

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

March 3, 2009

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, March 3, 2009, at 7:00 P.M.

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

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

“Adequate notice of this meeting of the Lawrence Township Council being held on Tuesday, March 3, 2009, has been provided through the posting of the annual meeting schedule of said Council in accordance with Section 13 of the Open Public Meetings Act”.

The roll was then called as follows:

Present: Councilmen, Miller, Powers, Puliti, Mayor Mount.
Absent: Councilman Bostock. (The Municipal Clerk advised that Mr. Bostock would not be in attendance due to an injury to his back)

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

Proclamations and Honors

There were no proclamations or honors.

Review and Revisions of Agenda

The Municipal Clerk advised that there is a resolution to be added to the Agenda regarding the auction of personal property (abandoned vehicles) for the Police Department.

On a motion by Mr. Miller, seconded Mr. Powers, the Agenda was revised to include 8X, Resolution Authorizing Sale of Personal Property.

Same was carried on the following roll call vote:

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

Public Participation

Mr. Falk Engle, 10 Barnett Road, provided a brief update on the progress of the Lawrence Township sign ordinance relative to the “rat case” and the Supreme Court’s decision that required the Township to modify that section of the ordinance

Mr. Engle advised that they are almost done, but not quite, and proceeded to discuss in-depth the regulations governing commercial and viewpoint speeches and the design of the sign ordinance with respect to the legalities and the revisions that were made to the ordinance. An at-length discussion took place relative to the issue.

Ms. Jo Ann Boyle, 8 Lawrencia Drive, asked if the Council has come up with any new ways to lower the property taxes in Lawrence Township. She indicated she couldn’t understand how the Township could continue to raise the taxes when the value of their homes is going down.

Mayor Mount advised that they are working on solutions to help lower the taxes in the Township.

Mr. Krawczun provided a brief history as to the last property revaluation that was done in 1994 and suggested that Ms. Boyle speak with one of Tax Assessors relative to the assessed value of her home. A short discussion took place relative to the matter.

Mrs. Karen Jarvie, 39 Colonial Lake Drive, stated in addition to being a resident of Lawrence Township her husband, Randy Jarvie, is a highly skilled professional employed by the Township with a very good work history.

Mrs. Jarvie proceeded to elaborate in detail on her husband’s skills, health and work history with the Township, as well as, the Layoff Notice he just recently received after 20-years of employment, which they are both very upset about.

Mrs. Jarvie advised that she has worked 28 years for the State and they have chosen alternative methods - such as furloughs and wage freezes as opposed to the layoff of employees. She then proceeded with a plea to the Council to not lay her husband off as they are both in need of their income and insurance, as she has Lupus and is in poor health and he is in need of some screenings and surgeries due to his health.

Mr. Krawczun stated he understands her plea and he has submitted a Recommended Budget Report to the Council that is still under review, and advised that he is unable to publicly speak on the matter in the context of one employee.

Mr. Krawczun further advised that he asked the six collective bargaining Unions to reopen their existing contracts for a wage concession in order to avoid this type of situation, and they all indicated that due to a ruling of their national affiliation – no labor contracts would be opened. The only Union that did not respond is the PBA who is presently in labor negotiations.

Mr. Krawczun stated in addition they have distributed surveys to the Township employees in reference to a Voluntary Furlough Program to help resolve the problem. So, they have not given up hope in trying to find ways to solve the problem of layoffs. A short discussion followed relative to the issue.

Ms. Robin Williams, 34 Pin Oak Drive, voiced her concern and objection to the proposed sale of the Trenton Water Works and indicated other citizens in the surrounding towns are also opposed to the idea and feels this proposal should be put to a vote of the citizens and proceeded to discuss public policy and some of the reasons relative to their opposition on the matter.

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

Budget Presentations

Carol Chamberlain, Health Officer, 2009 Budget Presentation:

Ms. Chamberlain greeted the Council and advised that she would be starting her presentation by reviewing some of the measures that have been taken by the Health Department in 2008 and 2009 to reduce cost and increase revenue. After which, she would be providing a brief review of her Annual Health Report that is the guideline for the mandated municipal services provided by the Health Departments that will be concluded by her 2009 Budget Request. Some discussion took place relative to the budget presentation.

Mayor Mount and Council thanked Ms. Chamberlain for her reports.

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Daniel Posluszny, Chief of Police, 2009 Budget Presentation:

Chief Posluszny greeted the Council and advised that they should have received a copy of the Police Department's Annual Report for their review and consideration and if they have any questions regarding the report to please feel free to give him a call or forward any concerns through Mr. Krawczun and he would be more than happy to provide them with a response.

Chief Posluszny then proceeded with an in-depth report of his staff with respect to hiring, retirements and the existing employees and their departmental function to include their roles in some of the new policies and procedures that has or will be implemented in the Police Department, as well as, an extensive review of his 2008 Statistics Report and the 2009 Budget Request for Council's consideration. Some discussion took place relative to the presentation.

Mayor Mount and Council thanked Chief Posluszny for his report.

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Steven Groeger, Superintendent of Recreation, Budget Presentation:

Mr. Groeger was not in attendance to present his 2009 Budget presentation.

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Council's Budget Discussion

Mr. Puliti asked the Municipal Clerk for an update on the ABC Liquor License request that was discussed at the last meeting, as he feels it should be included in the budget as part of the anticipated revenue.

Mrs. Norcia advised that there was a bid for the plenary consumption license in West Windsor and their minimum asking price is \$600,000; so, she thinks they could definitely ask for a minimum bid of \$300,000 to \$350,000. She further advised that the Administrative Code would need to be changed first because it currently specifies a limit of two licenses.

Mr. Miller advised that he sent out an email to Mr. Krawczun and members of Council requesting information relative to a Voluntary Furlough Program to include an estimate of how much would be saved if the plan were to

be implemented and proceeded to discuss the Governor’s furlough plan that has been publicized in the newspapers with regards to State workers being mandated to take furloughs. He then asked Mr. Krawczun to expand on the plan as it relates to the Department of Personnel guidelines.

Mr. Krawczun advised that the Township cannot mandate an employee to take a furlough because it that would change the contractual relationship according the NJDOP guidelines. So, in order to implement such a plan the Township would have to close an entire Department for one day at a time so that every employee in that department would be affected by the furlough which could pose a problem for offices that are prohibited from closing - such public safety offices.

An at length conversation took place relative to the implementation and the equability of the program as it relates to closure of departments.

Adoption of Minutes

On a motion by Mr. Powers, seconded by Mr. Miller, the Minutes of the Reorganization Meeting January 1, 2009, were approved **with** corrections.

Same was carried on the following roll call vote:

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

Introduction of Ordinances

Mayor Mount read by title an ordinance entitled, “AN ORDINANCE AMENDING ORDINANCE NO. 1463-96 AMENDING THE ADMINISTRATIVE CODE – GROWTH AND REDEVELOPMENT.”

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						

Mayor Mount read by title an ordinance entitled, "AN ORDINANCE AMENDING ORDINANCE NOS. 1876-06 AND 1976-08 ESTABLISHING RATES FOR SEWER SERVICES."

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						

Mayor Mount read by title an ordinance entitled, "AN ORDINANCE AMENDING CHAPTER 19A OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE ENTITLED 'RENT CONTROL'."

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						X
Mr. Powers	X					X	
Mr. Puliti	X						
Mayor Mount	X						

Mayor Mount read by title an ordinance entitled, "BOND ORDINANCE AMENDING BOND ORDINANCE 1648-01 BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, IN ORDER TO REVISE THE DESCRIPTION OF THE IMPROVEMENT HEREIN."

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						X
Mr. Powers	X					X	
Mr. Puliti	X						
Mayor Mount	X						

Resolutions

Resolution Nos. 112-09 thru 137-09 (8A-8X) with the exception of Resolution Nos. 130-09 and 134-09 (Award of Bids) were approved by the following roll call vote:

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

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

Awarding or Rejecting of Bids

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

Resolution No. 130-09

WHEREAS, on February 10, 2009, bids were received for Bid No. 09-02, Combination Sewer Cleaner & Industrial Vacuum Catch Basin Cleaner Mounted on 2008 or Newer Demonstration Unit Heavy Duty Truck Chassis; and

WHEREAS, one bid was received and reviewed by the Township Manager and Director of Public Works and the lowest responsible bidder is Jet-Vac Inc., 15 Taylor Road, Wharton NJ 07885, who submitted a bid in the amount of \$194,000; and

WHEREAS, this will be a joint purchase with the Borough of Princeton, therefore, the Township of Lawrence is responsible for 50% of the cost, or \$97,000; 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-04-55-313-280 (Various Capital Improvements) and 9-01-26-290-295 (Streets & Roads 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 Bid No. 09-02, Combination Sewer

Cleaner & Industrial Vacuum Catch Basin Cleaner Mounted on 2008 or Newer Demonstration Unit Heavy Duty Truck Chassis, in the amount of \$97,000 (50% of the total bid price).

Same was carried on the following roll call vote:

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

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

Resolution No. 134-09

WHEREAS, on February 10, 2009, bids were received for Bid No. 09-04, Land Lease for Construction and Operation of Communications Facility; and

WHEREAS, two bids were received and the Municipal Manager and Township Attorney have reviewed said bids; and

WHEREAS, the bids submitted are being recommended for rejection because both were non-compliant with the specifications due to exceptions to said specifications;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that the bids submitted by Cellco Partnership d/b/a/ Verizon Wireless and by On Target Acquisitions for Bid No. 09-04, Land Lease for Construction and Operation of Communications Facility, are hereby rejected.

Same was carried on the following roll call vote:

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

Adoption of Ordinances

There were no ordinances of adoption.

Manager's Report –

Mr. Krawczun submitted an invoice listing for the month of February 2009 in the amount of \$1,889,028.32.

Mr. Krawczun distributed an outline of the schedule of components related to the New Jersey Infrastructure Trust Financing and the State Grant Programs for the remediation of the Dyson Tract and advised that the Administration anticipates bringing forward a bond ordinance at the next meeting to start moving forward on the matter.

Mr. Krawczun stated they received a letter from the NJDEP regarding a Notification that was sent to the Trenton Water Utilities relative to their stoppage of fluorinating the water back in August 2008. As a consequence, they will be required to notify all of the affected customers on the matter.

Mr. Krawczun also distributed copies of the information that will be posted on the Township's website informing residents of the situation to include contact numbers if they have any questions regarding the matter. A brief discussion followed.

Mr. Krawczun reviewed and distributed information he received from a meeting that was held by Mercer County Department of Planning and the NJ Department of Transportation with numerous elected officials from various communities in Mercer County to discuss the stimulus funding and the disbursement of funds.

Mr. Krawczun reported that Hopewell Township has entered into a contract for the engineering services for the Twin Pines Airport and that we have been able to resolve the issue to our satisfaction while reaping some benefits, as they expanded the scope of the contract and reduced the cost at the same time. He advised that process is in its early stage and he will keep Council updated on new information as it develops.

Attorney's Report –

There was no Attorney's report.

Clerk's Report –

Mrs. Norcia advised that a thank you card was received from Dot Simonelli whose mother passed away and that a sympathy arrangement was sent on behalf of the Council.

Council Initiatives/Liaison Reports (held over from 2/17) –

Councilman Miller's report:

Mr. Miller stated that Carol Chamberlain gave the Health Report earlier and the plans for the Memorial Day parade are going well. The Parade is scheduled for May 23rd. Also, the meeting with the Lawrence Neighborhood Center is scheduled for tomorrow night.

Councilman Powers' report:

Mr. Powers advised that the Shade Tree Advisory Committee has submitted its Annual Report and is prepared to appear before Council after the budget to provide an update on its activities.

Mr. Powers stated that the Human Relations Committee is working on plans for "Diversity Day" that is scheduled for May 3rd at the Senior Center.

Mr. Powers reported that the Growth & Redevelopment Committee is working with the Greater Eldridge Park Neighborhood Association (GEPNA) on a cooperative parking lot.

Councilman Puliti's report:

Mr. Puliti reported that the Recreation Advisory Committee and the Public Safety Advisory Committee have provided reports that he has not had a chance to review yet, and the he attended the last GEPNA meeting and they are moving right along with their future plans.

Mayor's Mount report:

Mayor Mount stated that she has a list of "What's the Mayor Been Up To" available for review.

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.

8:52 P.M.

Respectfully submitted by,

Kathleen S. Norcia, Municipal Clerk

Attest:

Pamela H. Mount, Mayor