

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

December 15, 2009

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, December 15, 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 15, 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, Powers, Puliti, Mayor Mount.  
Absent: None.

Also, in attendance were Richard S. Krawczun, Municipal Manager, and John Dember, Acting Municipal Attorney.

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Proclamations and Honors

**A. Presentation by the Lawrence Township Republican Club to Councilmember Richard Miller**

Mr. Falk Engel, a representative for the Lawrence Township Republican Party, stated he would like to say a few words on behalf of the Republican Party and the people of Lawrence Township who have been constituents' and supporters of Mr. Miller during his 16-years on Township Council and proceeded to discuss a French author, Alexis de Tocqueville who wrote a book to the Europeans about his visit to America and his view as to how the country has succeeded thus far which he attributed to the remarkable and persistent commitment Americans' have to public service.

In closing, Mr. Engel thanked Mr. Miller on behalf of all the people of Lawrence for his 16-years of dedicated public service and in recognition of his service to the community he presented him with a plaque from the Lawrence Township Republican Club/Republican Party and proceeded to read the following Award into record:

*Recognition Award  
Presented to  
Rick Miller  
by the Lawrence Township Republican Party  
in appreciation for 16-years of dedicated service  
Lawrence Township Council,  
January 1, 1994 to December 31, 2009  
Congratulations to you!*

Mr. Miller thanked the Republican Club for the beautiful plaque he received and advised that he served on Lawrence Township Council for 16-years as many may already know and prior to that he served on many Boards and Committees. Further, he was just 30-years old when he was first elected to Council back in 1993, and at that time he thought he would serve on Council for a few years then move on and focus more on his business and personal life. But, he never thought he would serve Lawrence Township for this long.

Mr. Miller indicated what kept him going for so long was the values his parents (Bob and Gladys Miller) instilled in him with respect to public service, as they taught him and his siblings to get involved and take pride in the community in which they live... something he feels they have done. And, advised that he has seen the Township change and grow over the years and he is glad to be a part of that process.

Mr. Miller further stated he believes he stayed true to his values of integrity, honesty and being forthright with the citizens of Lawrence along with the platform he first campaigned on of preserving open space, having a common sense approach when making decisions in governing and fiscal responsibilities; an area he feels he has expanded on with respect to bringing openness to Lawrence Township government. And, while not everyone has agreed with him over the years he believes in his heart that he made the right decisions for the Township and stayed true to those values and platform.

In closing, Mr. Miller advised there are a lot of people present this evening and some who will be joining him later who has believed in him from the very beginning and who has supported him throughout the years which is truly gratifying and he is truly grateful for everyone who came out tonight in support of him. He then thanked everyone for their kind and warm words.

Mr. Bostock thanked the Mayor and Council for allowing him to present the plaque on behalf of the Lawrence Township Council to Mr. Miller and proceeded to read the Award into record:

*Presented to  
Richard J. Miller  
The deep appreciation for dedicating  
4-years of serving the residents of  
Lawrence Township as  
Councilmember 2006 to 2009*

Mr. Bostock stated the past two years he has had the opportunity to serve with Mr. Miller has been an extraordinary experience because not only has Mr. Miller been a colleague, but he has also been a friend and a mentor. In addition, he has an incredible wealth of knowledge about the town having spent his entire life here, to include his attending Rider College.

Mr. Bostock further stated that Mr. Miller has a real love for the community that transcends any political ambitions, as he has spent most of his years on Council as the minority and proceeded to discuss Mr. Miller's commitment and dedication to the Township and his being an example and a role model for him and others who serve in public service, as well as, what he has learned from him with regards to putting the interest of the public first and political ambitions second. In closing, Mr. Bostock wished Mr. Miller the best of luck for the future and thanked him for his friendship and being such a great colleague.

Mayor Mount stated on behalf of the Council they deeply appreciate all of his service to Lawrence Township and wished him success in his future endeavors.

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### **Presentation by Freeholder Pasquale Colavita**

Mr. Colavita greeted everyone and indicated how beautiful Town Hall looked and how good it felt to be back visiting and proceeded to discuss the Certificate of Appreciation that he would be presenting on behalf of the Board of Chosen Freeholders to St. Lawrence Rehabilitation Center for their compassionate, caring, loving ways and on their mission of healing and prevention throughout the community.

Mr. Colavita further discussed a charity care program (Safe Kids) that Jane Milner, an employee of St. Lawrence, has beautifully sponsored since 1999 and proceeded to read the Certificate of Appreciation to the public. Additionally, he discussed the Annual Bike Rodeo sponsored by St. Lawrence and the new

safety initiatives and program called “think positive” that St. Lawrence is initiating with the Lawrence Township Police Department in which kids get rewarded with redeemable tickets for food and drinks at local businesses for practicing safe techniques by wearing their helmets while riding their bikes or skate boards.

In closing, Mr. Colavita congratulated St. Lawrence Rehabilitation Center for the excellent work they have provided to the community and introduced the chair and vice-chair of the Charity Foundation Board of St. Lawrence/Morris Hall who in turn took the floor and made a few remarks regarding their mission to prevent injuries and educate the community on safe practices, especially the children. Afterwards, they presented the Township with a donation of \$1,000 to be used toward the Safety Town Program which they feel is a wonderful worthwhile program.

Mr. Steve Groeger, Superintendent of Recreation, thanked the Charity Foundation for the wonderful donation and advised that it would be put to good use, as the Recreation Department works very closely with Jane Milner on a number of projects such as the “Walking School Bus” and “Safety Town”.

Mr. Colavita also presented Ms. Jane Milner with a Certificate of Appreciation from the Board of Chosen Freeholders and citizens of Mercer County for being a community leader, humanitarian and a positive role model and proceeded to read a quote written by the author Leo Rosten regarding the purpose of life.

Thereafter, he provided a brief background history with regards to Ms. Milner’s career and strong dedication to helping people which is reflected by the numerous causes she has been involved with that has help to raise thousands of dollars for charity care and advised that next October will be their ninth year, and to date they have raised \$800,000 and returned it to St. Lawrence specifically for charity care which he thinks is a milestone for all of them.

In closing, Mr. Colavita congratulated Ms. Milner for her great service and asked the Council to convey a special thank you to the Chief of Police and his department for their continuing support.

Ms. Milner stated she is touched and honored by the recognition and she shares it with all the people from St. Lawrence, Morris Hall, Lawrence Township Police Department, Council and everyone else who has supported the mission, and that she is just very happy to be a part of the community and do what she can to help.

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Mayor Mount thanked Mr. Rose for his many years of service on the Cable Telecommunication Advisory Committee and proceeded to read the following Resolution for the record honoring Mr. Rose's contributions:

*Resolution*

*WHEREAS, the quality and character of a community is often best measured by the commitment of its volunteers; and*

*WHEREAS, Lawrence Township was most fortunate to have among its citizens, Stanley Rose, a resident who since 1987 has served tirelessly on the Cable Telecommunications Advisory Committee; and*

*WHEREAS, Mr. Rose saw the development of television broadcasting grow from a mere possibility of 36 channels to the seemingly limitless choices of today; and*

*WHEREAS, in 1991 Stan stepped up his membership to serve as Chair of what was then known as the 'Cable TV Advisory Committee'; and*

*WHEREAS, during Stan's tenure as Chair two surveys were conducted to ascertain the satisfactory level amongst the subscribers; a vital decision was made to provide the local channel WZBN; Comcast proposed an upgrade to fiber-based 750 MHz system; a \$50,000 contribution was made to Lawrence High School to provide equipment for a studio; public hearings were held relative to franchising agreements; and the introduction of cable internet service took place; and*

*WHEREAS, in 1999 even though Mr. Rose turned over the duties of Chairing the Committee to Bernie Lechner, his dedication and steadfast resolve to improve the quality of television and related services to the Township never waived; and*

*WHEREAS, in keeping with the ever-increasing services provided by cable television providers, the name of the Committee was changed to the Cable Telecommunications Advisory Committee; and*

*WHEREAS, Stan went on to participate with fellow committee members to ensure that internet installations were completed in public locations such as schools, the Library, Town Hall, and the three volunteer fire companies and additionally 'rose' to the occasion and made a house call to the home of a Lawrence Township senior citizen to personally assist with the technicalities of transitioning to digital television;*

*NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey that it hereby recognizes the many contributions that Mr. Stanley Rose has made to the residents of Lawrence Township and extends its most heartfelt appreciation to Stan and wishes him all the best in his retirement and continued success wherever his future endeavors may lead him.*

Mr. Rose thanked the Mayor and Council for the nice honor and indicated it was never his intentions to receive any kind of recognition for his service. But, as a resident for 35-years he felt it was important to do some type of service for the community, and he chose to volunteer his services to the Cable TV Advisory Committee. And, advised that he has enjoyed his many years of service on the Committee and he will certainly share a tear and miss the camaraderie he has developed over the years.

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Mr. Powers stated the Council has a tradition as well and after honoring two longtime public service members they are going to honor another veteran, Mrs. Pamela Mount, who is completing her third term of service as Mayor and having served as Mayor in 2006 he understands the tremendous amount of responsibility and time commitment that is involved in being the mayor and proceeded to discuss some of the things she advocated for during her Mayor ship – such as open space and sustainability.

In closing, Mr. Powers presented Mayor Mount with a plaque and thanked her for leading Lawrence Township in achieving the Certification for Sustainable Jersey (1 out of 32 municipalities) and for all her 'great' service throughout the years.

Mayor Mount thanked all the residents of Lawrence for their commitment and hard work and the Council for the dedicate and the honor and indicated that a lot of things that the Township has been working on for many years have come to fruition this year and proceeded to elaborate in detail on the various accomplishments.

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### Review and Revisions of Agenda

The Municipal Manager advised that there is a need to amend the Agenda to include Resolution (8U), Authorizing Change Order #1 with E.O. Habegger and Resolution (8V) Authorizing Sale of Personal Property and to amend Resolution (8S) Closed Session, to include discussions concerning land acquisition.

On a motion by Mrs. Mount, seconded by Mr. Puliti, the Agenda was amended to include the Resolutions (8U & 8V) and amend Resolution (8S).

Same was carried on the following roll call vote:

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

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### Public Participation

There was no public participation.

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### Adoption of Minutes

On a motion by Mr. Bostock, seconded by Mr. Puliti, the Minutes of the Regular Meeting of October 20, 2009 were approved without corrections.

Same was carried on the following roll call vote:

Ayes: Councilman Bostock, Miller, Puliti, Mayor Mount.

Abstain: Councilman Powers.

Nays: None.

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On a motion by Mr. Bostock, seconded by Mr. Puliti, the Minutes of the Closed Session Meeting of December 1, 2009 were approved without correction.

Same was carried on the following roll call vote:

Ayes: Councilman Bostock, Miller, Puliti, Mayor Mount.

Abstain: Councilman Powers.

Nays: None.

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### Introduction of Ordinances

There was no introduction of ordinances.

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### Resolutions

Some discussion took place relative to Resolution (8Q), Authorizing Award Request for Proposals – Aggregated Energy Purchase Contracting Service for Electricity and Natural Gas for a One Year Period.

Resolution Nos. 438-09 (8A) thru 456-09 (8U) with the exception of Resolution (8D) and Resolution (8Q) 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						X
Mr. Puliti	X						
Mayor Mount	X						

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

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Resolution No. 441-09 (8D) was approved by the following roll call vote:

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

Cited Resolution is spread in its entirety in Resolution Book Volume No. 2 of the Township of Lawrence.

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Resolution No. 454-09 (8Q) was 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 Resolution is spread in its entirety in Resolution Book Volume No. 2 of the Township of Lawrence.

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#### Awarding or Rejecting of Bids

There was no award of bids.

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#### Adoption 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'"



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. 2038- 09

AN ORDINANCE AMENDING CHAPTER 13 OF THE  
LAWRENCE TOWNSHIP ADMINISTRATIVE CODE  
ENTITLED 'MOTOR VEHICLES AND TRAFFIC'

BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that Chapter 13 of The Lawrence Township Administrative Code entitled 'Motor Vehicles and Traffic' be and is hereby amended as follows:

Section 1. Article II – Stopping, Standing and Parking

Sec. 13-4 – Parking prohibited – At any time, except by vehicles bearing special identification for handicapped persons.

(5) Special Vehicle Parking (Handicapped)

Restricted parking spaces shall be established as set forth below and only those persons who are handicapped and who possess a special vehicle identification shall park in such designated parking space.

- a. 64 feet eastbound from the prolonged curb line of Brunswick Pike and Valley Forge Avenue (S/E corner) for a distance of 22 feet on Valley Forge Avenue on the south side of 1894 Brunswick Pike.
- b. 138 feet eastbound from the prolonged curb line of Brunswick Pike and Pear Street (N/E corner) for a distance of 22 feet in front of 766 Pear Street.
- c. 340 feet eastbound from the prolonged curb line of Rt. 206 (Lawrence Road) and Fairfield Avenue (S/E corner) for a distance of 22 feet in front of 81 Fairfield Avenue.
- d. 165 feet westbound from the prolonged curb line of Brunswick Avenue and Vermont Street (S/W corner) for a distance of 22' in front of 11 Vermont Street.
- e. 285 feet eastbound from the prolonged curb line of Princeton Avenue and Myrtle Avenue (S/E corner) for a distance of 22 feet in front of 55 Myrtle Avenue.

- f. 180 feet westbound from the prolonged curb line of Hopewell Avenue and Slack Avenue (S/W corner) for a distance of 22 feet in front of 115 Slack Avenue.
- g. 155 feet southbound from the prolonged curb line of the driveway belonging to West Gate apartments (S/W corner) on Princeton Pike for a distance of 22 feet in front of 2099 Princeton Pike.
- h. 263 feet eastbound from the prolonged curb line of Princeton Avenue and Myrtle Avenue (S/E corner) for a distance of 22 feet, in front of 57 Myrtle Avenue.
- [i. 128 feet eastbound from the prolonged curb line of Brunswick Avenue and Puritan Avenue (S/E corner) for a distance of 22 feet, in front of 761 Puritan Avenue.]
- j. 358 feet westbound from the prolonged curb line of Brunswick Avenue and Spruce Street (N/W corner) for a distance of 22 feet, in front of 860/862\_Spruce Street.
- k. 570 feet eastbound from the prolonged curb line of Lanning Avenue and Princeton Avenue for a distance of 22 feet in front of 933 Lanning Avenue.
- l. 335 feet eastbound from the prolonged curb line of Slack Avenue and Princeton Pike (S/E corner) for a distance of 22 feet in front of 135 Slack Avenue.
- m. 370 feet westbound from the prolonged curb line of Lawrence Road and Titus Avenue (N/W corner) for a distance of 22 feet in front of 14 Titus Avenue.
- n. 297 feet eastbound from the prolonged curb line of Brunswick Avenue and Puritan Avenue (S/E corner) for a distance of 22 feet in front of 749 Puritan Avenue
- o. 346 feet eastbound from the prolonged curb line of Brunswick Avenue and Puritan Avenue (N/E corner) for a distance of 22 feet in front of 750 Puritan Avenue
- p. 204 feet westbound from the prolonged curb line of Ohio Avenue and Puritan Avenue (N/W corner) for a distance of 22 feet in front of 716 Puritan Avenue

q. 463 feet eastbound from the prolonged curb line of Princeton Avenue and Myrtle Avenue (S/E corner) for a distance of 22 feet in front of 35 Myrtle Avenue

Section 2. This ordinance supercedes all previous ordinances that relate to the designation of handicapped parking on streets and roadways within the Township of Lawrence.

Section 3. Severability.

If any provisions of this ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining provisions, which shall be deemed severable therefrom.

Section 4. Repealer.

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

Section 5. Effective Date.

This ordinance shall become effective twenty (20) days following the adoption thereof in accordance with law.

Additions are underlined         
 Deletions are bracketed [    ]

The Ordinance 2038-09 was adopted on the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVE	SECOND
Mr. Bostock	X						
Mr. Miller	X						
Mr. Powers	X					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 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"

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. 2039-09

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

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 1638-01, finally adopted January 16, 2001, be and are hereby amended to add the following purposes:

Improvements of Municipal Buildings: "Senior Center Expansion";  
and

Section 3 of Bond Ordinance 1747-03, finally adopted May 6, 2003, amended by Ordinance 1765-03 finally adopted October 7, 2003, amended by Ordinance 1995-08 finally adopted December 2, 2008, be and are hereby amended to add the following purposes:

Various Capital Improvements, Acquisition of Various Computer and Office Equipment: "Senior Center Expansion"

Section 3 of Bond Ordinance 1894-06, finally adopted June 7, 2006, amended by Ordinance 1913-06 finally adopted December 19, 2006 be and are hereby amended to add the following purposes:

Improvements of Municipal Buildings: "Senior Center Expansion"

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 2039-09 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					X	
Mr. Puliti	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 \$3,668.96 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR THE REPAIR OF COLONIAL LAKE DAM"

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. 2040-09

ORDINANCE OF THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, REAPPROPRIATING \$3,668.95 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR THE REPAIR OF COLONIAL LAKE DAM

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: Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$3,668.95 of the proceeds of obligations originally made available pursuant to the following bond ordinances of the Township of Lawrence, in the County of Mercer, New Jersey (the "Township") are no longer necessary for the various purposes for which the obligations previously were authorized:

Ordinance Number	Improvement Description and Date of Adoption	Amount to be Reappropriated
1488-97, Amended by 1533-98, Amended by 1654-01, Amended by 1696-02	Dredging Colonial Lake, finally adopted April 16, 1997, May 19, 1998, June 5, 2110, April 17, 2002 respectively	\$2,942.25
1537-98	Dredging and Construction of a Sedimentation Sump for Colonial Lake	\$726.70

Section 2: The \$3,668.95 described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 is hereby reappropriated to provide for the repair of Colonial Lake Dam.

Section 3: The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

The Ordinance 2040-09 was adopted on the following roll call vote:

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

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. 2041- 09

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

WHEREAS, there exists certain tax map pages number 23.01, whereon is shown a paper street named Tioga Avenue; and

WHEREAS, the Township has received a request to vacate this right-of-way; and

WHEREAS, the Township notified all abutting property owners of the intention of said vacation; and

WHEREAS, the Township Engineer notified all utility companies and Township departments of the intention of said vacation and received no comments; and

WHEREAS, the Township, pursuant to N.J.S.A. 40:67-1(b), expressly reserves and excepts from vacation all rights and privileges which may be possessed by a public utility or any cable television company in the right-of-way to be vacated; and

WHEREAS, the Township Council of the Township of Lawrence has determined that the public interest will be best served by vacating this portion of said roadway releasing and extinguishing the public rights in and to such vacation; and

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that:

I. Any and all public rights be and the same are hereby vacated, released and extinguished in and to all or any portion of Tioga Avenue, particularly described in Section II of this Ordinance.

II. The tract of land within the rights of the public in and to the aforesaid are hereby vacated, released and extinguished, is more particularly described in "Description of a Portion of Tioga Avenue to be vacated by Lawrence Township Mercer County, New Jersey". Description prepared by Harris Surveying, Inc., Thomas A. Harris,

PLS, #16205, dated November 18, 2009 and attached hereto as Schedule "A".

III. The tract of land to be conveyed to Lots 1 - 5 in Block 2322 is more particularly described in "Description of Parcel A Block 2322 in Lawrence Township, Mercer County, New Jersey". Description prepared by Harris Surveying, Inc., Thomas A. Harris, PLS, #16205, dated September 18, 2009 and attached hereto as Schedule "B".

IV. The tract of land to be conveyed to Lots 17 - 20 in Block 2322 is more particularly described in "Description of a portion of Parcel B Block 2322 in Lawrence Township, Mercer County, New Jersey". Description prepared by Harris Surveying, Inc., Thomas A. Harris, PLS, #16205, dated September 18, 2009 and attached hereto as Schedule "C".

**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.

Severability

If any section, paragraph, sentence, clause or phrase of this ordinance shall be declared invalid for any reason, the remaining portions of this ordinance shall not be affected thereby and shall remain in full force and effect.

Notification

Immediately upon adoption of this ordinance, the Municipal Clerk shall file a copy of this ordinance with the Mercer County Clerk as required by law.

Effective Date

This ordinance shall take effect twenty (20) days after final adoption thereof.

The Ordinance 2041-09 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					X	
Mr. Puliti	X						
Mayor Mount	X						



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### **Manager's Report –**

Mr. Krawczun submitted an invoice listing for the month of **October 2009** in the amount of \$1,778,877.93, and **November 2009** in the amount of \$1,210,947.13.

Mr. Krawczun distributed copies of the Budget Variations Report to the Council for 2009 to 2010 that highlighted the totals for both the Appropriation Change and the Revenue Changes in the budget and advised that the document is usually submitted to the Council in January with the Municipal Budget Recommendation, but given the economic situation he felt it would be more appropriate to provide them with a copy early so that they would have sufficient time to review the items and possibly offer some suggestions prior to the budget hearings.

Mr. Krawczun proceeded with an in-depth review of each item listed on the budget report as it relates to some of the challenges they will face in the following years budget. In addition, he discussed the "CAP" Bank rate and asked for the Council's consideration with respect to adopting a "CAP" Bank ordinance that would exceed the municipal budget appropriation limits and percentage rate and provide him more latitude when preparing the 2010 Municipal Budget.

Afterwards, some dialogue took place relative to the "CAP" Bank appropriations, the 4% "CAP" on the tax levy, tax sales and appeals and how the reduction of State Aid and increase in benefits, pensions and wages will impact the 2010 Municipal Budget.

Mr. Krawczun reported on December 2<sup>nd</sup> Jim Parvesse, Township Engineer, Mayor Mount and he attended a meeting at the Mercer County Administration Building where the Michael Baker Group was hired to work with NJDOT and Mercer County to conduct a study of a possible bike route for a shared road on Route 546 that will begin at the entrance of Washington-Crossing State Park to the Johnson Trolley Line on Lawrenceville-Pennington Road here in Lawrence and proceeded to discuss in detail the "theme" surrounding the plan which is to promote safe bicycling and to develop a long-term plan that will encourage more users of a bikeway network.

Mr. Krawczun further reported that he requested Mr. Parvesse assistance with the submission of a Problem Statement to NJDOT for the curbing at the intersection of Route 206 and Eggert Crossing Road, to help improve safety in that area for students and those who use the athletic facilities.

Mr. Krawczun advised that the bid for the remediation of the Dyson Tract was advertised and the deadline date for the receipt of bids is January 7, 2010 at 11:00 a.m. And, so far, ten companies have requested information concerning the bid specification. There will a pre-bid conference on December 22<sup>nd</sup> and they expect to award the bid at the January 19<sup>th</sup> meeting pending the Governing Body's approval. A short discussion followed relative to the distribution of Grant funds for the remediation project.

Mr. Krawczun reported that there will be a meeting on Thursday, December 17<sup>th</sup> at 7:00 p.m. at the Lawrenceville Fire Company and the graduate students from the Bronstein School in cooperation with Greater Eldridge Park Neighborhood Association (GEPNA) will be presenting there final work on the study of the Eldridge Park area.

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**Attorney's Report –**

There was no Attorney's report.

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**Clerk's Report –**

There was no Clerk's report.

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**Council Initiatives/ Liaison Reports –**

Councilman Miller's report:

Mr. Miller reported they are looking for an honorary Grand Marshall for the Veterans Memorial ceremony and is hoping to secure a mother of soldier who is serving in the Middle East, to try and do something a little different next year. Also, the Health Advisory Committee met, but he has no business to report being he was unable to attend.

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Councilman Powers' report:

Mr. Powers reported that the Growth & Redevelopment Committee met and they are working on their goals for 2010, and John Connolly is working with some architectural interns who are working with the businesses in the redevelopment zone area of Brunswick Pike.

Mr. Powers further reported that the Committee managed to obtain Mordechai Rozanski, President of Rider University to be the keynote speaker for next years Business Award Ceremony taking place in October.

Mr. Powers stated that the Planning Board met and they received a wonderful application from Rider University to build a new academic building and add an addition to the theater that would enable them to enhance the Broadway caliber of their theater productions and enlarge the stage areas. And, Clarke, Caton and Hintz are continuing their work on the Sustainability Element of the Master Plan.

Mr. Powers reported that Mayor Mount and he attended the GEPNA meeting and the Association has a lot of good things in the works, to include a Youth Program where they got Willis Greenhouse to donate funds to help relieve some of the program cost. In addition, they solicited 15 out of 17 businesses to participate in the programs by giving presentations on the nature of their business. And, because they are doing such a great job in that area for the children the Township is hoping to have a ribbon cutting ceremony in support of their efforts and to recognize all the improvements they have made in the vicinity.

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Councilman Puliti's report:

Mr. Puliti reported that the Public Safety Committee did not meet and he has no business to report for the Recreation Advisory Committee.

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Councilman Bostock's report:

Mr. Bostock reported that he was unable to attend the Environmental Resources Committee, as he was attending a Financial Aid Seminar with his son who is a senior in high school and the Affordable Housing Board is scheduled to meet Thursday night. And, the Cable Telecommunication Advisory Committee did not meet in December, but will resume meeting in January.

Mr. Bostock echoed earlier comments with respect to the continuing work on the sustainability project and advised that their first public meeting is scheduled for February 23, 2010 to explain the task at hand and encouraged all to attend.

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Mayor's Mount report:

Mayor Mount reported on the following items:

- 1) Mayor Mount reported that the Census Count Committee is continuing their work with respect to the count and educating the community on the importance of the 2010 Census and how it will affect the community in terms of funding.
- 2) Mayor Mount reported that the Township is working with the community and the schools on a "Relay for Life" fundraiser for cancer research which is scheduled for May 21<sup>st</sup> and will include family activities, food and an all night walk to help raise funds.
- 3) Mayor Mount reported that the Township and the County is working very hard with NJDOT to correct the traffic problem at Princeton Pike and Route 206. And, to help prevent tragic incidents such as the one that happened to a resident of Project Freedom DOT has agreed to work on the engineering at the corner of Princeton Avenue and Route 206. A short discussion followed relative to other planned projects for that intersection and general area.
- 4) Mayor Mount advised that the Mayors of the towns along the Route 1 Corridor such as the two Princeton's, Plainsboro, West Windsor, etc. meet on a regular basis to discuss things that need to be done along Route 1 – such as new buses stops and buses, more bus routes and frequent service to those stops which would help reduce the wait time for riders and proceeded to briefly discuss a few more projects they hope to get funded by DOT.

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**Written Communications –**

There was no written communications.

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**Old Business –**

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**New Business –**

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

8:43 P.M.

Respectfully submitted by,

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Kathleen S. Norcia, Municipal Clerk

Attest:

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Pamela H. Mount, Mayor