

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

February 3, 2009

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, February 3, 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, February 3, 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 Kevin Nerwinski, Esq., Municipal Attorney.

Proclamations and Honors

There were no proclamations or honors.

Review and Revisions of Agenda

There were no revisions to the agenda.

Public Participation

Ms. Diane Kniefel, 16 Burning Tree Lane, stated she would like to address some budget issues and cutbacks with the Council, as well as the employment requirements for Lawrence Township employees and asked whether or not employees are required to live in the Township, and if not - why?

Mr. Krawczun advised there are a number of employees that work for the Township and live in Lawrence, but the only employees required by ordinance to live in the Township are the Municipal Manager and police officers at the time of hire.

Mr. Krawczun further advised the municipalities in the State of New Jersey that require employees to reside in the same town in which they work have established residency ordinances, a requirement that Lawrence Township has not established.

Ms. Kniefel asked if Lawrence Township would consider establishing a residency ordinance mandating that employees be a resident of the Township, because she feels they would be more dedicated?

Mr. Krawczun stated residency requirements are a matter of policy and at the present time he could not answer whether or not the Governing Body would be inclined to entertain or implement such a policy.

Mayor Mount advised that the Council would have to review the issue and see if adopting the policy would really make a difference, as they have many employees that come from a working family of two and live in the neighboring towns. Furthermore, there has never been a situation to her knowledge in which an employee who lives outside of the Township was found to be less dedicated than those who live in the Township.

Some discussion followed relative to employees retiring and receiving pension benefits from the State and subsequently moving away because of the high cost of living in New Jersey. There was some additional dialogue relative to police presence and crime prevention, the budget and the amount of time that is spent patrolling the Township.

Mr. Krawczun also provided some clarification on the meeting that he had with representatives of the bargaining units who were asked to reopen their existing bargaining agreements to assist with the budget deficit, and advised that the Unions were unwilling to open their labor contracts but offered a number of cost-saving suggestions to help offset the budget.

Mayor Mount invited Ms. Kneifel to attend the upcoming departmental budget presentations that will soon be scheduled and advised if she still feels the need to discuss her concerns, to please feel free to contact either her or Mr. Krawczun for further conference.

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

Adoption of Minutes

There were no Minutes for adoption.

Introduction of Ordinances

There was no introduction of ordinances.

Resolutions

Resolution Nos. 77-09 (8A) thru 89-09 (8O)) were approved by the following roll call vote: (Note: Resolution No. 84-09 (8H) was **tabled** and 85-09 (8I) was voted on separately)

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.

After the roll call vote, Mayor Mount asked Mr. Krawczun to provide a brief explanation on the following resolutions for the public.

Mr. Krawczun stated that Resolution 8F is a Grant that the Township is applying for from the State of New Jersey, Division of Highway Traffic Safety that will provide funding to the Lawrence Township Police Department to pay officers for special duty assignments to help enforce the new Cell Phone Crackdown law and indicated that the program is similar to the Click It or Ticket for Drunk Driving programs which are all designed to promote safety in the community at no cost to the taxpayers.

Mr. Krawczun proceeded to discuss Resolution 8K another Grant that the Township has applied for that is funded by the New Jersey Division of Alcoholic Beverage Control for a project entitled the Lawrence Township Police Department Cops in Shop Program which will allow police officers to work undercover with the Division of ABC personnel to help enforce underage drinking laws.

Mr. Krawczun advised that the Township would also be receiving additional funding from the State that will occur through the budget for their efforts of highway enforcement on Route 1.

Mayor Mount stated that Lawrence Township is very aggressive in trying to bring in grants and other ways to cover expenses to help keep property taxes down.

Mr. Krawczun continued with his review of Resolution 8J regarding a program that the NJ Board of Public Utilities has put together that will allow municipalities to apply for funding and participate in an Energy Audit Program. He advised that 75% of the audit cost will be funded by the BPU and that the auditing companies are pre-approved by a subcontractor of the BPU.

Mr. Krawczun advised once the audit report is completed and they implement any of the recommendations detailed in the audit they can then file for reimbursement of the 25% percent that is required by the Township to participate.

Mr. Krawczun further advised that the Senior Center, Department of Public Works and the three fire companies are the buildings chosen to participate in the audit. A brief discussion followed relative to buildings chosen for the audit and the benefits of participating in the program.

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Mr. Bostock made a motion to table Resolution 8H as he would like for Mr. Krawczun to provide the Council with some additional information relative to Judge Catanese's attendance last year on the bench and indicated there were 292 court sessions scheduled and Judge Catanese was not in attendance for 78 of those session which is an average of one out of every four sessions, something he finds a little surprising since they only have court 2 ½ days a week.

Mr. Bostock stated as a result of those absences the Township paid a total of \$19, 500 to other judges to cover the bench. So, he feels it would be a good idea to table this resolution to allow Judge Catanese time enough to give the Council an explanation regarding all those absences.

Mr. Nerwinski stated that he was a prosecutor for Lawrence Township Court for six years and pretty much knows the Court's process and indicated that Judge Catanese had 27 special trial sessions and 14 special DWI sessions which are in addition to regular sessions and are required to be paid over and above regular whether or not it is Judge Catanese or another judge presiding. So, even if Judge Catanese were present at those 41 sessions, he would have been paid in any case because they are extra sessions.

Mr. Nerwinski further stated it is his belief that there are approximately five to six sessions a week that are 3.5 hours long. So, if you total those sessions and the Judge's three weeks of vacation, that covers about 18 more sessions. In addition, Judge Catanese is the Presiding Judge for the District and is required to attend a mandatory conference once a month with the State and other presiding judges, which covers another 12 sessions. So, just by briefly reviewing that information much of the Judge's time is explanatory.

After a lengthy discussion relative to the Judge's salary, vacation days, court sessions and additional information being submitted to the Council regarding fill-ins for the Judge, the resolution was tabled.

Resolution No. 84-09 (8-H) was tabled 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.

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Mr. Krawczun provided an in-depth review of City of Trenton Water Works sale and the execution of the Stipulation of the Settlement of the Joint Petition that was filed and granted to the Townships of Lawrence, Ewing, Hopewell and Hamilton.

A lengthy conversation took place relative to Mr. Krawczun's review of the sale of Trenton Water Works and NJ American Water taking over the system assets as well as the approval of the proposed settlement.

Mr. Puliti advised that he would be abstaining from the vote on Resolution 8-I relative to the City of Trenton Water sale and Stipulation Settlement as he was not present for the meetings concerning the sale.

Resolution No. 85-09 (8-I) was approved by 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						

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

Awarding or Rejecting of Bids

There were no award or rejection of bids.

Adoption of Ordinances

Mayor Mount read by title an ordinance entitled, "AN ORDINANCE AMENDING CHAPTER 6A, 'FEES: THE CONSOLIDATED LICENSE, PERMIT AND FEE CHAPTER' OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE " – Animal Trap Fee

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. 1999-09

AN ORDINANCE AMENDING CHAPTER 6A, 'FEES: THE CONSOLIDATED LICENSE, PERMIT AND FEE CHAPTER' OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE

Section 1.

BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey that Chapter 6A entitled 'Fees: The Consolidated License, Permit and Fee Chapter' of the Lawrence Township Administrative Code be and is hereby amended as follows:

Section 6A-22 Documents, copying and miscellaneous charges

(u) Animal Trap Fee – The fee for utilization of an animal trap provided by Lawrence Township shall be a returnable deposit of \$35.00. Traps not returned within ten (10) business days of initiated use shall be subject to forfeiture of said deposit.

Section 2. Repealer

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

Section 3. 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 4. Effective Date

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

The Ordinance 1999-09 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						

Manager’s Report –

Mr. Krawczun submitted an invoice listing for the month of December 2008 in the amount of \$1,641,219.37.

Prior to reviewing the 2009 Municipal Budget, Mr. Krawczun advised that the sewer rate ordinance was removed from the Agenda for approval because today he received updated information from Bob Filler, Director of the Ewing-Lawrence Sewage Authority, regarding a revision to the 2008 flow rates which could result in a decrease in rates; so, they will await the approval from the ELSA Board before proceeding.

Mr. Krawczun distributed copies of the 2009 Municipal Budget to the Council and proceeded with an in-depth review of the Surplus and the Revenue portion of the recommended municipal budget.

Some discussion followed relative to the budget surplus and the regeneration of revenue, anticipated taxes and tax appeals, alternatives to tax rate increases and tax levies, grants and state aid, pension liabilities and various sources of anticipated revenue.

After the budget discussion, there was some additional dialogue concerning the order for Departmental Budget Presentations and the Joint School Board Meeting. It was unanimous among the Council that no formal action would be taken regarding the budget until after they know what the Township will receive in State aid and that the joint session would take place at the March 17th meeting.

Attorney's Report –

There was no Attorney's report.

Clerk's Report –

Mrs. Norcia reminded to the Council to make sure they submit the Essential Personnel Forms to the Health Department as soon as possible.

Written Communications –

A Letter from DOT Approving Red Light Running Automated Enforcement at the Intersection of US Route 1 and Bakers Basin Road/Franklin Corner Road –

Mr. Krawczun advised that the Lawrence Township Police Department submitted an application to NJDOT to participate in the Red Light Running Automated Enforcement Program and that the intersection US Route 1 and Bakers Basin Road/ Franklin Corner Road was the approved location.

Mr. Krawczun stated this program would enable law enforcement officials to review recorded images produced by a traffic monitoring system to help determine if an actual traffic violation occurred and advised that the Township will have to adopt an ordinance and go to bid for a vendor, purchase of equipment

and installation of the monitoring system. Some discussion followed relative to the program.

Mr. Krawczun further advised of a hefty grant in the amount of \$275,000 that the Township received from NJDOT for the Johnson Trolley Line Footbridge, and stated that the Township Engineer, Jim Parvesse, should be commended for his initiative and persistence in putting together this package since they have been unsuccessful in the past with regards to funding for the project.

Old Business –

There was no old business

New Business –

Mayor Mount stated she received an email from the Municipal Alliance on Drug and Alcohol Abuse concerning their funding and programs being taken over by the Department of Community Affairs and they would like the Town Council to write a letter or resolution on their behalf.

A short discussion followed relative to Mr. Miller following up on the matter with Carol Chamberlain, Chair of the Committee, prior to the Council moving forward.

Mr. Puliti suggested that the monthly Check Registers be emailed or copied two-sided, as it would cut down on the use of paper. After a brief discussion, it was the consensus of Council that the check registers to be emailed.

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

8:52 P.M.

Respectfully submitted by,

Kathleen S. Norcia, Municipal Clerk

Attest:

Pamela H. Mount, Mayor