

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

January 17, 2012

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, January 17, 2012, 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 Kownacki 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 17, 2012, 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 Lewis, Maffei, Powers, Puliti and Mayor Kownacki.

Absent: None.

Also, in attendance were Richard S. Krawczun, Municipal Manager, and David M. Roskos, Esq., Municipal Attorney.

Proclamations and Honors

Mayor Kownacki administered the Oath of Office to the following individual:

- Chief Gary Wasko – Lawrenceville Fire Company

Review and Revisions of Agenda

There were no revisions to the agenda.

Public Participation

Mr. Edward Wiznitzer, 118 Darrah Lane, stated he would like to voice his concern about the proposed ban of left-hand turns from Route 206 onto Wayside Lane. He indicated every day for the last several years he has driven by Wayside Lane and he has had lots of experiences at that intersection as he uses it to travel down Darrah Lane to Lawrence Road to make a left-hand turn; because, when the Township started allowing cars to make a left-hand turn from Route 206 onto Darrah it became very difficult for him to make a left-hand turn onto Route 206 to get to his office so he started using Wayside Lane as an alternative route which to date has worked out fine.

Mr. Wiznitzer indicated when a traffic change is made in one place of the Township it always affects traffic in another place; so, if they ban left-hand turns on Wayside people who want to get into the Birchwood Knoll neighborhood are just going to use the next intersection which is Berwyn Place to try and make a left-hand turn which is going to create a backup at that intersection. He then proceeded to elaborate on why he feels banning left-hand turns at Wayside is a mistake and the improvements that he would like to see the Township implement to improve that intersection – such as placing a sign at the intersection of Wayside instructing drivers to “Stop Here on Red Light” and drawing a stop line on the pavement that would prevent people from blocking the street, which will in turn allow cars to turn safely onto Route 206 when exiting the street.

In closing, Mr. Wiznitzer stated the same concept was previously done on Princeton Pike and Texas Avenue and he hopes the Council agrees with his idea and consider his proposal, after which he opened the floor to entertain questions.

Mr. Puliti thanked Mr. Wiznitzer for his comments and suggestions and advised that the Wayside matter is in the preliminary stages and that the Council along with the Police Department and Public Safety Committee will review and consider everything prior to making a final decision on the matter; but they certainly understand his concern and will take his suggestions into consideration. Thereafter, an at length discussion took place relative to Mr. Wiznitzer's comments/proposal and some of the concerns with DOT's plans to install a traffic light at the corner of Darrah Lane to help improve safety at that intersection.

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

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**Appointments to Boards and Committees**  
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Mayor Kownacki advised that the Liaisons will be casting their nominations for the nominees appointed to the following Boards and Committees:

AFFORDABLE HOUSING BOARD (Peter Ferrone – 3-year term)

Resolution No. 57-12 was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Lewis	X						
Dr. Maffei	X						
Mr. Powers	X						
Mr. Puliti	X						
Mayor Kownacki	X					X	

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GREENWAY COMMITTEE (Anne Demarais and Peter Wood – 3-year term)

Resolution No. 57-12 was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Lewis	X					X	
Dr. Maffei	X						
Mr. Powers	X						
Mr. Puliti	X						
Mayor Kownacki	X						

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GROWTH & REDEVELOPMENT COMMITTEE (Danielle DelPrato, Ryan Kennedy, Karen Vincent-Lavanga and Jags Vazirani – 3-year term – Class IV)

Resolution No. 57-12 was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Lewis	X					X	
Dr. Maffei	X						
Mr. Powers	X						
Mr. Puliti	X						
Mayor Kownacki	X						

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HEALTH ADVISORY BOARD (Anthony Brickman and Darlene Hanley – 3-year term)

Resolution No. 57-12 was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Lewis	X						
Dr. Maffei	X						
Mr. Powers	X						
Mr. Puliti	X						
Mayor Kownacki	X					X	

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HISTORIAN (Dennis Waters – 4-year term)

Resolution No. 57-12 was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Lewis	X						
Dr. Maffei	X					X	
Mr. Powers	X						
Mr. Puliti	X						
Mayor Kownacki	X						

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HISTORIC PERSERVATION COMMITTEE (John Deibel – 4-year term, Sherry Heffern and Billy O’Neal – Unexpired 4-year term)

Resolution No. 57-12 was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Lewis	X						
Dr. Maffei	X					X	
Mr. Powers	X						
Mr. Puliti	X						
Mayor Kownacki	X						

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HUMAN RELATIONS COMMITTEE – Nelson Melendez – 3-year term and Elissa Schragger - Unexpired 3-year term)

Resolution No. 57-12 was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Lewis	X						
Dr. Maffei	X						
Mr. Powers	X					X	
Mr. Puliti	X						
Mayor Kownacki	X						

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MUNICIPAL ALLIANCE (Susan Varga – 2-year term)

Resolution No. 57-12 was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Lewis	X						
Dr. Maffei	X						
Mr. Powers	X						
Mr. Puliti	X						
Mayor Kownacki	X					X	

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PLANNING BOARD (Christopher Bobbitt, Ian Dember and Terrence Leggett – Unexpired 4-year term, Doris Weisberg and Phillip Duran – 4-year term, Glenn Collins, Ian DemberKim Y. Taylor - 4-year term and Doris Weisberg - Alternate Member #2 - 2-year term)

Resolution No. 57-12 was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Lewis	X						
Dr. Maffei	X						
Mr. Powers	X						
Mr. Puliti	X					X	
Mayor Kownacki	X						

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PUBLIC SAFETY COMMITTEE (William Holmes – 2-year term)

Resolution No. 57-12 was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Lewis	X						
Dr. Maffei	X						
Mr. Powers	X						
Mr. Puliti	X					X	
Mayor Kownacki	X						

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RECREATION ADVISORY COMMITTEE (Robert Dalle Pазze, George Ferenchick and Zigmund Zegarski – 3- year term)

Resolution No. 57-12 was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Lewis	X						
Dr. Maffei	X						
Mr. Powers	X						
Mr. Puliti	X					X	
Mayor Kownacki	X						

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SENIOR EXECUTIVE COMMITTEE (Livia Borkowski, Theodore Hendricks and Joan Rowland – 4-year term)

Resolution No. 57-12 was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Lewis	X						
Dr. Maffei	X					X	
Mr. Powers	X						
Mr. Puliti	X						
Mayor Kownacki	X						

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SHADE TREE ADVISORY COMMITTEE (Edward Sproles – 3-year term)

Resolution No. 57-12 was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Lewis	X						
Dr. Maffei	X						
Mr. Powers	X					X	
Mr. Puliti	X						
Mayor Kownacki	X						

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ZONING BOARD OF ADJUSTMENT (John Gladwell and Samuel Pangaldi - 4-year term, Frank Scangarella – Alternate #1 – Unexpired 2-year term and Edward Wiznitzer - Alternate #2 – 2- year term)

Resolution No. 57-12 was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Lewis	X					X	
Dr. Maffei	X						
Mr. Powers	X						
Mr. Puliti	X						
Mayor Kownacki	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 Kownacki read by title an ordinance entitled, "REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF LAWRENCE, IN THE COUNTY OF MERCER, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF THE OUTSTANDING GENERAL IMPROVEMENT BONDS OF THE TOWNSHIP, DATED JUNE 15, 2004, ISSUED IN THE ORIGINAL PRINCIPAL AMOUNT OF \$12,000,000, APPROPRIATING \$5,250,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,250,000 REFUNDING BONDS OF THE TOWNSHIP FOR FINANCING THE COST THEREOF."

Mr. Krawczun advised that the Ordinance will basically refinance outstanding debts that were issued in June 2004 and it will also give them an opportunity to refinance the callable portion of the bonds that mature on or after January 2015. He further advised that the process includes the adoption of a Resolution, which is listed on tonight's Agenda, that must be approved by the Local Finance Board prior to the Ordinance being adopted and the reason they need to seek the approval of the Local Finance Board is because whenever a municipality does a refinance they must demonstrate that the net present value (NPV) is a savings of at least 3% including the cost depreciation for the refinance. He then proceeded to discuss the approval process and the NPV savings of \$165,000.

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

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVE	SECOND
Ms. Lewis	X						
Dr. Maffei	X						
Mr. Powers	X						X
Mr. Puliti	X					X	
Mayor Kownacki	X						

Resolutions

Resolution Nos. 39-12 (8A) thru 56-12 (8R)) were approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVE	SECOND
Ms. Lewis	X						X
Dr. Maffei	X						
Mr. Powers	X						
Mr. Puliti	X					X	
Mayor Kownacki	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

There were no ordinances of adoption.

Manager's Report –

Presentation of the 2012 Municipal Budget

Mr. Krawczun distributed copies of the recommended budget for the Council to review and proceeded to read the 2012 Municipal Budget Recommendation Report. After the presentation, Mr. Puliti asked Mr. Krawczun to explain the section of the Report pertaining to the state imposed mandatory limit of the “cap” on the municipal levy and the reason for his recommendation that a referendum be held in 2012 to exceed that limit.

Mr. Krawczun stated as everyone knows local governments in New Jersey are now required to stay within a 2% cap on municipal tax levy from one year to the next but there are some things (“hard caps”) that are outside of the boundaries of the legislature, and with that there is a limit of how much taxation can be increased to balance the budget. So, in 2012, if they were to use the Township’s four million dollar surplus to balance the budget to meet the statutory requirement of two percent (2%) cap, due to the accounting of closing out the fiscal year and entries from the entire fiscal activities where there might be credits back to the surplus, they simply will not be able to generate four million to regenerate the surplus. And, if they are unable to regenerate the surplus then it will create difficulty going forward into the next year’s budget (2013) being they will start off with a gap of \$1.8 million.

Mr. Krawczun advised that there are some preliminary services that they have begun to examine and they have been discussing how services will be provided going forward or at what level in order to cut cost from the budget; because, if they wait until next year the gap will become increasing larger being Lawrence operates on a calendar year and by the time the budget is adopted they will be four to six months into the operating year. So, basically, the problem is the regeneration of surplus.

An at length discussion and comment period took place relative to the tax rates and the uncertainty and lack of economic growth due to the recession as it relates to regenerating the surplus, lack of surplus to address unforeseeable future events – such as Hurricane Irene, a possible 6 percent tax increase, budgetary cuts and savings, authorization of the proposed referendum and the proper preparation, procedures and statutory timeline for doing the referendum as it relates to the introduction and adoption of the municipal budget.

After the discussion, Mr. Puliti suggested that prior to moving forward with the referendum that at the next Council meeting Mr. Krawczun have each of the Department Heads come in and give the Council a brief budget report on where they can cut cost and the ramifications of those cuts. (All were in favor of Mr. Puliti's suggestion.)

Mr. Kownacki thanked Mr. Krawczun and his staff for the preparation of the 2012 Recommended Municipal Budget.

Attorney's Report –

Mr. Roskos stated he has no formal report but he has been keeping in touch with the Township Manager in terms of the cases that have been transferred over to him and he thinks they have everything under control at this point; but, he is going to move to dismiss a complaint that is in Superior Court within the next two weeks as he tried to convince the party who is suing the Township that it would be inappropriate to pursue that course of action and under the Statute they have been refusing and ignoring his request, therefore, he will be moving forward on the matter and may have something to report in a couple of weeks on the case.

Clerk's Report –

There was no Clerk's report.

Council Initiatives/ Liaison Reports –

There were no Liaisons reports.

Written Communications –

There were no written communications.

Old Business –

There was no old business.

New Business –

Mayor Kownacki advised effective February 7, 2012 all future regularly-scheduled Council meetings will convene at 6:30 p.m., and that they have a Special Meeting on January 24 at Town Hall at 6:30 p.m. for the public hearing on the Comcast Franchise Agreement.

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

9:04 p.m.

Respectfully submitted by,

Kathleen S. Norcia, Municipal Clerk

Attest:

James S. Kownacki, Mayor