

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

April 21, 2015

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, April 21, 2015 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, April 21, 2015, 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 Kownacki, Maffei, Powers and Mayor Lewis.  
Absent: Councilmember Brame.

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

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Special Proclamations, Recognitions and Presentations

**Walk This Way Presentation - Lawrenceville Intermediate School Students**

Students presented their results of a program initiative called “Walk This Way” which brings attention to pedestrian safety issues. This program raises awareness of safety for school age children who walk to and from their schools. The reports are conducted by the students to raise awareness of impending hazards, and suggested improvements. Individual students of the Lawrenceville Intermediate School took turns reporting their findings and statistical data. Five students presented the report, taking turns giving their statistical findings.

Mayor Lewis asked a question that many of the children had spoken about sidewalks being blocked. Mayor Lewis asked what was blocked. One of the children explained that many of the sidewalks had tree branches that were down.

Dr. Maffei asked, if when the students were walking in the crosswalks, were the drivers stopping for them. The student responded that there was only one time where a car did not stop while there were students in the crosswalk.

Mr. Kownacki thanked the students for the report and the valuable statistics that they presented. He did state that in previous years' students of the Lawrence Intermediate School had presented information to the Council which resulted in an additional crosswalk on Eggerts Crossing Road.

Mayor Lewis then asked of the students if they had witnessed any drivers on their cell phones while the students were crossing the streets. Many of the students said "yes" in reply to the Mayor's question. Mayor Lewis stressed the dangers of talking on a cell phone while driving.

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#### Public Participation (5-minute limitation per speaker)

There was no public participation.

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#### Review and Revisions of Agenda

Mr. Powers requested that the Agenda be revised to add additional Resolution Nos. 158-15(18-I) through 161-15(18-L) to the Agenda. Mr. Powers also requested a closed session to further negotiate the particulars regarding the Simone matter, Resolution No. 157-15(18-H).

On a motion by Mr. Powers, seconded by Dr. Maffei, the Agenda was amended to include the above revisions.

Same was carried on the following roll call vote:

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

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#### Adoption of Minutes

On a motion by Mr. Powers, seconded by Dr. Maffei, the Minutes of Closed Session on April 7, 2015 were approved without correction.

Same was carried on the following roll call:

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

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### Awarding or Rejecting of Bids

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

#### Resolution No. 145-15

WHEREAS, on Tuesday, March 31, 2015 bids were received and publicly opened for the project known as 2015 Miscellaneous Concrete and Drainage Improvements; and

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

WHEREAS, the lowest responsible bidder was Diamond Construction who submitted a bid in the amount of \$78,100.00, 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-04-55-395-243 (\$20,000 – Ordinance 2208-15 Various Road Improvements); C-04-55-397-242 (\$8,100 – Ordinance 2208-15 Concrete Program); C-04-55-400-233 (\$30,000 – Ordinance 2211-15 Improvement Municipal Building); and C-04-55-395-247 (\$20,000 – Ordinance 2208-15 Various Road Improvements); and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that pursuant to the recommendations of the Municipal Engineer, the Mayor and Municipal Clerk are hereby authorized to execute a contract with Diamond Construction, 35 Beaverson Boulevard, Suite 12C, Brick NJ 08723 in the amount of \$78,100.00; 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 Kownacki, Maffei, Powers, and Mayor Lewis.  
Nays: None.  
Absent: Councilmember Brame.

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

Resolution No. 150-15

WHEREAS, on Tuesday, April 14, 2015 bids were received and publicly opened for the project known as Colonial Lake Improvements; and

WHEREAS, five (5) bid was received, opened and reviewed by the appropriate Township Officials; and

WHEREAS, the lowest responsible bidder was Diamond Construction who submitted a bid in the amount of \$69,000.00, and

WHEREAS, the bid amount substantially exceeds the engineer's cost estimate and the budgeted amount for the project; and

WHEREAS, the Municipal Engineer has recommended that this bid be rejected.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that the bid received for the colonial Lake Improvements is hereby rejected pursuant to N.J.S.A. 40A:11-13.2a, b and d, due to the fact that the bid substantially exceeds the engineer's cost estimate and the budget amount for the project.

Same was carried on the following roll call vote:

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

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

Resolution No. 155-15

WHEREAS, on April 8, 2015, bids were received for Bid No.15-03, 2013 Two (2) or Newer Class I, Type II Rear Wheel Drive Ground Transport Ambulance; and

WHEREAS, two bids were received and the Director of Public Works and the Municipal Manager have reviewed said bids; and

WHEREAS, the Municipal Manager is recommending all bids be rejected because the submitted bid prices exceed the appropriation for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that the two bids submitted for Bid No. 15-03, 2013 Two (2) or Newer Class I, Type II Rear Wheel Drive Ground Transport Ambulance are hereby rejected.

Same was carried on the following roll call vote:

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

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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 3 OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE ENTITLED 'ALCOHOLIC BEVERAGES'."

Mayor Lewis asked for comments from the public.

*Ms. Hester of 2834 Main Street* asked if the additional alcohol license will be distributed to a restaurant or a bar. She is curious as to how it is handled.

Mr. Krawczun replied there are different types of licenses for different types of sales. This license is a distribution license which only allows for the sale of packaged goods.

Mayor Lewis then asked for comments from Council. There being none, public participation was closed.

Ordinance No. 2213-15

AN ORDINANCE AMENDING CHAPTER 3 OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE ENTITLED 'ALCOHOLIC BEVERAGES'

BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey that An Ordinance Amending Chapter 3 of the Lawrence Township Administrative Code entitled 'Alcoholic Beverages' be and is hereby amended as follows:

Section 1.

Sec. 3-4.      Limitation on number of licenses.

.....; and the number of plenary retail distribution licenses issued and outstanding in the township at the same time shall not exceed [three] four; .....

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.

Deletions in Brackets      [    ]  
Additions Underlined

The Ordinance was adopted 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 PROVIDING FOR VARIOUS ROAD REPAIR WORK IN AND BY THE TOWNSHIP OF LAWRENCE IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$150,000 AND AUTHORIZING THE ISSUANCE OF \$142,500 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF."

Mayor Lewis asked for comments from the public. There being none, Mayor Lewis then asked for comments from Council. There being none, public participation was closed.

Ordinance No. 2214 -15

BOND ORDINANCE PROVIDING FOR VARIOUS ROAD REPAIR WORK  
IN AND BY THE TOWNSHIP OF LAWRENCE IN THE COUNTY OF  
MERCER, NEW JERSEY, APPROPRIATING \$150,000 AND  
AUTHORIZING THE ISSUANCE OF \$142,500 BONDS OR NOTES TO  
FINANCE PART OF THE COST THEREOF

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

Section 1. The improvement described in Section 2 of this bond ordinance is hereby authorized to be undertaken by the Township of Lawrence, New Jersey as a general improvement. For the improvement or purpose described in Section 2, there is hereby appropriated the sum of \$150,000 and the sum of \$7,500 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or the grant referred to in Section 1, negotiable bonds are hereby authorized to be issued in the principal amount of \$142,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds to be issued is the: (1) Fackler Road, Princeton Pike, Federal City Road, Denow Road, Cold Soil Road, Van Kirk Road, Carson Road, Keefe Road (2) concrete improvements incidental to overlay and all work and materials therefore or incidental thereto and all as shown on and in accordance with the plans and specifications therefore on file in the office of the Municipal Clerk, which plans are hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is \$150,000.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget of the Township of Lawrence is hereby amended to conform with the provisions of this ordinance to the extent of any 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 the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated: (a) the purposes described in Section 2 of this bond ordinance are not current expenses. They are all improvements that may be lawfully undertaken as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness, and the reasonable life thereof, within the limitations of the Local Bond Law is 5 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$142,500 and the obligations authorized herein will be within all debt limitations prescribed by the Law.

(d) An aggregate amount not exceeding \$2,500 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purpose of improvements.

Section 7. The grant referred to in Section 1 when received will be applied to the direct payment of the cost of the improvements authorized herein. Any other grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The Chief Financial Office of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, the in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 9. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 10. The Township reasonably expects to reimburse any expenditures towards the cost of the improvement or purpose described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than

the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Township, or any member of the same “control group” as the Township, within the meaning of Treasury Regulations Section 1.150-1(f), pursuant to their budget or financial policies with respect to any expenditures to be reimbursed. The Section is intended to be and hereby is a declaration of the Township’s official intent to reimburse any expenditures towards the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.103-18, and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section 1.103-13(j) or 1.148-9(g) to avoid, in whole or in part, arbitrage yield restrictions or arbitrage rebate requirements.

Section 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The Ordinance was adopted 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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**Public Hearing and Adoption of the 2015 Municipal Budget**

Mayor Lewis read by title, “BE IT RESOLVED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that the attached document be and hereby is the Adoption of the 2015 Municipal Budget.”

Mr. Krawczun went on to explain points of the 2015 budget; he stated that the 2014 year-end surplus was \$8,300,000. The surplus remaining after applying this amount after revenue will \$4,620,000 remaining versus a balance in the prior year \$1,600,000. This is an increase of \$3,000,000 remaining available after applying a portion of the surplus to the 2015 budget. The Township did have a reduction in 2014 of cash refunds on tax appeals. The year ended and the Township has reserved \$2,300,000 for future tax appeal refunds. The debt is continuing to decrease, the closing balance at the end of 2014 was \$23,200,000; the closing balance at the end of 2010 was \$30,800,000 which shows a decrease of \$7,500,000, this amount includes any new authorizations that have occurred over the past 5 years. There are no workforce reductions in the 2015 budget; the number of Police Officers will remain the same as the prior year. The amount to be raised by taxation is \$23,900,000 versus \$24,139,000 in the prior year; this results in a decrease of \$235,000 in actual dollars to be raised in 2015 versus 2014. The amount to be raised in taxes for Municipal services is

\$1,089,000 below the 2% statutory cap. The 2015 Municipal Tax Rate will remain unchanged at \$.52.7 cents per \$100 of assessed value.

Mayor Lewis commented that this budget is a wonderful example of the fine work accomplished by Mr. Krawczun and his staff; she thanked him for his efforts. Mayor Lewis stated she was pleased that the tax rate had remained the same, and the debt had decreased. Mayor Lewis then asked if there were any questions or comments from the Council.

Councilmember Maffei commended Mr. Krawczun on the hard work; he commented that this was the best budget the Township has had in many years.

Councilmember Powers commented that he is impressed by Mr. Krawczun's work, and his ability to look at long term results. Mr. Powers was pleased to see the reduced budget as well as the million dollar reduction in State aid has not affected the services the Township provides.

Mayor Lewis then asked for comments from the public; there were none.

After the Public Hearing, Resolution No. 147-15 (Budget Resolution B) was adopted 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   |     |         |        |         |      |        |

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

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**Manager's Report –**

Mr. Krawczun imparted information regarding a grant from the NJDOT for funding of road work on Cold Soil Road. The Township has received \$140,000 for the road improvements. Mr. Krawczun stated that the grant is appreciated as the burden of the local tax payers is relieved. This funding comes from the Transportation Trust Fund.

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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**

Resolution Nos. 148-15(18-A) through 161-15(18-L) were 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   |     |         |        |         |      |        |

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

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**Council Initiatives/Liaison Reports –**

Mayor Lewis thanked Mr. Krawczun, staff and volunteers who contributed to the Open House.

Mayor Lewis wanted to thank Lea Kahn formerly of the Lawrence Ledger. The Mayor said that she has been a fixture in Lawrence for many years, and she will be missed. Mayor Lewis hopes that Ms. Kahn will remember us here in Lawrence. Ms. Kahn had replied that she enjoyed her time here. She thanked the Council, and said in closing, "It's been fun."

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**Written Communications –**

There were no written communications.

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There being no further business to come before this Council, the meeting adjourned at 7:06 p.m.

Respectfully submitted by,

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Kathleen S. Norcia, Municipal Clerk

Attest:

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Cathleen M. Lewis, Mayor