

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

February 23, 2016

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, February 23, 2016 at 6:30 P.M.

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

At the commencement of the meeting Councilmember Powers 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, February 23, 2016 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 Bobbitt, Kownacki, Lewis, and Powers.
Absent: Mayor Maffei.

Also in attendance were Municipal Manager Richard Krawczun, and Township Attorney David Roskos, Municipal Court Judge Kevin P. Nerwinski, Health Officer Carol Chamberlain, and Public Works Director Gregory Whitehead.

Due to illness, Mayor Maffei was not present at the meeting. In the Mayor’s absence, Councilmember Powers presided over the meeting.

Special Proclamations, Recognitions and Presentations

Appointments to Boards and Committees

HEALTH ADVISORY BOARD - Rabiah Asif, 3 year term ending 12/31/18

Resolution No. 104-16 was approved by the following roll call vote:

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

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SENIOR EXECUTIVE COMMITTEE - Catherine Sapp, 4 year term ending 12/31/19

Resolution No. 104-16 was approved by the following roll call vote:

| COUNCIL      | AYE | NAY | PRESENT | ABSENT | ABSTAIN | MOVE | SECOND |
|--------------|-----|-----|---------|--------|---------|------|--------|
| Mr. Bobbitt  | X   |     |         |        |         |      |        |
| Mr. Kownacki | X   |     |         |        |         |      | X      |
| Ms. Lewis    | X   |     |         |        |         | X    |        |
| Mr. Powers   | X   |     |         |        |         |      |        |
| Mayor Maffei |     |     |         | X      |         |      |        |

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Department Head Budget Presentations

Municipal Court Budget Presentation

Judge Kevin Nerwinski greeted Council and members of the public. He highlighted some areas of the budget in regards to the operations of the court, and budgetary concerns. He stated that the budget for 2016 included an increase of \$10,045 for the new electronic ticketing system installed by the Police Department. Because of the new ticketing system Court costs have increased, but Judge Nerwinski anticipates that the increase in tickets being issued will overcome the cost in the following year.

Judge Nerwinski discussed Court employees, and how efficient the Court functions with the right amount of staff. Currently there are six full-time employees and two part-time court attendants.

There was then a question and answer period after Judge Nerwinski's presentation with inquiries and comments by Councilmembers and the Municipal Manager.

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**Health Department Budget Presentation**

Carol Chamberlain handed out copies of her report which she stated the State requires of the Health Department to do annually based upon the State's "Public Health Practice Standards of Performance for Local Boards of Health, N.J.A.C. 8:52."

Ms. Chamberlain highlighted changes over the past year including the Department's requirement of monitoring for Ebola. The State required that anyone returning from the 4 affected countries in Africa when arriving from any of the area airports to stay in the Township, these individuals are to be monitored for a period of 21 days by the local Health Department by taking the affected person's temperature twice a day; all results were reported to the State. At the present time active monitoring has subsided as cases of Ebola have significantly dropped and is not considered a health threat in the United States currently.

Ms. Chamberlain then discussed how the Health Department went about addressing the needs of people with domestic animals during emergencies. Ms. Chamberlain announced that an emergency shelter trailer for animals had been purchased through a grant. The Department will be focusing on stocking the trailer and preparing it to be emergency ready.

Ms. Chamberlain then talked about the "Greater Mercer Public Health Partnership," which is a cooperative working group consisting of seven local health departments, the County health department and four area healthcare facilities. The Partnership works to address priorities identified in the Community Health Improvement Plan including chronic disease, mental health and addiction, active living, healthy eating and access to care.

Ms. Chamberlain then explained services offered, grants received, new initiatives, and annual statistics of the Department. She then spoke about other partnerships the Health Department is involved with and the services available from the Department including Animal Control, health screenings, and vital health records.

After the presentation there was then a brief question and answer period between members of Council and Ms. Chamberlain.

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Public Works Department Budget Presentation

Public Works Director Gregory Whitehead greeted Council and provided a general overview of the Divisions within the Public Works Department. It is comprised of 32 employees and 6 divisions; they are responsible for maintaining all Township parks, roadways, municipal facilities, vehicle maintenance, ecological facility operations which is run jointly with Princeton, and a multitude of contracts they have with vendors for trash removal, recycling, engineering, capital improvement programs and general services.

Mr. Whitehead then gave a detailed review of his staff's day-to-day functions, training mandates, departmental duties and initiatives, shared services, recycling, brush collection, snow removal, street sweeping, and capital improvement projects. Mr. Whitehead then gave statistical information about the Department's work in the past

year. Thereafter, Mr. Whitehead answered questions and listened to comments from Council and the Municipal Manager.

Public Participation (5-minute limitation per speaker)

Jim Cleak, 7 East Darrah Lane started by commending the Public Works Department on their snow removal efforts and said he is always amazed at how efficient the Department is.

Mr. Cleak then imparted information from an article he read in the Sunday edition of The Trenton Times regarding New Jersey tax rates by year. He posed a question about the article asking if the rates shown in the article was for Municipalities or concerning Counties, and School Boards, and was curious as to how Lawrence Township ranked. Mr. Krawczun replied to Mr. Cleak's questions stating he had read the article as well, and was unsure where the data source was from. He also stated that Mr. Cleak can give a call to him tomorrow and his office can provide him a spreadsheet that breaks down the information he is curious about.

Mr. Cleak then discussed another article from The Times that said the State had increased aid to schools in Mercer County. He is curious as to if the State is increasing aid to the Municipalities. Mr. Krawczun replied that he has not gotten official word, but he did read on the New Jersey League of Municipalities website that State aid will remain flat.

Mr. Cleak then asked what the Council's thoughts are on the expansion of Route 1, where the New Jersey Department of Transportation is putting in a new traffic circle on Business Route 1 and Whitehead Road. Mr. Krawczun stated that it is a project that has been discussed for at least 20 years, and was finally funded by the Federal Government giving aid to the State of New Jersey. Council and the Municipal Manager are surprised by the funding after all this time. Mr. Krawczun stated the Council would have to investigate more to see what the impact is for traffic in that area. He did impart that there will be traffic issues in the area and lane closures, the contractor will be responsible for paying the Township if Police Officers are needed for traffic control.

Mr. Cleak then asked about another article he read regarding Sewer Authority legislation, and asked if there is a possibility of it occurring this year. Mr. Cleak stated that if it did happen, and collections were refunded to municipalities how would it be used. He is referring to the Energy Receipt Tax wherein revenues are deposited into an account that is used to fund the Energy Tax Receipts Property Tax Relief Fund, which is distributed to municipalities in accordance with P.L. 1997, C. 167. Mr. Krawczun stated that he had read the same article and clarified that it would have to go for direct tax relief if the State should give the monies back to the municipalities. By law, the funds can only be used to reduce the tax rate, and cannot be used to supplement the budget.

Mr. Cleak then asked about aid in lieu of taxes from non-profit organizations in Lawrence Township such as Rider University whom is having financial difficulties. He inquired if the Township received any contributions. Councilmember Lewis stated that Rider University and the Lawrenceville School did not donate in 2015, she did impart that some things may be changing in regards to non-profit contributions. She spoke of a court case with Morristown Hospital wherein the town's Tax Assessor denied the hospital's property tax exemption for portions of the hospital that were deemed for-profit operations in 2006-2008. The court decided that Morristown Hospital was responsible for property taxes for the for-profit portion of the hospital. Councilmember Lewis believes that there will be reverberations of the ruling and in the coming years there will be changes.

Mr. Cleak then asked about Capital expenditures, and asked if the Township does bonds for them; he stated that the schools do their own bonds and wondered if it is a similar process, or if it is included in operating expenditures. Mr. Krawczun stated that there are Capital expenditures that can be bonded. What the Township has been doing over the past several years is reducing dependence on permanent debt. Mr. Krawczun believes that it is a great opportunity to continue on the current path, by taking the money and paying down the principal on short-term debt. Mr. Krawczun stated that by the year 2020, there will be a precipitous drop in debt term of \$1.9 million.

Review and Revisions of Agenda

Councilmember Lewis requested that Ordinance 10-C be added to the agenda for introduction. On a motion by Ms. Lewis, seconded by Mr. Kownacki, the Agenda was amended to include the above revision.

Same was carried on the following roll call vote:

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

Adoption of Minutes

On a motion by Ms. Lewis, seconded by Mr. Kownacki, the Minutes of the Closed Session Meeting of November 5, 2015 were approved without correction.

Same was carried on the following roll call vote:

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

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On a motion by Ms. Lewis, seconded by Mr. Bobbitt, the Minutes of the Closed Session Meeting of December 1, 2015 were approved without correction.

Same was carried on the following roll call vote:

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

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Awarding or Rejecting of Bids

There was no awarding or rejection of bids.

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Introduction of Ordinances

Councilmember Lewis read by title, an ordinance entitled, “AN ORDINANCE AMENDING ORDINANCE NOS. 1877-06 AND 1834-05 ENTITLED AN ORDINANCE AMENDING CHAPTER 6A, “FEES: THE CONSOLIDATED LICENSE, PERMIT AND FEE CHAPTER’ OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE – Recreation Fees.”

Mr. Krawczun explained that the Ordinance amends fees for some of the recreation programs. He further discussed Mr. Groeger, former Superintendent of Recreation, coming out of retirement for a one night appearance to discuss some of the field use policies that the management has been meeting on.

The Ordinance was introduced and approved on the following roll call vote:

| COUNCIL      | AYE | NAY | PRESENT | ABSENT | ABSTAIN | MOVE | SECOND |
|--------------|-----|-----|---------|--------|---------|------|--------|
| Mr. Bobbitt  | X   |     |         |        |         |      |        |
| Mr. Kownacki | X   |     |         |        |         |      | X      |
| Ms. Lewis    | X   |     |         |        |         | X    |        |
| Mr. Powers   | X   |     |         |        |         |      |        |
| Mayor Maffei |     |     |         | X      |         |      |        |

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Councilmember Lewis read by title, an ordinance entitled, "BOND ORDINANCE AMENDING BOND ORDINANCE 1933-07 BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, IN ORDER TO REVISE THE DESCRIPTION OF THE IMPROVEMENT HEREIN."

Mr. Krawczun explained the Ordinance revises a previously adopted Bond Ordinance as the Bond Law only provides for Bond proceeds to be used for what it was purposely specified for in the Ordinance. This Ordinance allows for proceeds left over from previously funded Ordinances to be re-purposed, as opposed to having to borrow new money.

The Ordinance was introduced and approved on the following roll call vote:

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

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Councilmember Lewis read by title, an ordinance entitled, "ORDINANCE AUTHORIZING THE PRIVATE SALE OF CERTAIN LANDS OF THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, NOT NEEDED FOR PUBLIC USE."

Mr. Krawczun explained that the Ordinance will authorize sale of land owned by the Township not for public use. A parcel of land had been previously offered for sale by way of public bids and there were no offers received. The Township was contacted by the property owner of the adjacent land with interest of purchasing it to expand their back yard. The property is located on Manitee Avenue, Block 2304, Lot 8.

The Ordinance was introduced and approved on the following roll call vote:

| COUNCIL      | AYE | NAY | PRESENT | ABSENT | ABSTAIN | MOVE | SECOND |
|--------------|-----|-----|---------|--------|---------|------|--------|
| Mr. Bobbitt  | X   |     |         |        |         |      | X      |
| Mr. Kownacki | X   |     |         |        |         |      |        |
| Ms. Lewis    | X   |     |         |        |         | X    |        |
| Mr. Powers   | X   |     |         |        |         |      |        |
| Mayor Maffei |     |     |         | X      |         |      |        |

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Adoption of Ordinances

There was no adoption of Ordinances.

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**Manager's Report –**

Mr. Krawczun discussed a parcel of land on an unnamed road on Business Route 1 situated between East Coast Kawasaki Powersports and Kennections Hair Cuttery which Mr. Krawczun had talked about at the last meeting regarding sale of the land. Kennections Hair Cuttery had agreed, and the Township has received a letter expressing interest in vacating the land. East Coast Kawasaki Powersports sent correspondence stating they are not interested. Property owners will be meeting to see if they can come to a solution.

Mr. Krawczun stated that there will be a public information meeting hosted by the New Jersey Department of Transportation at the Slackwood Firehouse on Thursday, February 24<sup>th</sup> from 5 to 8pm to discuss the new traffic rotary to be installed on Whitehead Road and Business Route 1.

Mr. Krawczun spoke about a plan that has been re-submitted for signal improvement on Route 206 and Province Line Road. It will be to accommodate for the planned expansion of the Lawrence-Hopewell Trail along Province Line Road. The traffic light's primary function will be to improve pedestrian safety.

Mr. Krawczun spoke of the newly hired Fire Marshall Edward Tencza, and Fire Inspector Cindi Turek who has resigned as she is moving away from the area. He also imparted that first-round interviews will be conducted over the next week for a new Superintendent of Recreation.

Mr. Krawczun is still waiting to hear back regarding the amount of State aid the Township will receive in order to complete the 2016 Budget process. Council and Mr. Krawczun decided to wait until the Mayor is back to finalize the budget.

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**Attorney's Report –**

Mr. Roskos reported of negative decisions by the Trial Court with regards to the Affordable Housing Arena. He believes that Doug Wilson should recuse himself from these cases. Attorney Roskos said it is painful some of the decisions that come out of Essex County. Also disappointing was the decision by Judge Troncone stating that the "gap period" has to be addressed. Mr. Roskos' opinion is, it is not an unfair decision. As it stands Mr. Roskos is not encouraged by decisions being brought forward; however, he did state that Lawrence Township is in good shape. Lawrence Township has involved itself in affordable housing for the past 30 years since the law was enacted. Mr. Roskos will keep Council updated with the proceedings.

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**Clerk’s Report –**

Ms. Carter wanted to make sure that Council was in agreement at the April 19<sup>th</sup> meeting for Jane Milner to come with students of Lawrence Middle School to do their “Walk This Way” presentation. All of Council agreed to the date.

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**Unfinished Business –**

There was no Unfinished Business.

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**New Business –**

There was no New Business.

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

*Jim Cleak of 7 East Darrah Lane* asked about where he can read minutes of previous Council meetings. Ms. Carter stated that Minutes are viewable on the Township’s website; 2015 has been completed and will be uploaded to the website shortly.

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**Resolutions**

Resolution Nos. 77-16(18-A) through 103-16(18-AA) were approved by the following roll call vote:

| COUNCIL      | AYE | NAY | PRESENT | ABSENT | ABSTAIN | MOVE | SECOND |
|--------------|-----|-----|---------|--------|---------|------|--------|
| Mr. Bobbitt  | X   |     |         |        |         |      | X      |
| Mr. Kownacki | X   |     |         |        |         |      |        |
| Ms. Lewis    | X   |     |         |        |         | X    |        |
| Mr. Powers   | X   |     |         |        |         |      |        |
| Mayor Maffei |     |     |         | X      |         |      |        |

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

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**Council Initiatives/Liaison Reports –**

There were no Council Initiatives or Liaison Reports.

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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 8:29 p.m.

Respectfully submitted by,

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Tonya D. Carter, Deputy Municipal Clerk

Attest:

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David C. Maffei, Mayor