

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

April 2, 2013

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, March 19, 2013 at 6:30 P.M.

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

At the commencement of the meeting Mayor Kownacki 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 19, 2013 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, Lewis, Maffei, Powers and Mayor Kownacki.  
Absent: None.

Also, in attendance were Richard S. Krawczun, Municipal Manager, and Michelle Lamar, Acting Municipal Attorney.

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Special Proclamations, Recognitions and Presentations

There were no proclamations or presentations.

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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

Councilwoman Lewis requested that the Agenda be amended to remove Ordinances 10-A – Ordinance Amending the Land Use Ordinance of the Township of Lawrence to Repeal Section 412A (PVD-3) and Amend the Zoning Map, and Ordinance 10-C – Ordinance Amending the Land Use Ordinance of the Township of Lawrence to Revise Sections 110 and 420 for further consideration.

On a motion by Ms. Lewis, seconded by Dr. Maffei, the Agenda was amended to include the above revisions.

Same was carried on the following roll call vote:

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

Nays: None.

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Adoption of Minutes

On a motion by Mr. Powers, seconded by Mr. Brame, the Minutes of Regular Meeting of September 4, 2012 were approved without correction.

Same was carried on the following roll call vote:

Ayes: Councilmembers Maffei, Powers and Mayor Kownacki.

Nays: None.

Abstain: Councilmembers Brame and Lewis.

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Awarding and/or Rejecting of Bids

There was no bid award.

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Introduction of Ordinances

There was no introduction of ordinances.

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Adoption of Ordinances

**ORDINANCE 10-A** - "ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWNSHIP OF LAWRENCE TO REPEAL SECTION 412A (PVD-3) AND AMEND THE ZONING MAP"

**POSTPONED FOR FURTHER CONSIDERATION**

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

Ordinance No. 2152-13

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey finds it advisable and necessary to increase its CY 2013 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Township Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$1,010,854.89 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall

be retained as an exception to final appropriation in either of the next two succeeding years;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey by a majority of the full authorized membership of this governing body affirmatively concurring that, in the CY 2013 budget year, the final appropriations of the Township of Lawrence shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$1,010,854.89 and that the CY 2013 municipal budget for the Township of Lawrence be approved and adopted in accordance with this ordinance;

BE IT FURTHER ORDAINED that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within five days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within five days after such adoption.

Ordinance 2152-13 was adopted on the following roll call vote:

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

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**ORDINANCE 10-C** - Mayor Kownacki read by title an ordinance entitled, "AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWNSHIP OF LAWRENCE TO REVISE SECTIONS 110 AND 420"

**POSTPONED FOR FURTHER CONSIDERATION**

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**Manager's Report –**

Mr. Krawczun stated a couple of meetings ago he announced that the NJDEP, through an environmental consultant, would be doing testing at the Pit Stop located on Lawrence Road and advised that the testing was delayed until this week and it is anticipated that the work will begin on April 4<sup>th</sup> or 5<sup>th</sup>.

Mr. Krawczun reported that there was a meeting last evening with the residents of Darrah Lane in regards to the repaving and the idea of creating a Complete Streets Program and that the last time the topic was discussed there was a decision to create a policy where the residents would be notified and have an opportunity to meet with officials so they could ask questions. He advised that James Parvesse, Township Engineer, held the meeting last night, letters were sent out 30 days in advance and approximately 10 residents appeared at the meeting. They had a good exchange of information and the general concern was about speed and an interest in the installation of speed humps, which they will not be able to install on Darrah Lane. They also received some feedback from the residents that some of the proposed improvements might slow down some of the traffic, as well as, a couple of striping suggestions one of which is a proposed crosswalk at Glenn Avenue and Darrah Lane which will be incorporated into the plan when the road is striped. Some discussion followed relative the start date for construction and the implementation of signage.

Mr. Krawczun stated last week the New Jersey State League of Municipalities sent out a link to a worksheet that showed what a municipality received in State Aid and what the amount was supposed to be under the law for CMPRTA and Energy Tax Receipts if they were to increase by the Implicit Price Deflator, which is a calculation used for cost of government pricing of goods and services and indicated if the formula was applied correctly the Council can see from 2001-2013 how much aid was actually received in the highlighted column, what the price deflator was, what the formula aid should have been and the deficit in each of the years from 2002-2013 which shows that Lawrence Township received \$17.8M less than what was statutorily required. So, he wanted to share the information with the Council because some of them may receive emails from the League of Municipalities and he thought they might like to see the formula completed for their own review and notification. Some discussion took place relative to the League and former councilman, Greg Puliti, being very vocal about the return of Energy Tax Receipts for property tax relief.

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**Attorney's Report –**

Ms. Lamar greeted the Council and advised that she is sitting in for Mr. Roskos and she have nothing to report.

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**Clerk's Report –**

There was no Clerk's report.

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**Old Business –**

There was no old business.

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**New Business –**

There was no new business.

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

Mr. James Cleak, 7 E. Darrah Lane, stated he would like to follow-up on the conversation that took place last night regarding Darrah Lane paving as he was one of the residents present at the meeting and proceeded to discuss the crosswalk striping proposed for Glenn Avenue and the same plan being implemented on Darrah Lane as it is a heavily traveled road with lots of folks crossing in the middle of the road which is a real safety hazard. And indicated although he has given up on the installation of speed humps on Darrah, perhaps, they can put a stop sign in at the intersection immediately passed the Senior Center (on Darrah Lane at Glenn Avenue) as it would have a twofold affect for people driving or walking across the roadway by slowing down the traffic and controlling the speed once the Complete Streets Plan is implemented. Mr. Krawczun advised that he would speak to the Township Engineer concerning the proposal.

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Resolutions

Resolution Nos. 132-13 (17-A) thru 142-13 (17-K) were approved by the following roll call vote:

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

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

Resolution No. 143-13 (17-L) was approved by the following roll call vote:

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

Cited Resolution is spread in its entirety in the Resolution Books of the Township of Lawrence.

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**Council Initiatives/Liaison Reports –**

There were no Liaison reports.

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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.

6:48 p.m.

Respectfully submitted by,

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Kathleen S. Norcia, Municipal Clerk

Attest:

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James S. Kownacki, Mayor