

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

September 2, 2014

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, September 2, 2014 at 6:45 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, September 2, 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

Mayor Lewis noted that prior to the meeting this evening the Council attended the swearing in ceremony of the new Police Chief, Mark Ubry, which is a special recognition in itself.

Public Participation (5-minute limitation per speaker)

Mr. Joseph Mislán, 4 Sunset Road, resident of Lawrence Township for 44 years spoke about the Real Estate Market, Property Appraisers and Mercer County Board of Taxation as it relates to the Revaluation, Tax Appeals and the Council focusing on increasing the market values of real estate and the demands of Lawrence as it relates

to the attractiveness of the 08648 mailing address, the prominent reputation of Lawrence Township Public School System and Lawrence Township Public Safety. He further discussed the 08648 address being exclusive to Lawrenceville not Trenton and known as Lawrenceville not Lawrence Township and indicated the fairness of common sense is the way to go and must prevail over political maneuvers and he would like to see the Council take charge on those issues and give a voice of authority to public opinion being that is what the residents of Lawrence expect and they are the elected officials and the voice of the people and democracy can only be promoted through them.

Review and Revisions of Agenda

There was no review or revisions to the agenda.

Adoption of Minutes

There was no adoption of minutes.

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

Resolution No. 253-14

WHEREAS, on Thursday, August 21, 2014 bids were received and publicly opened for the project known as **Road Improvement Program – Province Line Road**; and

WHEREAS, six (6) bids were received and reviewed by the appropriate Township Officials; and

WHEREAS, the lowest responsible bidder was American Asphalt Company, Inc. who submitted a bid in the amount of \$224,270.00; 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-04-55-379-241; 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 Asphalt Company, Inc., 116 Main Street, West Collingswood Heights NJ 08059-1809 in the amount of \$224,270.00; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that 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, Kownacki, Maffei, Powers and Mayor Lewis.
 Nays: None.

Introduction of Ordinances

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

Mr. Krawczun stated that the Ordinance amends Section 201 of Lawrence Township Municipal Land Use Ordinance regulating signs; specifically, regulations for the operation and placement of commercial variable message billboards being constructed. The variable message billboards will be limited to the Mixed Use 2 Zone with orientation to Interstate 95 only, and the Ordinance will be subject to regulations set by NJDOT and a consistency review by the Lawrence Township Planning Board.

Mayor Lewis stated she plans to vote for the Ordinance as she feels it is useful; but, she thinks it would be a good idea if in a year they look back and compare the accident rates in and around the billboard area from the date the New Electronic Billboard is installed and then after it is in full operation just to ensure there are no safety concerns.

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					X	
Dr. Maffei	X						
Mr. Powers	X						
Mayor Lewis	X						

Adoption of Ordinances

Mayor Lewis read by title an ordinance entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 2191-14 AN ORDINANCE TO MANDATE DIRECT DEPOSIT FOR MUNICIPAL EMPLOYEES BY THE TOWNSHIP OF LAWRENCE PURSUANT TO C.52:1415F, et. seq."

Ordinance No. 2196 -14

AN ORDINANCE AMENDING ORDINANCE NO. 2191-14 AN ORDINANCE TO MANDATE DIRECT DEPOSIT FOR MUNICIPAL EMPLOYEES BY THE TOWNSHIP OF LAWRENCE PURSUANT TO C. 52:1415f et. seq.

WHEREAS, P.L. 2013 c. 28, authorizes local governments to mandate direct deposit for certain governmental employees effective after July 1, 2014; and

WHEREAS, P.L. 2013 c. 28 permits governing bodies to grant exemptions on such terms and conditions as they deem necessary.

NOW THEREFORE, BE IT ORDAINED, by the Township of Lawrence, located in Mercer County, State of new Jersey according to the following:

Section 1.

All [full time] employees and elected public officials who receive compensation from the Township of Lawrence are mandated to have direct deposit of their compensation as of January 1, 2015 in accordance with Chapter 28 P.L. 2013, as defined under C.52:14-15f (b).

Section 2.

Seasonal and temporary employees who are employed by the Township of Lawrence are exempt from the direct deposit mandate.

Section 3.

Municipal employees may request, in writing, an exemption from the direct deposit mandate to the Municipal Manager. Such requests will be presented to the Lawrence Township Council within fourteen calendar days prior to the next regularly scheduled meeting of the governing body. The Lawrence Township Council may grant such an exemption by resolution and only for good cause.

Section 4.

If any Section, paragraph, subdivision, clause or provision of this Ordinance shall be judged invalid, such adjudication shall apply only to the Section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 5.

All ordinances or parts of ordinance inconsistent with or in conflict with the Ordinance are hereby repealed to the extent of such inconsistency.

Section 6.

This Ordinance shall take effect 20 days after final passage, adoption and publication according to law.

Adopted: September 2, 2014

[] Indicates deletion

Ordinance 2196-14 was approved on 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						

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Mayor Lewis read by title an ordinance entitled, "BOND ORDINANCE AMENDING BOND ORDINANCE 2021-09 BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, IN ORDER TO REVISE THE DESCRIPTION OF THE IMPROVEMENT HEREIN"

Ordinance No. 2197-14

BOND ORDINANCE AMENDING BOND ORDINANCE 2021-09  
 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 2021-09, finally adopted June 4, 2009, and Ordinance 2194-14 finally adopted August 19, 2014 are hereby amended to add the following purposes:

Road Improvements to include: "Drainage Improvements"

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 2197-14 was approved on 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   |     |         |        |         |      |        |

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Mayor Lewis read by title an ordinance entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 2139-12 ENTITLED AN ORDINANCE AMENDING CHAPTER 6A, "FEES: THE CONSOLIDATED LICENSE, PERMIT AND FEE CHAPTER" OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE – Recreation Fees"

Ordinance No. 2198-14

AN ORDINANCE AMENDING ORDINANCE NO. 2139-12 ENTITLED AN ORDINANCE AMENDING CHAPTER 6A, "FEES: THE CONSOLIDATED LICENSE, PERMIT AND FEE CHAPTER" OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE

SECTION I. BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that section 6A-23 "Recreation Fees" is hereby amended as follows:

ACTIVITY	Present Fee	Amended Fee/New Fee
Art/Theater Camp Full Day	\$250.00	\$250.00
Art/Theater Camp Half Day	\$185.00	\$185.00
Art, Winter	\$80.00	\$80.00
Basketball, Competitive	\$110.00	\$110.00
Basketball, Summer Teen	\$65.00	\$65.00
Basketball, Youth	\$75.00	\$75.00
Bocce	\$5.00	\$5.00
Camp, After Care	\$60.00	\$60.00
Camp, Before Care	\$50.00	\$50.00
Cheerleading	\$55.00	\$55.00
Field Hockey, Indoor	\$75.00	\$75.00
<u>Fitness Training</u>		<u>\$60.00</u>
Garden Plot, Resident	\$45.00	\$45.00
Garden Plot, Non-resident	\$90.00	\$90.00
[Lacrosse, Boys	\$65.00	\$100.00]
[Lacrosse, Girls	NA	\$50.00]
Playgrounds, Full Day until April 30	\$265.00	\$265.00
Playgrounds, Full Day after April 30	\$290.00	\$290.00
Playgrounds, Half Day until April 30	\$195.00	\$195.00
Playgrounds, Half Day after April 30	\$210.00	\$210.00
Safety Town	\$75.00	\$75.00
Senior Instruction	\$3.00 per class	\$3.00 per class
Sports Camps	\$250.00	\$250.00
Sports Camps, Half Day	\$185.00	\$185.00
Sports Clinics	\$40.00	\$40.00
Swim Lessons	\$80.00	\$80.00
Swim Team		
October – March, Level 1	\$210.00	\$210.00 <u>2 days per week</u>
October – March, Level 2	\$185.00	\$185.00 <u>2 days per week</u>
October – March, Level 3	\$185.00	\$185.00 <u>2 days per week</u>
<u>October – March, Level 1</u>	N/A	<u>\$100.00 1 day per week</u>
<u>October – March, Level 2</u>	N/A	<u>\$85.00 1 day per week</u>
[October – US Swim	N/A	\$140.00]
<u>April – May, Level 1</u>	N/A	<u>\$70.00</u>
<u>April – May, Level 2</u>	N/A	<u>\$70.00</u>

Tennis Instruction, Adult	\$85.00	\$85.00
Tennis Instruction, Youth	\$7.00/HR	\$7.00/HR
Travel Camp, Daily (Resident)	\$85.00	\$85.00
Travel Camp, Daily (Non-resident)	\$100.00	\$100.00
Travel Camp, Week (Resident)	\$285.00	\$285.00
Travel Camp, Week (Non-resident)	\$350.00	\$350.00
Volleyball	\$70.00	\$70.00
Wrestling	\$45.00	\$45.00
PERMIT		
Picnic/Park/Facility	\$40.00	\$40.00
Athletic Field w/o lights	\$90/3 hours	\$90/ 3 hours
Athletic Field w/lights	\$150/ 3 hours	\$150/ 3 hours
SWIMMING POOL		
Family Membership		
School Year	\$165.00	\$165.00
Summer	\$115.00	\$115.00
Individual Membership		
School Year	\$90.00	\$90.00
Summer	\$70.00	\$70.00
Senior Membership		
School Year	\$25.00	\$25.00
Summer	\$20.00	\$20.00
Daily Fee (all year Non-member)	\$5.00	\$5.00
Dip Ticket	\$85.00	\$85.00
Subsidized League Participant Fee	\$5.00	\$5.00

Section 2. Miscellaneous Fee

Except as provided for, fees for non-residents and organizations with their base of operation not in Lawrence Township shall be twice the established fee. (established in Ord. 1125-88)

Section 3. Financial Assistance for Program Fees

Upon review of gross household income and family size the Superintendent of Recreation can issue a partial scholarship to Lawrence Township residents for Recreation Department fees set forth in said ordinance. Qualified participants will be assessed 35% or 65% of the registration fee. Travel Camp participants meeting the guidelines will be required to pay a minimum of \$125 per week. (established in Ord. 1627-00 amended in Ord. 1966-08)

Section 4. Refunds of Registration Fees

Individuals withdrawing from a program before the start date will receive a refund, minus 25% of the established registration. No refund will be issued if the participant withdraws after the starting date of the activity. (established in Ord. 1996-08)

Section 5. Temporary Food License for Community Day

Individuals must obtain a temporary food license for the purpose of distributing food and/or beverages at Community Day and meet all the requirements as outlined by the Lawrence Township Health Department. The fee for non-profit or not for profit organizations based in Lawrence Township will be waived. (established in Ord. 1996-08)

Section 6. Repealer

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

Section 7. 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 8. Effective Date

This ordinance shall become effective twenty (20) days after adoption thereof.

[] Denotes Deletion
 ___ Denotes Addition

Ordinance 2198-14 was approved on 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						

Manager's Report –

Mr. Krawczun submitted invoice listings for the month of August 2014 in the amount of \$1,037,771.61.

There was no Manager's report.

Attorney's Report –

Mr. Roskos advised that the License Agreement for Ms. Drew, who is present this evening, is on tonight's Agenda for approval and at this point he thinks they resolved all the issues in connection with that license agreement.

Mr. Roskos stated that he and the Municipal Clerk received some correspondence from John Paff who is also identifying himself as part of the NJFOGAL Committee and he is an OPRA maven who has raised some issues with the Township and they plan to respond back accordingly.

Clerk's Report –

Ms. Norcia stated that she previously gave the Council a copy of a letter that she forwarded to three individuals who has yet to file their Financial Disclosure Statement and indicated they have all received numerous emails from her, the last one being from the Local Finance Board that was forwarded to her and in turn forwarded to the three individuals and they have still yet to comply. She then provided the Council with a draft letter that will be sent to the three individuals advising them that Lawrence Township Administrative Code states if they do not file a Financial Disclosure Statement their position on the Planning and/or Zoning Board is considered a vacancy. That letter will be sent to out tomorrow giving them the required number of days to comply according to the law; and, if they do not comply they will be terminated from the Boards with Council's permission.

Mayor Lewis asked if any formal action was needed by the Township Council at next meeting. Mr. Roskos stated to be compliant with the law formal action by Council should be taken. Some discussion followed relative to the onerous process, the numerous requests that were sent out the three individuals and the State possibly finding a way to reach out to the individuals themselves as well as the Municipal Clerk, which would make the process easier for both parties.

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. 254-14 (18-A) thru 270-14 (18-Q) were approved by the following roll call vote:

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

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

Council Initiatives/Liaison Reports –

- There were no Liaison Reports.

Written Communications –

There was no written communication.

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

7:11 p.m.

Respectfully submitted by,

Kathleen S. Norcia Municipal Clerk

Attest:

Cathleen M. Lewis, Mayor