

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

October 7, 2014

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, October 7, 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 Tuesday, October 7, 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.

Special Proclamations, Recognitions and Presentations

“Presentation by Dennis Waters, Township Historian”
“Lawrence History Month”

Mr. Waters greeted everyone and stated as always what a pleasure it is to give the Council an update on the Historian’s plans and upcoming events for October which is “Lawrence Township History Month”, and now that they have concluded the first big event of Lawrence History Month the “Unveiling of the History Display”, which is located in the rear hallway, main level of Town Hall, he would like to let them know what is planned for the rest of October and briefly review what has happened since he checked in with them last year and tell about a couple of things that are in the works. He indicated Sunday, October 12 at 2:00 p.m. Professor Dan Druckenbrod will present the Lawrence Historical Society’s Annual Mary Tanner Lecture and it is called “Rediscovering Aldo Leopold’s, Big Woods: 100 Years of Environmental

History in Lawrenceville” and indicated Aldo Leopold was one of the giants of the American Environmental Movement in the 20th Century right up there with Rachel Carson and John Maurer; but, they may not know he spent a couple of years as a teenager at the Lawrenceville School and he left an extensive record of notebooks about his wanderings around the Lawrenceville area in the year 1905 and Professor Druckenbrod will retrace Leopold’s local footsteps and report on what has changed and what has not in Lawrence landscape over the past 110 years.

Mr. Waters stated they may have seen in the newspaper that the Lawrence Historical Society will publish a series of short monographs in conjunction with the 350th Anniversary of the State of New Jersey and the Reports will be distributed free of charge and he will make sure each of them gets a set as soon as they are available. The topics are as follows: King’s Highway Route 206, The Story of Prohibition in Lawrence, The Origin of Lawrence Streets Names, The History of Suburban Subdivision in Lawrence, The Story of Federal City Road and the AT&T Pole Farm and advised that the Reports were funded by a Grant for Mercer County and New Jersey Historical Commission. And, October 22nd at 7:00 p.m. at the Mercer County Library he will present an updated version of his talk “The Street Where You Live: How Lawrence Became a Suburb 1900-2000.” So, as always they do try to keep busy during Lawrence History Month.

Mr. Waters stated as mentioned 2014 is New Jersey’s 350th Anniversary and Lawrence was well represented and in June they were part of the New Jersey Capital Celebration in Trenton and also in June the New Jersey Historical Commission teamed up with Lawrenceville Main Street to host a Pop-Up Store in the Village. He is also happy to report that the New Jersey Historical Commission renewed the Historical Society’s annual \$5,000 operating grant. And, as far as things to look forward to in months ahead the Historical Society is applying for a grant to upgrade the interpretative signage at the 1761 Brearley House and Professor Brook Hunter at Rider University has been working with a pair of interns to get the materials together; but, they will need funding to produce the signs. And, as they may know, they are only able to open the Brearley House for a few hours every month due to a shortage of trained volunteers so they hope by improving the signage they will be able to open more frequently for self-guided tours.

Mr. Waters indicated finally after several years of having nothing to report on repairing the damage to the Port Mercer Canal House from Hurricane Irene in 2011 he pleased to inform them that the State has been working there since June and that they hope to be able to re-open the Canal House in the not to distance future. The final piece for the restoration was acquired last month; a period sink for the kitchen which was purchased on EBay from a dealer in Central Pennsylvania. Since the State of New Jersey is not permitted to buy things on EBay, he put it on his credit card and the Superintendent of the D & R Canal State Park drove out to Pennsylvania to pick it up so he can now tell them that he has bought everything on the internet including the kitchen sink. And, as always he would like to thank the Council for their continued support for bringing the story of the Township’s remarkable history to the public.

Presentation by Pam Frank, Chairperson
Curbside Household Waste Collection Update

Ms. Frank greeted everyone and stated she and some of the members of the Committee are present this evening to update the Council on the Curbside Waste Collection Program, which they have been trying to get underway since last January, and advised that they currently have 187 units and they need 300 units to commence with a contract and the reason she referenced them as units instead of households is because households can share, as she and her neighbor do which makes it more economical. The cost is \$17 a month; but, thanks to a grant they received the cost is reduced to \$12.00 a month; and, if they share the cost it will be \$6.00 a month for the first year. Also, they have been keeping track of the households and units; so, in addition, to the 187 units they have another 10 or 12 people who have requested additional information and she thinks will sign up so they now have about 200 people who have signed up and they are confident that they will reach their goal of 300 participants.

Ms. Frank indicated since most of the people signed up in January they have been trying to send out emails on a monthly basis to keep the people informed about their goals and how they are progressing. Furthermore, they are constantly thinking of ways to recruit people and in the next few months the plan is to open up social media through Facebook to reach their goal being a number of people do not know about the program. So, their goals are to get more people to join the Committee and spread the message through word of mouth and continue to set goals so they can launch the program by the beginning of the New Year. She then proceeded to discuss Princeton approaching 1000 participants in the program as well as there being a growing interest and market for the program; especially, for the County who is watching their efforts as they are looking at options they can do on a county level. She then thanked the Council for their support and asked if they had any questions.

Mayor Lewis thanked the Committee for their herculean efforts in trying to get people to change their behavior and not just change their behavior...but pay to change their behavior and for the work that they have done in getting people to sign-up and the Grant to help offset the cost of the program, which is wonderful. And, she knows aside from the County there are other towns that are looking at the program as well. So, once they get the Curbside Waste Program up and running she thinks people will understand that it is a good program that will enable them to compost in the winter without tracking out to their backyards in the snow if they get a curbside bucket. She then thanked the Committee for all of their hard work and the great job they have done in getting residents to sign-up and she would do whatever is needed to get the word out to help residents know more about program.

Public Participation (5-minute limitation per speaker)

Mr. Joseph Mislán, 4 Sunset Road, resident of Lawrence Township for 44 years spoke about how pleased he is with the following progress: BMS putting up a new facility on the corner of Princeton Pike and Lewisville Road and praised Mayor Lewis for her efforts in collaborating with other entities to stimulate business growth; Senator Sweeney's S-1 Bill, reducing government cost through shared services, and it finally getting to the Legislative Committee for review and a possible vote; the 08648 Zip Code now being exclusive to Lawrence Township (should be Lawrenceville) as he only received one piece of mail in the last several weeks with the 08648 Trenton Zip Code. He also spoke about supply and demand as it relates to a shortage of property and the Council giving consideration to building a high rise to increase income and on the supply side where economic structure expansions are needed – such as Lawrence Township Shopping Center one of the areas that could use a boost and reiterated his support for the S-1 Bill and requested that the Council use whatever authority they have to see that it comes out of Committee and up for a vote as it is an important issue that will benefit everybody in the community.

Ms. Noemi De la Puente, Representative for NJ Think Outside the Bag, noted that several members of her organization are in the audience and they are present to demonstrate and discuss the usage of plastic bags and what the hazardous impact has on the environment and advised that the average person in the United States uses about 500 plastic bags a year which translates to 16 million bags being used in Lawrence Township and 183 million bags being used in Mercer County and if they were to do something in Mercer County, like have a fee on plastic bags, that would be one of the most useful ways to change consumer behavior as it would reduce the litter and the amount of trash that is hauled out of the Township and proceeded to discuss taxpayers paying twice for trash services being they pay for it as a consumer when it is hidden in the cost of goods or when they try to get rid of it and have to pay for it in litter cleanup cost. In addition, the bags are not biodegradable so each of those 500 piles of plastic bags are still out there somewhere possibly floating in the ocean or littering the streets causing pollution.

Ms. De la Puente further discussed the market being very small for recycling of bags as the market is about one and one-thousandth of what is generated so all they do by recycling is collect them in different places before they are thrown into the landfills and escapes into the environment; therefore, recycling is not the most useful answer...reducing the number of bags that are used is the useful answer and that the most successful way of doing so is by having a Bag Fee Bill like California who has been in the front of this idea and it is now required statewide. And, because she thinks they cannot rely on voluntary efforts if a "bag fee" is imposed about 80 to 90 percent will remember to bring their bags or not need a bag at all and continued to discuss the County being the perfect size for a "bag fee" being township's are too small and the State is not going to do anything until they see some local successes which is why Mercer County is making history by being the first community to put something on the ballot; a non-binding referendum asking the voters their thoughts are about putting a fee on

plastic bags to encourage the use of reusable bags and if the referendum pass it sends a very clear message to the Freeholders that the problem need to be attacked on a countywide level as Townships have tried with no success. In closing, she discussed a list of merchants who are currently putting bag fees or reusable methods to practice with success and asked the Township Council if they would consider doing a Proclamation or something official stating that they support the non-binding referendum to let the County Freeholders know that Lawrence Township cares about the state, world and environment in which they live. A general question and comment period ensued relative to what the bag fee will be used for and the proposed fee encouraging the use of reusable bags.

Mr. James Cleak, 7 E. Darrah Lane, stated that he had an extensive conversation with Ms. De la Puente at Community Day regarding the matter and after some research he is wondering if curbside recycling is really cost effective and worthwhile or is it just a feel good kind of thing and indicated that his family is religious about recycling to point they hardly have any garbage and he is embarrassed to admit they recycle a lot of things that they are not supposed to be recycling and in the days when everything was separate they were told to put newspapers in paper bags and now that paper bags are rarely used they put everything in plastic bags and he always wondered since everything is combined and it seems like a lot of work to separate how much is really being recycled.

Mayor Lewis explained that it is cheaper to do single stream which is why the County did it and they have machines that sort it out, partly, by weight; and, as for economics by moving it to single stream it significantly lowers the tonnage and the cost to the Township's for hauling the garbage away. So, there are benefits to recycling and while everyone may not do as much recycling as they would probably like them to do they all can agree that the world is a better place because of it, as it would lessen the clutter along the curbsides. Additional discussion took place relative to pros and cons of recycling and the use of reusable bags, after which Mr. Cleak indicated he is in favor of a 5-cent fee being charged for plastic bags as it will not impose a hardship on anyone and encouraged the Council to support the effort as well.

Mr. Cleak further discussed the condition of the Lawrence Shopping Center, specifically, the parking lot which he knows has been a big issue as there was a huge article in the Lawrence Ledger about the owners being responsible for the parking lot and so on. So, he is just curious if anyone have any idea about their plans since two of the few remaining tenants have recently left and rumor has it when the tenants leases were up the owner increased the rent so much it forced them to leave which sounds like they are discouraging businesses instead of attracting them so he would like to know if there are any plans in the works for that location.

Mr. Krawczun advised that the current owners have two plans one being the roof work that has been ongoing and will cost approximately \$2M and the other is to repair the parking lot; but they have to get a geologist to come out and examine the subsurface so that they can better understand the problem and the history of that subsurface in order to better prepare the ground for what will be necessary. They have recently been in contact with the current managers of the property and they have every intention of trying to repair and restore that location. As for the long-term plans, the owners plan to re-establish the location as a retail center and they have no desire to make it residential as previous mentioned.

Review and Revisions of Agenda

Mr. Krawczun requested that the Agenda be amended to remove Resolution (18-V) – Authorizing Purchase of Replacement 9-1-1 System from State Contract Vendor and Resolution (18-W) – Closed Session, and add Resolution (18-X) – Authorizing Recreation Refunds and Resolution (9-B) – Authorizing Rejection of Bid for Snow Plowing Services.

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.

Adoption of Minutes

On a motion by Mr. Powers, seconded by Mr. Brame, the Minutes of Regular Meeting of January 23, 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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On a motion by Mr. Powers, seconded by Mr. Brame, the Minutes of Closed Session Meeting of **September 16, 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. Maffei, the following resolution was presented for adoption:

#### Resolution No. 286-14

WHEREAS, on Thursday, September 25, 2014 bids were received and publicly opened for the project known **Miscellaneous Concrete and Drainage Improvements**; and

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

WHEREAS, the lowest responsible bidder was T. Fiotakis Construction, LLC who submitted a bid in the amount of \$167,540.00, 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-04-55-334-247 (Drainage Haveson/Princeton Pike Culvert, Ord. #2051-10 - \$25,000); C-04-55-392-242 (Concrete Program, Ord. #2187-14 - \$30,000); C-04-55-391-248 (Ord. #2187-14, \$7,500, Various Road Improvements & Princeton Pike Middle School Crosswalk) and C-04--55-329-243 (Ord. #2021-09 Amended by Ord. #2197-14 Various Road Improvements and Drainage Improvements, \$105,040); 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 T. Fiotakis Construction, LLC, 197 Central Avenue, Edison NJ 08817 in the amount of \$167,540.00; 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, Kownacki, Maffei, Powers and Mayor Lewis.  
Nays: None.

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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. 310-14

WHEREAS, on October 7, 2014, bids were received for Bid No.14-09, Snow Plowing Services; and

WHEREAS, one bid was received and the Municipal Manager has reviewed said bid; and

WHEREAS, the Municipal Manager and Director of Public Works are recommending the bid be rejected because it exceeds the Townships budgeted appropriation for these services;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that the one bid submitted for Bid No. 14-09, Snow Plowing Services are hereby rejected.

Same was carried on the following roll call vote:

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

Introduction of Ordinances

Mayor Lewis read by title an ordinance entitled, "AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF LAWRENCE TO PROVIDE FOR THE LICENSING AND REGULATION OF TOWING AND STORAGE SERVICES."

Mr. Krawczun stated that the Ordinance repeals and replaces the ordinance regulating towing and storage services in the Lawrence Township Administrative Code. The changes will include the 21-foot flatbed requirement in the Ordinance with stipulations, a time delay to 7/1/15 to comply; failure to comply results in suspension until such time truck is purchased. The Ordinance will also add language regarding the

rotation process for towers who do not meet the 21-foot flatbed verses the 19-foot flatbed requirements.

The Ordinance was introduced and 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						

Adoption of Ordinances

Mayor Lewis read by title an ordinance entitled, "ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWNSHIP OF LAWRENCE TO AMEND THE REGULATION OF SIGNS."

Ordinance No. 2199-14
ORDINANCE AMENDING THE
LAND USE ORDINANCE
OF THE TOWNSHIP OF LAWRENCE
TO AMEND THE REGULATION OF SIGNS

WHEREAS, it is the public policy of the Township of Lawrence, a municipal corporation in the County of Mercer, State of New Jersey, to protect the rights of expressive speech and viewpoint communication, as secured by the Constitution of the United States and the Constitution of the State of New Jersey, to the full extent of all applicable law, for all persons within its jurisdiction, and;

WHEREAS, the Township seeks to protect the rights and opportunities for commercial speech within an environment, the aesthetics of which present a quality of attractiveness, so as to enhance the opportunities for development and growth of business enterprises, and for that purpose presents a pleasing and uncluttered business milieu intended to be attractive to patrons and residents alike, and;

WHEREAS, the Township seeks to protect and enhance the safety and efficacy of vehicular traffic flow, and to protect pedestrian and other persons and their property within the public right of way, and;

WHEREAS, the Township has reviewed and takes cognizance of extensive findings and conclusions of peer reviewed professional traffic safety research, incorporating same herein as an appendix to this Ordinance, and given that such

findings have determined that driver inattention is a significant and major contributing factor to motor vehicle accidents, (Stutts, et al., 2001; Young and Regan, 2003; Klauer, et al., 2005), and;

WHEREAS, research indicates that driver distractions appurtenant to a roadway inducing eye glances away from traffic greater than two seconds in duration are a significant contributor to traffic accidents, (Klauer, 2006; American Association of Automotive Medicine, 2001; Chan et al., 2008), and;

WHEREAS, research indicates that built-up clutter, meaning signage or similar distractions existing in large size or numerical profusion of items or content within a fixed area visible to motorists, induces a greater distraction to drivers than non-complex distractions, (Akagi, 1996; Pottier, 1998; Edquist, 2009), and;

WHEREAS, research further indicates that illuminated signage visible to drivers causes a longer duration of distraction than non-illuminated signage, (Wallace, 2003), and;

WHEREAS, research has shown that blinking, flashing, moving, or otherwise animated signage produces a longer distraction time for drivers than ordinary signage without added distractive elements or characteristics, (SWOV Institute for Road Safety Research, 2006); and

WHEREAS, research has demonstrated that variable message signs, consisting of changing moveable images or text, product, when visible to motorists, a longer duration of distraction time than static signs, and correlate to an increase in vehicular accidents, (Wisconsin Department of Transportation, 1994; Beier, 2002, 2004; Smiley et al., 2005); and

WHEREAS, variable message signs on limited access interstate highways with a sufficiently long duration time for each static image, sufficient range of time for a change from one image to another, no additional dynamic change in the static image presented, restrictions on the luminance and illuminance of the image related to ambient lighting conditions, adequate separation distances between signs that are possible on such highways, adequate protections on malfunctioning signs and suitable means of recycling such variable message signs at the end of their useful life is just sufficient to overcome the otherwise severe consequences of driver distraction and aesthetic blight found with variable message signs in any other situation or condition; and

WHEREAS, excessive sign illuminance affects a driver's ability to adapt from the brightness of the sign to the darker surroundings of the roadway so ensuring that sign illuminance levels retain a consistent ratio with the ambient lighting levels near to the sign is a critical factor in the control of variable message signs; and

WHEREAS, the Illuminating Engineering Society of North America provides standards and guidance that form the basis of the illumination requirements and limitations contained herein; and

WHEREAS, The Township Council of the Township of Lawrence finds that the public health, safety, morals and general welfare of the community shall be promoted by the revision and amendment of the Land Use Ordinance of the Township pertaining to signs; and

WHEREAS, the Planning Board of the Township of Lawrence has adopted a Master Plan that comprehensively provides for the appropriate use, regulation, and development of lands in the Township in a manner which will promote the public health, safety, morals and general welfare; and

WHEREAS, the Municipal Land Use Law, N.J.S.A. 40:55D-62a requires substantial consistency of the provisions regulating zoning and land use with the adopted Master Plan; however, a governing body may adopt a zoning ordinance or zoning map wholly or partially inconsistent with such land use plan element provided that the reasons for doing so are set forth in a resolution and recorded in its minutes, and;

WHEREAS, the Planning Board has determined that the revisions and amendments to the Land Use Ordinance are consistent with said Master Plan, represent sound land use regulation, and therefore favorably recommends to the Township Council that the regulations pertaining to signs be so amended, and;

WHEREAS, this Ordinance does not involve a classification and boundary change requiring individual property owner notice pursuant to N.J.S.A. 40:55D-62.1.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council and the Township of Lawrence that the Land Use Ordinance be hereby amended as follows:

Section 1. §201, Definitions, shall be amended by adding the following definitions:

ILLUMINANCE: The amount of light measured in foot-candles that falls onto an object or plane.

SIGN, V-SHAPED: A single sign structure having two faces in the shape of the letter "V" when viewed from above, with the faces oriented in opposite directions.

SIGN, VARIABLE MESSAGE: A type of electrical or electronic changeable copy sign capable of depicting black and white and full color static sign messages.

Section 2. §535.C.3 entitled, “Sign permit invalidation”, shall be modified to read as follows:

3. Sign permit invalidation. Any of the following shall cause a sign permit to be invalidated:
 - a. An invalidation of a Certificate of Occupancy for the use to which the sign relates.
 - b. An invalidation of any permit issued for a sign by another agency or level of government or the loss of any license held precedent to receiving such permit.
 - c. An alteration in the area of a sign, the shape of a sign or structure of the sign support.
 - d. Vacation of the premises by the user to which the sign relates.
 - e. Abandonment pursuant to §535.C.5 of this section.

Section 3. §535.E.7 entitled, “Relief and sign face distance” and §535.E.8 entitled, “Setback”, which shall be renamed “Setback and separation distance”, shall be modified to read as follows:

7. Relief and sign face distance. Excepting viewpoint signs under §535.K.3, no sign shall contain characters or graphics exceeding 3 inches in relief from the sign face. No façade sign shall project more than 12 inches from the plane of the attaching surface. The maximum distance between the faces of a double-faced sign shall not exceed 18 inches; otherwise it shall be considered two signs and any “V”-shaped sign, regardless of the separation dimension of the faces, shall be considered two signs.
8. Setback and Separation Distance. Except where a greater setback is required, no freestanding sign or any part thereof shall be located closer than 10 feet to any lot line, excepting viewpoint signs under §535.K.3 if the lot dimensions would otherwise preclude an owner or tenant’s ability to erect such a sign. Any new commercial sign shall be not less than a distance of 100 feet from any existing adjacent freestanding sign, excepting commercial properties within 200 feet or less of frontage from which direct vehicular access is obtained, directional and directory signs. Any off-site commercial sign, where permitted, shall be separated from any other off-site commercial sign by a distance of not less than 1,000 feet in any direction. Any off-site commercial variable message sign, where permitted, shall be separated from any other commercial variable message sign by a distance of not less than 3,000 feet for any sign aligned to face the same direction of travel.

Section 4. §535.I, Illumination, shall be modified to read as follows:

- I. **Illumination.** Signs exempt from permits in accordance with §535.G shall not be illuminated, unless otherwise excepted. Any other sign may be illuminated, unless otherwise prohibited. Illuminated signs shall conform to the following provisions:
1. Where illuminated signs are permitted and approved, illumination may be provided by floodlights, spotlights, incandescent bulbs, fluorescent tubes or compact fluorescent bulbs, LED spotlights or internal illumination, metal halide, mercury-vapor, or quantum dot lamps. Neon, LED or similar tubing shall not be permitted as a means of illumination unless used for illumination internal to the sign. Regardless of the type of illumination employed, all illuminated signs shall be properly shielded and so located as to prevent glare or blinding effects upon motor vehicle traffic and so as not to cause a nuisance to residents on the premises of their home in the area. Upon a finding by the Zoning Officer that a sign creates glare or blinding conditions, the property owner or owner of the sign, as the case may be, shall correct the situation within 14 days of the notification of such effects by the Zoning Officer. The Zoning Officer may be assisted in such determination by such lighting or visual acuity experts as necessary. Failure to correct the condition or file an appeal within the time specified shall constitute a violation of this Ordinance by the property owner or sign owner, as appropriate.
 2. Signs capable of illumination shall be turned off between the hours of 10:00 p.m. and 7:00 a.m. the following morning, unless the business or uses advertised are open to the public later than 10:00 p.m. or earlier than 7:00 a.m., in which event any such establishment may keep a sign illuminated during business hours, only. Variable message signs, where permitted, shall be turned off between the hours of 1:00 am and 6:00 am.
 3. The contrast between the ambient light level of the cartway closest adjacent to a sign and the illuminance of the sign shall not exceed a ratio of 1:20.
 4. Signs shall not be permitted to emit more than fifty percent (50%) of its illumination as the color white or light blue.
 5. The level of light being emitted by such sign shall not exceed 0.3 foot-candles of luminance 50 feet from the vertical plane of the sign face at the edge of a travel lane, or 250 feet measured level and at 90° from its center.

Section 5. §535.N, Changeable Copy Sign Requirements, shall be modified to read as follows:

- N. **Changeable Copy Sign Requirements.** Changeable copy signs, where permitted, shall comply with the following provisions and any more specific regulations in this section:

1. Changeable copy signs shall be allowed only as an integral part of a freestanding or façade sign, except as may be allowed in sub-paragraph –N.8 hereinbelow. The area of a changeable copy sign shall be included in the sign area calculation for the freestanding or façade sign and shall not exceed 50% of the total sign area, excepting movie theater marquee and variable message signs.
2. Changeable copy signs shall not be permitted on temporary or portable signage.
3. Copy shall not be changed more than once every 24 hours, excepting advisable data displays and variable message signs. Changeable copy signs that are changed more frequently shall be considered animated signs and are prohibited.
4. Changeable copy signs may not be located in any residential zoning district, excepting institutional uses.
5. The maximum number of lines of changeable copy shall be 4 lines, except for variable message signs.
6. The minimum height of changeable copy letters shall be 4 inches.
7. No changeable copy sign, excepting advisory data signs and variable message signs, shall be changed by electronic or electro-mechanical means.
8. Changeable copy signs that are variable message signs shall adhere to the following standards and any other standards specific to the zoning district in which they are permitted:
 - a. The variable message sign shall be equipped with a dimmer control and a photocell which automatically adjusts the intensity of the display in response to natural ambient light conditions in accordance with the illumination standards of §535.1;
 - b. When first installed, the sign shall be calibrated and certified by the sign installer that the level of illuminance does not exceed the limitation set forth in §535.1.5.
 - c. The displayed message shall not change more frequently than once per 8 seconds. The sign shall only display static messages and shall be changed instantaneously from one message to the next;
 - d. The sign shall be equipped with a default mode of operation that turns the sign message entirely to black should a malfunction in static image display, dimmer control and/or photocell occur;
 - e. Prior to the issuance of a sign permit approving such sign under the provisions of this Ordinance, the owner of the sign shall prepare a report

indicating the anticipated life span of the sign and the means whereby the sign's electronic components shall be recycled at such time. No new permit for a variable message sign replacing a previously installed variable message sign shall be issued until the owner shall certify to the satisfaction of the Zoning Officer that a credible means of recycling of the prior sign has been established. Once certified, the sign owner shall be permitted to replace modules within the variable message sign as needed.

- f. Prior to the issuance of a building permit, or in the absence of a building permit being required, the sign permit, a structural engineer licensed by the State of New Jersey shall certify that the existing sign structure is capable of supporting the variable message sign intended to replace an existing static message sign. In the event that the sign structure is inadequate to support the static and live loads of the variable message sign, the structural engineer shall supply a credible design whereby the structure shall be reinforced to accept such variable message sign and shall certify upon completion that the sign has been reinforced in conformance with the design.

Section 6. §535.V, Signs Permitted in the AT, SCR, PVD-1, PVD-2, PVD-3 and MX Districts, shall be modified to read as follows:

V. Signs Permitted in the AT, SCR, PVD-1, PVD-2 and MX-1 Districts.

Section 7. §535.X, Signs Permitted in the O, RD-1, RD-2, I-1 and I-2 Districts, shall be modified to read as follows:

X. Signs Permitted in the O, RD-1, RD-2, MX-2 and LI Districts.

1. Any sign allowed without permit, pursuant to §535.G.
2. One freestanding sign for each collector or arterial roadway that provides access to the building or complex pursuant to §535.R and not exceeding 10 feet in height.
3. Freestanding signs shall be set back from all street lines a minimum of 30 feet.
4. Façade signs in accordance with §535.Q and not exceeding 100 square feet, whichever is less, excepting RD-2 districts.
5. Façade signs, in accordance with §535.Q located in the RD-2 district shall conform to the following:
 - a. Façade signs for principal uses may be increased to no more than 200 square feet in area, whichever is less.

- b. One façade sign for each accessory use shall be permitted not to exceed 40 square feet in area.
 - c. Awning signs in lieu of a façade sign shall be permitted for accessory uses.
- 6. Directional signs pursuant to §535.O.
 - 7. Directory signs pursuant to §535.P.
 - 8. One off-premise sign with a non-commercial message in lieu of a freestanding sign.
 - 9. In the Mixed Use 2 district, only, a changeable copy sign that meets the definition of a variable message sign, provided it meets the following criteria:
 - a. The sign is oriented to a highway designated as part of the Dwight D. Eisenhower National System of Interstate and Defense Highways by the Federal Highway Administration;
 - b. The sign meets the separation distances of §535.E.8; and
 - c. The sign shall not exceed 14 feet tall by 48 feet wide in sign area.

Section 8. Continuation. In all other respects, the Land Use Ordinance of the Township of Lawrence shall remain unchanged.

Section 9. Severability. If any portion of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole, or any other part thereof. Any invalidation shall be confined in its operation to the section, paragraph, sentence, clause, phrase, term, or provision or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 10. Interpretation. If the terms of this Ordinance shall be in conflict with those of another Ordinance of the Code of the Township of Lawrence, then the provision which imposes the greater limitation shall be enforced.

Section 11. Repealer. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency only.

Section 12. Enactment. This Ordinance shall take effect upon the filing thereof with the Mercer County Planning Board after final passage, adoption, and publication by the Township Council of the Township of Lawrence in the manner prescribed by law.

Ordinance 2199-14 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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Mayor Lewis read by title an ordinance entitled, "BOND ORDINANCE AMENDING BOND ORDINANCE 2186-14 BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, IN ORDER TO REVISE THE DESCRIPTION OF THE IMPROVEMENT HEREIN."

Ordinance No. 2200-14

BOND ORDINANCE AMENDING BOND ORDINANCE 2186-14  
BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER,  
STATE OF NEW JERSEY, IN ORDER TO REVISE THE  
DESCRIPTION OF THE IMPROVEMENT HEREIN

BE IT ORDAINED, by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1:

Section 3 of Bond Ordinance 2186-14, finally adopted May 20, 2014, and Ordinance 2190-14 finally adopted July 15, 2014 are hereby amended to add the following purposes:

Improvements of Municipal Buildings consisting of "Lawrenceville Fire Company and Slackwood Fire Company HVAC upgrade"

Section 2:

The capital budget of the Township of Lawrence is hereby amended to conform with the provisions of this ordinance to the extent of inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of Local Government Services is on file with the Clerk and is available there for inspection.

Section 3:

This amending bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Ordinance 2200-14 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 that a copy of the Best Practices Worksheet for the Calendar Year 2014/SFY2015 was placed on the agenda for discussion and provided to Council for their review as required by the Division of Local Government Services and that Lawrence Township did reach the necessary goal number to qualify for the grant money from the State, after which he discussed how the survey is scored and monies are disbursed to the towns.

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Mr. Krawczun advised the Council that two of three Harassment Training sessions provided by the Township have been completed so they currently have 129 employees trained. They previously had this type of training before which requires a pretty extensive scheduling in terms of trying to get everyone in during the course of a few days and that the next scheduled training will take place on Thursday, October 9 and hopefully they will have everyone trained by then.

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Mr. Krawczun stated he had an opportunity along with Carol Chamberlain, Health Officer, and Mark Ubry, Police Chief, to meet with representatives of the Lawrence Presbyterian Church who are in the process of creating a new strategic plan for their church and they are interested in seeing how their role may dovetail with Lawrence Township's role as a local government and what they may be able to assist with in the community, which included a number of topics and he suggested that they reach out to Steve Groeger, Superintendent of Recreation and Lillian LaSalle, Director of Office on Aging, to further discuss possible programs and opportunities for the Lawrence Township seniors.

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Mr. Krawczun stated last evening scheduled before the Planning Board was an Application presentation with Starbuck's Coffee Company for the intersection of Gordon Avenue and Route 206; the site of the former Sun Bank. And around 3 p.m. yesterday they received a call from Starbuck's as well as Mr. Yoskin, Planning Board Attorney, that The Lawrenceville School who was generally in support of the Starbuck's application had hired an attorney to represent the school on the application and to discuss matters dealing with traffic. Starbuck's decided to ask the Board to take jurisdiction of the Application and the Board has agreed; so, the hearing has been postponed until November 17 where the Application will be heard and in the interim they will be hiring a Traffic Engineer to do a study of that area and he will meet with both Township Officials, personnel of The Lawrenceville School and their attorney to share the report.

Attorney's Report –

There was no Attorney's report.

Clerk's Report –

There was no Clerk's report.

Old Business –

Mayor Lewis discussed the Non-Profits/Not-for-Profit Listing that was provided to the Council for review at the last Council Meeting and advised that a blanket letter was previously sent out to the Not-for-Profits regarding voluntary payments in lieu of taxes and there was some feedback that some of the organizations would like to have dialogue on the matter. She further indicated it is a good idea to invite that conversation and asked the Municipal Manager along with Councilman Brame and Councilman Kownacki to reach out to the Not-for-Profit organizations to discuss ways they can partner with the Township and requested that Mr. Krawczun send letters to coordinate those meetings, after which she thanked both Councilmen Brame and Kownacki for stepping up to the plate on this particular matter.

New Business –

There was no new business.

Public Participation (3-minute limitation per speaker) –

There was no public participation.

Resolutions

Resolution Nos. 287-14 (18-A) thru 309-14 (18-X) were approved by the following roll call vote:

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

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

Council Initiatives/Liaison Reports –

Councilmember Brame’s report:

- Advised that he had the pleasure of meeting last week with the Recreation Advisory Committee and interestingly enough it showed that the Recreation Department is growing and that the interest that residents have with respect to the programs has also grown. And, one of the things the Committee is looking at is ways of sharing the fields with lacrosse and soccer practices and games; because, even though they have limited resources, they still have to share those resources. So, based on the recommendation from Mr. Groeger, Superintendent of Recreation, the consideration of how that can be accomplished and whether it can be accomplished expeditiously is before the Board and he anticipates at the next meeting a resolution will be formalized, an offer will be made and all interested parties will have a compromise.

Mayor Lewis noted with respect to Recreation, Community Day was a success this year as they had beautiful weather and more activities and commended all the Township employees and volunteers for their participation.

Councilmember Powers' report:

- Advised that everyone is back from their summer vacation so the Committees are getting back into gear and the Human Relations Committee is working on Diversity Day, as they are now looking for their keynote speaker and earlier Ms. Frank spoke about the use of social media to get the word out has come up in conversation with the Advisory Committee, which he has hesitated to speak on until he seeks guidance from the Council on the matter as the Township does have a web policy. But, it is something to think about going forward in the future as Facebook and other sources of media are becoming more common in promoting events.

Mayor Lewis' report:

- Advised that the Growth & Redevelopment Awards ceremony is tomorrow October 8th at the Brio Grill and they had a lot of businesses that were nominated this time around which is a good sign for their economy. Also, Lawrence-Hopewell Trail folks are doing a walk this coming Saturday; unfortunately, she will not be able to attend; but, encouraged others to go out and support the event.
- There were no additional Liaison Reports.

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:

Cathleen M. Lewis, Mayor