

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

June 4, 2009

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Thursday, June 4, 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 Thursday, June 4, 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, Powers, Puliti, Mayor Mount.
Absent: Councilman Miller.

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

Proclamations and Honors

There were no proclamations or honors.

Review and Revisions of Agenda

The Municipal Clerk asked Mr. Krawczun if there would be a need for items 5A & 5B (Budget to be Read by Title Only & Public Hearing and Adoption of the Budget) listed under Public Participation.

Mr. Krawczun advised that they could proceed with the public hearing, but they would not be able to adopt the 2009 Municipal Budget this evening because the New Jersey Division of Local Government Services has not completed their review of the document. Therefore, they do have the Certification approving the budget.

On a motion by Mr. Bostock, seconded by Mr. Powers the Agenda was revised to remove items 5A, Resolution Authorizing the Budget to be read by Title Only, and 5B, Public Hearing and Adoption of the 2009 Municipal Budget.

Same was carried on the following roll call vote:

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

Public Participation

Ms. Betty Donahue, 47 Karens Place, Belle Meade, NJ, Coordinator of Lawrence Alcohol and Drug Alliance, asked if there were any questions pertaining to Resolution 8E, Authorizing the Opposition of Assembly Bill No. 3686 Proposing the Transfer of the Governor's Council on Alcoholism and Drug Abuse to the New Jersey Department of Human Services?

Mayor Mount in turn asked the Council if they had any comments regarding the matter. There being none, Mayor Mount advised Ms. Donahue that the Council is satisfied with the information that was provided, so they have no comments or questions at the present time.

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

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Mayor Mount opened the Public Hearing on the Adoption of the 2009 Municipal Budget.

There being no one who wished to address Council relative to the Budget, Mayor Mount closed the Public Hearing.

Mr. Krawczun advised that the adoption of the Municipal Budget should take place at the next meeting on June 16<sup>th</sup>.

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Adoption of Minutes

There were no Minutes for adoption.

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Introduction of Ordinances

Mayor Mount read by title an ordinance entitled, "ORDINANCE OF THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, REAPPROPRIATING \$25,000 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR THE RESURFACING AND MILLING OF LOMBARD AVENUE."

Mr. Krawczun stated that the Ordinance is a previously adopted ordinance for capital projects that have been completed at less than the amount originally budgeted, so the excess funding will be re-appropriated for an additional purpose of resurfacing and milling of Lombard 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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Resolutions

Resolution Nos. 217-09 (8A) thru 231-09 (8N) 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.

Mayor Mount advised how pleased she was to see Resolutions (8F), Authorizing Adopting a Grant with New Jersey Department of Transportation for Bakers Basin Road Bike Lanes and (8G), Authorizing Adopting a Grant with New Jersey Department of Transportation for Keefe Road and Yeger Drive Bike Lanes on the Agenda and proceeded to commend Jim Parvesse, Township Engineer for coming up with a Grant source to fund the two projects.

Mr. Krawczun stated for clarification purposes the resolution for Bakers Basin Road is not for Bike Lanes; it is the annual resolution that is approved by the Governing Body for the Transportation Improvement Grant to fund road work, but the Keefe Road and Yeger Drive resolution is for the Bike Lanes. Therefore, that makes the Agenda title for Resolution (8F) incorrect, but the information in the resolution itself correct.

After a short discussion, it was unanimous amongst the Council to make the necessary correction to amend the Agenda title only 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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#### 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. Bostock, seconded by Mr. Powers the following resolution was presented for adoption:

Mr. Krawczun advised that the item was a Re-Bid from bids that were received just yesterday and indicated there were 4 bidders and the bid was awarded to the second lowest bidder (A-1 Limousine, Inc.) being they were in compliance with bid specifications with regards to seating and the lowest bidder was non-compliant.

Mr. Bostock stated by re-bidding the service for Motorcoach Transportation they saved the taxpayers approximately \$6,000 more than the original bid that was submitted.

Resolution No. 232-09

WHEREAS, on June 3, 2009, bids were received for Re-Bid #1 of Bid No. 09-05, Motorcoach Transportation; and

WHEREAS, four bids were received and reviewed by the Township Manager and the lowest responsible bidder, Island Charter Inc. of Staten Island NY is non-compliant with our specifications; and

WHEREAS, the next lowest bidder, A-1 Limousine, Inc., of Princeton NJ is compliant with the specifications and submitted a bid in the total amount of \$21,654.50; 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 9-01-28-370-235 (Recreation OE);

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 09-05, Motorcoach Transportation, to A-1 Limousine, Inc. in the amount of \$21,654.50.

Same was carried on the following roll call vote:

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

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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 COED 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. 2018- 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

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 2018-09 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, "AN ORDINANCE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE CHAPTER 16 ENTITLED 'PARKS AND RECREATION'"

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. 2019 -09

AN ORDINANCE AMENDING THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE CHAPTER 16 ENTITLED PARKS AND RECREATION

BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey that an Ordinance Amending the Lawrence Township Administrative Code Chapter 16 entitled Parks and Recreation be and is hereby amended as follows:

Section 1. Sec. 16-3(35)

Bring alcoholic beverages, drink same at any time or be under the influence of intoxicating liquor in a park unless express prior authorization and required permits have been secured from the Recreation Department, Municipal Clerk and the State of New Jersey, Department of Law and Public Safety, Division of Alcoholic Beverage Control.

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.

Additions are Underlined \_\_\_\_\_

The Ordinance 2019-09 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, "BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF LAWRENCE, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$820,000 AND AUTHORIZING THE ISSUANCE OF \$779,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF"

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. 2020 -09

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF LAWRENCE, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$820,000 AND AUTHORIZING THE ISSUANCE OF \$779,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Lawrence, New Jersey as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$820,000 and the aggregate sum of \$41,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$779,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefore, the estimated maximum amount of

bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

| Purpose                                                                                                                                                                                                                                                                                                           | Appropriation & Estimated Cost | Estimated Maximum Amount of Bonds or Notes | Period or Average Period of Usefulness |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|--------------------------------------------|----------------------------------------|
| Purchase of various public works equipment consisting of: one mini-dump w/plow & sander, one crack sealing trailer, one heavy duty tire changer                                                                                                                                                                   | 145,000                        | 137,750                                    | 5                                      |
| Improvement of municipal buildings consisting of: HVAC replacement Neighborhood Center; playground fence replacement Neighborhood Center; remove & replace USTs and replace w/above ground at DPW; repair Veteran's Park tennis courts; Colonial Lake dam repairs; Heritage Park improvements                     | 475,000                        | 451,250                                    | 15                                     |
| Acquisition of fire/rescue equipment consisting of: one thermal imager camera; 15 pagers, chargers & amplifiers; Holmatro combination rescue tool & hoses; self-contained breathing apparatus equipment; bottles; turn-out gear                                                                                   | 55,000                         | 52,250                                     | 5                                      |
| Acquisition of various computer and office equipment: four communication center computers; four computers for Police; one file server for Police; four security system monitor replacements for Police; five CCTV security cameras for Police; "Mugshot" system interface and system upgrade for Police; one copy | 70,000                         | 66,500                                     | 5                                      |

|                                                                                                                                                                                                    |         |         |   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|---------|---|
| machine; miscellaneous computer/equipment replacements                                                                                                                                             |         |         |   |
| Purchase of various park maintenance equipment consisting of: one small motor; landscape hydraulic lift; one pickup truck w/plow & electric lift gate; playground equipment for Colonial Lake Park | 75,000  | 71,250  | 5 |
| TOTAL                                                                                                                                                                                              | 820,000 | 779,000 |   |

All of the improvements listed herein include all work and material necessary therefore or incidental thereto. The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefore, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. 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.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that may be lawfully undertaken as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law is 10.79 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$779,000, and the obligations authorized herein will be within all debt limitations prescribed by the Law.

(d) An aggregate amount not exceeding \$20,800 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes of improvements.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The Township hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. The Township hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the notes, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the notes. The Chief Financial Officer is hereby authorized to act on behalf of the Township to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of

intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 9. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 10. This 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 2020-09 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 PROVIDING FOR VARIOUS ROAD IMPROVEMENTS OF THE TOWNSHIP OF LAWRENCE, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$1,224,000, INCLUDING THE AMOUNT OF \$150,000 EXPECTED TO BE RECEIVED AS A GRANT AND AUTHORIZING THE ISSUANCE OF \$1,020,300 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF"

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. 2021-09

BOND ORDINANCE PROVIDING FOR VARIOUS ROAD IMPROVEMENTS IN AND BY THE TOWNSHIP OF LAWRENCE IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$1,224,000, INCLUDING THE AMOUNT OF \$150,000 EXPECTED TO BE RECEIVED AS A GRANT AND AUTHORIZING THE ISSUANCE OF \$1,020,300 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED by the Township Council of the Township of Lawrence in the County of Mercer, State of New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Lawrence, New Jersey as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$1,224,000 including the amount of \$150,000 expected to be received as a grant and the sum of \$53,700 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,020,300 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for financing of which the bonds to be issued is the improvement of roads consisting of: (1) Manhole repairs, inlet covers, grates and backplates, miscellaneous guide rail replacement; (2) Twin Meadows Group mill and overlay program including Anthony Lane, Donna Lynn Lane, Dorothea Terrace, Garry Court and Karena Lane; (3) road improvements Ashleigh Drive and Registry Drive; Eggert Crossing Road mill and overlay; (4) overlay program including mill and overlay Cold Soil Road between Keefe Road and Route 206, Lawrence Road Fire parking lot, Central Park path system; (5) traffic light installation at Darrah Lane and Route 206; (7) tree placement program; (8) concrete improvements incidental to overlay, and all work and materials necessary therefore or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is \$1,224,000.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. 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

Section 6. The following additional matters are hereby determined, declared, recited and stated: (a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that may be lawfully undertaken as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness and the reasonable life thereof, within the limitations of the Local Bond Law is 5 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,020,300, and the obligations authorized herein will be within all debt limitations prescribed by the Law.



(d) An aggregate amount not exceeding \$16,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose of improvement.

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 9. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 10. The Township hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. The Township hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the notes, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the notes. The Chief Financial Officer is hereby authorized to act on behalf of the Township to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the

proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 11. This 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 2021-09 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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**Manager’s Report –**

Mr. Krawczun reported that the Township finally received approval for the lighted crosswalk at the Dunkin Donuts and Route 206 and advised that they started the process over six years ago on March 31, 2003 to try to get the State to move forward with the project. And, because the Township is subject to DOT’s process and the project has to be included in their Capital Plan, he does not expect to see any results until the early part of next year.

Mr. Krawczun indicated that they did receive approval for the Access Permit at the location and once the owner signs off they will proceed with some of the administrative details that need to be clarified with DOT with regards to posting certain bonds, etc. They also anticipate putting the work out to bid sometime this month (June 2009), as they were given permission to work in the right-of-way at the Lawrence Road Fire Company, making it possible for them to move forward with the construction documents.

Mr. Krawczun advised that Mr. Parvesse and he discussed the Plan A Schedule and bids going out in the latter part of June and if everything goes according to plan they can tie together the work at the Lawrence Road Fire Company with the lighted crosswalk work at the Dunkin Donuts site to eliminate multiple episodes of traffic congestion in the area and indicated the plan is contingent upon the July or August Council meeting schedule and the ability to award a bid prior to the fall planting season.

Mayor Mount stated she cannot speak for all of the Councilmembers, but she would not mind having a quick meeting if necessary to approve the bid so that they can move forward on the project.

Mr. Krawczun advised at this point the Administration feels the July 21<sup>st</sup> meeting allows sufficient time for what they need to do, but they will know something definite in the next couple of weeks.

Mr. Krawczun stated that the Administration has also been working with Mr. Nerwinski, Township Attorney, to get some language changed on the Deed for the Dyson Tract that would place restrictions on the property for future recreational uses.

Mr. Krawczun stated whether it is passive or active that is a requirement for the Discharge Fund and advised that they are waiting for that filing to take place so that they can move forward with the process of expending the funds. A brief discussion followed relative to the mandatory Deed restriction on the property.

Mr. Krawczun stated the Council received a copy of the Petition from the residents on Mayflower Avenue with regards to permit parking and advised that the police department is examining the request and reviewing the particulars with regards to the extent of the parking permit. He then proceeded to ask the consensus of the Governing Body with respect to moving forward on the request. A short discussion took place relative to the issue.

Mr. Krawczun reported that the Chief of Police, Chrissie Vincent, Jack Oakley and he had an opportunity to visit Mary Ann Nester and she expressed her thanks and appreciation to the Council for honoring her at the last meeting as she was unable to be in attendance that evening.

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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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**Written Communications –**

There was no written communication.

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**Old Business –**

There was no old business

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**New Business –**

There was no new business.

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

7:26 P.M.

Respectfully submitted by,

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Kathleen S. Norcia, Municipal Clerk

Attest:

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Pamela H. Mount, Mayor