

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

June 15, 2010

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, June 15, 2010 at 7:00 P.M.

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

Mayor Powers advised of a painting on display, in the stairwell to the Lower Level Conference Room, of the Lawrenceville Presbyterian Church that captured a picture of an old historic tree that had to be removed due to the past storms and is located on the campus of The Lawrenceville School and gifted to the Township by Mr. Chuck Alden. He then proceeded to thank Mr. Alden for the painting and indicated how appropriate it is being Lawrence is one of towns designated as Tree City USA.

At the commencement of the meeting Mayor Powers read the following statement of proper notice:

“Adequate notice of this meeting of the Lawrence Township Council being held on Tuesday, June 15, 2010, 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 Bostock, Kownacki, Mount, Puliti, and Mayor Powers.

Absent: None.

Also, in attendance were Richard S. Krawczun, Municipal Manager, and Kevin Nerwinski, Esq., Municipal Attorney.

Proclamations and Honors

There were no proclamations or honors.

Review and Revisions of Agenda

The Municipal Clerk requested that Resolution (8P); Authorizing Partial Closing of Spring Beauty Drive for a Neighborhood Block Party be added to the Agenda.

On a motion by Mr. Bostock, seconded by Mrs. Mount, the Agenda was amended to include the above revision.

Same was carried on the following roll call vote:

Ayes: Councilmembers Bostock, Kownacki, Puliti, Mount and Mayor Powers.
Nays: None.

Public Participation

Mr. Howard Nelson, President of Lawrenceville Main Street, distributed packets to the Council outlining a program that Lawrenceville Main Street is participating in with DEP that is designed to reduce greenhouse gas emissions. And, advised from the initial Grant application they came up with a fairly unique idea on how to stimulate the local economy and reduce greenhouse emissions at the same time which includes a discount/reward card being tied into a local point of sales machine and indicated at this point in time there is no other community in the United States directly tying a card into a "green" program like the one they are offering - they are on the cutting edge.

Mr. Nelson stated because they are the cutting edge of New Jersey in sustainability the program has a vast amount of potential for the community, as Lawrence Township has 800 businesses and 19,000 homes. So, their plan is to hit practically every consumer with the rewards card, hoping that everyone will participate in the program and proceeded to discuss the design of the card, the \$25,000 Grant awarded by Sustainable Jersey and the Wal-Mart Corporation, their total operating budget of \$140,000, as well as, their plan to distribute the cards to every resident and non-resident, who either work or live in Lawrence Township; a process that will help setup and maintain communications concerning sustainability and measure the effectiveness of the buy local marketing program.

Mr. Nelson indicated in order to acquire the Grant they would need a Letter of Support from the Council along with a Grant Certification Declaration of Lawrenceville Main Street and Sustainable Lawrence as the applicants for the

grant; a grant that is coordinated through Wal-Mart and awarded as a pass-through grant from Sustainable Lawrence to the Township.

An at length discussion took place between the Council, Mr. Nelson and Mr. Nerwinski relative to the selection process for the receipt of the grant, the grant process and allocation of funds, the overall budget expense, the process and security features regarding the usage of the card, implementation of sustainable practices/provisions associated with the usage of the card and legalities surrounding the acceptance of the grant.

Mr. Nerwinski advised although the grant is a pass-through from a private organization and is awarded to the Township through Sustainable Lawrence; it is not for a municipal program. And, indicated the Township's only endorsement would be to apply for the grant money to assist local business organizations in the community and that he does not foresee any legal concerns relative to the matter as long as the distribution of funds is appropriated equally to all participating businesses. After some discussion, it was the consensus of the Council to have a Special Meeting on June 24th to adopt the resolution of support contingent upon Mr. Nerwinski's approval of the grant application.

Mr. Manishkumar Patel, 332 Fountayne Lane, a member of Liberty Green Homeowner Association, voiced his concern relative to the passage of Resolution (H), Authorizing Full Release of Remaining Right-of-Way and Storm Drainage Bonds for Liberty Green being his Association has had existing problems with K. Hovanian not fulfilling their obligation under the Transition Agreement. Subsequently, they received a response from K. Hovnanian advising that they are committed to finishing off the transition item - so because the bonds are listed on the Agenda for approval they just wanted to make sure the Township is comfortable with releasing the bonds and is satisfied with all the work that needed to be completed in their community.

Mayor Powers briefly explained the process relative to tabling a resolution that needs to be further reviewed and advised that prior to any bonds being released an investigative report is submitted to the Council by the professionals, who go out and inspect the performance of the work prior to approval.

Mr. Krawczun advised after the last meeting there was a series of work done by K. Hovanian and since then the company has either agreed to fix the deficiencies brought to the Township's attention or have already fixed the deficiency to the satisfaction of the Township Engineers. Additionally, there will be a Maintenance Bond retained in excess of \$400,000, so if there are any remaining problematic issues or the repairs were not properly done the maintenance bond can be exercised as a way to remedy those problems.

An at length discussion took place relative to K. Hovanian's replacement of trees in the development and the money that has already been

spent by the Homeowner Association for the removal and planting of dead tree and other concerns the Association has with the contractor's work.

Thereafter, Mr. Patel requested the As-built Plans for Liberty Green, which Mr. Krawczun advised he could set-up an appointment to review and receive copies if he wished.

Mr. John Sample, K. Hovanian Attorney, stated that he does not have any presentation to make to the Council, but asked if there were any questions for him regarding Mr. Patel's statement.

Mayor Powers advised that the Council has no questions at the present time as they are satisfied with the Township Engineer's decision to release the bonds in full. A brief discussion followed relative to the Maintenance Bond submission and expiration date.

There being no one else who wished to address Council, Mayor Powers closed Public Participation.

Adoption of Minutes

There were no minutes for adoption.

Introduction of Ordinances

Mayor Powers read by title an ordinance entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 1643-01, CHAPTER 10 OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE ENTITLED 'GARBAGE AND REFUSE'."

Mr. Krawczun advised that the Ordinance amends the Administrative Code by establishing a fee of \$25.00 for the pick-up of bulk waste and white goods/metals and that the bulk waste sticker will allow for a household to have up to (5) five items of up to 50 pounds each and 52 stickers a year, and that the charge for pickup will commence on October 1, 2010. A short discussion followed relative the plan of communication and operation related to the issuance and usage of the bulk waste sticker.

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

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Bostock	X						X
Mr. Kownacki	X						
Mrs. Mount	X						
Mr. Puliti	X					X	
Mayor Powers	X						

~~

Mayor Powers read by title an ordinance entitled, "REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF LAWRENCE IN THE COUNTY OF MERCER, NEW JERSEY PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF THE OUTSTANDING CALLABLE GENERAL IMPROVEMENT BONDS OF THE TOWNSHIP. DATED OCTOBER 1, 1998 ISSUED IN THE ORIGINAL PRINCIPAL AMOUNT OF \$7,500,000 APPROPRIATING \$3,200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,200,000 REFUNDING BONDS IN THE TOWNSHIP FOR FINANCING THE COST THEREOF."

Mr. Nerwinski noted for the record the Callable General Improvements Bonds are dated October 1, 1998.

Mr. Krawczun advised that the Ordinance authorizes a refunding bond for the purpose of refinancing the callable outstanding balance of an October 1998 Township borrowing and that the refunding provides not less than a 3% Net Present Value savings including the costs of issuance and must be approved by the Local Finance Board. Further, the current analysis by the underwriters predicts that savings of \$25,000 per year can be achieved with the current interest rates on the debt service of interest on this particular issuance and proceeded to discuss a similar refunding bond they did back in December 2009 and the refunded debt not being issued, as of yet.

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

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Bostock	X						X
Mr. Kownacki	X						
Mrs. Mount	X						
Mr. Puliti	X					X	
Mayor Powers	X						

~~

Mayor Powers read by title an ordinance entitled, "AN ORDINANCE ESTABLISHING A MID-BLOCK CROSSWALK ON KEEFE ROAD, TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY."

Mr. Krawczun advised that the Ordinance designates a Mid-block Crosswalk on Keefe Road that will connect the Village Park extension to the Lawrence Hopewell Trail into the Northwest County Park and that Mercer County will be installing appropriate signage, striping, crosswalk pavement markings and strobe lighting that will be activated by the pedestrian when users are biking or walking to the two connected parks which is designed to improve the safety of the bikers and pedestrians.

An at length discussion took place relative to the approval process for mid-block crosswalks and the installation and safety features associated with the new crosswalks and lighting being installed at various locations in the Township.

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

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Bostock	X						
Mr. Kownacki	X						
Mrs. Mount	X						X
Mr. Puliti	X					X	
Mayor Powers	X						

Resolutions

Resolution Nos. 224-10 (8A) thru 241-10 (8P) with the exception of Resolution Nos. 239-10 and 240-10 (Bid Awards) were approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Bostock	X					X	
Mr. Kownacki	X						
Mrs. Mount	X						
Mr. Puliti	X						X
Mayor Powers	X						

Cited Resolutions are spread in their entirety in Resolution Book Volume No. 2 of the Township of Lawrence.

Awarding or Rejecting of Bids

Mayor Powers asked for comments from the public. There being none, Mayor Powers asked for comments from Council. There being none, public participation was closed. On a motion by Mr. Puliti, seconded by Mr. Bostock the following resolution was presented for adoption:

Resolution No. 239-10

WHEREAS, on May 26, 2010, bids were received for Bid No. 10-04, Summer School Bus Transportation; and

WHEREAS, six bids were received and reviewed by the Township Manager and the lowest responsible bidder is George Dapper, Inc., 1020 Green Street, Iselin NJ 08830, who submitted a bid in the amount of \$5,443.90; 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 0-01-28-370-235 (Recreation OE);

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. 10-04, Summer School Bus Transportation, to George Dapper, Inc. in the amount of \$7,000 which also includes other trip destinations at a cost of \$58 per hour during inclement weather.

Same was carried on the following roll call vote:

Ayes: Councilmembers Bostock, Kownacki, Puliti, Mount, and Mayor Powers.

Nays: None.

~~

Mayor Powers asked for comments from the public. There being none, Mayor Powers asked for comments from Council. There being none, public participation was closed. On a motion by Mr. Puliti, seconded by Mr. Bostock the following resolution was presented for adoption:

Resolution No. 240-10

WHEREAS, on May 26, 2010, bids were received for Bid No. 10-05, Motorcoach Transportation; and

WHEREAS, four bids were received and reviewed by the Township Manager and the lowest responsible bidder is A-1 Limousine, 2 Emmons Drive, Princeton NJ 08540, who submitted a bid in the amount of \$21,202.65; 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 0-01-28-370-235 (Recreation OE);

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. 10-05, Motorcoach Transportation, to A-1 Limousine in the amount of \$21,202.65.

Same was carried on the following roll call vote:

Ayes: Councilmembers Bostock, Kownacki, Puliti, Mount, Mayor Powers

Nays: None.

Adoption of Ordinances

Mayor Powers read by title an ordinance entitled, "AN ORDINANCE AMENDING THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE TO CREATE A GREEN TEAM ADVISORY COMMITTEE"

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

Ordinance 2055-10

AN ORDINANCE AMENDING THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE TO CREATE A GREEN TEAM ADVISORY COMMITTEE

WHEREAS, the Township Council of the Township of Lawrence strives to save tax dollars, assure clean air and water, improve working and living environments to build a community that is sustainable economically, environmentally and socially; a community which would thrive well into the new century; and

WHEREAS, the Township Council of the Township of Lawrence wishes to build a model of government which benefits our residents now and far into the future with green community initiatives which are easy to replicate and affordable to implement; and

WHEREAS, solar power, changes to fleet purchasing and maintenance, water quality improvements, and operational changes will all be considered as the Township moves to do their share to lessen the environmental impact of its operations;

WHEREAS, in furtherance of those objectives, the Lawrence Township Council hereby establishes a Green Team Advisory Committee (GTAC) that's

mission is to maintain the Sustainable Jersey Certification and to advise the Township Council on ways to improve municipal operations with "Green" initiatives which are economically and environmentally sound through research and evaluation;

WHEREAS, the membership, powers and duties as follows:

Section I. Membership

The GTAC shall be comprised of one (1) non-voting ex officio member from the Lawrence Township School District and nine (9) regular members who shall serve for terms of three (3) years except that of the initial appointments three (3) members shall serve for a term of one (1) year, three (3) members shall serve for a term of two (2) years and three (3) members shall serve for a term of three (3) years. Vacancies shall be filled for the balance of unexpired terms.

Section II. Powers and Duties

- A. Collaborate through Township Manager with service providers and other governmental agencies to share resource information and ideas consistent with the Mission of the GTAC.
- B. Encourage participation through the Township Manager to solicit ideas on green initiatives.
- C. Research and analyze green initiatives which make practical environmental and financial sense.
- D. Develop strategies for sustainable green initiatives in municipal operations.

Section III. Repealer

All ordinances or parts of same inconsistent with any of the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section IV. 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 V. Effective Date

This ordinance shall become effective twenty (20) days after adoption thereof.

The Ordinance 2055-10 was adopted on the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVED	SECOND
Mr. Bostock	X						
Mr. Kownacki	X						
Mrs. Mount	X						X
Mr. Puliti	X					X	
Mayor Powers	X						

Manager’s Report –

Mr. Krawczun submitted an invoice listing for the month of May 2010 in the amount of \$1,723,162.93.

Mr. Krawczun stated that the Administration received an email communication from the Association of New Jersey Environmental Commission (ANJEC) apologizing for the denial of a Grant award that the Township submitted for a groundwater study due to the magnitude of competition.

Mr. Krawczun reported that the County plans to go out to bid for the repaving of the intersection located at Project Freedom to create new lanes and replace the flashing lights with new strobe light anchors; a new safety feature Traffic Engineers feels is more of an attention-getter to the driving public and safer for pedestrians in that area. He further advised that they plan to award the bid within the next few weeks. (Previously discussed during the mid-block crosswalk discussion)

Mr. Krawczun advised that all the EMT’s have been hired, but they had one subsequently resign, so they are now in the process of doing background checks to fill that position and hire two additional EMT’s per the requirements of the program and authorized in the 2010 municipal budget.

Mr. Krawczun reported that the Administration met with DEP last week concerning the Colonial Lake Dam and the good news is the dam is considered to be in a low hazard location. So, the consultant is now in the process of developing plans for DEP and the Township to review, after which DEP will have the opportunity to review and approve the plans that will create the elements of the specification to put the work out to bid. In addition, it will give them some indication of the amount of money they will need to implement the repairs and they anticipate it will take about one month to initiate the repairs.

Mr. Krawczun advised that the Administration received notification from NJDOT that the work for Business Route 1 from Lake Drive to just north of Carnegie Road is scheduled to begin soon and will continue until October 2010, and that it will be night work from 7:00 pm to 6:30 am and will include roadway repair, curbing, milling and resurfacing.

Mr. Krawczun distributed draft copies of the updated Sign Ordinance to the Town Council from Clarke Caton Hintz which included a cover letter from Brian Slaugh giving an overview of the ordinance and suggested that the Council review the material, as he has invited Mr. Slaugh to come to the July 6th meeting to provide a summary of the ordinance and answer any questions that the Council may have as a result of the review. Some discussion followed relative to the matter.

Attorney's Report –

Mr. Nerwinski advised that the Lawrence Township Police Department was defended in a Federal lawsuit entitled Fiorentine vs. Lawrence Township and West Windsor and he received a dismissal today, dismissing both Townships from the litigation; so it is now over and no further contribution is required from the Lawrence Township.

Clerk's Report –

Mrs. Norcia asked the Council's wishes with regards to scheduling the Planning Board interviews for July 6th prior to the Council meeting. After a brief discussion, it was the consensus of the Council to conduct the interviews one hour prior to the regular meeting to be set for 15-minute sessions.

Council Initiatives/ Liaison Reports –

Councilmember Kownacki's report:

- Mr. Kownacki had no liaison report.

Councilmember Mount's report:

- Ms. Mount had no liaison report.

Councilmember Puliti's report:

- Mr. Puliti stated with regards to the Recreation Committee the Twin Pines Airport bids were rejected, so they are now going back out to bid and will be submitting an Open Space Active Recreation Plan that will include their comments in the amendments.

Councilmember Bostock's report:

- Mr. Bostock reported that the Senior Executive Committee, Environmental Resources and the Cable Telecommunications Committee all met, but there is nothing major to report except that the Senior Executive Committee is very eager to get into their new space and very complimentary about the work that has taken place at the Center and the professionalism of all the people who did the work.

Mayor Powers stated on July 1st at 6:00 p.m. the Township will be having a ribbon cutting ceremony in celebration of the newly renovated facility.

Mayor Powers' report:

- Mayor Powers reported that the "Ask the Mayor" program was televised on one of the Verizon Fios Channels and he will update them on the channel at soon as he finds out. Also, Tour de Lawrence is scheduled for June 19th from 10:00 am to 1:00 pm at Colonial Lake Park and they will have a station where kids can get redeemable tickets for ice cream and pretzels for practicing bike safety by wearing their helmets and that Terhune Orchards will be there to support the event, as well.

Written Communications –

There were no written communications.

Old Business –

There was no old business.

New Business –

There was no new business.

There being no further business to come before this Council, the meeting adjourned.

8:30 P.M.

Respectfully submitted by,

Kathleen S. Norcia, Municipal Clerk

Attest:

Michael S. Powers, Mayor