

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

June 18, 2013

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, June 18, 2013 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, June 18, 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.

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Special Proclamations, Recognitions and Presentations

There were no proclamations or presentations.

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Public Participation (5-minute limitation per speaker)

*Mr. Joseph Mislán, 4 Sunset Road*, discussed “Money-In-Money Out” as it relates to the municipal budget and the Council making fair and prudent decisions when spending tax dollars, the declining housing market, property taxes, revaluation and the Council making the town a more marketable place to live. He also discussed the Council updating the style of the Council Meeting Room to make it more interesting and digitizing their equipment to include

installing a projector, large screen, TV camera and electronic voting that would help to reduce paperwork and speed of the process of items that need to be voted on. Additionally, he discussed elected officials being required to take a one day course in spreadsheet building and financial analysis similar to one required by several Wall Street firms for all their new hires and proceeded to elaborate in detail on the matter.

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

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#### Review and Revisions of Agenda

Councilwoman Lewis requested that the Agenda be amended to remove Resolution 200-13 (17-H) – Authorizing Signage at The Bossio-Salt Preserve until the July meeting and Resolution (17-V), Closed Session. The Municipal Manager also requested that Resolution 201-13 (17-I), Authorizing the Sale of Surplus Property Through the Online Bidding Process, be pulled for further discussion and voted upon separately.

On a motion by Ms. 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.

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#### Adoption of Minutes

On a motion by Ms. Powers, seconded by Ms. Lewis, the Minutes of Regular Meeting of December 4, 2012 were approved without correction.

Same was carried on the following roll call vote:

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

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Awarding and/or Rejecting of Bids

There was no bid award.

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Introduction of Ordinances

Mayor Kownacki read by title an ordinance entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 2142-13 CHAPTER 6A OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE ENTITLED 'FEES: THE CONSOLIDATED LICENSE, PERMIT AND FEE CHAPTER" AUTHORIZATION OF A BULK WASTE COLLECTION USER FEE"

Dr. Maffei stated that he would like to make a slight change to Ordinance 9-A and indicated although the fee is small, \$25.00, he would like to recommend that the bulk waste collection service fee be due within sixty days of receipt of billing from the Township instead of thirty days as stipulated in the ordinance, as it is a new bill being sent out to owners for individual property units and if there are any questions the extra days would afford the Township staff time to address individual issues.

Mr. Powers stated in terms of the Enforcement Statute for nonpayment he recommends that the nonpayment of fee be enforced in accordance with N.J.S. A. 40:66-12 contained under Title 54 unless Mr. Roskos, Township Attorney, is in disagreement with the proposal. (Mr. Roskos was in agreement with Mr. Powers' suggestion.)

Mr. Krawczun stated for clarification purposes on the matter of the sixty days, the Township will bill each individual property owner for each unit; provide them with a sixty-day Notice to pay the bill with no interest occurring until after the 10 day grace period. So, basically, they will have 70 days before they would be required to pay any interest for nonpayment and proceeded to explain that difference between the bulk waste fee interest and property tax interest under Title 54.

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						

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Mayor Kownacki read by title an ordinance entitled, "BOND ORDINANCE AMENDING BOND ORDINANCE 1747-03 BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, IN ORDER TO REVISE THE DESCRIPTION OF THE IMPROVEMENT HEREIN"

Mr. Krawczun stated that the Ordinance amends a previously adopted capital ordinance by adding an additional purpose for which the bond proceeds may be applied and the expanded authorized purpose is for a "top dresser" that is used to apply grass seed and top soil to playing fields.

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

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

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Mayor Kownacki read by title an ordinance entitled, "BOND ORDINANCE AMENDING BOND ORDINANCE 1894-06 BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, IN ORDER TO REVISE THE DESCRIPTION OF THE IMPROVEMENT HEREIN"

Mr. Krawczun stated that the Ordinance amends a previously adopted capital ordinance by adding an additional authorized purpose for which the bond proceeds may be applied and the expanded authorized purpose is for fire hoses and fittings.

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

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

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Adoption of Ordinances

There was no adoption of ordinances.

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**Manager's Report –**

Mr. Krawczun submitted invoice listings for the month of June 2013 in the amount of \$1,960,704.62.

Mr. Krawczun stated at a previous meeting a resident had inquired about the matter of water quality with Trenton Water Works and the issue of trihalomethanes (TTHM) that was discovered in the water system and that he had an opportunity to speak with a representative today of the Utility who had another meeting with New Jersey Department of Environmental (NJDEP) but was able to provide him with some additional information with regards to them getting closer to being in compliance with the water standards and indicated that the test results are averaged over a six-month period and because the water standards have been changed they believe in the next round of testing they will be below the standard. In addition, he assured him that the problem is not a system-wide... but a local problem in their distribution system that is coming to a dead end and that they have been performing regular flushing on a regular basis in that area which is helping the particular problem remediate itself.

Mr. Krawczun advised that the Administration had an opportunity to meet with NJDEP regarding the Lawrence Township Wastewater Management Plan and the recommendations that came from the Council and the Planning Board; meetings he can sum up with three items and included the County Planning Staff and indicated that the current sewer maps will be adopted as part of the plan. If there is a desire to change any of the sewer service areas the municipality will need to go through an amendment process and that process will go through the Planning Board with a formal public hearing. Further, recommendations from the Planning Board and the comments from the Council will be reviewed; but, not acted on at the present time.

Mr. Krawczun distributed draft copies of a "Nuisance Ordinance" authorizing the creation and adoption of a public nuisance ordinance for Council's review and consideration.

Mr. Krawczun stated that on or about June 24<sup>th</sup> the milling and resurfacing work will begin on Carter Road, which will be done by Mercer County Department of Transportation and the paving will take place from Route 206 to Van Kirk Road. Carter Road will be closed for thru traffic except for emergency vehicles from 9:00 a.m. to 3:30 p.m. weekdays only. The work will take approximately 10 days, weather permitting. The detour route and information will be posted on the Township website and sent out through constant contact.

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**Attorney's Report –**

Mr. Roskos reported that the Carriage Park litigation is over as they obtained the full amount of the bond from the bonding company. They issued a check and the case was dismissed. They also previously obtained a Judgment against the developer and seized all the monies in the escrow account and Mr. Parvesse, Township Engineer, is now in the process of developing bid specifications to allow the Township to complete the onsite work that the developer did not complete.

Mr. Roskos advised that they are continuing to handle Tax Appeals in front of the County Board of Taxation and they had their second County Board hearing last Friday and to no surprise, many of the Appeals were dismissed. So, the results are as anticipated.

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**Clerk's Report –**

There was no Clerk's report.

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**Old Business –**

There was no old business.

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**New Business –**

Mr. Brame inquired as to whether the water bills received from Trenton Water Works are actual or estimated charges and was advised by Mr. Krawczun that a lot of Trenton Water Works customers who live in Lawrence Township probably have seen or received estimated bills, which is a system-wide problem throughout TWW water operation, and the two primary reasons for that is the vacant Director's position for customer service/billing and the multiple meter-reading positions that are vacant due to the Director's vacancy. And, the Utility is certainly well aware of the problem because of the demand and impact it has had on their personnel in terms of inquiries and their revenue, so they are aggressively in pursuit of hiring people for those positions. A short discussion took place relative to the impact estimated billing could have on the seniors, the Utility providing notice to residents regarding the estimated billing problem, what measures are being taken to expeditiously resolve the problem, and whether or not the Utility is flushing fire hydrants in an orderly manner like other surrounding towns.

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

There was no public participation.

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**Resolutions**

Resolution Nos. 193-13 (17-A) thru 213-13 (17-U) with the exclusion of Resolution (17-l) 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						
Mr. Powers	X						X
Mayor Kownacki	X						

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

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Mr. Krawczun advised that he was contacted today about a piece of equipment that appeared on the auction list that Ewing Township is interested in purchasing and was previously discussed by Chief Oakley during his presentation about the retiring of a rescue vehicle at Slackwood Fire Company and indicated under the Local Public Contract Law when a municipality is selling or buying a piece of municipally-owned property they can forego public auctioning and sell it directly to another unit of government as they have done in the past with the school district and on a couple of occasions with ELSA. Further, Ewing Township has made a financial offer that is extremely close to what they thought they might get for the apparatus from public auction and asked that the Council remove that item from the auction so they can follow up with Ewing’s proposal as the transaction would be beneficial for both towns with respect to public safety.

Resolution Nos. 201-13 (17-l), Authorizing the Sale of Surplus through the Online Bidding Process and the Removal of the 1998 GMC Rescue Vehicle, G7500 from public auction, was 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   |     |         |        |         |      |        |
| Mr. Powers     | X   |     |         |        |         | X    |        |
| Mayor Kownacki | X   |     |         |        |         |      |        |

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

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## **Council Initiatives/Liaison Reports –**

### Councilmember Brame's report:

- No Report.

### Councilmember Lewis' report:

- Advised that the Growth & Redevelopment Committee is accepting nominations for their Annual Awards ceremony.

### Councilmember Maffei's report:

- Stated that the Senior Executive Committee has been on the move and it has resulted in the following:
  - 1) The Senior Center continues to be a site for the Best Practice Program in which seniors participate and learn coping skills, gain tips on how speak to medical professionals and advocate their health issues.
  - 2) In collaboration with the Mercer County Nutrition Project for the elderly, vouchers are again being given for the 2013 Senior Farmers Market Nutrition Program. Proof of income must be considered for qualifications.
  - 3) Lawrence Township's Nutrition Program is one of the top models for all municipalities in the State.
  - 4) The Senior Center Office on Aging continues to have a significant representation at Diversity Day.
  - 5) The Wise Program is in affect at Center, which is an Educational Prevention Program that teaches the aging process and healthy lifestyles choices.
  - 6) The Memoir Group reads their writings to 3<sup>rd</sup> Graders at the Slackwood Elementary School.
  - 7) There are currently 24 classes being offered at the Senior Center with the exercising and the computer programs being among the most positive.
  - 8) Stay Cool and Fun Nights are being held every Monday evening throughout the summer.

### Councilmember Powers' report:

- Advised that the Planning Board met last night and they approved an exciting project for Chapin School who is doing significant renovations in terms of upgrading their classroom spaces, rebuilding their greenhouse, improving their athletic fields and improving their pick-up and drop-off points for the kids along with other improvements.

Stated Councilwoman Lewis and he were present at the Lawrence-Hopewell Trail (LHT) first Annual Trail Blazer's Award and Sheree Davis from New Jersey Department of Transportation received that award.

Mayor Kownacki's report:

- No Report.

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**Written Communications –**

There was no written communication.

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

7:06 p.m.

Respectfully submitted by,

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Kathleen S. Norcia, Municipal Clerk

Attest:

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James S. Kownacki, Mayor