

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

October 4, 2016

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, October 4, 2016 at 6:30 P.M.

The meeting was opened with the Inspiration and Pledge of Allegiance, led by 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, October 4, 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, Powers and Mayor Maffei.
Absent: None.

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

Special Proclamations, Recognitions and Presentations

There were no proclamations or presentations.

Public Participation (5-minute limitation per speaker)

There was no public participation.

Review and Revisions of Agenda

The Municipal Clerk asked that Resolution (8-A), Adoption of Closed Session Minutes of June 21, 2016, be removed from the agenda as they were not included in the Agenda packet.

On a motion by Ms. Lewis, seconded by Mr. Bobbitt, the Agenda was amended to include the above revision.

Same was carried on the following roll call vote:

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

Adoption of Minutes

There was no adoption of minutes.

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.

On a motion by Ms. Lewis, seconded by Mr. Bobbitt, Resolution (9-A), Authorizing Awarding Bid to Affordable Housing Administrators for the Affordable Unit Rehabilitation Program, was presented for adoption.

Resolution No. 362-16

WHEREAS, on Thursday, August 18, 2016, bids were received and publicly opened for the provision of administrative services for the grant known as Lawrence Township Affordable Unit Rehabilitation; and

WHEREAS, two (2) bids were received and reviewed by the appropriate Township Officials; and

WEHREAS, the lowest responsible bidder was Affordable Housing Administrators that submitted a bid in the amount of \$6,550.00 for Items 1 thru 5 to prepare an affirmative marketing plan and conduct an outreach process in compliance with COAH guidelines to perform the tasks required in the rehabilitation; 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-02-40-995-299 (Lawrence Township Affordable Unit Rehabilitation); and

WHEREAS, Affordable Housing Administrators has performed satisfactorily;

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 Manager, the Mayor and Municipal Clerk are hereby authorized to execute a contract with Affordable Housing Administrators, P. O. Box 945, Point Pleasant NJ 08742 not to exceed \$6,550.00 for a term not to exceed one (1) year;

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, Powers and Mayor Maffei.
Nays: None.

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.

On a motion by Ms. Lewis, seconded by Mr. Bobbitt, Resolution (9-B), Authorizing Awarding Bid to NuPump Corporation for the Maintenance of Colonial Lake, was presented for adoption.

Resolution No. 363-16

WHEREAS, on Thursday, September 22, 2016 bids were received and publicly opened for the project known as **Colonial Lake Maintenance**; and

WHEREAS, two (2) bids were received and reviewed by the appropriate Township Officials; and

WHEREAS, the lowest responsible bidder was NuPump Corporation who submitted a bid in the amount of \$18,600.00, 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 6-16-56-843-299 (Municipal Open Space); 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 NuPump Corporation, P. O. Box 157, Malaga NJ 08328 in the amount of \$18,600.00; and

BE IT FURTHER RESOLVED that the Municipal Manager is hereby authorized to draft the necessary

Same was carried on the following roll call vote:

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

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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.

On a motion by Ms. Lewis, seconded by Mr. Bobbitt, Resolution (9-C), Authorizing the Awarding of Bid #16-14, 2017 Transit Wagon 148" Medium Roof XTL or Equivalent, was presented for adoption.

Resolution No. 364-16

WHEREAS, on September 14, 2016, bids were received for Bid No. 16-14, 2017 Ford Transit Wagon 148" Medium Roof XLT or Equivalent; and

WHEREAS, three (3) bid were received and reviewed by the Township Manager and the Director of Public Works and the low bidder did not provide all the required documents and, therefore, the second lowest bidder Bayshore Ford Truck Sales, 4003 N. Dupont Highway, New Castle, Delaware 19720 is being awarded the bid with a total bid price of \$35,223.00; and

WHEREAS, in accordance with N.J.A.C. 5:30-14, a Certificate of Availability of Funds has been provided and the accounts to be charged are C-04-55-409-285 (Purchase Various Equipment Senior Citizen Transit Van) and 6-01-28-371-299 (Senior Center Programs – Other Expenses).

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that the Township is hereby authorized to award Bid No. 16-14, for a 2017 Ford Transit Wagon 148" Medium Roof XLT to Bayshore Ford Truck Sales in the amount of \$35,223.00

Same was carried on the following roll call vote:

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

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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.

On a motion by Mr. Bobbitt, seconded by Mr. Powers, Resolution (9-D), Authorizing the Awarding of Bid#16-15, 217 Ford Transit Connect Wagon XL or Equivalent, was presented for adoption.

Resolution No. 365-16

WHEREAS, on September 14, 2016, bids were received for Bid No. 16-15, 2017 Ford Transit Connect Wagon XL or Equivalent; and

WHEREAS, three (3) bid were received and reviewed by the Township Manager and the Director of Public Works and lowest bidder Bayshore Ford Truck Sales, 4003 N. Dupont Highway, New Castle, Delaware 19720 is being awarded the bid with a total bid price of \$23,955.00; and

WHEREAS, in accordance with N.J.A.C. 5:30-14, a Certificate of Availability of Funds has been provided and the account to be charged is C-04-55-409-286 (Purchase Various Equipment – SUV Recreation).

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that the Township is hereby authorized to award Bid No. 16-15 for a 2017 Ford Transit Connect Wagon XL to Bayshore Ford Truck Sales in the amount of \$23,955.00.

Same was carried on the following roll call vote:

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

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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.

On a motion by Mr. Bobbitt, seconded by Mr. Powers, Resolution (9-E), Authorizing Rejecting Bid on the Home Improvement Program – 1319 Colts Circle, was presented for adoption.

Resolution No. 366–16

WHEREAS, on Thursday, September 22, 2016 bids were received and publicly opened for the project known as **Home Improvement Program – 1319 Colts Circle**; and

WHEREAS, two (2) bids were received, opened and reviewed by the appropriate Township Officials; and

WHEREAS, the lowest responsible bidder was Golden Crown Contractors, Inc. who submitted a bid in the amount of \$6,289.00 for the total base bid; and

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

WHEREAS, the Principal Planner 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 Home Improvement Program – 1319 Colts Circle 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 cost estimate and the budget amount for the project.

Same was carried on the following roll call vote:

Ayes: Councilmembers Bobbitt, Kownacki, Lewis, Powers and Mayor Maffei.

Nays: None.

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Introduction of Ordinances

Mayor Maffei read by title, an ordinance entitled, "AN ORDINANCE AMENDING ORDINANCE NOS. 2120-12 ESTABLISHING RATES FOR SEWER SERVICE"

Mr. Krawczun advised that the Ordinance will adjust the user fees and demand charges for sewer treatment services to Lawrence Township businesses and residences. Ewing-Lawrence Sewerage Authority (ELSA) provides service to both Ewing Township and Lawrence Township and based on the amount of flow there is an apportionment of the operating cost and debt service billed to each municipality. The fees were last adjusted in 2012 and they are recommending a modest increase of \$1.00 on the demand charge and .26 cent increase on charge per cubic feet of water which is about a five-percent increase.

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   |     |         |        |         |      |        |
| Mr. Powers   | X   |     |         |        |         | X    |        |
| Mayor Maffei | X   |     |         |        |         |      |        |

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Mayor Maffei read by title, an ordinance entitled, "ORDINANCE PROVIDING THE AUTHORIZATION TO CONTRACT WITH THIRD PARTY PAYROLL SERVICES INCLUDING ELECTRONIC DISBURSEMENT CONTROLS BY THE TOWNSHIP OF LAWRENCE, IN THE COUNTY OF MERCER, NEW JERSEY"

Mr. Krawczun advised that the Ordinance authorizes a third party agency to act on the behalf of the Municipality for the purposes of payroll services and disbursement of funds including taxes. This is a new regulation put out by the Division of Local Government Services and the Local Finance Board partly due to the difficulties the City of Trenton experienced with their payroll account and payroll agency.

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   |     |         |        |         |      |        |
| Ms. Lewis    | X   |     |         |        |         |      | X      |
| Mr. Powers   | X   |     |         |        |         | 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 submitted invoice listings for the month of October 2016 in the amount of \$1,081,972.26.

Mr. Krawczun provided the Council with a draft of the 2016/2017 Best Practices Survey for their review and consideration, and advised that it will be scheduled for discussion at the next Council meeting and if they have any questions to please feel free to contact him.

Mr. Krawczun stated he has nothing further to report except information that will be provided to Council under unfinished business regarding the search for the Manager's position.

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**Attorney's Report –**

There was no Attorney's report.

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**Clerk's Report –**

Ms. Norcia reported that she would be out on vacation starting Friday afternoon, October 7<sup>th</sup>, and will return to work on the Wednesday, October 19<sup>th</sup>.

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**Unfinished Business –**

Discussion Relative to Search for Municipal Manager –

Ms. Lewis stated that the Municipal Manager was asked to provide the Council with documents relative to the search for the position of Municipal Manager.



Mr. Krawczun distributed three handouts with a synopsis of the duties of the Township Manager, Director of Community Development and Director of Public Safety, proposals submitted by three search firms for the process of selecting qualified candidates for the position, and an Ad providing a description of the community outlining the qualifications, responsibilities, salary and benefits offered by the Township and to whom, when and where qualified candidates should submit their cover letters and resumes. He then provided a detailed overview of each of the handouts distributed to the Council for their review and consideration.

An at length discussion ensued between the Municipal Manager and Council regarding the proposals submitted by the search firms with regards to the candidates length of experience, professional qualifications, residency requirements, salary and benefit compensation and how the three positions currently held by Mr. Krawczun will be split upon his retirement.

Ms. Lewis inquired as to whether a closed session is needed if the interview process included a tour and dinner given it is a personnel matter. Mr. Roskos advised it is still a give and take situation relative to employment and should take place in closed meeting. Mr. Krawczun stated he will wait to hear from the Council as to how they would like to proceed going forward.

Ms. Lewis stated she was pleasantly surprised by the cost proposal given by the firms as she thought the estimates would come in much higher and suggested they get the Request for Proposal (RFP) out as soon as possible so they can begin the advertising and interview process by January which would give the Council one month period of time to complete the hiring process and the Municipal Manager a four month transition period.

Mr. Powers stated he would like to take a step back as he was on Council during the last hiring process for a Township Manager and they did not spend \$15,000 hiring a consultant firm to do something they handled in-house and stressed again how critical it is for them to advertise the position with the League prior to their conference which is the third week in November.

Mr. Kownacki stated in his opinion they are jumping the gun and moving forward to fast being they have not as yet reviewed the information provided by the Municipal Manager. So, if they move forward with the Ad now, then the questions they have for the next meeting would be a waste of time. As for the job opening, they can post that on the League's website for people to view without the submission of a paid advertisement.

Ms. Lewis imparted that the Council must be diligent in their decision-making process as there have been huge changes in the way and what employees are looking for and how municipalities have reacted to those changes over the last two decades. They need fresh eyes to look at what would best to position them in the market and what is going to get them the best qualified candidates for the job; and while the information provided by Mr. Krawczun is a really great start, she would like to compare it

to other ads that are out there. As for the League Conference, people have already heard that Lawrence Township is looking for a new manager and interest will continue to grow as people talk about it at the conference; therefore, the position does not necessarily need to be advertised and suggested that the Municipal Manager put out an RFP while they are reviewing the information so they can have the full proposals in front of them, present their comments and questions and after reviewing all the pieces they can either move forward with the process or reject the bids all together and do their own advertising for the position.

Additional dialogue took place relative to adhering to the strict timeline for the hiring and transition process, replicating and/or separating the position of CFO/ Municipal Manager/Director of Community Development, preparing the RFP for the November meeting and the Council conducting the search for Manager in a professional cohesive manner.

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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. 351-16(18-A) through 362-16(18-K) 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 –**

Mr. Bobbit reported that the Growth & Redevelopment is having their Annual Award's ceremony on Thursday, October 13<sup>th</sup> at 8:00 pm at Collaborationcore and everyone is invited to attend.

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**Written Communications –**

There was no written communication.

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There being no further business to come before this Council, the meeting adjourned at 7:14 p.m.

Respectfully submitted by,

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Kathleen S. Norcia, Municipal Clerk

Attest:

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David C. Maffei, Mayor