

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

August 20, 2013

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, August 20, 2013 at 6:30 P.M.

The meeting was opened with the Pledge of Allegiance, led by Mr. Glenn Collins, at the request of Mayor Kownacki.

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, August 20, 2013 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 Brame, Lewis, Maffei, Powers and Mayor Kownacki.  
Absent: None.

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

---

Special Proclamations, Recognitions and Presentations

There were no proclamations or presentations.

---

Public Participation (5-minute limitation per speaker)

*Mr. Joseph Mislán, 4 Sunset Road*, stated that he has been a resident of Lawrence Township for 43 years and last year his taxes were \$10,090, and according to the percentages provided by the County - \$5,247 goes to the School Board, \$2,724 goes to Mercer County and \$2,018 goes to Lawrence Township and the totals reported in the Lawrence Patch do not match the totals reported by the County; but in any case that is a lot of money allocated every year and for

him those are real dollars and being it is his money he has a right to know how the money is being spent and he can only know that if the School Board, Mercer County and the local departments make monthly presentations in the Council Chambers, converted to a conference room setting, to point out where the money is going. Further, property taxes have increased during the past five years in spite of the decline in real estate caused by the 2008 depression, which tells him that their corporate structure can only increase taxes...they cannot go down. And, after glancing through a list of local departments including the Department of Education no one has the sole responsibility to make up the deficit they borrow with interest and proceeded to discuss his surprise with regards to the Township selling or borrowing of bond notes, which he feels is chancy and they need a watchdog to oversee the spending.

Mr. Mislan further discussed the decline in his property value while at the same time paying higher taxes, which is a dilemma that should not be. But, with fewer buyers willing to pay higher taxes on property means that the total value he can get out of his property is declining. So, they need the leadership of the Council to boost the value of Lawrenceville's real estate; and, one way is to have the U.S Postal Service designate the zip code 08648 as exclusive to the boundaries of Lawrence Township while also changing Lawrence Township back to Lawrenceville. He further discussed wanting the 08648 zip code to be separate and disassociated from the Trenton mailing address as he feels Trenton will seep into Lawrence – budget-wise, money-wise and safety-wise – just like what is happening in Michigan in terms of Detroit's bankruptcy.

Mr. Krawczun advised Mr. Mislan that in the State of New Jersey it is illegal for a local unit of government to borrow money for operating costs. They can only borrow money for capital improvements. Mr. Powers further advised that a former councilman, Mr. Kuser, was instrumental in getting the postal designation changed to Lawrence Township; so, if he is still receiving any mail with the Trenton mailing address, the sender may not have purchased a new mailing list; but, on a go-forward basis if they purchase the list it will say Lawrence and not Trenton.

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

---

### Review and Revisions of Agenda

The Municipal Manager requested that the Agenda be amended to remove Resolution (17-L), Authorizing the Person to Person Transfer of ABC License from FRIT Leasing and Development to OSF/BFG of Lawrenceville, per transferor's request, and Closed Session - Items (7-A), (7-B) and (7-D), under Adoption of Minutes, be delayed until the September 3<sup>rd</sup> meeting for revisions to the minutes.

On a motion by Mr. Lewis, seconded by Mr. Brame, the Agenda was amended to include the above revisions.

Same was carried on the following roll call vote:

Ayes: Councilmembers Brame, Lewis, Maffei, Powers and Mayor Kownacki.  
Nays: None.

---

### Adoption of Minutes

On a motion by Mr. Powers, seconded by Ms. Lewis, the Minutes of Closed Session Meeting of May 21, 2013 were approved without correction.

Same was carried on the following roll call vote:

Ayes: Councilmembers Brame, Lewis, Maffei, Powers and Mayor Kownacki.  
Nays: None.

~~~

On a motion by Mr. Powers, seconded by Ms. Lewis, the Minutes of Regular Meeting of January 8, 2013 were approved without correction.

Same was carried on the following roll call vote:

Ayes: Councilmember Brame, Lewis, Maffei, Powers and Mayor Kownacki.  
Nays: None.

---

Awarding and/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 Ms. Lewis, seconded by Dr. Maffei, the following resolution was presented for adoption:

Resolution No. 262-13

WHEREAS, on Tuesday, July 9, 2013 bids were received and publicly opened for the project known as **Small Cities CDBG 2012 Accessibility Improvements**; and

WHEREAS, three (3) bids were received and reviewed by the appropriate Township Officials; and

WHEREAS, the lowest responsible bidder was Diamond Construction who submitted a bid in the amount of \$118,224.00; 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 G-02-40-991-299 (\$94,500), C-04-55-368-242 (\$9,704.54), C-04-55-368-255 (\$1,000), C-04-55-328-242 (\$1,057) and C-04-55-312-242 (\$11,962.46); 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 Diamond Construction, 35 Beaverson Boulevard, Brick NJ 08723 in the amount of \$118,224.00; 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 Brame, Lewis, Maffei, Powers and Mayor Kownacki.  
Nays: None.

~~~

Mayor Kownacki asked for comments from the public.

Mr. Glenn Collins, Bearfort Way, questioned if the Award is going to the same contractor who did the Tennis Court work in the past at Village Park as

there are some gigantic cracks in the surface that should not be that large from whomever did the surface the first time; so, if it is the same contractor who did a poor paving job previously they might want to look into the matter and not award another bid to that contractor.

Mr. Krawczun advised that he does not remember specifically who the contractor was who did the repairs or surfacing; but, he can get him that information. However, the surface being put in will have a material placement over the top so some of those large cracks should be eliminated. Secondly, there is settlement from the original construction over time like anything else. Third, they will have a maintenance bond for the work so once it is complete they will be able to go back to that maintenance bond if there are any faults.

There being no additional comments, Mayor Kownacki asked for comments from Council. There being none, public participation was closed. On a motion by Ms. Lewis, seconded by Mr. Brame, the following resolution was presented for adoption:

Resolution No. 263-13

WHEREAS, on Tuesday, August 6, 2013 bids were received and publicly opened for the project known as **2013 Tennis & Basketball Court Refurbishment – Village Park**; and

WHEREAS, one (1) bid was received and reviewed by the appropriate Township Officials; and

WHEREAS, the lowest responsible bidder was American Tennis Courts who submitted a bid in the amount of \$153,630.00; 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 C-04-55-377-234; 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 American Tennis Courts, 4051 North Point Road, Baltimore MD 21222 in the amount of \$153,630.00; 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 Brame, Lewis, Maffei, Powers and Mayor Kownacki.  
Nays: None.

~~~

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 Ms. Lewis, seconded by Mr. Brame, the following resolution was presented for adoption:

Resolution No. 264-13

WHEREAS, on Tuesday, August 6, 2013 bids were received and publicly opened for the project known as **2012 Road Improvement program – Darrah Lane**; and

WHEREAS, five (5) bids were received and reviewed by the appropriate Township Officials; and

WHEREAS, the lowest responsible bidder was Gres Paving Co., Inc. who submitted a bid in the amount of \$352,555.00; and

WHEREAS, in accordance with N.J.A.C. 5:50-14, a Certificate of Availability of Funds has been provided and the accounts to be charged are C-04-55-366-230 (\$267,680.70); C-04-55-367-231 (\$46,095.98) and C-04-55-369-246 (\$38,778.32); 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 Gres Paving Co., Inc., 2475 E. State Street, Trenton NJ 08619 in the amount of \$352,555.00; and

NOW, BE IT FURTHER RESOLVED this contract is awarded pursuant to a fair and open process and is subject to New Jersey Department of Transportation approval;

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 Brame, Lewis, Maffei, Powers and Mayor Kownacki.  
Nays: None.

~~~

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 Ms. Lewis, seconded by Mr. Brame, the following resolution was presented for adoption:

Resolution No. 265-13

**WHEREAS**, on July 18, 2013, bids were received for Bid No. 13-07, 2013 – 7.7 to 9 Cubic Yard Dump Body with Plow and Stainless Spreader or Approved Equal; and

**WHEREAS**, two (2) bids were received and reviewed by the Township Manager and the Director of Public Works and the lowest responsible bidder is Bayshore Ford Truck Sales, Inc., 4003 N. Dupont Highway, New Castle, DE 19720 with a total bid including options of \$134,821.00; 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-04-55-359-281 (Purchase of Single Axle Dump with Plow);

**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. 13-07, Six Wheel Broom Street Sweeper with Belt Conveyor with additional options, to Bayshore Ford Truck Sales, Inc. in the amount of \$134,821.00.

Same was carried on the following roll call vote:

Ayes: Councilmembers Brame, Lewis, Maffei, Powers and Mayor Kownacki.  
Nays: None.

~~~

Mayor Kownacki asked for comments from the public. There being none, Mayor Kownacki asked for comments from Council.

Mr. Powers commended the Administration for doing a lot of work in-house in spite of the recession and Mr. Roskos for his legal expertise in getting money from the bonding company.

On a motion by Dr. Maffei, seconded by Mr. Brame, the following resolution was presented for adoption:

Resolution No. 279-13

WHEREAS, on Thursday, August 8, 2013 bids were received and publicly opened for the project known as **Carriage Park Paving Improvements – Phase I**; and

WHEREAS, three (3) bids were received and reviewed by the appropriate Township Officials; and

WHEREAS, the lowest responsible bidder was Z. Brothers Concrete Contractors, Inc. who submitted a bid in the amount of \$484,849.82, which includes Items 1 thru 14; 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 C-4-55-671-299; 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 Z. Brothers Concrete Contractors, Inc., 304 Jernee Mill Road, Sayreville NJ 08872 in the amount of \$484,849.82; 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 Brame, Lewis, Maffei, Powers and Mayor Kownacki.  
Nays: None.

~~~



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 Ms. Lewis, seconded by Dr. Maffei, the following resolution was presented for adoption:

Resolution No. 280-13

WHEREAS, on Thursday, August 8, 2013 bids were received and publicly opened for the project known as **Various Concrete Improvements & Central Park Drainage Improvements**; and

WHEREAS, nine (9) bids were received and reviewed by the appropriate Township Officials; and

WHEREAS, the lowest responsible bidder was TC Landscaping Construction Group, Inc. who submitted a bid in the amount of \$26,400.00, and

WHEREAS, in accordance with N.J.A.C. 5:50-14, a Certificate of Availability of Funds has been provided and the accounts to be charged are C-04-55-377-233 (\$6,700.00) and C-04-55-381-242 (\$19,700.00); 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 TC Landscape Construction Group, Inc., P. O. Box 70, Lavallette NJ 08735 in the amount of \$26,400.00; 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 Brame, Lewis, Maffei, Powers and Mayor Kownacki.  
Nays: None.

~~~

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 Dr. Maffei, seconded by Mr. Brame, the following resolution was presented for adoption:

Resolution No. 287-13

**WHEREAS**, on August 7, 2013, bids were received for Re-Bid No. 13-05, Ambulance Billing Services; and

**WHEREAS**, three (3) bids were received and reviewed by the Township Manager and the Coordinator of Emergency Management and the lowest responsible bidder is Intermedix, 200 Old Country Road, Suite 300, Mineola, NY 11501, who submitted a bid of 4.70% of fees collected.

**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 Re-Bid No. 13-05, Ambulance Billing Services, to Intermedix, in the amount of 4.70% of fees collected for a contract period of September 1, 2013 through August 31, 2014 with the option to renew for a second year.

Same was carried on the following roll call vote:

Ayes: Councilmembers Brame, Lewis, Maffei, Powers and Mayor Kownacki.

Nays: None.

---

Introduction of Ordinances

Mayor Kownacki read by title an ordinance entitled, "AN ORDINANCE OF THE TOWNSHIP OF LAWRENCE AMENDING ARTICLE 1 OF CHAPTER 15 OF THE CODE OF THE TOWNSHIP OF LAWRENCE, NEW JERSEY – Public Nuisance"

Mr. Krawczun stated that the Ordinance authorizes the creation and adoption of a public nuisance ordinance in the future for the purpose of regulating certain public behaviors as well as public drinking of alcoholic beverages. The Ordinance will also provide penalties that may be imposed by the Court if someone is found guilty of that violation and the consumption of alcohol for religious rituals is not regulated by the ordinance. He further explained that in concert with the Police Department the Ordinance will create the ability for the Prosecutor and the Municipal Court to look at certain violations that may occur and as opposed to charging someone criminally under the Criminal Code, the ordinance will create the alternative for someone being charged for a "nuisance" violation.

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

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

---

Adoption of Ordinances

There was no adoption of ordinances.

---

**Manager’s Report –**

Mr. Krawczun submitted invoice listings for the month of August 2013 in the amount of \$1,263,273.88.

Mr. Krawczun stated that the Township has received Notice from the Mercer County Board of Freeholders that two bus stops have been approved along Princeton Avenue at Myrtle Avenue and Freedom Boulevard near Project Freedom and that the Resolution adopted by the Township Council along with the Notice and Resolution adopted by the Freeholders, because Princeton Avenue falls under the jurisdiction of Mercer County, will be forwarded to New Jersey Transit for installation of official bus stops and provide service at those locations.

Mr. Krawczun stated at the July meeting he mentioned that New Jersey American Water would be conducting an extension of a water main on Route 206 near Fackler and Province Line Roads that will take place at the latter part of September and is anticipated to be completed by December 31<sup>st</sup>. He then distributed copies of the Notice to the Council which he advised will also be sent to residents and a second version of the letter will go to residents who may be able to tap into the public water service at their expense along the new installation and continued to discuss the Administration being encouraged by the work as it will improve the water pressure in the event the interconnect between New Jersey American Water, who serves the northern part of Lawrence, and Trenton Water Works, who serves the southern part of Lawrence. This in particular will assist the Kingsbrook area that is elevated and typically experiences a drop in water pressure when that interconnect is open and will also address concern over fire suppression during interconnect openings. So, the installation will improve those conditions and he just wanted the Council to have

a copy of the letter that will be sent to residents for their own information. A brief discussion took place relative to the DOT requiring the work to be done at night.

Mr. Krawczun stated that in the Thursday edition of the Lawrence Ledger, Lea Kahn, wrote an article after speaking to Jim Parvesse, Township Engineer, about the changes in the FEMA Flood Maps and explained that FEMA had been working on the maps for two to three years prior to Hurricane Sandy and there will be properties in Lawrence Township that will be in the flood plain, some out of the flood plain and some properties may have a complete switch from what their current conditions are. So, in light of the situation, they thought it was important for them to provide notice to residents directly to inform them of the changes. And, although, it is not a Township program and the residents will have to work with FEMA, their lenders and insurance companies directly, the Administration just wanted to provide some general information so they do not find themselves unprepared and they can thoroughly research the issue. Some discussion followed relative to the one-thousand properties that are affected by the changes to the maps, the changes being quite extensive and FEMA establishing a website for people to view their information.

---

**Attorney's Report –**

Mr. Roskos stated that they still have a couple of large Tax Appeals that are still in the discovery stage, but nothing else to report.

---

**Clerk's Report –**

There was no Clerk's report.

---

**Old Business –**

There was no old business.

---

**New Business –**

There was no new business.

---

**Public Participation (3-minute limitation per speaker) –**

There was no public participation.

---

Resolutions

Resolution Nos. 246-13 (17-A) thru 286-13 (17-II) with the exclusion of Resolutions (17-L (Pulled), 17-R and 17BB) were approved by the following roll call vote:

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

Cited Resolutions are spread in their entirety in the Resolution Books of the Township of Lawrence.

~~~

Resolution Nos. 267-13 (17-R), Authorizing Refund of Escrow to James Manahan, S-01/13, and 277-13 (17-BB), Authorizing the Purchase of 500mhz Mercer County Radio System from State Contact Vendor were approved by the following roll call vote:

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

Cited Resolution is spread in its entirety in the Resolution Books of the Township of Lawrence.

---

**Council Initiatives/Liaison Reports –**

Councilmember Brame’s report:

- No Report.

Councilmember Lewis’ report:

- Advised that the Growth & Redevelopment Committee met and awarded their Growth & Redevelopment Awards for the year and she happy to report that there was some heated competition that means they are doing well and more than one business was nominated for many of the awards, which is a good sign for

Lawrence business climate and encouraged everyone to attend their October ceremony.

Councilmember Maffei's report:

- No Report.

Councilmember Powers' report:

- Advised that ETS came before the Planning Board Meeting last night and they were granted a 10-year extension on their Master Plan for the campus, as they are going to add three new buildings and a 5-story parking garage over a 10 year period of time, and they are now in the process of completing building three, which was part of their original approval.

Mayor Kownacki's report:

- No Report.

---

**Written Communications –**

There was no written communication.

---

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

7:15 p.m.

Respectfully submitted by,

\_\_\_\_\_  
Kathleen S. Norcia, Municipal Clerk

Attest:

\_\_\_\_\_  
James S. Kownacki, Mayor