

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

April 21, 2010

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Wednesday, April 21, 2010 at 7:00 P.M.

The meeting was opened with a Prayer and Pledge of Allegiance, led by special guest, Samantha Posluszny.

Mayor Powers welcomed everyone to the meeting and advised that the School Board budget passed and thanked the voters for their participation in the election. He then congratulated Dr. Laura Waters, Mr. Leon Kaplan and Mr. David Donahue on their election to the School Board.

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

“Adequate notice of this meeting of the Lawrence Township Council being held on Wednesday, April 21, 2010, 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: Councilmember’s Bostock, Kownacki, Mount, Puliti, and Mayor Powers.
- Absent: None.

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

Proclamations and Honors

There were no proclamations or honors.

Review and Revisions of Agenda

There were no revisions to the agenda.

Public Participation

Mr. Steven Vannier, B-17 Carver Place, voiced his opposition to the proposed layoff of the van driver, who transports the seniors at the Senior Center, as part of an effort to balance the budget and proceeded to read a statement to the Council concerning his mother and other seniors who no longer drive and who use this vital service to get them to and from appointments and errands. He additionally advised that his mother uses the van service to get to and from the Senior Center, where she teaches two sculpture classes and participates in many of the activities.

Mayor Powers thanked Mr. Vannier for his comments and advised that his mother attends the wonderful sculpture class that Mrs. Vannier teaches and how much they really appreciate the wonderful job she does volunteering at the Senior Center.

Mr. Robert Guadagnino, 63 Point Court, stated that he is the President of Lawrenceville Point Homeowners Association which is 55 and older community that has 88 units with over 50% of the residents being single elderly women and 90% of the residents are on fixed incomes and indicated when the community was first built the Planning Board required that brick pavers cross the entrance and exits of the development and approximately seven years ago they had an issue with water which lead to the involvement of the Township and eventually an Agreement that included Lawrence Township accepting the responsibility of the roads.

Mr. Guadagnino advised that the pavers are now falling apart and in need of repair and being the road is now the Township's responsibility they sent a letter requesting that the road be repaired. However, they received a letter from the Township Engineer denying the request due to private road restrictions and proceeded to discuss the severe impact the winter storms have had on their Association's budget and their lack of resources versus the Lawrence Township resources. He then asked if the Council would intervene on their behalf to have the pavers repaired and communicate their decision back to him.

Mr. Krawczun stated that he does not know the full history surrounding the matter, but usually when the Township takes over a private roadway they must be built to municipal standards and based on that presumption they would maintain the roadway up to those same standards which does not include additional or decorative work. A short discussion followed relative to the issue.

Mr. Guadagnino stated over the last several years snow removal reimbursement from the Township has remained unchanged and he would like to meet with the person who is in charge so that he can review the formula to determine whether or not their Association is being properly reimbursed or if an increase is practical each year to help offset the cost of labor, inflation and other contributing factors and proceeded to discuss an additional problem they are having with curbing and sidewalks in the development.

Mr. Krawczun advised that the Director of Public Works is responsible for the removal of snow and the Finance Department is responsible for the financial aspect of the cost, which is based on a formula for salaries and for materials to remove snow - such as salt, calcium and labor and proceeded to discuss the breakdown of the formula. After a short discussion, Mayor Powers suggested that Mr. Guadagnino make an appointment to meet with him and Mr. Krawczun to further discuss his concerns.

Mr. Joseph Caloiaro, Vice-President of FOP, Lodge 29, stated he is a longtime resident of Lawrence Township and for 17 years he has served the citizens of Lawrence as a proud member of the Police Department and now that he is the Vice-President of the FOP he has the honor and the privilege of representing the majority of the men and women that he works with and advised there is no group of people more dedicated and professional in the performance of their duties and excels in their mission to protect and serve the people of Lawrence than the members of the Lawrence Township Police Department.

Officer Caloiaro proceeded to discuss the departmental functions relative to the Township Police Department and the shortage of staff they are experiencing, mainly due to retirements and unfilled vacancies which has increased their level of duties and responsibilities in an effort to protect and serve the residents of Lawrence and keep it a safe and livable community. Additionally, he discussed the possible ramifications if the plan to lay off officers comes to fruition.

Mayor Powers thanked Officer Caloiaro for his comments he provided with regards to layoffs and the long-term repercussions and echoed previous comments that were made regarding how much the Council appreciates the great service that the Police Department provides day in and day out. He further advised the month of May is when they traditionally honor those efforts by recognizing acts of heroism and later in the meeting during budget discussions the Council will be discussing the difficult decision of balancing the need for public safety and the economic interest regarding the \$.06 tax increase. Afterwards, an at length discussion took place relative to staffing, upcoming retirements, training of new officers, proposed layoffs and the reinstatement of the Energy Tax Receipts, to help balance the 2010 budget.

Mrs. Christine Altomari, 8 Yeger Drive, stated that she has been a resident of Lawrence Township for over 20 years and has participated on various committees – such as the Environmental Committee, Sustainable Lawrence, The Friends of the Nature Center and now the Green Team and she knows that the missions of the different groups seem to overlap which she indicated is a good thing, as they each have distinct objectives and goals set each year. In addition, they have members who serve on other committees such as the Open Space and Greenways who participate on some of those overlapping boards or committees to share ideas, objectives and goals and lend support to one another without impeding on the others work.

Ms. Altomari proceeded to discuss their latest initiative regarding Sustainable Jersey and the framework of sustainability which helps other Committees identify objectives they can work toward with respect to sustainable practices and indicated the “Green Team” participation in the Sustainable Jersey Program is a good move in the right direction for Lawrence Township, as it helps other Committees clarify their long-term goals and objectives.

Mayor Powers briefly commented on the process and the benefits of the Green Team being connected to Sustainable Jersey and applying for grant monies and having access to Township professional resources and thanked Ms. Altomari for her comments.

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

Adoption of Minutes

On a motion by Mr. Puliti, seconded by Mr. Bostock, the Minutes of the Closed Session Meeting of April 6, 2010 were approved without corrections.

Same was carried on the following roll call vote:

- Ayes: Councilmen Bostock, Kownacki, Puliti, Councilwoman Mount and Mayor Powers.
- Nays: None.

Introduction of Ordinances

Mayor Powers read by title an ordinance entitled, "AN ORDINANCE PROVIDING CERTAIN JOB CLASSIFICATIONS AND PROVIDING COMPENSATION FOR THE MUNICIPAL EMPLOYEES OF THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY."

Mr. Krawczun advised that the Ordinance sets the salaries for the non-affiliated employees for the period of January 1, 2010 through December 31, 2010, and that the salary adjustments are at the same rates as the unionized employee's collective bargaining agreement that would include a 3% contribution toward their health insurance premiums effective January 1, 2011. But, indicated there is an exclusion of salaries for the Chief of Police and the Deputy Chief of Police, as they were legally advised that they should follow the Police Union Contract to ensure they receive the full benefits they are entitled to and proceeded to elaborate on the matter. Some comments and discussion took place relative to healthcare premium contributions and compensation.

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

| COUNCIL | AYE | NAY | PRESENT | ABSENT | ABSTAIN | MOVED | SECOND |
|--------------|-----|-----|---------|--------|---------|-------|--------|
| Mr. Bostock | | X | | | | | |
| Mr. Kownacki | X | | | | | | |
| Mrs. Mount | X | | | | | | X |
| Mr. Puliti | X | | | | | X | |
| Mayor Powers | X | | | | | | |

Resolutions

Mr. Krawczun briefly commented on Resolution (8J), Authorizing Commendation for Richard Soltis for Being Selected 2010 Fire Protection Inspector of the Year; and Mayor Powers, Councilwoman Mount, Councilman Puliti and Councilman Bostock briefly commented on Resolution (8B) Authorizing a Resolution Urging the State to Restore in Full all Energy Tax Receipt Funding with regards to the history of the tax and reinstatement of funding back to the Township.

Resolution Nos. 167-10 (8A) thru 177-10 (8K) were approved by the following roll call vote:

| COUNCIL | AYE | NAY | PRESENT | ABSENT | ABSTAIN | MOVED | SECOND |
|--------------|-----|-----|---------|--------|---------|-------|--------|
| Mr. Bostock | X | | | | | | X |
| Mr. Kownacki | X | | | | | | |
| Mrs. Mount | X | | | | | | |
| Mr. Puliti | X | | | | | X | |
| Mayor Powers | X | | | | | | |

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

Awarding or Rejecting of Bids

There was no award or rejection of bids.

Adoption of Ordinances

Mayor Powers read by title an ordinance entitled, "AN ORDINANCE AMENDING THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE ESTABLISHING A LAWRENCE TOWNSHIP FIRE DIVISION, THE DIVISION OF CODE ENFORCEMENT AND THE DIVISON OF EMERGENCY MANAGEMENT UNDER THE DEPARTMENT OF PUBLIC SAFETY"

Mayor Powers asked for comments from the public. There being none, Mayor Powers asked for comments from Council. There being none, public participation was closed.

Ordinance No. 2049-10

AN ORDINANCE AMENDING THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE ESTABLISHING A LAWRENCE TOWNSHIP FIRE DIVISION, THE DIVISION OF CODE ENFORCEMENT AND THE DIVISION OF EMERGENCY MANAGEMENT UNDER THE DEPARTMENT OF PUBLIC SAFETY

WHEREAS, the Township of Lawrence relies on the Slackwood Volunteer Fire Company, the Lawrence Road Volunteer Fire Company and the Lawrenceville Fire Company to provide fire services to the Township of Lawrence; and

WHEREAS, each fire company has demonstrated outstanding service and dedication to the community; and

WHEREAS, each fire company has operated independently of each other; and

WHEREAS, in order to effectively develop policy and procedures for fire service, to adequately purchase the necessary equipment and in order to provide the most appropriate and timely training, it requires that each fire company along with the Township form a cooperative relationship; and

WHEREAS, to adequately secure federal and state funding, it requires a combination of fire fighting services under a unified division; and

WHEREAS, to consolidate and coordinate efforts for fire fighting and fire inspection there is a need to delineate the functions of fire operations within the Lawrence Township Department of Public Safety;

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

1. There shall be a Lawrence Township Fire Division (hereby referred to as Division of Fire) in Lawrence Township with three separate firefighting stations.
 - a. The fire stations shall consist of Slackwood Volunteer Fire Company (Station 21), the Lawrence Road Volunteer Fire Company (Station 22), and the Lawrenceville Volunteer Fire Company (Station 23).

2. The fire chief shall be the ranking officer of each fire company.
 - a. The fire chief shall in all cases where fire threatens life or damage or destruction of property within the Township take prompt and efficient measures and use the means of their station to extinguish the fire and shall at such times and occasions have the sole and absolute control and command over all the fire apparatus and all members of their respective station.

3. The Division of Fire is hereby created and shall be a division under the Department of Public Safety within the Township of Lawrence.
 - a. The fire chief shall consult and cooperate with the Division of Fire administrator for the conduct, efficiency and management of each station and for the enforcement of the rules and regulations governing the same. In the absence of the fire chief at any emergency or non-emergency activity in which the fire station is operating, the chain of command shall move to the next ranking officer of each fire station.

4. The Director of Public Safety shall appoint a person to be the administrator of the Division of Fire. The administrator of the division shall be the executive head and charge thereof, and shall be responsible to and under the supervision of the Director of Public Safety. The administrator of the Division of Fire shall have

the required fire fighting training and command experience for the position.

- a. The Division of Fire shall consist of any and all paid fire fighters of the Township together with any volunteer fire station operating within the township. The personnel of the paid fire fighters and such volunteer fire companies shall constitute the Division of Fire in Lawrence Township.
 - b. Each fire station shall elect its own fire chief and fire line officers, as well as its own administrative officers separate and distinct of the Township of Lawrence, Department of Public Safety, Division of Fire.
 - c. There shall be within the Division of Fire any number of volunteer districts as established by the Division of fire administrator.
5. It shall be the responsibility of the Division of Fire administrator in conjunction with the fire chief of each station, under the authority of the Director of Public Safety to:
- a. Establish policy, procedures and orders for the efficient operation of the Division and ensure compliance with same;
 - b. Establish orders for the efficient operation of fire ground operations, in conjunction with the fire chiefs of each district and to also establish a chain of command for fire ground operations.
 - c. Ensure the proper training of all members of the Fire Division.
 - d. Provide adequate equipment and materials in order for the Division to operate including purchasing and procurement of equipment and services.
 - e. Preparation of annual operating and capital budgets, as provided by the fire chief of each fire company.
 - f. Responsibility for preventative maintenance and repairs of fire apparatus and equipment.
 - g. Manage the general buildings and facilities of the fire companies including cleaning, repairs and renovations.

- h. Provide coordination of firefighting activities and training exercises between the three fire companies.
 - i. Ensure compliance with state laws and local ordinances with regards to the operations of the Division.
 - j. Prepare monthly operational reports on the activities of the Lawrence Township Fire Division including state NFIRS reporting.
 - k. Develop and manage a system of record keeping for all fire department administrative and personnel functions, including but not limited to, individual member training requirements, training programs, equipment inventories, budget and purchasing and any other required reporting that is required or requested.
 - l. Identify and apply for grant and other funding opportunities related to Fire Division activities.
 - m. Responsibility for the oversight and development of a volunteer recruitment program for the fire companies.
 - n. Coordinate box alarm plans with each fire chief for approval of the Director of Public Safety.
 - o. Complete any other duties as designated by the Director of Public Safety.
6. There shall be a Division of Code Enforcement under the Department of Public Safety with the fire Marshall as the division administrator.
7. The Fire Marshall shall:
- a. Enforce and ensure compliance with the Uniform Fire Code, NFPA, International Building Code, International Fire Code, both New Jersey editions, local municipal ordinances and other related codes.
 - b. Review construction plans under the Uniform Construction Code as it relates to the Planning Board and Zoning Board for exterior fire safety issues and recommendations.
 - c. Issue permits under the Uniform Fire Code.

- d. Respond to and conduct investigation of all fires.
 - e. Develop and conduct fire prevention programs including education, training and demonstrations.
 - f. Respond to emergency calls for service for fire and/or emergency medical service under the authority of the Director of Public Safety at any time.
 - g. Provide assistance to the fire chief in any manner possible on any fire service operation at any time the fire service or emergency medical services is in operation.
 - h. coordinate safety and training programs for Township employees.
 - i. Ensure compliance with Right to Know and PEOSHA regulations.
 - j. Participate as a member of the Public Safety Committee.
 - k. complete any other duties as designated by the Director of Public Safety.
8. There shall be a Division of Emergency Management under the Department of Public Safety with an Emergency Management Director as the division administrator.
9. The Emergency Management Director shall:
- a. Maintain a comprehensive emergency management plan. In the preparation of this plan as it pertains to the Township of Lawrence organization it is the intent that the services, equipment, facilities and personnel of all existing departments, agencies, boards and committees, including volunteer fire companies and emergency medical services shall be utilized to the fullest extent to protect the peace, health and safety of citizens. When the plan is approved, it shall be the duty of all municipal departments to perform the functions assigned by the plan and to maintain their portion of the plan in a current state of readiness at all times. The basic plan shall be considered supplementary to this chapter and have the effect of law whenever a disaster has been proclaimed. The plan shall be compatible with county and state plans.

- b. Provide communications during emergencies.
 - c. Provide preparedness for and coordination during times of declared emergencies.
 - d. Participate as a member of the Public Safety Committee.
 - e. Enforce local Township ordinances and other related codes.
 - f. Abide by all federal and state laws regarding the position of Emergency Management Director.
 - g. Respond to emergency calls for service for fire and/or emergency medical services under the authority of the Director of Public Safety at any time.
 - h. Provide assistance to the fire chief in any manner possible on any fire service operation at any time the fire service or emergency medical services is in operation.
 - i. Identify and apply for grant and other funding opportunities related to Fire Division activities.
 - j. Management and administration of the Lawrence Township Emergency Medical Services.
 - k. Complete any other duties as designated by the Director of Public Safety.
10. The Director of Public Safety shall promulgate rules, regulations, policies and procedures to effectively operate all three divisions.
11. In the event no ranking member of any fire station is available to command the scene of an emergency or other non-emergency that the fire company has been assigned, The Division of Fire Administrator, the Fire Marshall or the Director of Emergency Management shall assume command of the scene until that time that a fire station officer so relieves them.
12. The Division of Fire Administrator, the Fire Marshall and the Emergency Management Director shall, for the purposes of table of organization and chain of command issues, be equal in rank to a command level officer in the fire service.

- 13. No fire apparatus of any kind belonging to the Township shall be taken beyond the Township limits without the express authority of the Director of Public Safety unless in response to a request for mutual aid from another municipality. In any case fire apparatus is sent beyond the township limits, enough apparatus and staffing must be left within the township to adequately protect the municipality.
- 14. The Director of Public Safety may assign the duties of each division to any Township employee or volunteer as he sees fit for the efficient operation of the department. Additionally, the Director of Public Safety shall set up a chain of command structure for any division administrator as he believes will successfully fulfill the intent of this ordinance.
- 15. The Department of Public Safety shall operate under the Incident Command System.

Repealer

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

Severability

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

Effective Date

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

The Ordinance 2049-10 was adopted on the following roll call vote:

| COUNCIL | AYE | NAY | PRESENT | ABSENT | ABSTAIN | MOVED | SECOND |
|--------------|-----|-----|---------|--------|---------|-------|--------|
| Mr. Bostock | X | | | | | | X |
| Mr. Kownacki | X | | | | | | |
| Mrs. Mount | X | | | | | | |
| Mr. Puliti | X | | | | | X | |
| Mayor Powers | X | | | | | | |

Manager’s Report –

Krawczun submitted the Investment Report for January and February 2010.

A. Budget Discussions

Mr. Krawczun distributed a Memorandum describing suggested layoffs and the implementation of the staff reduction and how it would affect the operations for each of the Departments and proceeded with an in-depth review of the adjustments to the appropriations and revenues that would help decrease the 2010 tax rate caused by the loss of State aid in the amount of \$1,023,000, and the projected savings for each of the affected departments.

An at length question and answer session took place relative to the scenarios of adjustments presented by Mr. Krawczun regarding staff reductions and the consequences of each of the cutbacks, the proposed tax increase (\$.06 or \$.07), reduction of municipal services, reducing the aggregate cost of energy, the cancellation of the July 4th Fireworks and finding sponsorship for future events, benefits and user fees, a proposed fee for bulk item pickup and the Capital Plan Ordinances that were submitted to the Council for review and consideration, to include revisions to the Plan.

Afterwards, Mayor Powers and the Council thanked Mr. Krawczun and his staff for the thorough preparation of the changes to the Recommended Budget and gave their consensus for him to proceed with the introduction of the 2010 Municipal Budget and the Capital Ordinances at the May 4th meeting.

Mr. Krawczun reported that the renovations at the Senior Center are coming along very well and proceeded to advise of a few minor Change Orders associated with the project, to include additional parking, additional painting in main entrance hallway and a deadline extension of three weeks for the contactors due to the inclement weather. A brief discussion took place relative to the renovations being completed by Diversity Day, as the event is scheduled to take place at the Center.

Attorney’s Report –

There was no Attorney’s report.

Clerk’s Report –

There was no Clerk’s report.

Council Initiatives/ Liaison Report –

Councilmember Kownacki's report:

- Mr. Kownacki had no Liaison report.

Councilmember Mount's report:

- Mrs. Mount briefly discussed the three goals of the Green Team regarding energy, water and small businesses.
- Mrs. Mount reported the Greenway Committee is working on updating the Greenways Map and part of the goal is to connect neighborhoods where schools exist.
- Mrs. Mount stated that Earth Day is scheduled for Saturday, April 24th in the afternoon at the Nature Center – rain or shine and they are expecting to have lots of fun and families attend the event.
- Mrs. Mount reported that the Artist Co-op on Main Street is moving right along and has been very successful with their festivals and open houses. In addition, they are helping the Green Team with their project on rain barrels and so far five barrels have been jazzed up with various artists' paintings.
- Mrs. Mount advised that she spoke at the Golden Age Club at Adath Israel which was interesting, and the DVRPC had a countywide meeting at the Mercer County Library (Lawrence Branch) concerning buses and transportation that she attended.
- Mrs. Mount reported that the Lawrence Day/Nursery School on Quakerbridge Road had an early Earth Day Literacy Fair that she attended which was a lot of fun.
- Mrs. Mount stated that the Sustainable Element of the Master Plan was presented to the Planning Board on Monday night, and she is sorry everyone was unable to attend because it was a great presentation with a good turnout and positive feedback from those in attendance.
- Mrs. Mount advised the Council that Lawrence-Hopewell Trail has a new up-to-date jazzy website that they all can enjoy looking at being the site now has lots of good information and maps on it.

- Mrs. Mount reported that last week the Community Band had its free Annual Spring Concert at the Senior Center with a packed house and it was terrific.

Councilmember Puliti's report:

- Mr. Puliti reported that the Recreation Advisory Committee had there annual walk through of all the parks, ball fields and open space which was quite impressive.
- Mr. Puliti reported that the Public Safety Committee had their first field trip that consisted of going over the specs of the fire trucks and equipment and thanked Chief Ray Nagy of the Lawrenceville Fire Company.

Councilmember Bostock's report:

- Mr. Bostock had no Liaison report.

Mayor Powers' report:

Mayor Powers reported on the following items:

- Mayor Powers reported that the Human Relations Committee has been very busy preparing for Diversity Day that is scheduled for Sunday, May 2nd from 12:00 Noon to 4:00 p.m. at the Senior Center and invited all to come out and enjoy lots of food and entertainment.
- Mayor Powers stated that the Growth and Redevelopment Committee did not have a quorum, so there was no meeting and proceeded to discuss the Sustainable Element of the Master Plan that will be introduced at the May 3rd Planning Board meeting.

Written Communications –

There were no written communications.

Old Business –

A. Discussion Relative to Green Team Committee

During a previous discussion concerning the Green Team Committee, Mr. Bostock questioned whether or not there were any tangible benefits to being designated as a “Green “community.

Mrs. Mount updated the Council on some of the tangible benefits available to towns that are certified and/or registered – such as the accumulation of points and extra credit that the town will receive that will put them in better standing to receive various grants offered by the various State Departments, Sustainable Jersey and even Wal-Mart who has a \$250,000 Sustainable Grant available. Further, there are seminars and training programs that are available to certified and/or registered towns, to include tools for fundraising, grant writing techniques, information regarding clean energy grants and energy audits, programs offered through the BPU, and the availability of energy star equipment, as well as, updates on new rules concerning sustainability.

Some discussion followed relative to the benefits of being a sustainable community, memorializing the application process and the proper procedure with regards to the establishment and appointment of members to a Committee.

New Business –

There was no old business.

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

8:44 P.M.

Respectfully submitted by,

Kathleen S. Norcia, Municipal Clerk

Attest:

Michael S. Powers, Mayor