

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

March 15, 2016

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, March 15, 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 Mayor Maffei 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, March 15, 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 Mayor Maffei.
Absent: Mr. Powers.

Also in attendance were Municipal Manager Richard Krawczun, Township Attorney David Roskos, and Township Planning Board Attorney Philip Caton of Clarke Caton Hintz.

Special Proclamations, Recognitions and Presentations

**Update of Affordable Housing Litigation presented by
Philip Caton of Clarke Caton Hintz**

Mr. Caton provided an update on the Mount Laurel litigation as it relates to Council on Affordable Housing (COAH). He gave a brief history of COAH and the methodology of allocating affordable housing. He also provided a brief overview of what has transpired in the Courts, and rulings thus far in Monmouth and Ocean Counties.

Lawrence Township, Mr. Caton stated, has a great record of affordable housing compliance. There are 521 affordable housing units in Lawrence Township, which is well above what the first and second round obligations were. These units can be applied to whatever the third round obligations may be. Mr. Caton is unsure at this point what the exact number will be.

Mr. Caton imparted information about Econsult Solutions hired by Lawrence Township and other municipalities throughout Mercer, Ocean and Monmouth Counties. Mr. Caton also discussed Mr. Bob Powell who was hired by the New Jersey League of Municipalities to assist towns in the litigation. He is a well-respected finance consultant and real estate developer; he was hired to assess what the housing market is likely to be in the next 10 years. The planning time frame for additional affordable housing is for the next 10 years, from 2016 to 2026.

Mr. Caton then asked for questions and comments. Mr. Roskos stated that the Township has also retained Bob Powell to assist in the Mt. Laurel litigation. He believes that the numbers given by the Fair Share Housing and COAH are over-inflated. He also believes that Lawrence Township is in excellent shape, and is unhappy that the budget set aside to build affordable housing units in the Township has to go towards litigation.

There were questions posed as to how Lawrence Township would fare if it was determined that Lawrence had exceeded their obligation of affordable housing. Mr. Caton stated that the ruling would not be individually tailored for every Municipality, and it would be based on a formula.

Public Participation (5-minute limitation per speaker)

Mary Murrin of 24 Craven Lane asked about a grant that was applied for in 2015 for improvements on a trail on Denow Road. The grant was turned down; the Township had re-applied, and she is wondering what the status is. She did state that she is happy with the trail the way it is, and is hoping it remains a trail and not turned into a sidewalk. She posed a question and is curious as to why the need for improvement.

Mr. Krawczun stated that the Township did re-apply for the grant and have not heard back yet regarding the application. He stated that the trail over the past few years has required significant maintenance because of naturally occurring deterioration due to weather conditions. Over the years contractors have had to repair damage and remove trees along the trail. Mr. Krawczun believes that by making improvements, the Township will be able to save money in the long run. Ms. Murrin commented that paving the trail may attract motorcycles and ATVs to use the path. Mr. Krawczun does not think it would attract more of those motorists as he feels it is based on location of the trails.

Ms. Murrin also discussed how she feels that there is a lack of communication, and has trouble finding news and information about Lawrence Township. Mr. Krawczun identifies with Ms. Mullin's frustration in not getting coverage for what he deems big news for the Township. Press releases are sent to all of the local newspapers but very little coverage is printed. Mr. Krawczun agreed with her, and cited the closing of the Lawrence Ledger as one of the major causes for poor communication.

~~~

*Jennifer Pavlik of 2 Camelia Court* is a seven year resident and business owner in Lawrence Township. She is also a member of the Lawrence League of Women Voters. She discussed the mission and reforms such as Represent.Us that the League supports. On Wednesday, April 27<sup>th</sup> at 7:00 pm the League will be holding a public information session at the Public Library in Lawrence to discuss and share information about the League's mission. She invited Council to attend.

---

#### Review and Revisions of Agenda

Mr. Krawczun requested an Executive Session regarding pending litigation in the case *McNaught v. Lawrence Township*.

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 Mayor Maffei.  
Nays: None.  
Absent: Mr. Powers.

---

#### Adoption of Minutes

On a motion by Ms. Lewis, seconded by Mr. Kownacki, the Minutes of the Regular Meeting of February 3, 2015 were approved on the following roll call vote:

Same was carried on the following roll call vote:

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

---

#### Awarding or Rejecting of Bids

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

Mr. Krawczun stated that this bid is awarded to T.R. Weniger, Inc. for maintenance and dredging of Colonial Lake located on Lake Drive.

On a motion by Ms. Lewis, seconded by Mr. Bobbitt, the following Resolution was presented for adoption.

Resolution No. 120-16

WHEREAS, on Thursday, February 18, 2016 bids were received and publicly opened for the project known as 2016 Colonial Lake Maintenance Dredging; and

WHEREAS, three (3) bids were received and reviewed by the appropriate Township Officials; and

WHEREAS, the lowest responsible bidder was T. R. Weniger, Inc. who submitted a bid in the amount of \$181,500.00, 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-04-55-389-222 (Ordinance 2186-14 Various Park/Recreational Facility Improvements - \$30,000.00) and 5-16-56-843-299 (Reserve for Municipal Open Space - \$151,500); 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. R. Weniger, Inc., 1900 New Brunswick Avenue, Piscataway, New Jersey 08854 in the amount of \$181,500.00; 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 Bobbitt, Kownacki, Lewis, and Mayor Maffei.  
Nays: None.  
Absent: Mr. Powers.

~~~

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

Mr. Krawczun stated the bid is for archeological report of the Brearley House from an investigational dig previously done. There are a number of artifacts and information that have to be compiled into a final report. The Township received a grant to fund the project.

On a motion by Ms. Lewis, seconded by Mr. Bobbitt, the following Resolution was presented for adoption.

Resolution No. 121-16

WHEREAS, on Friday, February 22, 2016 bids were received and publicly opened for the project known as Brearley House Archaeological Investigation; and

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

WHEREAS, the lowest responsible bidder was BurrowIntoHistory, LLC, who submitted a bid in the amount of \$9,750.00; 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 G-02-41-070-299 (2016 Brearley House Archaeological Reporting);

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 Principal Planner, the Mayor and Municipal Clerk are hereby authorized to execute a contract with BurrowIntoHistory, LLC, 114 Taylor Terrace, Hopewell, New Jersey 08525 in the amount of \$9,750.00.

Same was carried on the following roll call vote:

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

Introduction of Ordinances

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

Mr. Krawczun explained that the CAP rate on Municipal Budgets is limited to 2.5 percent, or the cost of living adjusted. In 2016, the cost of living adjustment permitted was zero. The budget law allows for a governing body to create additional authority to be used in the current year or next two successive year budgets. The Ordinance authorizes an increase of 3.5 percent over the previous years' final appropriations. It is not recommended or necessary that this additional authority be utilized in the 2016 budget, but may be utilized in the 2017 or 2018 budget. If it is not utilized within the two year period it ceases to exist.

Councilmember Lewis wanted to clarify that this does not raise the tax rate for the 2016 budget.

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 | | | | | | |

~~~

Mayor Maffei read by title an Ordinance entitled, "BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF LAWRENCE, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING THE AGGREGATE OF \$1,636,015 AND AUTHORIZING THE ISSUANCE OF \$1,486,015 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF."

Mr. Krawczun stated that this is one of the annual Capital Ordinances to create the authority to spend public funds on projects that have a useful life of no less than 5 years. Funding will be made available from a down payment of 5% of cash. This Ordinance will authorize the balance issued in bonds or notes to finance purchases. It is a multi-purpose Bond Ordinance as it will address a multitude of allowable capital expenditures.

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   |     |         |        |         |      |        |

~~~

Mayor Maffei read by title an Ordinance entitled, " BOND ORDINANCE PROVIDING FOR VARIOUS ROAD IMPROVEMENTS IN AND BY THE TOWNSHIP OF LAWRENCE, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$1,425,000, WHEREAS ANY TRANSPORTATION TRUST GRANT FUNDING TO BE USED TO OFFSET BONDS OR NOTES AND AUTHORIZING THE ISSUANCE OF \$1,325,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF."

Mr. Krawczun stated that the Ordinance is for road work to take place in 2016 at various locations throughout the Township. If the Township should receive grant money from the New Jersey Department of Transportation for road work, those proceeds will

be applied and reduce the amount of borrowing for road improvements. The Township has not yet received word from the NJDOT.

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 | | | | | | X |
| Ms. Lewis | X | | | | | | |
| Mr. Powers | | | | X | | | |
| Mayor Maffei | X | | | | | | |

~~~

Mayor Maffei read by title an Ordinance entitled, "BOND ORDINANCE AMENDING BOND ORDINANCE 2020-09 BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, IN ORDER TO REVISE THE DESCRIPTION OF THE IMPROVEMENT HEREIN."

Mr. Krawczun stated that the Ordinance is amended to include an additional purpose onto the previously adopted Ordinance. It is amended to add improvements to the Municipal Building's fence replacement and repair.

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   |     |         |        |         |      |        |

~~~

Mayor Maffei 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." – Province Line Road

Mr. Krawczun stated that the Ordinance is amended to include an additional purpose onto the previously adopted Ordinance. It is amended to include various road improvements to Province Line Road.

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 | | | | | | |

Adoption of Ordinances

Mayor Maffei 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 stated that the Ordinance will increase fees for various recreation programs.

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

Ordinance No. 2224-16

AN ORDINANCE AMENDING ORDINANCES NOS. 1877-06, 1834-05 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 |
|--|-------------|-----------------|
| <u>Art/Theater Camp, Full Day until April 30</u> | \$250.00 | <u>\$260.00</u> |
| <u>Art/Theater Camp, Full Day after April 30</u> | NA | <u>\$275.00</u> |
| <u>Art/Theater Camp, Half Day until April 30</u> | \$185.00 | \$185.00 |
| <u>Art/Theater Camp, Half Day after April 30</u> | NA | <u>\$195.00</u> |
| Art, Winter | \$80.00 | <u>\$85.00</u> |
| Basketball, Competitive | \$110.00 | <u>\$125.00</u> |
| Basketball, Summer Teen | \$65.00 | \$65.00 |
| Basketball, Youth | \$75.00 | <u>\$85.00</u> |
| 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 |
| Fitness Trainer | \$60.00 | \$60.00 |
| Garden Plot, Resident | \$45.00 | \$45.00 |
| Garden Plot, Non-resident | \$90.00 | \$90.00 |
| Playgrounds, Full Day until April 30 | \$265.00 | <u>\$290.00</u> |
| Playgrounds, Full Day after April 30 | \$290.00 | <u>\$305.00</u> |

| | | |
|--|----------------|-------------------|
| Playgrounds, Half Day until April 30 | \$195.00 | <u>\$200.00</u> |
| Playgrounds, Half Day after April 30 | \$210.00 | <u>\$215.00</u> |
| Safety Town | \$75.00 | \$75.00 |
| Senior Instruction | \$3.00 p/class | \$3.00 p/class |
| Sports Camps, <u>Full Day until April 30</u> | 250.00 | <u>\$260.00</u> |
| Sports Camps, Half Day <u>until April 30</u> | \$185.00 | \$185.00 |
| <u>Sports Camps, Full Day after April 30</u> | <u>NA</u> | <u>\$275.00</u> |
| <u>Sports Camps, Half Day after April 30</u> | <u>NA</u> | <u>\$200.00</u> |
| Sports Clinics | \$40.00 | \$40.00 |
| Swim Lessons | \$80.00 | \$80.00 |
| Swim Team | | |
| October – March, Level 1, 2 days/week | \$210.00 | <u>\$215.00</u> |
| October – March, Level 2, 2 days/week | \$185.00 | <u>\$190.00</u> |
| October – March, Level 3, 2 days/week | \$185.00 | <u>\$190.00</u> |
| October – March, Level 1, 1 day/week | \$100.00 | \$100.00 |
| October – March, Level 2, 1 day/week | \$85.00 | \$85.00 |
| April – May, Level 1 | \$70.00 | \$70.00 |
| April – May, Level 2 | \$70.00 | \$70.00 |
| Tennis Instruction, Adult | \$85.00 | \$85.00 |
| Tennis Instruction, Youth | \$7.00/HR | <u>\$11.00/HR</u> |
| Travel Camp, Daily (Resident) | \$85.00 | \$85.00 |
| Travel Camp, Daily (Non-resident) | \$100.00 | \$100.00 |
| Travel Camp, Week (Resident) | \$285.00 | <u>\$295.00</u> |
| Travel Camp, Week (Non-resident) | \$350.00 | \$350.00 |
| Volleyball | \$70.00 | \$70.00 |
| Wrestling | \$45.00 | \$45.00 |
| <u>PERMIT</u> | | |
| Picnic/Park/Facility | \$40.00 | <u>\$45.00</u> |
| Athletic Field w/o lights | \$90/3 hours | \$90/3 hours |
| Athletic Field w/lights | \$150/3 hours | \$150/3 hours |
| <u>SWIMMING POOL</u> | | |
| 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.

Additions are underlined ____

The Ordinance No. 2224-16 was 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 | | | | | | |

~~~

Mayor Maffei 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.” – Litho Road

Mr. Krawczun stated that the Ordinance is amended to include an additional authorized purpose for re-paving on Litho Road. It is left over funding from a previous loan to be re-purposed in lieu of additional borrowing for the project.

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

Ordinance No. 2225-16

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

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:

- a. Section 3 (a) of Bond Ordinance 1933-07, finally adopted May 15, 2007, amended by Ordinance 2044-10, finally adopted January 20, 2010 be and are hereby amended to add the following purposes:

Various Road Improvements to “Litho Road”

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.

The Ordinance No. 2225-16 was 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   |     |         |        |         |      |        |

~~~

Mayor Maffei 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 – Manitee Avenue."

Mr. Krawczun stated that the land had been previously placed for auction to be made available to continuous property owners. There are certain restrictions on the property as the winning bidder cannot build on it. It is to be sold to an adjacent property owner in which the property parcel to be conveyed shall be deemed to merge and become one parcel for all purposes, including taxation and land use control.

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

Ordinance No. 2226-16

ORDINANCE AUTHORIZING THE PRIVATE SALE OF CERTAIN LANDS OF THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, NOT NEEDED FOR PUBLIC USE

WHEREAS, certain land as described hereafter more particularly as owned by the Township of Lawrence but not needed for public use, and said municipality desires to sell said land by private sale in accordance with N.J.S.A. 40A:12-12(b) and 40A:12-13.2; and

WHEREAS, the Township Council of the Township of Lawrence hereby determines that the said sale is in each instance a parcel both less than the minimum size required for development under the Land Use Ordinance, and without any capital improvements thereon, and must therefore be offered for purchase to the owner or owners of real property contiguous thereto on the basis of first refusal pursuant to N.J.S.A. 12-13.2;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, that:

(1) The Township Clerk is authorized, subject to the terms and conditions hereafter set forth, to offer for private sale pursuant to N.J.S.A. 40A:12-13(b) all of the Township's right, title and interest in and to the certain land at the assessed value, hereby determined to be the fair market value thereof, to the owner or owners of real property contiguous thereto, as per the attached list.

(2) This Ordinance shall be published twice in a newspaper approved for legal publications, once not less than seven (7) days prior to the public hearing thereof in accordance with law applicable to the adoption of ordinances generally, and a second time within five (5) days after adoption hereof, at which time it shall also be posted on the bulletin board in Town Hall of the Township of Lawrence and remain so posted for at least twenty (20) days thereafter. Sworn proof of such publication shall be field by the Township Clerk with the Director of the State Division of Local Government Services in the Department of Community Affairs.

(3) Offers by such contiguous owner(s) to purchase the said contiguous parcel may be made in writing addressed to the Township Manager, Township of Lawrence, P. O. Box 6006, Lawrenceville NJ 08648, for a period of twenty (20) days following the second advertisement hereof. The Township reserves the right to reject all bids in each instance where the highest bid is not accepted, and to re-advertise the parcel concerned for public sale following reconsideration within thirty (30) days of the date of adoption of this ordinance.

(4) In the event that more than one bid is received for the parcel from multiple contiguous owners thereof, only the highest such bid will be considered for acceptance or rejection.

(5) The conveyance of any such parcel to any successful bidder shall be for the total parcel without the subdivision of or sale of a portion thereof, shall be by standard municipal Bargain and Sale Deed without covenants of the Grantor, subject to any statement or facts which an accurate survey would show, subject to all covenants, conditions, easements, liens and restrictions of record, as well as applicable ordinances of the Township of Lawrence shall be without obligation of the Township of Lawrence to provide access, public private, or any improvements thereon or thereto, with all sales being "as is" without any representation whatever as to character, quality or condition or

otherwise, bidder being deemed to have inspected the premises bid upon and waived any objections to the conditions thereon.

(6) The parcel to be conveyed shall be deemed to merge and become one parcel for all purposes, including taxation and land use control, with the adjacent parcel owned by the successful bidder. In the event the successful bidder is the owner of more than one adjacent lot, the successful bidder shall be entitled to designate which of the adjacent parcels shall be consolidated with the subject property. The deed of conveyance shall contain a restriction governing the subject property that neither it nor the property with which it is consolidated shall thereafter be subdivided or, without subdivision, utilized for the construction of an additional dwelling or other structure other than an accessory building (e.g., a storage shed), if otherwise permissible. The property offered hereunder shall not be utilized by the successful bidder to support an application for relief from prevailing land use restrictions (e.g., single-family residential vs. multi-family residential), other than bulk restrictions (e.g., set back requirements for structures otherwise permitted) which, by reason of the size of the previously owned property, would not reasonably qualify for consideration by the Planning Board or Zoning Board for a variance absent the additional property purchased hereunder.

(7) The acceptance of any bid by the Township shall be subject to receipt within ten (10) days of such acceptance of a certified deposit check of the bidder (or cashier's check) in the amount of ten percent (10%) of the accepted bid price, which shall be non-refundable, the balance to be paid not later than ninety (90) days from the date of bid, again by certified or cashier's check, at which time title shall be conveyed to bidder by the Township and the Deed delivered therefore by the Township. Concurrently, with payment of the ten percent (10%) deposit, bidder shall execute an agreement to accept the terms and conditions of sale set forth herein on a form to be prescribed by the Township.

(8) In the event the bidder should for any reason not pay the balance due as above provided, the Township reserves the right to cancel the sale and retain the ten percent (10%) deposit as liquidated damages for non-performance. In the event title is not insurable by the bidder at prevailing rates by a reputable title insurance company, bidder's sole remedy shall be to give written notice of cancellation of the bid to the Township within ninety (90) days of the date of bid. The Township shall refund the deposit, and there shall be no further obligation by either party to the other respecting said bid or any obligations created by the giving or acceptance of said bid.

(9) In addition to the bid amount, made in accordance with the process outlined above, the Bidder must pay the Township \$500.00 for legal fees and other costs necessary for the property transfer, said cost to be paid prior to title conveyance.

(10) All ordinance or provisions thereof conflicting or inconsistent with the provisions of this ordinance be and the same are hereby repealed to the extent of such conflict or inconsistency.

(11) If any section or provision of this ordinance shall be adjudged invalid, such determination shall not affect the remaining provisions hereof, which shall remain in full force and effect.

(12) This ordinance shall take effect after adoption and final publication in accordance with law.

Adopted: March 15, 2016

TOWNSHIP OWNED PROPERTIES

| PARCEL | ADDRESS | BLOCK | LOT | ASSESSMENT | LOT SIZE |
|--------|----------------|-------|-----|------------|-----------|
| 1 | Manitee Avenue | 2304 | 8 | \$1,600 | 30' x 70' |

The Ordinance No. 2226-16 was 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 | | | | | | |

Manager’s Report –

Mr. Krawczun discussed a letter received from Dr. Edwards, Superintendent of the Lawrence Public Schools regarding additional soil contamination that was discovered on their athletic fields behind the High School and Middle School. Mr. Krawczun will be meeting with Environmental Specialists and Engineers to test the Lawrence fields and to discuss what can be done.

Mr. Krawczun cited concerns to fields owned by the Township stating that even though investigations have been started he cannot get it fixed by the beginning of baseball season in April. He stated that it is not extensive contamination at the School fields, and does not feel that anyone is in imminent danger, but the situation does need to be addressed. Mr. Krawczun brought it to Council’s attention so that if Councilmembers are contacted they can give an informed answer. Council addressed Mr. Krawczun with questions about acquiring more fields in the Township. Mr. Krawczun stated that it is a very expensive undertaking, and it has been looked at previously and he will be addressing it again soon.

Mr. Krawczun then discussed an Ordinance that facilitates the process of a Solicitors' Permit. Police Chief Ubry went to Mr. Krawczun with some strong recommendations to amend the Ordinance to help protect the residents of Lawrence Township. The current Ordinance does not require insurance, and permit applicants are only subject to a local background check. Under the current Ordinance, an organization can apply for a solicitors' permit, then bring in teams of sales people from outside of New Jersey who have not been subject to background checks or other clearances by the Township.

The Police Chief recommended changes to the Ordinance to require a full background and criminal check, insurance requirements and oversight by the Police Department. Mr. Krawczun asked of Council and the Township Attorney to review and bring forth recommendations and proper language to amend the Ordinance.

Mr. Krawczun then spoke about another recommendation from the Police Chief designed to aid Senior Citizens, and physically handicapped individuals in case of emergencies. Chief Ubry is recommending putting a Citizen's Emergency Lockbox program into place. With a lockbox system, responding emergency personnel would be able to gain entry to the residence and render needed assistance by utilizing a key to the residence located in the lockbox. Mr. Krawczun brought the information before Council for consideration, and requested assistance from the Township Attorney to review and advise him.

Attorney's Report –

Mr. Roskos stated he was happy that Mr. Caton came to discuss in detail the Affordable Housing litigation. He feels Mr. Caton's perspective is much broader than his own. Initially, Mr. Roskos did not think the situation would be so problematic for Lawrence Township, and is glad that Mr. Caton can give his perspective on it.

Clerk's Report –

There was no Clerk's Report.

Unfinished Business –

There was no Unfinished Business.

New Business –

Ms. Lewis brought up to Council about finding new ways to get information out to the community since the Lawrence Ledger newspaper has disbanded. She has heard from residents who are frustrated by the situation. She commended the staff on getting information out to the Community since the Ledger closed, but affirmed there is a need to look for new methods to impart information to the residents.

Public Participation (3-minute limitation per speaker) –

Jim Cleak of 7 East Darrah Lane wanted to follow up on the difficulty of getting information out to the community since the closing of the Lawrence Ledger. He asked if there was a website that holds all the information. Ms. Lewis imparted that Lawrence Township’s website contains all current and past information in regards to Township business. He did comment that he looks through the local papers and does not find much coverage. The only local paper currently published is the Lawrence Gazette which comes out monthly and has a circulation of 17,000.

Mr. Cleak gave compliments to Council and the Municipal Manager on keeping the tax rate the same for the past 3 years, and felt that the 2016 budget was very good.

Mr. Cleak then discussed COLA (cost of living adjustments) for retired public employees which have been frozen since 2010. He asked if this was handed down ruling from the State, and what the impact would be to Lawrence Township if reinstated. Mr. Krawczun stated that the ruling is for public employees who have retired from 2011 onward. He discussed how the pension system works, and the way the State funds it. Mr. Krawczun also discussed Court decisions, Union concerns, and amendments written by previous Governors concerning the pension system.

Resolutions

Resolution Nos. 122-16(18-A) through 140-16(18-S) was 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.

Introduction of the 2016 Municipal Budget

Resolution Nos. 141-16(19-A) through 143-16(19-C) was 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.

~~~

Resolution No. 144-16(19-D), the 2016 Municipal Budget was introduced and 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.

---

**Council Initiatives/Liaison Reports –**

There were no Council Initiatives or Liaison Reports.

---

**Written Communications –**

There were no written communications.

---

There being no further business to come before this Council, the meeting adjourned at 8:05 p.m.

Respectfully submitted by,

\_\_\_\_\_  
Tonya D. Carter, Deputy Municipal Clerk

Attest:

\_\_\_\_\_  
David C. Maffei, Mayor