

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

December 1, 2009

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, December 1, 2009, at 7:00 P.M.

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

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

“Adequate notice of this meeting of the Lawrence Township Council being held on Tuesday, December 1, 2009, 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: Councilmen Bostock, Miller, Puliti, Mayor Mount.
- Absent: Councilman Powers. (The Municipal Clerk advised that Mr. Powers is out of State on business).

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

Proclamations and Honors

There were no honors or proclamations.

Review and Revisions of Agenda

The Municipal Manager advised that there is a need to amend Resolution 8X (Closed Session) on the Agenda to include discussions concerning pending litigation of tax appeals.

On a motion by Mr. Puliti, seconded by Mr. Bostock, the Agenda was amended to include the discussion.

Same was carried on the following roll call vote:

- Ayes: Councilman Bostock, Miller, Puliti, Mayor Mount.
- Nays: None.
- Absent: Councilman Powers.

Public Participation

Mr. Joseph Mislán, 4 Sunset Road, advised he has been a resident of Lawrence Township for approximately forty years and he would like to address the Council about the reduction in State aid as it relates to the municipal budget and possibly offer some suggestions as to how they could proceed in the future.

Mr. Mislán then proceeded to discuss the budget suggestions he prepared last year for the Council’s review concerning the School Board and Lawrence Township along with some of the things he feels need to be addressed at the school and township level such as – bus services, janitorial services, nursing staff, leadership, unemployment, etc. He also discussed a course of action that he took with regards to the budget that included a letter being sent to Senator Shirley Turner and Commissioner Lucille Davy which he indicated led to no change or satisfaction. A short discussion followed relative to Mr. Mislán’s comments.

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

Adoption of Minutes

On a motion by Mr. Miller, seconded by Mr. Puliti, the Minutes of the Regular Meeting of September 1, 2009 and September 15, 2009 were approved with the exclusion of the Minutes of the Regular Meeting and Closed Session of October 6, 2009.

Same was carried on the following roll call vote:

- Ayes: Councilman Bostock, Miller, Puliti, Mayor Mount.
- Nays: None.
- Absent: Councilman Powers.

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On a motion by Mr. Bostock, seconded by Mr. Puliti, the Minutes of the Regular Meeting of October 6, 2009 were approved without correction.

Same was carried on the following roll call vote:

- Ayes: Councilman Bostock, Powers, Puliti, Mayor Mount.
- Nays: None.
- Absent: Councilman Powers.
- Abstain: Councilman Miller.

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On a motion by Mr. Bostock, seconded by Mr. Puliti, the Minutes of the Closed Session Meeting of September 15, 2009, October 20, 2009 and November 5, 2009 were approved without correction.

Same was carried on the following roll call vote:

- Ayes: Councilman Bostock, Miller, Puliti, Mayor Mount.
- Nays: None.
- Absent: Councilman Powers.

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On a motion by Bostock, seconded by Mr. Puliti, the Minutes of the Closed Meeting of October 6, 2009 were approved without correction.

Same was carried on the following roll call vote:

- Ayes: Councilman Bostock, Puliti, Mayor Mount.
- Nays: None.
- Absent: Councilman Powers.
- Abstain: Councilman Miller.

Introduction of Ordinances

Mayor Mount read by title an ordinance entitled, "AN ORDINANCE AMENDING CHAPTER 13 OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE ENTITLED 'MOTOR VEHICLES AND TRAFFIC ' – Handicapped Parking "

Mr. Krawczun advised that the Ordinance amends the Administrative Code regulating “Motor Vehicles and Traffic” by deleting a handicapped parking space at 761 Puritan Avenue.

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

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVE	SECOND
Mr. Bostock	X						X
Mr. Miller	X						
Mr. Powers				X			
Mr. Puliti	X					X	
Mayor Mount	X						

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Mayor Mount read by title an ordinance entitled, “BOND ORDINANCE AMENDING BOND ORDINANCES 1638-01, 1747-03 AND 1894-06, BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, IN ORDER TO REVISE THE DESCRIPTION OF THE IMPROVEMENT HEREIN”

Mr. Krawczun advised that the Ordinance authorizes an amendment to three previously adopted capital ordinances, to reallocate funds for the purposes of adding the expansion and renovation of the Senior Center as an eligible purpose for the use of the existing bond proceeds.

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

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVE	SECOND
Mr. Bostock	X						X
Mr. Miller	X						
Mr. Powers				X			
Mr. Puliti	X					X	
Mayor Mount	X						

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Mayor Mount read by title an ordinance entitled, ORDINANCE OF THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, REAPPROPRIATING \$3,688.96 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR THE REPAIR OF COLONIAL LAKE DAM”

Mr. Krawczun advised that this Ordinance also revises two previously adopted capital ordinances for the purposes of adding the inspection and repair of the Colonial Lake Dam as an eligible purpose for the use of the existing bond proceeds.

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

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVE	SECOND
Mr. Bostock	X						X
Mr. Miller	X						
Mr. Powers				X			
Mr. Puliti	X					X	
Mayor Mount	X						

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Mayor Mount read by title an ordinance entitled, AN ORDINANCE TO VACATE, RELEASE AND EXTINGUISH ANY AND ALL DEDICATION OF PUBLIC RIGHTS IN OR TO CERTAIN PORTIONS OF TIOGA AVENUE IN THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY”

Mr. Krawczun advised that the Ordinance will vacate a small portion of Tioga Street, and once it is vacated the property will be sold to the contiguous property owners.

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

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVE	SECOND
Mr. Bostock	X						X
Mr. Miller	X						
Mr. Powers				X			
Mr. Puliti	X					X	
Mayor Mount	X						

Resolutions

A short discussion took place relative to Resolution (8O), Refunds for Payments for Ads in Permit Process Booklet; and Resolution (8L), Release of Grading Bond for Tiffany Woods.

Resolution Nos. 414-09 (8A) thru 436-09 (8X) were approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVE	SECOND
Mr. Bostock	X					X	
Mr. Miller	X						
Mr. Powers				X			
Mr. Puliti	X						X
Mayor Mount	X						

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

Awarding or Rejecting of Bids

Some discussion took place between Mr. Krawczun and Council with regards to the preliminary start date for the construction of the Senior Center Renovations project, cost estimates, funding and the final design plans.

Mayor Mount asked for comments from the public. There being none, Mayor Mount asked for comments from the Council. There being no additional comments from the Council, public participation was closed. On motion by Mr. Puliti, seconded by Mr. Bostock the following resolution was presented for adoption:

Resolution No. 437-09

WHEREAS, on Thursday, Thursday, September 17, 2009 bids were received and publicly opened for the project known as **Senior Citizen Center Renovations**; and

WHEREAS, twenty (20) bids were received and reviewed by the appropriate Township Officials; and

WHEREAS, the lowest responsible bidder was McCauley Construction Co., Inc. who submitted a bid in the amount of \$731,900, which includes the Base Bid and Alternates 1 & 2; 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-04-55-314-290 (\$131,900); C-04-55-298-265 (\$100,000); C-04-55-314-290 (\$23,997.99); C-04-55-102-296 (\$4,430.33); C-04-55-260-265 (\$94,315.60); C-04-55-286-255 (\$12,000) and a Grant (to be assigned) (\$365,950); 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 McCauley Construction Co., Inc., 1340 State Route 36, Suite 2, Hazlet NJ 07730 in the amount of \$731,900.00, which includes the base bid and alternates 1 and 2; 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: Councilman Bostock, Puliti, Mayor Mount.
Nays: None.
Absent: Councilman Powers.

Adoption of Ordinances

Mayor Mount read by title an ordinance entitled, "BOND ORDINANCE AMENDING BOND ORDINANCE 1940-07 BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, IN ORDER TO REVISE THE DESCRIPTION OF THE IMPROVEMENT HEREIN"

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

Ordinance No. 2036-09

BOND ORDINANCE AMENDING BOND ORDINANCE 1940-07
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 of Bond Ordinance 1740-07, finally adopted June 19, 2007, amended by Ordinance 1990-08 finally adopted September 16, 2008, , be and are hereby amended to add the following purposes:

Acquisition of Public Safety Equipment Consisting of: "...48 Channel Recorder...", and

Communication Equipment Consisting of: "...48 Channel Recorder..."

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 2036-09 was adopted on the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVE	SECOND
Mr. Bostock	X						X
Mr. Miller	X						
Mr. Powers				X			
Mr. Puliti	X					X	
Mayor Mount	X						

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Mayor Mount read by title an ordinance entitled, "BOND ORDINANCE AMENDING BOND ORDINANCE 1978-07 BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, IN ORDER TO REVISE THE DESCRIPTION OF THE IMPROVEMENT HEREIN"

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

Ordinance No. 2037-09

BOND ORDINANCE AMENDING BOND ORDINANCE 1978-08
 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:

- b. Section 3 (a) of Bond Ordinance 1978-08, finally adopted April 1, 2008 be and are hereby amended to add the following purposes:

Acquisition of Public Safety Equipment Consisting of: "...Nikon D90 Evidence Camera with accessories..."

Acquisition of Public Safety Equipment Consisting of: "...DPMS Tactical weapons with accessories..."

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 2037-09 was adopted on the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVE	SECOND
Mr. Bostock	X					X	
Mr. Miller	X						
Mr. Powers				X			
Mr. Puliti	X						X
Mayor Mount	X						

Manager's Report –

Mr. Krawczun submitted the Monthly Investment Report for August, September and October 2009.

Mr. Krawczun reported that the Administration is moving closer to the bidding process for the work project at the Twin Pines Airport Athletic Facility. And, so far, they have received approvals from the Mercer County Planning Board and Delaware Raritan Canal Commission. But, the DEP General Permits on wetlands are still pending.

Mr. Krawczun also reported that the Construction documents are complete with various rounds of provisions and they are now looking into the possibility of entering into a Co-op Agreement with Middlesex County which will permit Hopewell to purchase their turf or artificial surface for the installation on their fields. But, he advised there is a question pending before the Division of Local Government Services as to whether or not the contract will allow the site work to be included as part of that agreement.

Mr. Krawczun further advised that there is a meeting scheduled for next week to review the matter where the DLGS will rule or provide them with an opinion as to whether the contract can be utilized for that purpose and proceeded to discuss the next phase of the project as it relates to the bidding process for the site work.

Attorney’s Report –

There was no Attorney’s report.

Clerk’s Report –

There was no Clerk’s report.

Written Communications –

There was no written communications.

Old Business –

Mayor Mount distributed a booklet that was passed out at a League of Municipalities event honoring towns that have received their Sustainable New Jersey Certification and advised that Lawrence Township was one of the 32 towns who managed to get all the necessary paperwork in and achieved that certification which is a huge accomplishment for the Township, as there were 250 other towns registered who are still trying to achieve their certifications by exploring more sustainable practices within their communities.

Mayor Mounted further advised that the event was very well attended, and that the Township felt very honored to take part in such an event. However, this is only the beginning because the Sustainable New Jersey Certification is an ongoing process that the Green Team plans to carry on, so that they continue to improve the quality of life and the way things are done in Lawrence Township with respect sustainable practices. In closing, she thanked everybody who has taken part in helping to make Lawrence Township a sustainable "green" community.

New Business –

Mr. Puliti advised that the Holiday Tree Lighting is scheduled to take place at Town Hall on Sunday, December 13th at 6:00 p.m., and that The Presbyterian Church of Lawrenceville is tentatively planning to have a ceremony for the Revolutionary War Veterans on December 11th.

Mayor Mount further advised that the Lawrence Township band will have a Holiday Concert at the Senior Center on December 10th which is always a nice community event to attend.

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

7:45 P.M.

Respectfully submitted by,

Kathleen S. Norcia, Municipal Clerk

Attest:

Pamela H. Mount, Mayor