

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

September 4, 2012

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, September 4, 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 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, September 4, 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 Maffei, Powers, Puliti and Mayor Kownacki.  
Absent: Councilmember Lewis. (The Municipal Clerk advised that Ms. Lewis is out of state.)

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

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Proclamation and Honors

There were no proclamations or honors.

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Review and Revisions of Agenda

There were no revisions to the agenda.

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## Public Participation

*Mr. Allen Cohen, 31 Pin Oak Drive*, voiced his concern about his property taxes and how the taxes are dispersed between the county, schools, etc., as well as, the 17-percent tax increase proposed by the Council due to a reduction in revenues, primarily, tax appeals and uncollected taxes and the tax increase being resoundingly voted down by the voters.

Mr. Cohen proceeded to speak at length about an article he read regarding unemployment/employment compensation as it relates to the economic recovery and some proposed changes he would like to see enacted in 2013 to help deal with the revenue problem to include the following: elimination of longevity for police and all other employees, elimination of payment for all unearned vacation and sick pay for employees in the year the employee retires, wage freeze for all employees, renegotiation of all union contracts for concessions; and, if necessary, when dealing with police contracts go to arbitration being police salaries/benefits are one of the costliest expenses to the taxpayers, police layoffs, reduction or elimination of brush collection, curtail public works projects and a plan put in place to downsize Lawrence Township government to bring cost in line with long-term projected revenues so the Township does not have to do series layoffs year after year.

*Mr. Richard Siegel, 17 West Church Road*, advised that he and his family moved to Lawrence Township about 5 years ago and they love living in Lawrence and that he would like to respond and rebut some of the comments made at previous meetings he attended regarding his objection to blanket cuts/layoffs, quality of life issues and the Council being cognizant of what caliber of person they would like to hire for positions that the Township needs to have filled to properly and intelligently make the decisions necessary to run and maintain the town's quality of life; issues that he feels are not brought up enough nationally in the last several years.

Mr. Siegel further discussed being a union worker his entire life and his decision to maintain unionized positions because of the security it seemed to offer to him and his family, as well as, his objection to unionized workers being blamed for the revenue problem because of their ability to negotiate a fair contract or folks scrutinizing career decisions unionized workers make to support their families and/or way of life when in his opinion some of the problems can still be laid at the feet of the 2% cap put in place by the State, after which he proceeded to elaborate in detail regarding the matter.

*Ms. Amy Davis, 54 Pine Knoll Drive*, advised that she and Mr. Cohen met with Peter Kiriakatis, Comptroller and Richard Krawczun, Municipal Manager after the last Council meeting to review the budget details, and she would like to thank both for meeting with them, as it was a very informative session.

Ms. Davis proceeded to discuss the power point presentation that the Municipal Manager gave at the last Council meeting regarding the 2012 budget appropriations, particularly, public safety which was of the largest areas of appropriation at 33-percent, and of that 33-percent 6.5M of that appropriation is spent on the police officers ranking up to the Chief of Police. She further discussed the Township having sixty-one active members on the force after four police officers left for other employment and fifty-eight of those officers making over \$100,000 per year, and advised that she has nothing personally against the police, as she has friends, relatives and neighbors who are police officers and she respects them just like she respects any public employee; but the taxpayers of Lawrence cannot afford to pay an average police officer over \$100,000 a year, not including benefits.

Ms. Davis further discussed her educational background, as well as, her being an Attorney and working in the field of State Law Enforcement for almost 20 years, managing two sections as a Division Supervisor, and making less money than the average police officer in Lawrence Township. She continued to elaborate on Lawrence Township public safety salaries being too high, union contracts being too generous and the City of Trenton and other cities salaries being far less than Lawrence Township although they have a much higher and serious rate of crime. Additionally, she discussed residents not having an opportunity to speak after the Manager's Report and before Executive Session and asked if a second public session could be added to the Agenda at the end the meeting to allow time for those who cannot be present at the beginning of the meeting to speak.

Councilman Puliti reiterated his thoughts about a second public comment period being added to the Agenda, as he feels the Council and Municipal Manager are available the morning after each Council meeting to answer any and all questions pertaining to the Manager's Report, and they are also available by telephone, email, etc. to answer any questions or concerns in general. In addition, he feels the Council needs to have ample time to review and consider information presented to them by the Municipal Manager so that they can have time to digest the information and respond to the public on the matter. An at length discussion took place relative to Mr. Puliti's comments and the public having the right to speak after the Manager's Report. After the discussion, Mr. Roskos advised the Council if they so desire there is an opportunity to have a second public comment period with a 3-minute limitation per speaker without the Municipal Manager being quizzed on his report.

*Ms. Linda Dlabik, 1358 Lawrence Road,* advised that she was born and raised in Lawrence Township and has lived in Lawrence her entire life, and so did her parents, and she is surprised to see so many people in the audience having this big debate over a second public session being added the Agenda when it is generally she and Mr. Cleak present at the meetings. She also indicated that there has been a lot of finger pointing at people throughout the

meeting and the question she has for everyone is where were they when the union contracts were being negotiated and they could have stopped some of the union bidding or budgetary decisions made by the Council... and indicated nobody cared... but now they want to crucify the people they elected to make the decisions and if she were a Township employee she would not give back the money either.

Ms. Dlabik proceeded to discuss her job in which she has no benefits, no sick days, no insurance... nothing; a job she loves, thrives on and chooses to keep, so to crucify the police or firefighters is totally ridiculous being the police are running around like crazy doing overtime and other time to make up for the staff shortage in the Police Department. She advised that they have to be careful as the how they cut public safety personnel because if there is a fire they will need a firefighter, if they get sick they will need an ambulance; and, because crime is not stopping, it is going up, they may one day be a victim of a crime and need a police officer.

Ms. Dlabik indicated that she does not have the answers to fix the budgetary problem except from hereon they could freeze salaries and/or try to get some concessions from the unions; but, laying off public safety employees is not the answer and continued to discuss the additional duties and potential health risk to police officers and public works employees if the Township continues to downsize, as well as, the huge cost it would be to the taxpayers if the Township had to pay for a full-time fire company. In addition, she voiced her opposition to the Township's plan to remove LOSAP from the budget being Lawrence Township has the lowest deferred income for volunteer firemen than any other municipality in the county. An at length discussion followed relative to the amount paid out for police overtime and implementing a fee for the usage of the athletic fields.

*Officer Andrew Lee, FOP President,* stated that he has no speech prepared as he had no plans to speak this evening; but, there were some comments made that needs some clarification. He then proceeded to discuss the Governor's attempt to put the budgetary blame on public employees and everyone else but failed to tell the public that he is the one who instituted the 2-percent cap law that will cause everyone to suffer; especially, the taxpayers whose taxes will increase due to the spending that used to be allowed and is no longer permissible, and the police who at one point in time had (70) seventy officers on staff and has since been reduced to (58) fifty-eight with the loss of (5) five officers, not (61) sixty-one as previously indicated, when the crime rate in Lawrence has risen by 28-percent in the last year, mainly due to being located right next to the jurisdiction of Trenton.

Officer Lee continued to discuss his decision to become a police officer and his first several years as a Class II Police Officer, where he worked for less than \$10.00 per hour with no benefits at two different municipalities while private

sector employees had benefits and were receiving big bonuses, some up to \$300,000. He continued to discuss the incentives as it relates to his choice to tough it out and remain a police officer – job security, good benefits and pensions – and how grateful and lucky he was to eventually be hired by the Township of Lawrence; because he believes dedication and hard work do pay off. So, as for the comments that were made about choices and starting at the bottom he understands what that means because he started at the bottom 15 years ago and worked his way up.

Officer Lee stated that he also understands the conversation regarding concessions; because, as of January 2013, the police will start paying according to the State Matrix, which will increase the amount of money they contribute toward their health premium from 8 to 30-percent over the next four years; a change that will cost him approximately \$7000, as a single male. And, as for the State Pension System, it survives because of the employees...not because of anyone else...because when the municipalities and everyone else was given deferrals for long periods of time public employees were still paying their fair share into the pension system with no deferment options. In addition, the police currently pay 10-percent of their salaries into the State Pension System which on average amounts to approximately \$400 bi-weekly, and the FOP has met with the Municipal Manager to discuss additional concessions that they are open to and is currently working on negotiating – such as the elimination of overtime and implementing 12-hour shifts that will put more police officers on the streets and possibly eliminate sick time because they do understand that these are tough economic times.

Officer Lee advised that he would like to clarify a few other comments that were previously made with respect to the police pensions that was reformed by the State – such as the police retirement pay, which is 65% after 25 years of service for existing employees and 60% with 30 years for new hires, not 75% as previously stated. And, as for new hires, they are no longer put in the Police and Fire Pension System they are put into a 401K System per the State, and indicated that there are a few other changes that have been implemented by the State with regards to healthcare and the pension system for public employees of which the public is unaware.

Officer Lee further addressed complaints that were made concerning the police operating budget as it relates to it being a large expenditure in the municipal budget and indicated that Lawrence Township Police Department is a 24/7 operating department with several other public safety divisions under their structure, therefore, they are going to have the largest operating budget and proceeded to discuss the police and public safety employees including teachers stretching themselves to the limit due to a reduction in staff to try and maintain the same quality and level of service the residents of Lawrence have come to expect and if they want to blame someone for their taxes increasing blame the Governor who instituted the 2% cap...not the police or public employees.

*Mr. James Cleak, 7 E. Darrah Lane*, stated for the record he is in agreement with a second public comment period being added to the Agenda after the Manager's Report and suggested that the Council consider implementing a 5-minute limitation per speaker to prevent filibustering and proceeded to discuss the reason he supports more than one public session and why he feels the comments made by Councilman Puliti about the Council and Manager being available to answer any and all questions the next morning after the meeting is not practical, as they all have full-time jobs and have work the next morning, which might create some difficulty in reaching them.

Mr. Cleak proceeded to elaborate on some of the comments that were made earlier with regards to union contracts being renegotiated for concessions, implementing cost-savings measures that would prevent series layoffs, the 2% cap put in place to eliminate huge tax hikes and the economic situation contributing to the elimination and/or reduction in state aid. In closing, he indicated that he has no answers to the problem except to acknowledge that there is some validity to both side of the things that people have addressed tonight and he does not envy the task of the Council going forward.

An at length comment, question and answer period took place relative to the State's non-distribution of monies from the Energy Tax Receipts to municipalities that would help with property tax relief and how prior to the implementation of the 2% cap the Township on an average only increased taxes by 2 to 3-cents over the last 13 years and under the new cap law the Municipal Manager is no longer able to do so. Afterwards, Mr. Krawczun provided a detailed history of the tax rate dating back to 2010 when the 2% cap was instituted and how it has since affected the municipal budget going forward.

Prior to Mayor Kownacki closing public participation, Mr. Cohen stated he would like to clarify his comments with respect to singling out the police for budget cuts, as he was asking for cuts across the board for all employees not just the police. Further, he endorses the proposal made by the Township Attorney regarding a 3-minute speaking limitation for public comments after the Manager's Report. Thereafter, Councilman Powers advised Mr. Cohen that the Manager's Report is for the Council to have the interaction with the Manager; but if anyone from the public needs clarification on an item they can certainly ask members on Council to ask for clarification on their behalf.

Mr. Siegel stated in listening with regards to public participation it seems as though they are talking about two separate things that they are trying to make into one thing, as members of the public want to be able to bring up grievances immediately regarding an issue and the Township Council would like to follow the set Agenda, and suggested that a few members of Council set up a public meeting every few months that would allow the public to voice their grievances on whatever matter and keep the channel of communication open.

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

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Adoption of Minutes

There were no Minutes for adoption.

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Introduction of Ordinances

Mayor Kownacki read by title an ordinance entitled, "ORDINANCE AUTHORIZING THE PRIVATE SALE OF CERTAIN LANDS OF THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, NOT NEEDED FOR PUBLIC USE"

Mr. Krawczun stated that the Ordinance authorizes the sale of Township owned properties to contiguous land owners and that the conveyed parcels must be consolidated with an existing adjoining lot. He advised that the property cannot be used as a subdivision because of the deed restriction that is placed on the property; however, the successful purchaser can use the property for a side yard or an accessory building such as shed and that the sale of the property is contingent upon the purchaser paying up to \$500 of the associated cost that will be applied toward the closing.

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						

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Resolutions

Resolution Nos. 266-12 (7-A) thru 271-12 (7-G) were approved by 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						

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

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### Awarding or Rejecting of Bids

Mayor Kownacki asked for comments from the public.

Mr. Linda Dlabik, 1358 Lawrence Road, inquired about the temporary easement and how the path will be affected if Bristol-Myers Squibb was to sell the land.

Mr. Krawczun advised that the easement between the Lawrence-Hopewell Trail (LHT) forum and Bristol-Myers Squibb (BMS) is a permanent deed restriction on the property and the temporary deed just makes Lawrence the authority to allow access because he cannot place public employees on private land and once the construction is complete that temporary easement terminates.

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

#### Resolution No. 272 – 12

WHEREAS, on Tuesday, August 28, 2012 bids were received and publicly opened for the project known as **Lawrence Hopewell Trail Lewisville Road (BMS Site)**; and

WHEREAS, four (4) bids were received and reviewed by the appropriate Township Officials; and

WHEREAS, the lowest responsible bidder was All Surface Asphalt Paving, Inc. who submitted a bid in the amount of \$180,840.00, and

WHEREAS, in accordance with N.J.A.C. 5:50-14, a Certificate of Availability of Funds has been provided and the account to be charged is 2-16-56-843-299; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that pursuant to the recommendations of the Municipal Engineer, the Mayor and Municipal Clerk are hereby authorized to execute a contract with All Surface Asphalt Paving, Inc., 528 Hardenberg Avenue, Point Pleasant NJ 08742 in the amount of \$180,840.00; and

BE IT FURTHER RESOLVED that the Municipal Manager is hereby authorized to draft the necessary agreement, subject to the approval of the Municipal Attorney as to form and content thereof.

Same was carried on the following roll call vote:

Ayes: Councilmembers Maffei, Powers, Puliti and Mayor Kownacki.  
Nays: None.  
Absent: Councilmember Lewis.

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Adoption of Ordinances

Mayor Kownacki read by title an ordinance entitled, "AN ORDINANCE ESTABLISHING A MID-BLOCK CROSSWALK ON LEWISVILLE ROAD, TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY"

Ordinance No. 2133-12

AN ORDINANCE ESTABLISHING A MID-BLOCK CROSSWALK  
ON LEWISVILLE ROAD, TOWNSHIP OF LAWRENCE,  
COUNTY OF MERCER, STATE OF NEW JERSEY

BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that the following location located within Lawrence Township is established as mid-block crosswalk location where pedestrians may legally cross the roadway, said location being between two intersecting roadways more full described and as set forth below.

BE IT FURTHER ORDAINED, pursuant to the provisions of N.J.S.A. 39:4-8, which does confer Lawrence Township the right to establish certain regulations in the interest of safety and the expedition of traffic on roadways under Township jurisdiction.

The location herein is designed as a Mid-block Crosswalk:

Lewisville Road	Between Princeton Pike & Franklin Corner Road extending from Bristol Myers Squibb to the Lawrenceville School
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Regulatory and Warning signs shall be erected and maintained to affect the above designated Mid-block Crosswalk in accordance with the Manual on Uniform Traffic Control Devices.

BE IT FURTHER ORDAINED that the Township of Lawrence will mail a certified copy of this Ordinance to the New Jersey Department of Transportation Commission and Mercer County Engineer once adopted.

All ordinances, rules and regulations inconsistent herewith are hereby repealed.

This Ordinance shall take effect twenty (20) days after second reading. Appropriate signage shall be installed as required.

The Ordinance 2133-12 was 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						

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Mayor Kownacki read by title an ordinance entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 2079-11 AMENDING THE CONSOLIDATED LICENSE, PERMIT AND FEE CHAPTER OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE"

Ordinance No. 2134-12

AN ORDINANCE AMENDING ORDINANCE NO. 2079-11 –  
AMENDING THE CONSOLIDATED LICENSE, PERMIT AND FEE  
CHAPTER OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE

BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that Chapter 6A is hereby amended as follows:

Section 1.

Sec. 6A-2	Animals		
	Animal Trap Rental		\$15.00/1-7 days
	Animal Release		\$50.00
Sec. 6A-3	Fire Prevention		
	(a) Basic Inspection Fee		
	Under 500 sf	[\$70.00]	<u>\$75.00</u>
	501 - 999 sf	[\$100.00]	<u>\$105.00</u>
	1,000 - 4,999 sf	[\$140.00]	<u>\$145.00</u>

	5,000 – 9,999 sf	[\$175.00]	<u>\$180.00</u>
	10,000 – 15,000 sf	[\$195. 00]	<u>\$200.00</u>
	15,001 – 20,000 sf	[\$275.00]	<u>\$285.00</u>
	20,001 – 30,000 sf	[\$385.00]	<u>\$395.00</u>
	Over 30,000 sf	[\$600.00]	<u>\$620.00</u>
	Fire Lane Summons	[\$45.00]	<u>\$50.00</u>
	<u>MRNA Alarm Registration</u>	[\$25.00]	<u>\$30.00</u>
Sec. 6A-4	Retail Food Licenses		
	Food Handlers Licenses –		
	Various Categories	\$5.00-\$450.00	
	Food Handlers Licenses-Duplicate		\$15.00
	Food Handlers Licenses-Delinquent	[\$2.00/day]	<u>\$2.50/day</u>
Sec. 6A-7	Events and gatherings		
	Miscellaneous events		\$15.00/day
Sec. 6A-11	Individual Subsurface Sewage Disposal Systems		
	Septic System Application-New		\$775.00
	Septic System Application-Alter.		\$600.00
	Septic System Minor Repair		\$175.00
	Septic System Tank Permit to Empty		\$10.00
Sec. 6A-19.1	Swimming Pool Fees		
	Issuance/Renewal to Operate Year		
	Round	[\$500.00]	<u>\$525.00</u>
	Issuance/Renewal to Operate		
	Seasonal	[\$300.00]	<u>\$325.00</u>
	Locate and construct		\$325.00
	Alterations		\$325.00
Sec. 6A-22	Documents, copying and miscellaneous charges		
	Proof of Insurance Letter for Limousines	\$25.00 for first	
		car; \$15.00 each	
		additional car	
	Certified copies of marriage, birth,		
	death, domestic partnership and		
	civil union records	[\$15.00]	<u>\$18.00</u>
	Maps		\$10.00
	Flu Shot Fee (No fee if senior citizen or high risk		\$15.00
	Correction to Vital Records	[\$30.00]	<u>\$35.00</u>
Sec. 6A-24	Miscellaneous Fees		
	Well Installation	[\$150.00]	<u>\$175.00</u>

Well Abandonment	[\$50.00]	<u>\$75.00</u>
Housing Inspection Fee	[\$75.00]	<u>\$80.00</u>
Multiple Dwelling Units 1-7	[\$36.00/unit]	<u>\$39.00/unit</u>
Multiple Dwelling Units 8-24	[\$24.00/unit]	<u>\$27.00/unit</u>
Multiple Dwelling Units 25-48	[\$21.00/unit]	<u>\$24.00/unit</u>
Multiple Dwelling Units 49 and Up	[\$15.00/unit]	<u>\$18.00/unit</u>
Hotel 1-20 Units	[\$15.00/unit]	<u>\$17.00/unit</u>
Hotel 21-100 Units	[\$12.00/unit]	<u>\$14.00/unit</u>
Hotel 101-250 Units	[\$8.00/unit]	<u>\$10.00/unit</u>
Hotel 251 Units & Up	[\$5.00/unit]	<u>\$7.00/unit</u>
Leaf Mulch/Wood Chips Loading Fee	[\$9.00/yard]	<u>\$11.00/yard</u>
Receiving Material	[\$9.00/yard]	<u>\$11.00/yard</u>
Mechanic's Labor Rate LTBOE	[\$30.50/hour]	<u>\$31.50/hour</u>
Mechanic's Labor Rate ELSA	[\$30.50/hour]	<u>\$31.50/hour</u>
Trashcan 95 Gallon	[\$50.00]	<u>\$55.00</u>
Trashcan 65 Gallon	[\$45.00]	<u>\$50.00</u>
Trashcan 35 Gallon	[\$40.00]	<u>\$45.00</u>

Sec. 6A-26	Police Department Fees		
	(k) Firearms Purchase		
	(1) Identification Card		\$5.00
	(2) Pistol Permit		\$2.00
	(l) Use of Police Vehicle	[\$20.00]	<u>\$30.00/hour</u>

Section 2. Repealer

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

Section 3. 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 4. Effective Date

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

New material is underlined \_\_\_\_\_  
 Deleted material is bracketed [ ]

The Ordinance 2134-12 was approved on the following roll call vote:

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

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Mayor Kownacki read by title an ordinance entitled, “AN ORDINANCE AUTHORIZING SPECIAL EMERGENCY APPROPRIATIONS PURSUANT TO NJSA 40A:4-53(B) TO FUND THE COSTS ASSOCIATED WITH THE EXECUTION OF A COMPLETE PROGRAM OF REVALUATION OF REAL PROPERTY FOR THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, NEW JERSEY ”

Mayor Kownacki asked for comments from the public.

Mr. Richard Seigel, 17 Church Street, asked the Council why the County is requiring a revaluation at this particular time.

Mr. Krawczun advised that the last revaluation that was conducted in Lawrence Township was 1993 for implementation in tax year 1994, and municipalities are required to have their assessed value equal 100-percent of the market value and for year 2012 Lawrence was just shy of 50-percent. In addition, the Board look at sales of individual properties that deviate from market value to assessed value by 15-percent, up or down, and the Lawrence deviation was over 17-percent; and, because they exceeded that threshold it caught the interest of the County Board of Taxation who ordered the Township to conduct a revaluation. He then proceeded to discuss why Lawrence did not have a revaluation done earlier and the County allowing only so many municipalities at a time to conduct a review to spread the work out. A short question and answer period followed relative to cost of the revaluation and how often it is conducted.

Mayor Kownacki asked for comments from Council. There being no additional comments, public participation was closed.

Ordinance No. 2135-12

AN ORDINANCE AUTHORIZING SPECIAL EMERGENCY  
APPROPRIATIONS PURSUANT TO N.J.S.A. 40A:4-53(b) TO  
FUND THE COSTS ASSOCIATED WITH THE EXECUTION OF  
A COMPLETE PROGRAM OF REVALUATION OF REAL  
PROPERTY FOR THE TOWNSHIP OF LAWRENCE,  
COUNTY OF MERCER, NEW JERSEY

WHEREAS, the Township of Lawrence, County of Mercer, New Jersey, has been ordered by the Mercer County Board of Taxation (Board) to prepare and execute a complete program of revaluation of real property for use by the Township Tax Assessor and the Board (collectively, the "Project"); and

WHEREAS, the amount to be appropriated by Lawrence Township for the purpose described above is \$800,000, which amount shall be deemed a special emergency appropriation as defined and provided for in the Local Budget Law, *N.J.S.A. 40A:4-1 et seq.*; and

WHEREAS, it is the desire of the Lawrence Township Council to adopt an ordinance to create said emergency appropriation.

NOW, THEREFORE, BE IT ORDAINED BY THE LAWRENCE TOWNSHIP COUNCIL, COUNTY OF MERCER, NEW JERSEY, PURSUANT TO LOCAL BUDGET LAW, AS FOLLOWS:

Section 1. There is hereby appropriated, pursuant to *N.J.S.A. 40A:4-53(b)*, the sum of \$800,000 for the Project, as further described in the preamble of this ordinance.

Section 2. The appropriation of said \$800,000 for the Project as further described in the preamble of this ordinance shall be deemed a special emergency appropriation as defined, and provided for, in *N.J.S.A. 40A:4-53(b)*

Section 3. Said emergency appropriation shall be financed from surplus funds currently available or from borrowed funds, pursuant to *N.J.S.A. 40A:4-55*; provided, however, at least one-fifth (1/5<sup>th</sup>) of said amount shall be included in each succeeding annual budget until the appropriation has been fully provided for.

Section 4. A certified copy of this ordinance as fully adopted shall be filed by the Township Clerk with the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs.

Section 5. All ordinances or parts thereof, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 6. This ordinance shall take effect immediately upon final adoption in accordance with applicable law.

The Ordinance 2135-12 was approved on the following roll call vote:

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

C-i. Authorizing Awarding Bid for Revaluation

Mr. Krawczun stated that the following Resolution is the Award of Bid for the revaluation and that they had five bidders, Professional Property Appraisers, Inc. being the lowest bidder, thereby, awarded the contract. Further, once the contract is signed as part of the specifications they will hold public meetings at various locations within the Township to inform the public about the overall process and what they can expect budget wise.

Resolution No. 273-12

Awarding Revaluation Contract for 2014 Tax Year

**WHEREAS**, on February 4, 2011, the Mercer County Board of Taxation directed the Township of Lawrence to conduct and implement a revaluation for the tax year 2014; and

**WHEREAS**, in compliance with that directive, a request for proposals and specifications was issued on July 26, 2012; and

**WHEREAS**, on August 15, 2012, five bids were received as follows:

| Bidding Company                        | Amount         |
|----------------------------------------|----------------|
| Professional Property Appraisers, Inc. | \$729,780.00   |
| Appraisal Systems, Inc.                | \$746,965.00   |
| Tyler Technologies, Inc.               | \$935,200.00   |
| Certified Valuations, Inc.             | \$995,000.00   |
| Vital Communications                   | \$1,020,000.00 |

**WHEREAS**, the Municipal Manager and the Township Tax Assessor have reviewed all bids and recommend awarding the contract to the lowest bidder,

Professional Property Appraisers, Inc., covering all aspects of the revaluation; and

**WHEREAS**, the funds are available to undertake this revaluation in the previously adopted Special Emergency Ordinance No. 2135-12 as certified by the Chief Financial Officer;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that an award is hereby issued to Professional Property Appraisers, Inc., 3001 Bridgeboro Road, Suite B, Delran, New Jersey 08075, in the amount of \$729,780.00 for the revaluation of real property within the Township of Lawrence.

**BE IF FURTHER RESOLVED**, that award of bid contract to Professional Property Appraisers, Inc. is subject to review and contract approval from the State of New Jersey, Department of the Treasury.

**Record of 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   |     |         |        |         |      |        |

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**Manager’s Report –**

Mr. Krawczun stated last Wednesday they continued the mediation on the City of Trenton Water Works litigation where he and representatives from the four other towns participated in a half day session with a mediator and that the context of the meeting cannot be disclosed per Court Order; but, they are working toward progress on a settlement of that matter.

Mr. Krawczun stated on Thursday evening in the Lower Level Conference Room they will have the first lottery for individuals who applied for the COAH Rehabilitation Program and that the lottery will be administered by a third party Administrative Consultant. He advised that 19 people originally applied and their eligibility will be determined in time for the drawing and that the program provides for grants up to \$20,000 for home improvements and is based on income eligibility of the property owner.

Mr. Krawczun stated throughout the course of the night they heard different speakers discuss health benefits and advised that the employees received a Notice about health benefits increases for 2013, which are 7.9% for active employees, 15.2% for early retirees or people who are not Medicare

eligible and 9.1% for Medicare retirees who are members eligible for Medicare but are still on the benefits program. In addition, non-public safety employees will only receive up to a maximum of 10 years of health benefits at retirement, police officers are eligible for a period of 15 years at retirement and non-public employees hired after 2010 receive zero health benefits at retirement.

Mr. Krawczun reported that he received a memorandum from James Parvesse, Township Engineer, proposing only a suggestion at this particular time that the Township Council consider charging a fee for Zoning Permits as a way to offset some of the cost in the zoning office being the Township currently does not charge for permits. He then proceeded to distribute comparison information to the Council detailing various types of permits that are issued for both commercial and residential purposes along with the fees charged by other municipalities and indicated it is Mr. Parvesse estimation, if approved, that the fees will bring in \$20,000 annually. So, he is giving the information to the Council in the context of their review of the budget as they move forward for 2013.

Mr. Krawczun stated he would like to do an overview of some information that was presented at the last Council meeting and distributed copies of an Analysis of Expenses and Revenues Report for Emergency Medical Services (EMS). He then proceeded to discuss at length the disincentive that is built into the cap wall as it relates to EMS services and the 2% cap law and advised even if they reduce the \$1M shortfall or excess of \$700,000 to \$750,000 and decide to privatize the ambulance service they would still have the same problem because the deduction comes off of the base and they do not get the benefit of finding an efficiency as there is no credit given to the Township for reducing any excess by finding another way to provide the service. So, although, it might be a good idea to privatize the service it does not solve the \$750,000 problem... it just maintains it at the same level.

Mr. Krawczun advised he brought up the matter of the EMT's because it is a service that is eligible to be privatized and it also demonstrates the difficulty of managing the "cap" even with deductions being made, which he feels is a disincentive because there is no room created in the "cap" for public cost. He further advised that he had an opportunity to speak with the Union Representative for the police dispatchers and that over the last several years there has been some conversation and consideration about a Regional Dispatch System amongst a number of municipalities with no success. So, he sought permission from the Division of Local Government Services to use a provision in the Local Public Contracts Law known as "competitive contracting"; a process that is used in lieu of public bidding that appears to function in the same fashion but in "public bidding" you have to take the lowest responsible bidder and in "competitive contracting" you have the option of taking the highest bidder based on the criteria of the vendors experience and resources to provide the services.

Mr. Krawczun further advised that the same would be true in the Cap Calculation if they were to move to competitive contracting to privatize police dispatch because if the Township create the contract there is a thread between the town and the vendor and that thread causes them if there is any saving to reduce the cap base by the amount of those savings; however, if they cut dispatch services and save \$400,000 that it is not a solution toward the \$750,000 over on the municipal cap, as there still needs to be other action to reduce that overage of \$700,000 to \$750,000 above the cap. So, although, they can privatize the two services and there will be a savings of cost over the revenue year or the cost of the new contract versus cost of providing the services internally, the Township does not get the benefit on the "cap", which he wants to make clear and that is some of what they are working on looking at in 2013.

Mr. Krawczun stated that he met with the Blue Collar and White Collar Union Representatives several times to explain the challenges of the 2013 budget and although they have not made a commitment they are open at this point in time to having additional conversation that may change their labor agreement for 2013, which is different from the tone that was previously shared with regards to consideration during previous conversations. Further, the matter would be subject to a vote by the members of the unions. Thereafter, an at length discussion took place relative to various options with regards to privatizing Dispatch/EMS services, revisiting the proposed bulk pickup fee and vacancies/ possible retirements for 2013 to fill the \$750,000 gap in the 2013 budget. Further discussions took place with regards to the Council authorizing the Municipal Manager to bring forward a resolution for competitive contracting just in case they decide to move forward with privatization and employees' options if they were terminated based on that decision. (It was the consensus of the Council for Mr. Krawczun to move forward with the Resolution.)

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**Attorney's Report –**

Mr. Roskos stated the only report he has is for Executive Session, nothing for the open session.

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**Clerk's Report –**

There was no Clerk's report.

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**Written Communications –**

There was no written communication.

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**Old Business –**

There was no old business.

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**New Business –**

There was no new business.

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

8:42 p.m.

Respectfully submitted by,

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Kathleen S. Norcia, Municipal Clerk

Attest:

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James S. Kownacki, Mayor