

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

October 2, 2012

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, October 2, 2012 at 6:30 P.M.

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

At the commencement of the meeting Councilwoman Lewis 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 2, 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, Puliti.
Absent: Councilman Powers and Mayor Kownacki. (The Municipal Clerk advised that Mr. Powers is out of state on business and Mayor Kownacki is ill.)

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

Proclamation and Honors

There were no proclamations or honors.

Review and Revisions of Agenda

There were no revisions to the agenda.

Public Participation

Presentation by Dennis Waters. Township Historian
"Lawrence History Month"

Mr. Waters greeted everyone and stated as always what a pleasure it is to give the Council an update on their plans for October which is "Lawrence Township History Month", as well as, highlight other recent activities and some of the things to look forward to in the year ahead and advised that they have two major events planned to mark "Lawrence History Month". The first being the Ninth Annual Mary Tanner Lecture entitled, Maidenhead Patriots: The First Hunterdon Militia Regiment 1775-1783 presented by The Lawrence Historical Society that is scheduled to take place on Sunday, October 14th at 2:00 p.m. at Rider University and the speaker will be local historian Larry Kidder. He then proceeded with a brief overview of the event.

Mr. Waters advised that the second big event will give the entire community a chance to get engaged with a full scope of Lawrence history, which they are very excited about and the event is called People, Places & Periods and is jointly sponsored by the Lawrence Township Community Foundation and The Lawrence Historical Society. He indicated that the event will take place at the Lawrence High School on Saturday, October 27th from 12-4 p.m. and that a number of local experts have been kind enough to volunteer their time and expertise, to be on hand, to discuss various facets of Lawrence history including the D&R Canal, Slavery & African-American Experience, Lawrenceville Village, Historic Houses and the Preservation of Old Photographs. In addition, they will have video equipment on hand so that residents can come and share their own memories. Afterwards, he expressed how gratified they are with the Lawrence Township Community Foundation making a commitment to local history and gave a special shout-out to Mr. Krawczun for getting the ball rolling.

Mr. Waters indicated one of the things they had hoped to do that will not be happening is the Grand Re-Opening of the Port Mercer Canal House following the damage from last year's floods, and advised that the State has an ambitious restoration plan and they have begun some of the preliminary work; however, they have their own time table and at this point they do not know when the work will be finished. He also reported that the Cartography Laboratory at Rutgers's has now made high resolution scans of almost three hundred Subdivision Site Plans from the Township Engineer's Office and they just have a few more to do then they will be done and that the plans document the 100-Year History of Lawrence Township development as a suburb and they will form the basis of his talk at the annual meeting of The Lawrence Historical Society in February. Also, if residents are curious about the history of their neighborhoods they are also developing a web interface that will let them view the scans online, after which he thanked Jim Parvesse, Township Engineer, Brenda Kraemer, Assistant Engineer, and Susan Snook, Secretary, for all of their support and patience with him parading in and out to retrieve site plans.

Mr. Waters stated he has a couple of things he would like to note regarding the Township Archives in the Lawrence Room at the Library. The first being the completion of accessioning for an important family collection that they may have read about from one of the founding families of Maidenhead...the Merschons and indicated the original settler, Henry Merschon, moved to Lawrence in 1777 and that his decedents are scattered all around the country but many of them return to Lawrence each year for a reunion and since the 1930s they have kept their collection of family documents, photographs and artifacts at the Presbyterian Church of Lawrenceville; but, about a year ago they began looking for a new home for the collection and they chose the Township Archives to be the permanent repository; so, they moved the collection over to the Library as it will be a resource on Lawrence Township history and in a place where it is accessible.

Mr. Waters stated the second item they have mined is a rich collection of photographs in the Township Archives that will be published in a new book; a book (Lawrence History) that some may remember from 20 years ago. He indicated in February they will have a companion volume from the same publisher called "Lawrence Township Revisited" and the dedication of the book will read: "In Memory of Winona Nash and Robert Immordino for their Tireless Dedication to the Preservation of Lawrence Township History", and Laura Nawrocik, President of The Lawrence Historical Society and intern Ashley Morris took the lead on project.

Mr. Waters proceeded to update the Council on several upcoming events. The first being the 200th Anniversary of the town's namesake Captain James Lawrence as it was June 1, 1813 that he was wounded in battle and uttered the immortal words "Don't Give Up The Ship" and died three days later; and, because they are in the beginning of thinking how to commemorate the anniversary they are calling on ideas from the community, after which he thanked Mr. Nicholas Loveless, who donated a box full of materials he saved from the 150th Anniversary in 1963. Additionally, next year will mark the 100th Anniversary of the creation of the Lincoln Highway which passes through Lawrence and is currently known as Route 206 and that the highway was a turning point in the history of automobiles in America and that the Lincoln Highway Association is planning a number of events so, at the very least, they can expect a couple of commemorative caravans to pass through the town next summer. Also, in 2013 Mercer County will mark its 175th Anniversary with a number of events including some here in Lawrence and he has been asked to join their Advisory Committee so he will keep them posted on those upcoming events. In closing, he thanked the Council for their continued support of local history projects here in Lawrence.

Mr. Marvin Van Hise, 118 Federal City Road, inquired about the following resolutions listed on the Agenda: Resolution (7-C) - change order to increase the contract amount for the 2011 Road Improvement Program - an increase that amounts to about 7-percent; Resolution (7-J) - tax matters as it relates to the proposed bulk item pickup fee and how residents who reside in apartments/condominiums will be assessed and whether or not they will be charged a private fee or built-in fee for bulk pickup and the elimination of longevity pay for Township employees due the budget deficit. He also questioned Resolution (8-A), the bid award for Snow Plowing Services to an out of state company that does not pay taxes in the State of New Jersey.

Prior to turning the floor over to the Municipal Manager, Ms. Lewis stated for the purpose of clarification the proposals Mr. Krawczun presented to the Council over the last few months including the bulk pickup fee that was discussed at the last meeting are all ideas on the table. They are not something that Council has decided to go forward with at the present time.

Mr. Krawczun stated with regards to Mr. Van Hise's inquiry concerning the change order the Township Engineer provided the Council with a detailed accounting of the engineer's estimate of quantities versus the final as-built quantities, which amounted to more than the original estimation. For example: the amount of surface course was originally estimated at 2300 tons and it came out to be 2387 tons, which was a difference of about a \$14,000; the concrete curbing went over by 200-feet of its original estimate; concrete sidewalk went over by 63-feet of its estimation and driveway aprons went over by 112-feet; but, indicated the cost for the driveway aprons and sidewalks are assessed to the homeowners at a rate of 6% interest paid to the municipality over a 5-year period and proceeded to discuss how the affected homeowners are involved in the bid pricing for the Road Improvement Program each year.

Mr. Krawczun advised that the tax matter Mr. Van Hise is referring to has nothing to do with the tax matters that will be discussed in Executive Session, as that matter deals with litigation; and, as for longevity, he does not think there is any disagreement although he cannot speak for the Council about the financial impact of longevity; however, they did take a quick look and found an Ordinance back to the 70s that had longevity included for the compensation of employees, so longevity compensation is not something new as it has a good 40 year history. Also, Mr. Van Hise knows from being a former public employee that there are labor agreements in place and that the language on longevity is included in those labor contracts; therefore, they need to negotiate that language going forward with that particular compensation.

Mr. Krawczun stated as for bulk pick up the apartment complexes that do not pay would not be entitled to those services and proceeded to discuss the State Statute that requires the Township to reimburse apartment complexes for the cost of curbside pickup on an annualized basis. Further, with award of bids under the New Jersey Public Contracts Law, municipalities cannot make residency a criterion in the bid specifications as the Statute prohibits that from being included; but they can limit distance and it must be documented if there is an issue with distance materials such as asphalt. A brief comment and question period took place relative to the matter.

Ms. Amy Davis, 54 Pine Knoll Drive, stated she would like to make a few comments and suggestions relative to some of the proposals that were made by the Township Manager at last month's meeting. The first being the proposal to eliminate all recreational activities for children but maintain services for seniors that will save approximately \$60,000; a proposal she feels makes no sense because the Township is proposing to eliminate the bulk of what the program offers while keeping the current staff so if they are going to keep the same staff then they can continue to provide recreational services for children and suggested that they increase the program fees and lower the administrative cost such as salaries because in theory the programs generate its own revenue and the department would pay for itself. She proceeded to

discuss employees' salaries being too generous with respect to raises and longevity pay, the Township proposal to cut services and increase taxes and not being financially prudent and it being grossly unfair to eliminate all programs for children while continuing to provide services for seniors; a sacrifice that should be shared.

Mr. Davis stated with regards to the trash proposal she strongly urged the Council not to eliminate trash pickup and she does not support the proposed annual fee of \$55 for bulk item pickup, as it would be grossly unfair to residents who do need or use the service and it is nothing more than a backdoor tax disguised as new user fee; however, she does support a sticker program where individuals who need the program will pay accordingly as it is fair and reasonable alternative. Furthermore, people can now sell large items online for pickup only, many people have garage sales and there are stores that will remove old items when they deliver new items.

Ms. Davis indicated the last item she would like to discuss is the Council's opposition to a second public comment period being added to the Agenda after the Manager's Report and before Executive Session, as there has been support from the public, the press, some Councilmembers, as well as, the Township Attorney who chimed in on the matter to come up with a resolution. In addition, the Municipal Clerk has researched the matter and found that there are numerous public bodies that allow for public participation at various times during their Council Meetings including the School Board who has several public comment periods during their meetings and proceeded to discuss her perspective regarding the Council's position on the matter.

Mr. Krawczun replied when they talked about changes to the Recreation Department the proposal was not to keep the same staffing levels, it was at reduced staffing levels, and the reason why the savings was not as high in the second round of discussions is because as of August 31 there had already been a reduction of staff in that department so because of the reduction in staff it just was not as high as it was in the past due to the layoff on August 31.

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

Adoption of Minutes

There were no Minutes for adoption.

Introduction of Ordinances

There was no adoption of ordinances.

Resolutions

Resolution Nos. 287-12 (7-A) thru 296-12 (7-J) were approved by the following roll call vote:

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

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

Awarding or Rejecting of Bids

Mayor Kownacki asked for comments from the public. There being none, Mayor Kownacki asked for comments from Council. There being none, public participation was closed. On a motion by Mr. Puliti, seconded by Dr. Maffei the following resolution was presented for adoption:

Resolution No. 297-12

WHEREAS, on August 29, 2012, bids were received for Bid No. 12-09, 2012 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 GreenScape Landscape Contractor, Inc., 733 Willow Grove Avenue, Glenside, PA 19038 who submitted a bid in the amount of \$189.00 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 2-16-56-849-299 (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 Bid No. 12-09, 2012 Snow Plowing Services, to GreenScape Landscape Contractor, Inc., for the period of November 1, 2012 through April 15, 2013 with a contract amount not to exceed \$17,000.

Same was carried on the following roll call vote:

Ayes: Councilmembers Lewis, Maffei and Mayor Kownacki.

Nays: None.

Absent: Councilman Powers and Mayor Kownacki.

Adoption of Ordinances

There was no adoption of ordinances.

Manager's Report -

Mr. Krawczun stated that he would be reviewing the Best Practices Worksheet for 2012 and in the prior State budget it became part of the legislation with the adoption of the budget to require municipalities to submit a checklist known as "Best Practices" and that a checklist has been submitted in the past; however, the legislation now takes on an additional requirement that the item be presented at a meeting of the Township Council and that the Chief Financial Officer submit certification to the answers and the Municipal Clerk certifies it at the public discussion. He advised that there are 50 questions included on the Checklist and there are a couple of possible answers - yes, no, non-applicable or prospective - and if a municipality answers 41 or more questions with a yes, prospective or non-applicable then they are eligible to receive 100-percent of the final distribution of State Aid that is allocated in the month of December.

Mr. Krawczun advised that each of the Township submissions prior to this year have, in fact, been at 100-percent including the Checklist they submitted last Friday and they will again receive the full allocation of State Aid. In addition, the Administration was successful in answering 46 out of 50 which was needed in order to qualify and proceeded to review in detail the questions on the list they answered "no" or "prospective" to and the reason for each of those responses. A short question and answer period took place relative to some of the questions the Administration answered "no" and "prospective" to.

Attorney's Report -

Mr. Roskos stated the only report he has is for Executive Session.

Clerk's Report -

There was no Clerk's report.

Written Communications -

There was no written communication.

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.

7:14 p.m.

Respectfully submitted by,

Kathleen S. Norcia, Municipal Clerk

Attest:

Cathleen M. Lewis, Councilwoman