

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

July 21, 2009

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, July 21, 2009, at 6:45 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, July 21, 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

Prior to the meeting, Mayor Mount presented the following Commendation to Sergeant First Class Clifford Snedeker for his dedication, outstanding contributions, accomplishments and service in the armed forces of the United States.

Commendation

WHEREAS, the Township Council of the Township of Lawrence, County of Mercer, recognizes outstanding contributions and accomplishments; and

WHEREAS, there are individuals who demonstrate a commitment to the betterment of mankind throughout the nation and the world; and

WHEREAS, this dedication to service can be provided in numerous ways, one of which is to serve in a segment of the armed forces of the United States; and

WHEREAS, such is the case of Clifford Snedeker who has devoted himself to his chosen life endeavor as a career officer with the New Jersey National Guard; and

WHEREAS, Sergeant First Class Snedeker proudly served an assignment to Iraq for a period of 12 months and has recently returned home to Lawrence;

WHEREAS, a yellow ribbon was placed on a Memorial Tree on the front lawn of the Lawrence Township Municipal Building commemorating his deployment to Iraq as well as other Lawrence Township citizens serving our Country in Iraq and Afghanistan; and

WHEREAS, upon the return of our soldiers the Lawrence Township Council wishes to honor them for their service with a ceremony involving the formal removing and presentation of the yellow ribbon that bears their name – and we now present to Sergeant First Class Clifford Snedeker.

NOW, THEREFORE, the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, hereby pays its sincerest tribute to Sergeant First Class Snedeker and extends deep appreciation to him for his service to the United States thus ensuring that our Country remains a nation where all who live here are able to enjoy the freedoms established by the Constitution of the United States of America.

Review and Revisions of Agenda

There were no revisions to the agenda.

Presentation by Chief Posluszny Update Police Initiatives on Racial Profiling

Chief Posluszny distributed copies of the presentation to the Council and other interested persons and proceeded to thank the Council for giving him the opportunity to review some of the Initiatives that were implemented by the Lawrence Township Police Department with respect to allegations that were raised by the Latin American Legal Defense Education Fund (LALDEF) regarding racial profiling amongst the Latino population in Lawrence Township.

Chief Posluszny advised that in April 2008, he was approached by the LALDEF regarding the Police Department stopping and issuing summonses at a high number to Latino drivers and that through an intermediary a meeting was set up to discuss concerns of traffic summonses being issued at a disproportionate rate, compared to other populations, to members of the Hispanic population in Lawrence Township and Mercer County.

Chief Posluszny proceeded to discuss some of the details regarding the meetings that took place from April 2008 to the present date between himself, the LALDEF representatives, Richard Krawczun, Municipal Manager, Councilman Bostock and the new Liaison, Councilman Mike Powers who replaced the former Liaison, Mayor Mark Holmes.

Chief Posluszny continued with an in-depth review of the following initiatives that were implemented to help improve the operations of the Police Department: (1) data that was released to LALDEF relative to traffic stops and summonses, (2) an extensive review of summonses that were issued to Latino drivers at specific locations over a specific period of time, (3) analyzed data of traffic stops based on race or ethnicity (4) a review of probable causes for traffic stops and issuance of summonses, (5) managerial items that were discussed/implemented based on the outcome of the discussions between the LALDEF and Lawrence Township representatives.

Chief Posluszny stated that the Council's participation was great and from a critical standpoint he feels the Initiatives that were implemented as a result of the situation are excellent, as it has helped to improve the operations and performance level of the Police Department.

Chief Posluszny then proceeded to discuss the Police Department's procedures with respect to filing complaints, achieving national program accreditation, revisions to the Department's General Orders, policies, procedures and Discretionary Policy outlining the guidelines for police officers, recording of traffic stops and violations, dismissal of summonses by the Courts due to lack of probable cause, towing procedures and fair policing with regard to traffic stop and sensitivity training for all police officers relative to racial profiling.

Mayor Mount thanked the Chief for his presentation and indicated how appreciative and pleased the Council is with the thorough job the Police Department did with addressing the issue.

Mr. Nerwinski questioned whether or not there were discussions concerning allegations of tickets being issued without a legal basis to do so?

Chief Posluszny advised that there were no specific discussions concerning that matter because some of the traffic stops and summonses that were issued were for other motor vehicle violations based upon the circumstance and discretion of the officer on duty.

Chief Posluszny further advised that it is very difficult to instruct a police officer who is conducting motor vehicle enforcement on what to look for and what not to look for when they are out patrolling the streets. So, they try to balance the situation by guarding against propriety without taking away policing from the officers.

Mr. Bostock thanked Chief Posluszny for his presentation and indicated that they spent a lot of time working on the issue being they had five meetings and one public hearing since last August which he feels were very productive and cordial.

Mr. Bostock further thanked those who were involved in the process and proceeded to elaborate in detail on some of items that were discussed at the meetings with respect to racial profiling and Lawrence Township non-engagement in such bias behavior.

Mr. Puliti thanked Chief Posluszny for his presentation and proceeded to commend the Lawrence Township Police Department as a whole for taking the accusations seriously and for reviewing and acting accordingly on the matter.

Mr. Puliti indicated that he has always held the Chief and his staff to the highest degree based on the professional behavior they have maintained over the years and while he cannot speak for the rest of Council, but, they will always have his continued support.

Mr. Powers stated that he is the newcomer to the Committee; but, after hearing all the dialogue that has transpired with respect to the issue, he feels positive changes have developed within the police department as a result of those meetings.

Mr. Powers further stated that the Chief comes before the Council each budget year requesting more police officers and resources. Yet, he's devoting the limited resources that he does have in updating SOP's, seeking accreditations, training etc.; resources that could be used toward other programs that Police Chief's usually have as pet projects.

Mr. Powers indicated that the Chief has taken the appropriate steps in setting the standards with regards to the racial profiling, as well as, a self-critical analysis of the Police Department. So, he would like to commend him and his staff for remaining proactive on the issue even with the limited resources they have and for the work that they have done with respect to articulating standards

without eliminating the discretion or ambiguity for the police officers that perform law enforcement on the streets.

Mr. Miller echoed some of the same comments with respect to the Chief and his staff taking the problem very seriously and addressing the issue in such an astute manner and suggested that the Chief share the information with the other Police Chiefs throughout the State with regards to how Lawrence Township faced the allegations of alleged racial profiling, as well as, other pending allegations.

Mr. Miller stated he feels the whole State could benefit from the analysis that was done by the Lawrence Township Police Department with regard to the reviewing policies and procedures related to racial profiling. In addition, the Police Department showed that they are capable of working with the Council and community groups such as LALDEF on various community matters. So, again he would like to commend the Chief and his staff on a job well done.

Mr. Miller also commended Chief Posluszny on the article he wrote responding to Mr. Brown’s accusations of racial profiling which he indicated was very factual and speaks volumes with regards to the integrity of the Lawrence Township Police Department.

In closing, Mayor Mount thanked and commended Chief Posluszny again for the wonderful job he did with regards to training and addressing the racial profiling issue head-on.

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Public Participation

Cell Tower Matter – Some discussion took place relative to the introduction of Ordinance (7F), An Ordinance Amending the Land Use Ordinance of Lawrence Township – Cell Tower Clear Zone.

Mr. DiDonato, 2 Tall Timbers Dr, Chairman of the Carter Road Homeowners Association, voiced his concerns and objections to the adoption of the Ordinance which would amend the LUO to include new language requiring a ‘clear zone’ at one-hundred and ten percent (110%) of a cell tower’s height as a set back from any property line or adjacent properties in the event the tower should fall or fail to operate properly.

Mr. DiDonato requested that the Council to be prudent and hold off on the adoption of the Ordinance until after the two pending lawsuits is settled in the Appellate Courts.

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Ms. Maria Juega, President of Princeton/Board of the Latin American Legal Defense and Education Fund stated she would like to respond to the comments made during Chief Posluszny presentation and proceeded to express the organization's appreciation with regards to Lawrence Township officials' willingness to engage in dialogue and openly share information over the last 15-months, as well as, their clear intent to correct the concerns of racial profiling amongst the Latino population in Lawrence Township.

Ms. Juega stated that her organization is not targeting the Police Department as a whole, as they feel they have done an adequate job in addressing the matter. Their concern is with a few police officers who have shown a pattern of issuing summonses at a high level to Latino drivers at the Brunswick Circle; a pattern that is inconsistent when other officers are assigned to that location.

In closing, Ms Juega thanked the Township Officials again for their willingness to address the issue and advised that they would like to continue to share future dialogue with the Township regarding the matter.

Mr. Jon Szolomayer, 767 President Avenue, voiced his concern about an article he read in the Lawrence Ledger concerning permit parking on Mayflower Avenue, as well as, the permit parking at the High School. He then stated his objection to the Ordinance because the southern end of Township is starting to have nothing but speed bumps and permit parking all over the place and proceeded to inquire as to why there is a need for so much permit parking in the area.

Mr. Krawczun advised that the Ordinance is in response to a Petition that was submitted by the residents of Mayflower Avenue and their desire to have permit parking on their street. And, after a police investigation and some discussion with the residents, the conclusion was to allow permit parking on the street. A short discussion followed relative to permit parking in its entirety in the area.

Mr. Krawczun stated with respect the High School and permit parking that Lawrence High School issues its own parking permits and has the authority to issue additional permits, if necessary, which would allow them to use the next designated areas for parking when the existing parking areas are exceeded. A brief discussion followed relative to the usage of parking areas near the high school and the issuance of additional permits.

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

Adoption of Minutes

On a motion by Mr. Powers, seconded by Mr. Puliti, the Minutes of the Regular Meetings of May 5, 2009, were approved without corrections.

Same was carried on the following roll call vote:

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

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On a motion by Mr. Powers, seconded by Mr. Puliti, the Minutes of the Regular Meetings of May 19, 2009, were approved without corrections.

Same was carried on the following roll call vote:

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

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On a motion by Mr. Powers, seconded by Mr. Bostock, the Minutes of the Regular Meetings of June 4, 2009, were approved without corrections.

Same was carried on the following roll call vote:

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

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On a motion by Mr. Powers, seconded by Mr. Puliti the Minutes of the Closed Session Meetings of May 19, 2009, were approved without corrections.

Same was carried on the following roll call vote:

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

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On a motion by Mr. Powers, seconded by Mr. Bostock, the Minutes of the Closed Session Meetings of June 4, 2009, were approved without corrections.

Same was carried on the following roll call vote:

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

Introduction of Ordinances

Mayor Mount read by title an ordinance entitled, "AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY."

Mr. Krawczun stated that the Ordinance would amend the Lawrence Township Land Use Ordinance so that is consistent with the new State Stormwater Management regulation regarding buffers along both sides of "Category One" waterways and their tributaries. In addition, the Ordinance would also define steep slopes as having an incline of twenty percent (20%) and protection from being developed.

The Ordinance was introduced and approved 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, "AN ORDINANCE ESTABLISHING PERMIT PARKING DURING CERTAIN HOURS AND DAYS ON CERTAIN MUNICIPAL STREETS."

Mr. Krawczun stated that the Ordinance authorizes residential permit parking on both sides of Mayflower Avenue, Monday through Saturday from 9:00 a.m. to 6:00 p.m., and the action was initiated in response to a Petition that was submitted by the residents of that street. Additionally, the residents will be able to obtain visitor permits for people visiting or working at their residences.

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

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVE	SECOND
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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 PROVIDING FOR THE DYSON TRACT REMEDIATION IN AND BY THE TOWNSHIP OF LAWRENCE, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$4,250,575 AND AUTHORIZING THE ISSUANCE OF \$4,250,575 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST."

Mr. Krawczun stated that the Ordinance amends a previously adopted Ordinance 2008-09, to increase the original authorized amount of debt by allowing the borrowing of funds against the anticipated grant proceeds from the Hazardous Discharge Site Remediation Fund in the event the disbursement of the grant funds extends passed the close of the work of the fiscal year on the remediation of the Dyson Tract. Some discussion followed amongst the Council relative to the remediation process and the funding.

The Ordinance was introduced and approved 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, "AN ORDINANCE AMENDING CHAPTER 13 OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE ENTITLED 'MOTOR VEHICLES AND TRAFFIC' – Handicapped Parking."

Mr. Krawczun stated that the Ordinance authorizes an additional handicapped parking space in front of 35 Myrtle Avenue.

The 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					X	
Mr. Puliti	X						
Mayor Mount	X						

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Mayor Mount read by title an ordinance entitled, "AN ORDINANCE OF LAWRENCE TOWNSHIP AMENDING THE LAND USE ORDINANCE OF LAWRENCE TOWNSHIP – PVD3."

Mr. Krawczun advised when the Fair Share Housing Element Plan was submitted by the Township to COAH for approval one of the provisions in the plan was a change to the number of affordable housing units required in the Planned Village Development 3 (PVD3) zone. And, because the plan projected a higher ratio of affordable units to market ratios, they now have to amend the Land Use Ordinance in order to meet the Town’s Third Round Fair Share Housing obligation. Some discussion took place relative to Lawrence Township receiving credit for the affordable units.

The Ordinance was introduced and approved 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, "AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF LAWRENCE TOWNSHIP- Cell Tower Clear Zone."

Mr. Krawczun indicated that the Ordinance would amend the Land Use Ordinance with regards to the fall down "clear zone" of one-hundred and ten percent (110%) of the cell towers height as a setback.

Mr. Krawczun further indicated that the ordinance also cover adjacent properties and those areas would be restricted from development. Thereafter, the ordinance would be forwarded to the Planning Board for consistency and review then submitted back to the Council for final approval.

Mr. Miller and Mr. Bostock both voiced their concerns and objections to the adoption of the ordinance.

Mayor Mount, Mr. Puliti and Mr. Powers voiced their opinions with regards to the ordinance going before the Planning Board for consistency and review, as well as, the adoption of the ordinance. Some discussion followed relative to the issue.

After some discussion the Ordinance was tabled on the following roll call vote:

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

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Mayor Mount read by title an ordinance entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 1372-93 SECTION 6A FEES: THE CONSOLIDATED LICENSE, PERMIT AND FEE CHAPTER OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE – Facsimile Transmissions."

Mr. Krawczun advised that the Ordinance amends the Administrative Code by eliminating charges for fax transmissions as such charges are prohibited by the Open Public Records Act.

The Ordinance was introduced and approved 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						

Resolutions

Resolution Nos. 245-09 (8A) thru 277-09 (8GG) with the exception of Resolution 252-09 (8H), Resolution 276-09 (8FF) and Award of Bids (Resolution Nos. 278-285) 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.

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Mr. Miller questioned the professional services agreement amendment for the Planning Board Attorney and whether or not the Township could drop the lawsuit, as they received communication that the major carriers do not wish to construct at the Carter Road site and suggested that they drop the lawsuit and let the Peterson’s bid go through and not spend another \$25,000 pursuing the case.

Mr. Krawczun advised that the statutory boards have the authority to pick their own professionals, and that the process by which the Council is adopting a professional service contract is to permit the expenditures of those contracts. And, in some communities the Governing Body does not approve those types of contracts because of the boards’ rights to choose their own professionals.

Mr. Krawczun further advised that he has never had that type of question posed before, but he would defer to Mr. Roskos, Lawrence Township Planning Board Attorney, as to whether the decision should be determined by the Council or Planning Board. And, that he would refer back to the Council as soon as he has a more definitive answer.

After some discussion relative to the Planning and Zoning Boards authority to choose their own professionals, decision-making process and track record, a motion to table Resolution 8H was made by Mr. Miller and seconded by Mr. Bostock and was defeated on the following roll call vote:

RECORD OF VOTE

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

Resolution No. 252-09 (8H) was subsequently 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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Mr. Bostock commented on Resolution (8FF) concerning the establishment of the Sustainable Lawrence Green Team Committee and the proper procedure not being followed with regards to the formation of the committee and suggested that the proper process be followed with regards to establishing future committees.

Mayor Mount advised that she would take full responsibility for any improper procedures that were followed with regards to the establishment of the Committee and indicated when they first started Sustainable Jersey, the Green Team Committee consisted of a few representatives of the Town working their way through educational programs related to sustainability and that she never thought or expected it to form into a standard committee.

Mayor Mount further advised that the Sustainable Green Team Committee is a little different than there normal committees with regard to the membership and that the Council still needs to decide how they would like to move forward with regards to how to frame the committee and proceeded to elaborate in detail on the matter. Some discussion took place amongst the Council relative to the structuring of the committee.

Resolution Nos. 276-09 (8FF) 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						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

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

Mr. Krawczun stated that the bid was rejected for non-compliance to the bid specifications and that specifications for the re-bid would be significantly revised; so it is his recommendation that the bid be rejected. He then advised that the next item on the Agenda (8B) authorizes the bid award to Guardian Gym Equipment, Inc., which is a Re-bid #1 for the Central Park Bleachers project.

Resolution No. 278-09

WHEREAS, on June 2, 2009, bids were received for Bid No. 09-07, Central Park Bleachers; and

WHEREAS, six bids were received and the Municipal Manager and Director of Recreation reviewed said bids; and

WHEREAS, all bids are being recommended for rejection as they were non-compliant to the specifications and said specifications are being significantly revised for the re-bid; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that all bids submitted for Bid No. 09-07, Central Park Bleachers, are hereby rejected.

Same was carried 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 asked for comments from the public. There being none, Mayor Mount asked for comments from the Council. There being none, public

participation was closed. On motion by Mr. Powers, seconded by Mr. Miller the following resolution was presented for adoption:

Resolution No. 279-09

WHEREAS, on July 1, 2009, bids were received for Re-Bid #1 of Bid No. 09-07, Central Park Bleachers; and

WHEREAS, three bids were received and reviewed by the Municipal Manager and the lowest responsible bidder is Guardian Gym Equipment, Inc., P.O. Box 680, Nyack NY 10960-0680, who submitted a bid in the amount of \$32,556 for the base bid and \$3,002 for Alternate #1 as additional per unit cost not to exceed five units; 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 C-04-55-319-284 (Park Maintenance Equipment);

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 Re-Bid #1 of Bid 09-07, Central Park Bleachers, to Guardian Gym Equipment, Inc. in the amount of \$47,566 (base bid and additional five units).

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

Resolution No. 280-09

WHEREAS, on Thursday, June 25, 2009 bids were received and publicly opened for the project known as **2009 Pavement Milling**; and

WHEREAS, nine (9) bids were received and reviewed by the appropriate Township Officials; and

WHEREAS, the lowest responsible bidder was DeSantis Construction, Inc. who submitted a bid in the amount of \$1.84/sy, creates a contract price not to exceed \$45,000.00; and

WHEREAS, in accordance with N.J.A.C. 5:50-14, a Certificate of Availability of Funds has been provided and the account to be charged is C-04-55-329-238; 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 DeSantis Construction, Inc., 491 Elizabeth Avenue, Somerset NJ 08873 in the amount not to exceed \$45,000.00; 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:

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						

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

Resolution No. 281-09

WHEREAS, on Thursday, June 25, 2009 bids were received and publicly opened for the project known as the **2009 Road Improvement Program**; and

WHEREAS, ten (10) bids were received and reviewed by the appropriate Township Officials; and

WHEREAS, the lowest responsible bidder was American Asphalt Company, Inc. who submitted a bid in the amount of \$431,902.05, which includes Eggert Crossing Road, Registry Drive & Ashleigh Drive and Heritage Park; 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-04-55-329-230 and C-04-55-319-285; 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 American Asphalt Company, Inc. in the amount of \$431,902.50; and

NOW, BE IT FURTHER RESOLVED, this contract is awarded pursuant to a fair and open process and is subject to New Jersey Department of Transportation approval.

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:

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

Mr. Krawczun advised that the bid award to Ocean Excavating, Inc. is for concrete work that includes concrete curbs and driveway aprons in Twin Meadows, guide rail installation at various locations within the Township and installation of the concrete pads for the bleachers in Central Park.

Resolution No. 282-09

WHEREAS, on Thursday, June 25, 2009 bids were received and publicly opened for the project known as **2009 Concrete Improvements**; and

WHEREAS, nine (9) bids were received and reviewed by the appropriate Township Officials; and

WHEREAS, the lowest responsible bidder was Ocean Excavating, Inc. who submitted a bid in the amount of \$49,655.00, which includes Items 1 thru 4 and \$9,288.00, which includes Alternate 1 for a total contract amount of \$58,943.00; 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-04-55-328-242 and C-04-55-329-247; 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 Ocean Excavating, Inc., 2127 Eisenhower Road, Toms River NJ 08753 in the amount of \$58,943.00, which includes Items 1 - 4 and Alternate 1; 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:

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

Mr. Krawczun stated that the bid was awarded to the American Asphalt Company for the repaving of roads in Twin Meadows and that the funding is from the 2009 Capital Improvement Program.

Resolution No. 283-09

WHEREAS, on Tuesday, July 7, 2009 bids were received and publicly opened for the project known as the **Twin Meadows Group**; and

WHEREAS, seven (7) bids were received and reviewed by the appropriate Township Officials; and

WHEREAS, the lowest responsible bidder was American Asphalt who submitted a bid in the amount of \$129,936.45, which includes Items 1 thru 9; and

WHEREAS, in accordance with N.J.A.C. 5:50-14, a Certificate of Availability of Funds has been provided and the account to be charged is C-04-55-329-243; 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 American Asphalt in the amount of \$129,936.45; and

NOW, BE IT FURTHER RESOLVED, this contract is awarded pursuant to a fair and open process and is subject to New Jersey Department of Transportation approval.

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:

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

Mr. Krawczun advised that the bid awarded to Think Pavers Hardscaping, LLC, was for the landscape and hardscape improvements at the Lawrence Road Fire Company. Some discussion and questions took place with regards to drawings, pictures, as well as, the concept and layout of the improvements.

Resolution No. 284-09

WHEREAS, on July 16, 2009, bids were received for the 2009 Route 206 Streetscape Bid; and

WHEREAS, seven bids were received and reviewed by the Municipal Manager and the lowest responsible bidder is Think Pavers Hardscaping, LLC, 44 Cooper Street, Suite 203, Woodbury NJ 08096, who submitted a bid in the amount of \$194,104.34; and

WHEREAS, in accordance with N.J.A.C. 5:30-14, a Certificate of Availability of Funds has been provided and the accounts to be charged are C-04-55-300-266 (Eldridge Park Streetscape) and C-04-55-314-297 (206 Streetscape);

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 the 2009 Route 206 Streetscape Bid to Think Pavers Hardscaping, LLC in the amount of \$194,104.34.

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

Mr. Krawczun stated that the bid award authorizes the installation of the lighted crosswalk and associated concrete sidewalks and curbing improvements on Route 206 at the Dunkin Donuts.

Resolution No. 285-09

WHEREAS, on July 16, 2009, bids were received for the 2009 Route 206 Pedestrian Crosswalk Bid; and

WHEREAS, four bids were received and reviewed by the Municipal Manager and the lowest responsible bidder is Orchard Holdings, LLC, 1913 Atlantic Avenue, Suite 193, Manasquan NJ 08736, who submitted a bid in the amount of \$113,939.50; and

WHEREAS, in accordance with N.J.A.C. 5:30-14, a Certificate of Availability of Funds has been provided and the accounts to be charged are C-04-55-282-245 (206 Lighted Crosswalk) and C-04-55-312-240 (Lighted Crosswalk Installation);

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 the 2009 Route 206 Pedestrian Crosswalk to Orchard Holdings, LLC in the amount of \$113,939.50.

BE IT FURTHER RESOLVED that this contract is awarded pursuant to a fair and open process and is subject to New Jersey Department of Transportation approval.

BE IT FURTHER RESOLVED that the Township Manager is hereby authorized to draft the necessary agreement, subject to the approval of the Township Attorney as to form and content thereof.

Same was carried 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						

Adoption of Ordinances

Mayor Mount read by title an ordinance entitled, "AN ORDINANCE AUTHORIZING THE ACQUISTION OF CERTAIN REAL PROPERTY ON PILLA AVENUE"

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. 2023-09

AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY ON PILLA AVENUE

WHEREAS, the Township of Lawrence, effective June 1, 2009 has transitioned to a full-time around the clock basic life support emergency medical service; and

WHEREAS, in order to operate and administer said service there is a need for a headquarters from which to operate; and

WHEREAS, Block 2403, Lot 1, identified for said use is the former building owned and operated by the Lawrence Township First Aid Squad on Pilla Avenue is an appropriate property for acquisition; and

WHEREAS, the said parcel is owned by the Lawrence Township First Aid Squad; and

WHEREAS, the property owner(s) and Lawrence Township have negotiated a purchase price of \$1.00.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that authorization is hereby given to purchase the subject property for locating and administering the Lawrence Township Emergency Medical Services for the agreed upon price of \$1.00; and

BE IT FURTHER ORDAINED that the funds for said purchase are available in the Emergency Medical Services Other Expenses operating budget; and

BE IT FURTHER ORDAINED that this shall take effective immediately upon adoption and advertisement thereof.

The Ordinance 2023-09 was adopted on the following roll call vote:

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

Manager's Report –

Mr. Krawczun submitted the Investment Reports for March, April, and May 2009.

Mr. Krawczun submitted an invoice listing for the month of June 2009 in the amount of \$1,608,936.95.

Business Route 1 Planning Review Discussion

Mr. Krawczun advised that the Council was provided a copy of an e-mail along with some backup documents from NJDOT concerning two remaining questions stemming from DOT's Informational Meeting about the Route 1 Business project. The first item concerned left turn cuts north of the proposed roundabout on Whitehead Road onto Business Route 1, and the second item was the Concept Plan with regards to Graf Avenue access along Route 1 Business being closed off. He then proceeded to elaborate in detail regarding each matter.

Thereafter, an at length discussion took place amongst the Council with regards to possible modifications of the plan, monitoring traffic on Slack Avenue to ensure that there is not a large overflow of traffic onto Graf Avenue, traffic counts conducted by the Police Department, concerns about the narrowness of Slack Avenue and possible traffic congestion, noticing surrounding businesses and property owners of changes relative to the plan. Afterwards, it was unanimous amongst Council to authorize NJDOT to work the plans into the Memorandum of Agreement with the Township.

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Mr. Krawczun advised that the Township received an official written Determination of Award on the BAN sale for the 2009 Capital Program and that they received a loan from the Bank of America at 1.64%. Further, there were (5) five bidders and only two of the five offered premiums on the sale of the notes which is a significant change from what they usually experience.

Mr. Krawczun reported that Mayor Mount, Jim Parvesse, Township Engineer, and he have been attending meetings with some representatives of the Lawrence Township Community Foundation and during the Community Conversation meeting which was held at the Lawrenceville School one of the items discussed was "welcome" signs to Lawrence Township.

Mr. Krawczun advised that the Foundation had offered to consider reasonable funds for the installation of some new or redesigned "Welcome to

Lawrence” signs. So, they are planning to have another meeting to discuss various drafts of the signs and once the concept is finalized they will share that information with everyone.

Mr. Krawczun reported that Falk Engle, Kevin Nerwinski, Township Attorney, Jim Parvesse, Township Engineer, Brian Slauch from Clarke, Caton & Hintz and he have met on four occasions to discuss the revisions to the Sign Ordinance and they think they may have narrowed it down to one of the last two drafts.

Mr. Krawczun stated that all the suggestions would be put into another draft form and submitted to the subcommittee for review which will then be shared with the Council and Planning Board for their review. Some discussion followed relative to the some of the revisions.

Attorney’s Report –

There was no Attorney’s report.

Clerk’s Report –

There was no Clerk’s report.

Council Initiatives/ Liaison Reports

Councilman Miller’s report:

Mr. Miller reported that all is quiet with the Boards and Committees, but they are working on the patriotic events for Veterans’ Day.

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Councilman Powers’ report:

Mr. Powers advised that the Planning Board has not been receiving many applications. But, they recently met after receiving two subdivision applications: one for Hoover Avenue and the other Millerick Avenue. Additionally, the Lawrence Township Sustainability Element Project Team is working to create the sustainable elements in the Master Plan.

Mr. Powers stated with regards to the Growth & Redevelopment Committee and the Annual Business Awards ceremony that is scheduled for October, the deadline date for nominations is August 7th, and they plan to honor Bob Immordino for his service to preserve history and some other "great" supporters in the community.

Mr. Powers reported that the Shade Tree Advisory Committee will meet next week, July 27th at 7:30 p.m.

Mr. Powers further reported that the Safety Town graduation was a very nice ceremony and that Mayor Mount and Councilman Bostock were both in attendance.

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Councilman Puliti's report:

Mr. Puliti reported that the Public Safety Committee is working on its long-range plan with the firefighters and at the open meeting last evening it seems as though the plan is moving forward.

Mr. Puliti stated with respect to the Recreation Advisory Committee, they have new contributors from the community this year which helped to offset the cost of new bikes for Safety Town and proceeded to pay recognition to those individuals and organizations. They are also reaching out to a couple of other corporations to sponsor the Fourth of July Fireworks and Community Day.

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Councilman Bostock's report:

Mr. Bostock advised that the Environmental Resources Committee met for the first time in a few months as they finally had a couple of applications to review and forward comments to the appropriate Boards. Further, they selected two members to serve on the Planning Board's subcommittee to review the Master Plan that is partially funded by an ANJEC grant and advised that those individuals are Ralph Copleman and their chairman Brian Friedlich.

Mr. Bostock reported that they passed a resolution recommended by the Committee at this evening's meeting, to review the Environmental Resource Inventory every three years which will provide them with some necessary points toward the Sustainable Jersey Municipal Certification.

Mr. Bostock advised that there were no meetings this month for the Affordable Housing Board or Construction Board of Appeals, and that the Cable Telecommunications Committee will be meeting next Tuesday, July 28th.

Mr. Bostock stated last fall during a GEPNA neighborhood walk one of the things that was discussed was improving the unsightly condition of the Pit Stop; so after conferring with Mr. Krawczun on the matter and seeking approval from the owner, his son and couple of other students went over and painted a couple of areas on the site which has somewhat improved the overall appearance.

Mayor's Mount report:

Mayor Mount apologized for not having her "What's the Mayor Been Up To" list and proceeded to report on the following items:

- 1) Mayor Mount reported on the Census Count Committee and its objective to ensure that everyone in Lawrence Township is counted and to make certain to include Rider University and The Lawrenceville School students.
- 2) Mayor Mount stated that the "Green Team" has been meeting and they are busy working on the Sustainable Jersey Certification that has to be completed by August in order to meet the certification deadline.
- 3) Mayor Mount stated that the Open Space Committee had their scheduled walk, and that the Nature Center program is every Tuesday night at 7:30 p.m., and lots of families have been attending and having a great time, which is terrific news.
- 4) Mayor Mount reported that the Greenway Committee has mailed out the Trail Guide to all the residents in Lawrence and they have received many compliments from people who have explored the trails.

Written Communications –

There was no written communication.

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.

10:06 P.M.

Respectfully submitted by,

Kathleen S. Norcia, Municipal Clerk

Attest:

Pamela H. Mount, Mayor