse then she would like to know whether or not the mold problem has been resolved.

Mr. Krawczun stated being Ms. Dlabik is a seasoned attendee at the Council Meetings she should know that items discussed during his Manager's Report are not necessarily detailed on the Agenda; but as part of his report he did update the Council at the last meeting about the mold problem, the remediation of the initial findings of the areas that had mold and additional locations that were found and tested during the remediation process. He indicated since that time they have gotten estimates for the remediation and the repair cost; but they need to go out to bid prior to proceeding.

An at length discussion followed relative to the availability of the Findings Report, cleanup and remediation process, bid process/ estimated cost, possible respiratory illnesses related to the mold issue and the Township's action plan to eliminate the mold problem in it entirety at the firehouse.

There being no one who wished to address Council, Mayor Puliti closed Public Participation.

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Adoption of Minutes

There was no adoption of minutes.

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Introduction of Ordinances

Mayor Puliti read by title an ordinance entitled, "BOND ORDINANCE PROVIDING FOR THE ROAD REPAIR AT THE INTERSECTION OF QUAKERBRIDGE ROAD AND PROVINCE LINE ROAD IN AND BY THE TOWNSHIP OF LAWRENCE IN THE COUNTY OF MERCER, NEW JERSEY APPROPRIATING \$50,000, INCLUDING GRANT FUNDS EXPECTED TO BE RECEIVED BY THE TOWNSHIP OF LAWRENCE TO OFFSET AUTHORIZING THE ISSUANCE OF \$47,500 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF"

Mr. Krawczun advised that the Ordinance had been previously introduced and adopted by the Council at the meetings in September; but because there are strict requirements that stipulate that both introduction and adoption of an ordinance have to be properly advertised in order to complete the process, and failure to do so under the law make the Ordinance not valid. So, upon review it was discovered that the Ordinance was not properly advertised by the newspaper according to the law, therefore, they have to start the process over.

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   |     |         |        |         |       |        |

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Mayor Puliti read by title an ordinance entitled, "AN ORDINANCE AMENDING CHAPTER 6A: FEES: THE CONSOLIDATED LICENSE, PERMIT AND FEE CHAPTER OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE – Dog License Fees"

Mr. Krawczun advised that the Ordinance amends the fees for dog licenses by \$1.00 so that they are identical to the cat license fees for 2012. The fee will increase from \$10.00 to \$11.00 for neutered or spayed dogs and from \$13 to \$14 for non-neutered or non-spayed dogs.

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						

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Mayor Puliti read by title an ordinance entitled, "ORDINANCE AMENDING ORDINANCE NO. 2050-10 KNOWN AS THE SALARY ORDINANCE OF THE TOWNSHIP OF LAWRENCE UNCLASSIFIED AND /OR EXEMPT, SEASONAL, EMERGENCY NON-UNION EMPLOYEES FOR 2010-2013"

Mr. Krawczun advised that the Ordinance amends the salary ordinance for unclassified and non-union employees to add the position of "Armed Court Attendant" and that the new position will provide security in the Lawrence Township Municipal Court that is currently provided by a police officer and in turn the police officer will be available for other assignments within the Police Department. He further advised that Ordinance 6-B is related to the ordinance as it will amend the Township's Administrative Code to assign the position to the Police Division, which is a requirement if the employee is armed. A brief discussion followed relative the criteria for the position.

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   |     |         |        |         |       |        |

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Mayor Puliti read by title an ordinance entitled, "ORDINANCE AMENDING CHAPTER 19 OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE ENTITLED "POLICE DEPARTMENT" - Court Attendant

Mr. Krawczun advised that the Ordinance will amend the Lawrence Township Administrative Code to assign the position of "Armed Court Attendant" within the Department of Public Safety, Division of Police.

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						

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Mayor Puliti read by title an ordinance entitled, "ORDINANCE PROVIDING FOR SIDEWALK IMPROVEMENTS IN AND BY THE TOWNSHIP OF LAWRENCE IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$2,488.77 THEREOF AND DIRECTING THE SPECIAL ASSESSMENT OF THE COST THEREOF"

Mr. Krawczun advised that the Township takes on road improvement projects within Lawrence Township each year and they make available to the residents the opportunity to participate in the "concrete program" for improvements of their curbing and driveway aprons. He indicated when the Administration goes out to bid they include those properties into the Township's bid and if the homeowner wants to voluntarily participate in the program the Township pays the contractor and the homeowner pays the Township back over a five-year period. A brief discussion followed relative to the participating streets - Bergen Street and Lawrenceville-Pennington Road.

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   |     |         |        |         |       |        |

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Resolutions

The Municipal Manager provided a brief summary of Resolution (7-U) – Lawrence Township Professional Charges Appealed by Simone Investment Group, LLC (SP-11/10) Being Referred to Mercer County Construction Board of Appeals.

Resolution Nos. 293-11 (7A) thru 315-11 (7V) with the exception of Resolution No. 308-11 (7P), Resolution No. 313-11 (7U) and Resolution No. 314-11 (Bid Award) were approved by 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   |     |         |        |         |       |        |

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

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Resolution No. 308-11 (7P) was approved by 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   |     |         |        |         |       |        |

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

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Resolution No. 313-11 (7U) was approved by 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   |     |         |        |         |       |        |

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

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Awarding or Rejecting of Bids

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. On a motion by Mr. Powers, seconded by Mr. Kownacki the following resolution was presented for adoption:

Resolution No. 314-11

WHEREAS, on September 27, 2011, bids were received for Bid No. 11-19, 2012 International 7500 SFA 6x4 or Equivalent with Plow and Sander; and

WHEREAS, two (2) bids were received and reviewed by the Township Manager and the lowest responsible bidder is Bucks County International, Inc.



134 Old Oxford Valley Road, Langhorne, PA 19047 with a bid of \$180,243.00; and

WHEREAS, in accordance with N.J.A.C. 5:30-14, a Certificate of Availability of Funds has been provided and the accounts to be charged are C-04-55-348-280 (Various PW Equipment/20-Ton Dump with Plow & Sander) and 1-01-26-315-295 (Vehicle Maintenance); and

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 Bid No. 11-19, 2012 International 7500 SFA 6x4 or Equivalent with Plow and Sander to Bucks County International, Inc. in the amount of \$180,243.00.

Same was carried on the following roll call vote:

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

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Adoption of Ordinances

There was no adoption of ordinances

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**Manager’s Report –**

Mr. Krawczun stated he was going to update the Council on the Bergen Street matter but since it was previously discussed during Public Participation he has nothing to report.

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**Attorney’s Report –**

There was no Attorney’s report.

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**Clerk’s Report –**

There was no Clerk’s report.

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**Written Communications –**

- A. Correspondence from Community Investment Strategies Regarding Housing for ARC Mercer Clients - No Discussion
- B. Annual Report of the Environmental Resources Committee – No Discussion

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**Old Business –**

There was no old business.

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**New Business –**

Mrs. Mount stated that she received several telephone calls this week regarding a denied request to place pink ribbons on the pillars outside of Town Hall; a symbol designed to bring awareness to breast cancer and that October is “Breast Cancer Awareness Month”. She indicated for the last several years the organization has been granted permission and she would like to know why they were denied this year.

Mr. Krawczun advised that the Administration received the request through “constant contact” on the Township website and it is his recollection that each member of Council was copied on his response to the requestor. He indicated that there were two issues regarding the matter. The first pertaining to commercial signage being if there are any items, objects, etc. that could be considered view points signs or to advertise a view point they are in fact considered commercial signs thereby prohibited under the Sign Ordinance. He indicated the person responded back that the ribbons do not contain any commercial content.

Mr. Krawczun stated the second issue he responded to was pertaining to non-profits and the Township not choosing one non-profit over another or one organization over another organization so they can be consistent with their approach and not get entangled with supporting one particular group. So, after having an extensive conversation regarding the matter with the former Township Attorney, and to exercise fairness and avoid any type of conflict of interest they decided to not approve anyone from any organization.

Mayor Puliti stated with all due respect to Councilwoman Mount he believes that they were all involved in that conversation with the former Township Attorney and they all made that decision as a Council to do away with the practice after a question arose about denying other organizations.

Mrs. Mount stated that she feels they are taking the sign ordinance issue to another level because it is only a few organizations that request to put ribbons at Town Hall to promote some type of awareness. So, instead of the Council saying no to the idea she feels they should be saying yes and not be afraid to show people their sensitivity. Further, she does not recall that section of the Sign Ordinance having anything to do with the display of ribbons on the property of Town Hall, so they should perhaps consider reviewing that section of the ordinance. Afterwards, an at length discussion followed relative to decision not being part of the changes to the Sign Ordinance but a policy that was set by the Council after a discussion with the prior Township Attorney, as well as, revisiting the issue.

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

8.45 P.M.

Respectfully submitted by,

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Kathleen S. Norcia, Municipal Clerk

Attest:

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Gregory J. Puliti, Mayor