

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

December 17, 2014

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Wednesday, December 17, 2014 at 6:30 P.M.

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

At the commencement of the meeting Mayor 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 Wednesday, December 17, 2014, 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, Kownacki, Maffei, Powers and Mayor Lewis.  
Absent: None.

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

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Special Proclamations, Recognitions and Presentations

Lawrence Hopewell Trail Update Presented by Eleanor Horne

Ms. Eleanor Horne, 35 Dix Lane, stated she is present this evening in her role as Co-President of Lawrence Hopewell Trail Corporation along with Co-President, Becky Taylor, and that the end of the year is a time to take stock of what has been accomplished and set goals for the future, and she and Becky Taylor are present this evening to update the Council on the status of the LHT and to let the Council know how grateful they are for their tremendous support and several individuals who have made significant contributions to making Lawrence Township a wonderful, supportive community in which to live and work...a community she loves. And indicated plans for the Trail was conceived by Becky Taylor in 2002, enhancing Lawrence community was at the forefront of the thinking, ETS joined in the effort for the very same reason and from the onset the LHT was envisioned as a multipurpose Trail that would become a

significant gift to the community, providing area residents with safe, fun, family-friendly, mostly handicapped accessible year-round recreational opportunities and a healthy alternative to vehicular transportation. In addition, the LHT was built to be environmentally sensitive and responsible as it connects local businesses and communities that were previously isolated by heavily trafficked roads and provides access to taxpayer-funded open space. It is also a safe, off-road connection to schools and playing fields and provides health and recreation opportunities for everyone and the Trail has become a hub for more existing area trails as the Trail is part of the Circuit Coalition; a Trail Network that spans a nine county area including Philadelphia and Bucks County in Pennsylvania and Mercer, Burlington and Camden counties in New Jersey. And, through the Circuit Coalition the LHT is tied to the East Coast Greenway which runs from Maine to Florida to the Appalachian Trail that extends from Maine to Tennessee.

Ms. Horne advised that she would like to share three highlights of 2014 that were made possible with the support of the Township Council. First, the Dyson Tract located off of the Princeton Pike that officially opened in November and it is not only an achievement for the LHT but for the Township Council as well as it was the Council that authorized the clean-up of a 10-acre portion of the Dyson Tract and the leadership of then Councilman Robert Bostock that lead to the Township's success in securing State funding in 2009 to remove the contaminated soil and because of the Council's vision and action that beautiful piece of land is now ridden through rather than around and a beautiful oasis for all to enjoy. Second, Cox Corner at the crossing of Route 206 and Province Line Road segment that will connect Carson Road Woods and the BMS north Lawrence Campus to the Foxcroft neighborhood onto the Dyson Tract, which is still awaiting the States approval...but fully funded. Third, the widening of the Johnson Trolley Line Trail segment that was completed with a grant from the NJDEP that is now open for use despite no ribbon cutting and most of the Lawrence Trail segment being completed or soon to be as well as the significant progress that has being made constructing the remaining segments in Hopewell as this summer they opened the Pennington Connector that increased the access of Pennington residents to LHT segments through Mercer Meadows.

Ms. Horne indicated that the Trail is estimated to be 22.6 miles long and will be completed in 2016 and upon completion of the LHT their main focus will be on the maintenance of the Trail so that it will continue to be a safe place to enjoy. In addition, they will be creating programing that will encourage even greater use of the LHT, to promote health, recreation and fun opportunities to bring the community together and proceeded to discuss the Super Moon Ride event sponsored by LHT and Mercer County Park Commission that had over 500 attendees as well as future plans to have that event again along with other events of that type. She further discussed the Circuit Coalition who placed a counter on the Trail at Keefe Road in Lawrence between the months of August and November that showed that over 20,600 people were on that one segment of the Trail; so, it is clear from the data that people are using the Trail and that the Trail is not only a valued recreational amenity but a financial asset to property

values as research by the National Association of Realtors demonstrates that nearby trails actually increases the value of residential properties.

In closing, Ms. Horne advised that the Board of the Lawrence-Hopewell Trail is very proud of their many accomplishments and when they started in 2002 naysayers said that they were crazy and questioned how a group of citizens with no experience could design and construct such a complicated Trail and laughed when they learned that the Board did not own any of the land they planned to cross and they did not have deep pockets; but the detractors underestimated their enthusiasm and determination and they did not take into consideration their other assets, the incredible support of Mercer County, Lawrence and Hopewell Townships elected officials, as the LHT could not be a reality if the Lawrence Township Council did not publicly and fully support their efforts; so, they are present this evening to publicly acknowledge and thanked the Township Council for their 12 years of support as it was the Council sharing their vision and their patience to develop a complicated project that would ultimately be a great benefit to the community, to include working across political party lines to support the Trail. And, the LHT Board is proud to say that they have had the encouragement and endorsement of Council regardless of the political composition and each time the Trail is recognized they strongly make the plight that they could not have succeeded without having the Lawrence Township Council in their corner.

Additionally, Ms. Horne stated on behalf of the LHT Board of Trustees she would like to collectively and individually thank each member of Council and extend a special thank you to Richard Krawczun, Municipal Manager, James Parvesse, Municipal Engineer and Gregory Whitehead, Director of Public Works and his staff for their support and expertise. She also thanked the LHT Board and all the other organizations and people who have supported and helped to raise over \$9 million through grants and donations since 2002. Thereafter, Mayor Lewis and the Township Council applauded and thanked Eleanor Horne, Becky Taylor and the LHT Board for all that they have done for the community and indicated it is really truly a perfect example of a public private partnership where private citizens work with government to get something done. They further thanked Mr. Krawczun and all of Lawrence Township staff for all their efforts as well.

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Public Participation (5-minute limitation per speaker)

*Dr. Mohana Muthukumaran, Yorkshire Village*, spoke about the increase in burglaries, break-ins and an attempted kidnapping that has occurred in her development located behind the Mercer Mall and submitted letter to the Council relative to the residents safety and security concerns and their request to install additional street lights on all dark areas of Yorkshire Village, especially Morrell Road and Canal View Drive; install a wire fence in the backyards of all homes backing onto the wetland and wooded areas; the Police Department to provide more police patrol in the afternoons and evenings and Council to grant permission to install various street cameras to

capture license plates of cars entering and leaving Yorkshire Village and at the end of Morrell Road. A general discussion ensued relative to Mr. Krawczun along with other officials meeting with Dr. Muthukumaran after the New Year to review her request and find out what rules are governed by the Homeowners Association, Lawrence Township or individually.

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#### Review and Revisions of Agenda

Mr. Krawczun requested that the Agenda be amended to add Resolution (18-MM) - Authorizing Refund for Overpayment of Ambulance Services; Resolution (18-NN) – Authorizing Approval of 2015 Towing Licenses; Resolution (18-OO) – Authorizing Extending Contract with iXP Corporation for 911 Dispatch Services; Resolution (18-PP) – Authorizing 2015 Safe and Secure Communities Grant P-6372-15 and Mayor’s Signature on the 2015 Safe and Secure Grant Program Sub-grant Award and amend Resolution (18-LL) to include matters dealing with Lawrence Associates v. Lawrence Township.

On a motion by Mr. Powers, 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, Kownacki, Maffei, Powers and Mayor Lewis.  
Nays: None.

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#### Adoption of Minutes

On a motion by Mr. Kownacki, seconded by Mr. Brame, the Minutes of Closed Session Meeting of December 2, 2014 were approved without correction.

Same was carried on the following roll call vote:

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

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Awarding or Rejecting of Bids

Mayor Lewis asked for comments from the public. There being none, Mayor Lewis asked for comments from Council. There being none, public participation was closed. On a motion by Mr. Powers, seconded by Mr. Brame, the following resolution was presented for adoption:

Resolution No. 385-14

**WHEREAS**, on November 3, 2014, bids were received for Bid No. 14-11, Portable Conveyor Model KC 2475SSP or Equal (304 Stainless Steel Undercarriage); and

**WHEREAS**, one (1) bid was received and reviewed by the Township Manager and the Director of Public Works and the bidder Kimco USA, Inc., 118 East Trefz Drive, Marshall, Illinois 62441 is being awarded the bid with a total bid price of \$51,353.75; 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 4-01-26-310-291 for \$36,839.07 and 4-01-26-315-291 for \$14,514.68.

**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. 14-11, Portable Conveyor Model KC 2475SSP or Equal (304 Stainless Steel Undercarriage) in the amount of \$51,353.75 to Kimco USA, Inc.

Same was carried on the following roll call vote:

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

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Introduction of Ordinances

There was no introduction of ordinances.

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Adoption of Ordinances

Mayor Lewis read by title an ordinance entitled, "AN ORDINANCE AMENDING CHAPTER 12 OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE ENTITLED 'LICENSES' – Precious Metals"

Ordinance No. 2204-14

AN ORDINANCE AMENDING CHAPTER 12 OF THE  
LAWRENCE TOWNSHIP ADMINISTRATIVE CODE ENTITLED 'LICENSES'

BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that Chapter 12 of the Lawrence Township Administrative Code entitled 'Licenses' be and is hereby amended by addition of the following new section:

Section 1.

Article IV. Business Engaged in Purchasing Previously Owned Property

Section 12-23 License Required for a Business Engaged in Purchasing of Precious Metals, Gems and all Forms of Previously Owned Jewelry

Sec. 12-23.1 – License required; term of license.

No person shall engage in the business of the purchase of precious metals, gems and/or all forms of previously owned jewelry without first obtaining a license from the municipal clerk. Licenses shall be issued for a period of one year commencing May 1 and ending April 30 of the succeeding year.

Sec. 12-23.2 – Application for license, issuance or denial of license.

Upon receipt of an application for a license under this section, the municipal clerk shall refer such application to the division of police and the division of code enforcement for review and recommendation as to whether a license should be issued or denied. The review and the recommendation shall take no more than twenty days. The division of police shall institute such investigation of the applicant's moral character and business responsibility as it deems necessary for the protection of the public welfare. The division of code enforcement shall cause to be investigated weight and measure devices. Upon completion of the investigation, the division of police and the division of code enforcement shall return the application or a copy thereof to the municipal clerk, accompanied by a recommendation as to whether the license should be issued or denied. If the recommendation of the division of police and the division of code enforcement is to deny the license, the grounds for such recommendation shall be stated. Grounds for recommending denial of a license may include information indicating that the applicant is not of good moral character or is of questionable

business responsibility and/or practices. A recommendation of denial shall be given if the applicant has been convicted of any crime involving dishonesty, fraud, deceit or misrepresentation. Upon receipt of the recommendation of the division of police and the division of code enforcement, the municipal clerk shall issue or deny the license accordingly. Any person aggrieved by such denial may appeal to the Township Council, who may confirm or reverse the denial as deemed advisable.

Section 12-24 Identification Required at Time of Sale

All licensees under this chapter shall require of each person offering an item for sale to produce a valid state or federal government issued photo identification. Once proof of identity is obtained, the person must sign a receipt for the item, acknowledging the sale.

Section 12-25 Records of Sales and Retention of Property

Each licensee under this chapter shall maintain records for each sale, for a minimum of five years, which shall contain a descriptive list or photograph of the item(s) purchased, any identifying numbers and a copy of the signed receipt that clearly states the name and address of the selling person and the date of transaction. These records shall be delivered to the division of police each [week] day through an electronic reporting system company LeadsOnline. LeadsOnline ([www.leadsonline.com](http://www.leadsonline.com)) is a browser-based system that submits records encrypted to the database to protect personal information. A representative from LeadsOnline will set up each licensee at no cost. All precious metals and gems which are purchased or traded for shall be kept separate by transaction and shall be held for no less than ten days from the date of transaction or three business days from the date that the records are delivered to the division of police, whichever time period is greater.

Section 12-26 Bond

Each licensee under this chapter shall deliver a bond to the municipal clerk, executed by the applicant as principal, with a surety company authorized to do business under the laws of the state as surety. The bond, to be approved by the township attorney, shall be in the penal sum of \$5,000.00, conditioned for the due and proper observance of and compliance with the provisions and requirements of all ordinances of the Township in force or which may be adopted respecting the conduct of this business, and conditioned also that the bond shall be and remain for the benefit of any person who shall have received judgment against any person licensed under this chapter by reason of any damage sustained by any such person as a result of having made a sale to such licensee, due to dishonesty, fraud or deceit practiced in effecting purchase.

Section 12-27 License Fee

The fee for initial application for a license under this chapter shall be \$250.00. Each annual renewal fee shall be \$50.00. If on the effective date of this chapter a person has been in business pursuant to Section 12-23 for a period not less than five years, the fee for initial application shall be \$50.00, and investigation pursuant to Section 12-23.2 may be waived by the municipal clerk.

Section 12-28 Suspension or Revocation of License

- A. Any license issued under this chapter may be revoked or suspended for violation of any provision of this chapter.
- B. The Township shall institute proceedings for any license suspension or revocation by service of an appropriate notice at least five days prior to the effective date of the license suspension or revocation, and a reasonable opportunity for hearing before the Township Council shall be afforded to the licensee prior to the effective date.

Section 12-29 Violation; Fine

Any person who violates Section 12-23.1 of this ordinance shall be subject to a fine of Five Hundred Dollars (\$500.00) for the first offense and subject to a fine of Seven Hundred Fifty Dollars (\$750.00) for each subsequent offense.

Section 12-30 Disposition of Penalties Recovered

The civil penalty shall be collected pursuant to the 'Penalty Enforcement Law of 1999' P.L.1999, c.274 (C.2A:58-10 et seq.), in a summary proceeding before the Lawrence Township Municipal Court.

A penalty recovered under the provisions of this ordinance shall be recovered by and in the name of the Township. The penalty shall be paid into the treasury of the Township of Lawrence for the general uses of the municipality.

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.

Additions are underlined \_\_\_\_\_ (except for Section headings)

Deletions are bracketed [ ]

Ordinance 2204-14 was approved on the following roll call vote:

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

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**Manager’s Report –**

Mr. Krawczun stated coincidentally Mr. Whitehead, Director of Public Works, is present this evening and he has been working as a liaison for the Administration with a group of volunteers to promote the Organic Curbside Waste Program and through their efforts Central Jersey has agreed to begin the collection of curbside organic waste on March 1, 2015. The initial requirement of 300 has changed to a threshold below 300; the logistics is still being worked out and the official sign-up will begin after the first of the year. Some dialogue took place relative to the Grant that will provide a discount to the first 300 people who sign up and attracting additional participants to meet that requirement.

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Mr. Krawczun indicated he received information from Hopewell Township regarding the purchase of property at the Berwyn site on Carter Road that Lawrence Township had agreed to participate in about a year ago, where the Township would partner through Mercer County Open Space Fund to leverage the use of the Township’s money to participate in this Multi-Party Funding Agreement. They anticipate the closing to take place at the end of January 2015 and there will be an amendment coming forward regarding language changes which will be forwarded to David Roskos, Township Attorney, for review and that amendment will also clarify the fee ownership interest through the property improvement Green Acres Program. And, the Agreement does not require Lawrence to commit to anything else besides their participation through the funding of the Mercer County Partnership as there is no maintenance or direct ownership.

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Mr. Krawczun discussed a meeting he, Mr. Parvesse, Township Engineer and Lawrence Township Consultant Planners had regarding recommendations for landscape improvements at the intersection of Whitehead Road and Brunswick Pike for the proposed roundabout for the Business Route 1 Boulevard Project and advised that the documents were submitted to the State who will now have an opportunity to try and incorporate some of those recommendations into their design document as they are now proceeding forward with the project.

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Mr. Krawczun stated that he and Mr. Roskos, Township Attorney, had an opportunity to meet with Steven Goodell, Hopewell Township Attorney, and Paul Pogorzelski, Hopewell Business Administrator, as there is still an open matter on the Operating Agreement on the Twin Pines recreation site and that he and Mr. Pogorzelski has had a pretty easy relationship on how that operates but they want to get that formalized. Mr. Roskos has provided some documents to structure the Agreement and he suspects the matter will be wrapped up before January 2015.

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Mr. Krawczun advised that the Administration had their first Mediation Meeting with the Mediator and the EMT's and they are scheduled to meet again.

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**Attorney's Report –**

There was no Attorney's report.

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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 –**

There was no new business.

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

There was no public participation.

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**Resolutions**

Mayor Lewis noted that Resolution (18-A), Authorizing Council Meeting Dates for 2015, only has one date next year where the meeting is not on a Tuesday and that is Thursday, November 5, 2015.

Resolution Nos. 351-14 (18-A) thru 394-14 (18-PP) were approved with the exception of Resolution 385-14 (Bid Award) by the following roll call vote:

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

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

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**Council Initiatives/Liaison Reports –**

Mayor Lewis stated that the Lawrence Township seniors had a wonderful turnout at their Senior Holiday Luncheon where they honored Steve Groeger, Superintendent of Recreation, who will be retiring at the end of the year and some other wonderful people.

Mr. Powers further stated that the Holiday Tree Lighting ceremony was very nice and well attended, and Mayor Lewis advised that the Menorah located outside of Town Hall is lit for the second day of Hanukkah.

There were no additional Liaison Reports.

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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.

7:17 p.m.

Respectfully submitted by,

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Tonya D. Carter, Deputy Municipal Clerk

Attest:

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Cathleen M. Lewis, Mayor