

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

March 3, 2015

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, March 3, 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, March 3, 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, and Mayor Lewis. Mr. Powers arrived at 6:41 p.m. due to a work related matter.

Absent: None.

Also in attendance were Richard Krawczun, Municipal Manager, David Roskos, Township Attorney, Greg Whitehead, Director of Public Works, Brian Helmuth, and Diane Urlacher of the Lawrence Community Center.

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Special Proclamations, Recognitions and Presentations

**Department Head Budget Presentation – Public Works**

Gregory Whitehead, the Public Works Director greeted the Council and advised that he will be providing a general overview of each Division within the Public Works Department, which is comprised of 32 employees and (6) six divisions; they are responsible for all the parks, roadways, municipal facilities, vehicle maintenance, ecological facility operations in conjunction with Princeton, and a multitude of contracts they have with vendors for trash removal, recycling, capital improvement programs and general services.

Mr. Whitehead thanked the Council for the new salt dome from last years' budget. He stated if it wasn't for the increase in capacity, the Township would have been out of rock salt by now. Currently, the Township is in great shape salt-wise for the upcoming storms. They also are picking up the rock salt this year instead of waiting for delivery as it can take several weeks for delivery.

He then proceeded with a detailed review of his staff relative to their day-to-day functions, training mandates, departmental duties and initiatives, brush collection, white goods pickup, snow removal, capital improvement projects, operational costs and shared services associated with the compost facility, outsourcing and privatization of services, expenditures, grants, equipment maintenance and usages and shared services for each of the Divisions, that included various services and projects that were accomplished in 2014 and future cost-saving projects for 2015.

Mayor Lewis and the Council commended Mr. Whitehead and his staff, and stated that residents she has spoken to have only good things to say about the Public Works Department. She thanked him and his staff on the exceptional job they do year round.

Mr. Powers commended the Public Works department on their recycling efforts. He asked Mr. Whitehead if there are any other alternatives besides oil collection that can be done to improve recycling, and keep things out of landfills. Mr. Whitehead believes that the organics program will be a great effort to save landfill space, and he believes there will be some mandatory organic programs coming in the next few years.

Mr. Brame had a question regarding coloring of the mulch. He stated that many residents had asked about colored mulch. Mr. Whitehead indicated that dying of the mulch requires machinery in which the mulch would be infused with the dye. He believes that dying the mulch would bring about a new set of guidelines and rules from the DEP. Mr. Whitehead stated that dyed mulch is more of a retail product, and not wholesale.

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**Brian Helmuth – Neighborhood Center Presentation**

Mr. Helmuth started by thanking the Council for their strong leadership, and allowing him to present and update them on the Center. He then went on to discuss "Camp Mercer" which is a HomeFront camp run out of the Lawrenceville Center. It is an (8) eight week program in July and August that runs Monday through Friday from 8:30am to 4:30pm. The weekly cost is \$150.00 and Lawrenceville residents are given preference when signing up for the camp. They also do give scholarships to needy families, as well as a sliding scale. The camp conducts academics in the morning as Mr. Helmuth strongly believes that children who read, and study in the summer perform better in school. All Counselors have at least (1) one year of college, and are CPR and First Aid Certified.

Mr. Helmuth then discussed the Center's statistics; sign-ins have increased from (376) three-hundred seventy-six in December of 2012 to (1,045) one-thousand, forty-five sign-ins in December of 2014. The Food Pantry program distributes approximately (100) one hundred bags of food per month. Case Management for the month of February included (81) eighty-one individuals who had called for assistance, and (25) twenty-five clients seen.

Mr. Helmuth went on to talk about his vision for the Center, and is asking what the community wants and needs in regards to services and programs. They will be conducting an Open House on March 21<sup>st</sup> from 10am to 1pm, and welcomes members of the community to stop in and talk about their needs. He hopes to increase the variety of programs available to the community in the coming years.

Mayor Lewis asked how residents can learn about the programs available at the Center. Mr. Helmuth stated that the information is available on HomeFront's main website, but he encourages individuals to come in and speak with him or members of his staff.

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Public Participation (5-minute limitation per speaker)

There was no public participation.

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Review and Revisions of Agenda

There were no reviews or revision to agendas.

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Adoption of Minutes

There was no adoption of minutes.

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Awarding or Rejecting of Bids

There was no award of bids.

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Introduction of Ordinances

Mayor Lewis 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 AMOUNT OF \$1,697,325 AND AUTHORIZING THE ISSUANCE OF \$1,431,325 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF."

Mr. Krawczun stated that this Ordinance replaces Ordinance 11-B, providing a higher funded amount toward the improvements in excess of the minimum required, and reduces the amount of debt to be issued, which hedges against potential future interest rate increases. The local bond law requires that there is a minimum down payment of (5) five percent of the amount that is authorized. This is a result of over the past two years the council has supported the recommendation through budget appropriation where it will not be issuing long term debt.

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

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Adoption of Ordinances

Ordinance No. 2208-15 (11-A)

Mayor Lewis 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 \$1,090,000, WHEREAS ANY TRANSPORTATION TRUST GRANT FUNDING TO BE USED TO OFFSET BONDS OR NOTES AND AUTHORIZING THE ISSUANCE OF \$1,035,500 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The improvement described in Section 2 of this bond ordinance is hereby authorized to be undertaken by the Township of Lawrence, New Jersey as a general improvement. For the improvement or purpose described in Section 2, there is hereby appropriated the sum of \$1,090,000 and the sum of \$54,500 as the down payment required by the Local Bond Law. The down payment is now available by virtue of

provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or the grant referred to in Section 1, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,035,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds to be issued is the: (1) Cold Soil Road Keefe to Carter (excluding Van Kirk to Curve) Mill and Overlay; including construction, design and inspection; (2) road improvement program: Reeder Avenue, Mall Access Road, Tall Timbers Drive, Toftrees Court, Keefe Road (Limited Repairs), Ashwood and Pheasant Intersection, Princess Road, Meriline Avenue, Tiffany Woods (Kent to Spruce Street), Princeton Pike and Texas Avenue Intersection; including construction, design and inspection of all authorized purposes; (3) Miscellaneous Guide Rail Replacement; (4) road striping; (5) concrete improvements incidental to overlay and all work and materials therefore or incidental thereto and all as shown on and in accordance with the plans and specifications therefore on file in the office of the Municipal Clerk, which plans are hereby approved.

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

(c) The estimated cost of the improvement or purpose is \$1,090,000.

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

Section 5. The capital budget of the Township of Lawrence is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

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

(b) The average period of usefulness, and the reasonable life thereof, within the limitations of the Local Bond Law is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,035,000 and the obligations authorized herein will be within all debt limitations prescribed by the Law.

(d) An aggregate amount not exceeding \$50,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purpose of improvements.

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

Section 8. The Chief Financial Office of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, the in the opinion of a nationally recognized bond counsel,

consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

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

Section 10. The Township reasonably expects to reimburse any expenditures towards the cost of the improvement or purpose described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Township, or any member of the same "control group" as the Township, within the meaning of Treasury Regulations Section 1.150-1(f), pursuant to their budget or financial policies with respect to any expenditures to be reimbursed. The Section is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures towards the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.103-18, and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section 1.103-13(j) or 1.148-9(g) to avoid, in whole or in part, arbitrage yield restrictions or arbitrage rebate requirements.

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

The Ordinance (2208-15) 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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Ordinance 2209-15

Mayor Lewis made a motion to reject Ordinance 11-B entitled: "BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF LAWRENCE, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$1,697,325 AND AUTHORIZING THE ISSUANCE OF \$1,612,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF"

Ordinance 11-B (2209-15) is a capital ordinance which was replaced by Ordinance 10-A that was introduced tonight and rejected on the following roll call vote:

| COUNCIL      | AYE | NAY | PRESENT | ABSENT | ABSTAIN | MOVE | SECOND |
|--------------|-----|-----|---------|--------|---------|------|--------|
| Mr. Brame    | x   |     |         |        |         |      |        |
| Mr. Kownacki | x   |     |         |        |         |      | X      |
| Dr. Maffei   | x   |     |         |        |         |      |        |
| Mr. Powers   | x   |     |         |        |         | X    |        |
| Mayor Lewis  | x   |     |         |        |         |      |        |

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**Manager’s Report –**

Mr. Krawczun stated he had had their first meeting with the Delaware Valley Planning Commission regarding the update for environmental resource inventory. The last inventory was completed in March of 2008. The report will focus on natural resources in Lawrence Township.

Mr. Krawczun met with PSEG on the “Energy Strong” program. PSEG is making repairs in areas that previously had storm damage or flooding. They will be doing work in early spring and summer of 2015 on gas mains and service lines on Michigan Avenue and Perry Street. Residents will be sent information prior to the work is performed.

Mr. Krawczun then discussed the Governor’s Address and the budget, stating that “State funding will remain the same in 2015 at \$3,982,565.” He did point out that the budget has remained the same since 2012.

Mr. Krawczun spoke of the assessment from the Ewing-Lawrence Sewage Authority, and the amount has gone down by \$113,000. They will re-filtrate the excess into the budget primarily to the Public Works Department. There will be no need to raise sewer rates in 2015.

Mr. Krawczun imparted information regarding Rider University will be holding its annual Veterans Career Fair on Thursday, March 19<sup>th</sup>.

Mr. Krawczun discussed initiating the Master Plan of re-examination report. This report is required every ten years, and will be presented to the Planning Board. The report will take place throughout 2015.

Mr. Krawczun spoke of the Mayor’s plan of having an Open House at the Municipal Building on April 11<sup>th</sup> so that residents can come to visit with the different departments. The specifics have not been completed but he did say that he would like to hear suggestions about what activities or presentations would be good. Mayor Lewis suggested hearing from the public to learn what they would like to see, and be informed about.

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**Attorney's Report –**

Mr. Roskos advised that he was getting ready to file the reply Brief in the Simone case, and it should be heard in Court on March 20<sup>th</sup>, and he will report on that after the court date.

A question was asked by the Council as to what will be argued of the case. Mr. Roskos replied that Simone argues that the denial was pre-textual, and they are entitled to damages. They have since opened a facility in Cherry Hill, even though they claim they are no longer interested but want to collect on damages.

Mr. Roskos commented on the Open Space Agreement; he had read the agreement and said it is fine, and is good for approval by the Council.

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**Clerk's Report –**

Ms. Norcia wanted to remind those who have not responded to the RAI Open House at the Lawrence Township location to please do so.

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**Old Business –**

There was no old business.

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**New Business –**

A question was asked by Councilmember Brame about the new system for election night. He mentioned a practice test that was conducted on the system, and that it could be sent over on election night without any problems, but it means more work for the Township employees.

Mayor Lewis asked if the tallies and cartridges could be sent through the Township's computer system.

Ms. Norcia stated that it was not possible because she was told by the County that for it to be put on our computers, and for them to be able to read it off of the Township's servers, it would not be secure. The County's laptops are significantly older and outdated which opens the Township's servers to computer viruses and hackers if they should be downloaded to the system.

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

There was no public participation.

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**Resolutions**

Resolution Nos. 98-15(18-A) thru 109-15(18-L) were approved by 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 their entirety in the Resolution Books of the Township of Lawrence.

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**Council Initiatives/Liaison Reports –**

Councilmember Powers stated that the Shade Tree Committee’s first meeting will take place in April.

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**Written Communications –**

There was no written communications.

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There being no further business to come before this Council, the meeting adjourned at 8:04 p.m.

Respectfully submitted by,

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Kathleen S. Norcia, Municipal Clerk

Attest:

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Cathleen M. Lewis, Mayor