

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

April 7, 2015

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, April 7, 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 7, 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 Brame, Kownacki, Maffei, Powers and Mayor Lewis.  
Absent: None.

Also in attendance were Richard Krawczun, Municipal Manager and Mike Butler, Township Attorney.

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Special Proclamations, Recognitions and Presentations

There were no Special Proclamations, Recognitions or Presentations.

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Public Participation (5-minute limitation per speaker)

*Mr. Joe Russo of Hopkins Drive* wanted to talk about the public safety of the community, residents, and Police Officers. He gave statistics of Police Officers who have been murdered in the past few years. He stated that currently Police Officers are facing military-type ambush attacks, but without the protection that a military squad would have. He feels that Police Officers are not equipped to handle these types of

situations. He cited a Facebook page called ODMP which stands for Officer Down Memorial Page where he had gotten his statistics previously mentioned.

Mr. Kownacki asked Mr. Russo what remedy is he seeking. Mr. Russo responded that he would like to see Lawrence Township become a focal point on a national initiative to strengthen the Police Department and their vehicles. He discussed an armored glass that is manufactured called Schott. It is a military grade hard glass. Russo had also mentioned that he would like to see the Township purchase an armored truck (SWAT truck) in the future.

Mayor Lewis requested that Mr. Russo submit to the Township in written form his suggestions as he was running short on time and that he had some excellent suggestions that the Council would like to look into further and bring forth to the Police Chief and the Public Safety Committee. Mr. Russo stated that he will send the information along as requested.

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#### Review and Revisions of Agenda

Mr. Krawczun requested that the Council **table** Resolution No. 131-15 (18-A), as official information is still needed and research is ongoing.

Mr. Krawczun also requested that Resolution No. 144-15 (18-O) be amended as there is a possibility of litigation.

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

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#### Adoption of Minutes

On a motion by Mr. Brame, seconded by Dr. Maffei, the Minutes of Closed Session on March 17, 2015 were approved without correction.

Same was carried on the following roll call:

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

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On a motion by Mr. Brame, seconded by Mr. Powers the Minutes of Regular Meeting on April 16, 2014 and were approved without correction.

Same was carried on the following roll call:

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

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On a motion by Mr. Brame, seconded by Mr. Powers the Minutes of Regular Meeting on May 6, 2014 were approved without correction.

Same was carried on the following roll call:

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

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#### Awarding or Rejecting of Bids

There was no awarding or rejection of bids.

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#### Introduction of Ordinances

Mayor Lewis read by title an ordinance entitled "AN ORDINANCE AMENDING CHAPTER 3 OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE ENTITLED 'ALCOHOLIC BEVERAGES.'

Mr. Krawczun stated that this Ordinance will authorize and increase the Retail Distribution Licenses for the sale of alcoholic beverages by one. This will increase the number of licenses in the township to four in total and that the numbers of licenses are based on population. He stated that Resolution 18-H will create the terms and conditions of the sale of the license by the way of public sale and that the new license must be issued by the town within six months after the closing and used within two years of the award.

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						

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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.”

Mr. Krawczun stated that the Ordinance is for small section repairs that have been damaged from frost and freezing conditions.

Mayor Lewis asked when the last time there was repaving the section in question. Mr. Krawczun stated that he is unsure, and would have to look at specific sections to see when it was done. He did state that this is similar to last year, which had a budget of \$100,000.00 and this Ordinance is an additional amount.

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   |     |         |        |         |      |        |

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### Adoption of Ordinances

Mayor Lewis read by title an Ordinance “ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER.”

Mr. Krawczun said that the local budget law provides for the authorization and appropriation of CAP bank. The CAP bank can only be created by action of the governing body. Each year the CAP law is limited to .5% of the cost of living cap. The law also states that the governing body can authorize an increase up to 3.5% and that additional authority can be used in the current budget year, or either of the next two subsequent budget years for the purposes of addressing appropriation issues that may come up in the future. This is pending authority in the event that it is needed in the

future; it is creating an additional cap for future years that may be available for use. The cap does not need to be used, and will be voted on in subsequent budgets for action.

Ordinance No. 2212-15

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND  
TO ESTABLISH A CAP BANK FOR THE TOWNSHIP OF LAWRENCE,  
COUNTY OF MERCER

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey finds it advisable and necessary to apply in its CY 2015 budget a CAP rate of 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Township Council hereby determines that a 3.5% CAP rate in the budget for said year, amounting to \$1,196,307.85 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey by a majority of the full authorized membership of this governing body affirmatively concurring that, in the CY 2015 budget year, the final appropriations of the Township of Lawrence shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, have applied a CAP rate of 3.5%, amounting to \$1,196,307.85 and that the CY 2015 municipal budget for the Township of Lawrence be approved and adopted in accordance with this ordinance;

BE IT FURTHER ORDAINED that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within five days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within five days after such adoption.

The Ordinance was adopted 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 submitted invoice listings for the month of April 2015 in the amount of \$772,245.64.

Mr. Krawczun spoke of recently distributed informational portal site of the FEMA flood insurance rate map. He advised that Mercer County is identified in that portal at being part of the current review, it is not. It does not apply to Mercer County in contradiction of what the notice had stated.

Mr. Krawczun went on to say that in 2013, FEMA had started a review of the flood insurance rate cap, and that information was shared with the Township’s Engineering office and forwarded along to residents. In August of 2013 the Engineer’s office, with the use of GIS mapping, identified the residences or property owners that may be affected by changes in the flood mapping. These homeowners were notified by letter. A second letter was then sent in 2014 to advise residents of an appeal process, and an appeal period of 90 days, through October 2<sup>nd</sup> of 2014. Several home owners did file an appeal. The appeals are based on scientific information or factual information that is deemed incorrect. Mr. Krawczun has contacted FEMA requesting of them to take a second look at areas of Yorkshire Village to determine that it was factual information that needed a correction. The process of appeals is continuing, and is being handled through the Engineering Department.

Mr. Krawczun imparted information about his meeting with Transco. Transco has filed for improvements on a project known as “Garden State Expansion Project.” This will focus on constructing and operating new compression stations in Burlington County,

and modifying the existing compression station known as Station #205 on Cold Soil Road. Transco is passing on the application and issued a notice of intent to prepare an environmental assessment; the scoping period has begun. It was learned at the meeting that land owners were notified by Transco, but the Township was never notified. The Township requested of Transco a visit to the site. Mr. Krawczun along with two engineers as well as the Management Coordinator will be visiting the site on April 16<sup>th</sup>. Mr. Krawczun proceeded to discuss a handout sheet which contains information/notice that was sent to the residents from Transco.

Mr. Powers asked of Mr. Krawczun how other municipalities are reacting. Mr. Krawczun replied that the two areas that are most concerning of other municipalities are matters of historic preservation. There is some weight given to environmental impact, and wetlands as the State of New Jersey does have jurisdiction over water quality. It is believed that this project could affect water quality. Mr. Krawczun also imparted that he has requested decibel reading of the site as the power of the motors will be increased, thus increasing noise levels. Previous improvements to Station #205 did show an increase in noise levels, but Transco was able to mitigate that.

Mr. Krawczun discussed a letter received from the Department of Transportation regarding the Safe Routes Grant the Township had applied for. The request of the Township's grant request was to add various crosswalks along Route 206, primarily school crossings, but the grant was denied.

Mr. Krawczun reminded everyone that the Open House is set for Saturday, April 11<sup>th</sup> from 10:00 am to 2:00 pm.

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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. 132-15 (18-B) through 144-15 (18-O) were 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   |     |         |        |         |      |        |

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

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**Council Initiatives/Liaison Reports –**

Mr. Brame discussed the Recreation Meeting on April 2<sup>nd</sup>. It was an informative meeting in which they had discussed upcoming Capital projects. Also discussed were programs for the spring and summer and coordinating the activities. Mr. Brame said that the pool at the High School will be unavailable for the summer as there will be maintenance taking place. It will be re-opened in time for the beginning of the school year (September). Grants and fundraising was also discussed at the Recreation Meeting. Mr. Brame suggested at the meeting organizing a 5K race on the Lawrenceville-Hopewell Trail to serve as a fundraiser to finance the fireworks this year. The group felt it was a good idea, and they think they can work through all the logistics to pull off the event.

Mr. Powers discussed that the Shade Tree Commission is in the process of planning Arbor Day ceremony. It will take place at the Dyson Tract this year. Mr. Powers stated that once the logistics have been worked out he will impart more information.

Mr. Powers stated that for Human Relations, Diversity Day will be May 3<sup>rd</sup>. It is taking place at the High School from 12:00 pm to 4:00 pm. This years' keynote speaker will be Rabbi Ben Adler.

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**Written Communications –**

- A. Memorandum from Matthew Lawson Relative to Mercer County Trail Development Priorities. – There was no discussion.
- B. Letter from Department of Transportation Regarding Province Line Road Bike Trail. – There was no discussion.

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There being no further business to come before this Council, the meeting adjourned at 7:09 p.m.

Respectfully submitted by,

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Kathleen S. Norcia, Municipal Clerk

Attest:

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Cathleen M. Lewis, Mayor