

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

March 16, 2010

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, March 16, 2010 at 7:00 P.M.

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

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 Tuesday, March, 16, 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: Councilmembers Bostock, Kownacki, Puliti, Mayor Powers.
Absent: Councilmember Mount (The Municipal Clerk advised that Mrs. Mount is out of town.)

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

Proclamations and Honors

There were proclamations or honors.

Review and Revisions of Agenda

Mr. Bostock requested that the Manager’s Report (Item #11) be moved down on the Agenda until after the conclusion of the Budget Presentations (Item #12).

Mr. Krawczun advised that it is necessary to add a Supplemental Resolution (8-O) to the Agenda - Authorizing Transfers Between 2009 Appropriation Reserves.

Mayor Powers further advised that Resolution (8-K) - Authorizing the Municipal Manager to Execute a Negotiated Union Contract with FMBA Local 96 for the Period of 1/1/10 thru 12/31/10, will be added to the Closed Session.

On a motion by Mr. Bostock, seconded by Mr. Puliti, the Agenda was revised to move the Manager's Report (Item #11) down on the Agenda, add Supplemental Resolution (8-O) and Resolution (8-K) to the Closed Session.

Same was carried on the following roll call vote:

Ayes: Councilmembers Bostock, Kownacki, Puliti, Mayor Powers.
Nays: None.
Absent: Councilmember Mount.

Public Participation

Mr. Philip Rubin, 73 Green Avenue, advised that he has been a resident of Lawrence Township for almost 25 years and since the day he moved into his residence there has been a water and drainage problem on his street; a problem that has been addressed on several occasions. But, now the problem has escalated into a public safety issue being the water flows across the sidewalks of his and his neighbor's property from places it should not be coming.

Mr. Rubin indicated over the last several years the water stream has changed its course so whenever it rains it floods almost the entire backyard area of his neighbor's property. So, his question to the Council is if he hired someone to go underground and put in piping to gather the water would the Township give them permission to connect the piping to a drain in the street. Further, would they be able to ask the person hired to guarantee the work by putting up a performance bond.

Mr. Krawczun advised that approval for the project might be possible, but he could not provide Mr. Rubin with a definitive answer until after the Administration has had a chance to review the issue.

Mayor Powers further advised if the work is being done on private property the Township has no involvement with the project or the cost of the project. An at length conversation took place relative to Mayor Powers' comments and past/present issues related to the drainage and sinkhole problems in the area.

Andrew Lee, President of the Fraternal Order of Police (FOP), Lodge 209 greeted and thanked the Council, Chief Posluszny and members in the audience for giving him the opportunity to speak before them and proceeded to state that he and his fellow officers feel it is imperative that the fiscal measures Chief Posluszny will be presenting tonight gets approved by Council.

Officer Lee further stated the job of protecting the community is one in which they take great pride and honor and that they are truly privileged to protect and serve the men, women and children that walk the streets, work at the local businesses, attend neighborhood schools and call Lawrence Township their home. But, indicated in order to accomplish their ultimate goal of providing the best protection and service possible to the residents of Lawrence they need the financial support of the Council and the citizens of Lawrence.

Officer Lee proceeded to discuss all the advantages of the residents' tax dollars as it relates to them living in safe and secure community and advised during the Budget Summit that recently took place it was pointed out that the Police Department consumes one of the single largest shares of the Township's budget. But, indicated when viewed from the amount of service and the quality of service rendered they are the best bargain around, as the men and women are there to faithfully and selflessly serve the people of Lawrence.

Mayor Powers stated there is no doubt in any of the Councilmembers' minds that Lawrence Township has an outstanding police force compared to any other force in the County or the State. And, that he knows Chief Posluszny will be presenting his budget later in the evening and wished he had a magic wand to make the money appear – but he does not. Instead, they are faced with hard economic times and tough decisions to make in terms of the budget and proceeded to elaborate on the Governor's Budget Address that was presented earlier in the day and his plans to reduce municipal State aid that has remained flat, even more; a plan that will come to fruition very soon.

Mayor Powers advised that the Town Council is working with a \$250,000 + shortfall in the budget, depending upon the tax rate, that they have to try and make up for along with the task of having to balance the needs of the police against the needs of the taxpayers which is a very difficult process for the Governing Body. But, they will be working with the Police Department and the Municipal Manager to help guide them through this difficult process and they will do their very best to balance the budget without making significant cuts. All they request it that everyone remain patient and understanding during this complex process.

Ms. Lisa Burke, 278 Fountayne Lane, stated she would like to offer a very serious recommendation with regards to adopting the municipal budget and although there are many competing interests regarding the budget process, she hopes, when the final decisions are made the Council will engage in a framework

where principle decision-making is articulated and a core set of community values are reflected in the budget. Because, she would like to know, as a taxpayer, that she can sleep at night with the decisions they collectively make.

Ms. Burke further stated in that same spirit there are at least three common values that she feels reflect the community. The first is public safety – an issue she disagrees with Mayor Powers comments on (police vs. the interest of the taxpayer); the second was education, but was changed to adolescents and senior citizens, as they are the most vulnerable at this time; and, the third is no actual job losses – as she feels freezing positions that become vacant due to retirements or people moving on is the more appropriate way to save money - not creating more unemployment.

Ms. Burke proceeded to elaborate on the Governor's budget comments as it relates to shared sacrifices and fairness, as well as, her willingness to sacrifice a few cents on the tax rate to prevent someone from becoming unemployed. So, in the spirit of that, she is offering her suggestions in support of the difficult decision the Council has to make because she believes there are other Lawrencians willing to make the same sacrifices and that is part of what makes Lawrence Township special and a community of one.

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

Adoption of Minutes

On a motion by Mr. Bostock, seconded by Mr. Puliti, the Minutes of the Regular Meeting of December 15, 2009 were approved without corrections.

Same was carried on the following roll call vote:

Ayes: Councilmembers Bostock, Puliti, Mayor Powers.
Abstain: Councilmember Kownacki.
Absent: Councilmember Mount.
Nays: None.

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On a motion by Mr. Bostock, seconded by Mr. Puliti, the Minutes of the Reorganization Meeting of January 1, 2010 were approved with corrections.

Same was carried on the following roll call vote:

Ayes: Councilmembers Bostock, Kownacki, Puliti, Mayor Powers.
Absent: Councilmember Mount.
Nays: None.

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On a motion by Mr. Bostock, seconded by Mr. Puliti, the Minutes of the Regular Meeting of January 5, 2010 were approved without corrections.

Same was carried on the following roll call vote:

Ayes: Councilmembers Bostock, Kownacki, Puliti, Mayor Powers.
Absent: Councilmember Mount.
Nays: None.

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On a motion by Mr. Bostock, seconded by Mr. Puliti, the Minutes of the Closed Session Meeting of February 2, 2010 and February 16, 2010 were approved without corrections.

Same was carried on the following roll call vote:

Ayes: Councilmembers Bostock, Kownacki, Puliti, Mayor Powers.
Absent: Councilmember Mount.
Nays: None.

Introduction of Ordinances

There was no introduction of ordinances.

Resolutions

Resolution Nos. 133-10 (8A) thru 147-10 (8O) with the exclusion of Resolution (8K) was 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.

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Mr. Krawczun provided an in-depth review of Resolution (8K) - Authorizing the Municipal Manager to Execute a Negotiated Union Contract with FMBA, Local 96 for Period of 1/1/10 through 12/31/13, indicating that it is a four-year proposal and will save approximately \$40,000 over the life of the contract.

Mayor Powers thanked Mr. Krawczun for negotiating the union contract so aggressively and stated in his opinion it's a fair agreement and for Mr. Krawczun to get the Union members to contribute to their healthcare premium was definitely a good step in the negotiations process, so he will be voting "yes" on the resolution.

Mr. Bostock stated if it was normal economic times he would think this was an outstanding agreement that was negotiated and in many ways there are parts of the contract he feel is moving in the right direction. However, these are not normal times - these are extraordinary times, as they are middle of what is arguably the worst economy in 70-years. So, although he feels the agreement is good, it is not good enough, so he will be voting "no" on the resolution.

Mr. Puliti thanked Mr. Krawczun for negotiating the union contract, as it was not an easy task and consumed a lot of his time. Further, he respects Mr. Bostock's opinion and he is not disputing that any of his comments are true. But, indicated Lawrence Township has good employees who are not slackers and who broke the barrier by contributing toward their healthcare premiums, gave up their raises in 2010, agreed to raises under 3% for the duration of the contract and new hires starting at the bottom of the scale; so, because he feels it is a fair agreement and will be voting "yes" on the resolution.

Mr. Kownacki stated this is the first union contract that he has been involved in as a Councilmember; but, he feels the Municipal Manager did a very good job negotiating the contract and thanked him for his time and service. And, indicated he partly agrees with Mr. Bostock's comments with respect to the employees contributing a little more toward their benefits, but besides that the agreement is still a good step in the right direction. And, hopefully, it will persuade the other unions to follow suit and later on down the road they can think of ways to try and increase the contributions.

Resolution No. 143-10 (8K) was approved by the following roll call vote:

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

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

Awarding or Rejecting of Bids

There was no award or rejection of bids.

Adoption of Ordinances

Mayor Powers read by title an ordinance entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 2045-10 PROVIDING FOR SIDEWALK IMPROVEMENTS IN AND BY THE TOWNSHIP OF LAWRENCE, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$6,837.21 THEREFOR AND DIRECTING THE SPECIAL ASSESSMENT OF THE COST THEREOF"

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. 2048-10

AN ORDINANCE AMENDING ORDINANCE NO. 2045-10 PROVIDING FOR SIDEWALK IMPROVEMENTS IN AND BY THE TOWNSHIP OF LAWRENCE, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$6,837.21 THEREFOR AND DIRECTING THE SPECIAL ASSESSMENT OF THE COST THEREOF

BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey that Ordinance No. 2045-10 be and is hereby amended as follows:

Section 5.

(b) The number [eight (8)] five (5)

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 immediately upon adoption thereof.

The Ordinance 2048-10 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						

Budget Presentation –

Paul Catanese, Municipal Court Judge, Budget Presentation:

Prior to providing his budget report Judge Catanese advised that one of his Deputy Court Administrators achieved her designation as a Certified Municipal Court Administrator and was recognized by the Supreme Court which is a great accomplishment, as it indicates the high level of knowledge a person has with regards to the Court’s policy, procedures and overall operations of the municipal court.

Judge Catanese further advised that the employee now joins the ranks of both the Court Director and Deputy Court Director who have already obtained their Certification. So, they now have three staff members who have completed all the course work and oral examinations necessary to achieve such as prestigious designation; a designation that very few Court/Deputy Administrators achieve, so this is surely something in which Lawrence Township can be very proud.

Judge Catanese then proceeded with an in-depth review of his 2010 Budget Report for Council’s review and consideration relative to the staffing model recommended by State Statute, staff shortages, his staff and their weekly court sessions and auxiliary duties associated with criminal, domestic and motor vehicle violations, the decrease in court revenues and the collection rates due to economy and people being unemployed and budgetary cuts. He also provided a

brief overview of his duties as the Judge of the Lawrence Township Court, to include some of his additional responsibilities.

A short question and answer session took place relative to Judge Catanese's presentation, after which Mayor Powers and the Council all thanked and gave closing remarks to Judge Catanese for the wonderful job he and his staff do for Lawrence Township.

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Daniel Posluszny, Chief of Police, 2010 Budget Presentation:

Chief Posluszny thanked the Council for their time and the police officers who were present at the meeting and proceeded to tell a story about a resident who called for a ambulance, but the police arrived on the scene first and found that forced entry was necessary to try and save the resident's life which unfortunately ended unsuccessfully. Thereafter, he received an email from her son who is now a soldier in the military and stationed in California, thanking the police department for the wonderful job they did in responding to his mother's call and for securing her home after the incident was over, as he was told by a neighbor that one of the police officers stood guard while the other officer went and got tools to repair the door that was forced open.

Chief Posluszny stated he likes to tell that story because that is just one of many he receives in his office regarding the outstanding service the police provide to the residents of Lawrence Township. And, because of officers like those and the ones sitting in the audience who are out protecting the public day and night and giving everything they have to try and make a difference he and his family can feel safe and secure living in the Lawrence; a community in which he grew up, raises his children in and plans to stay in.

Chief Posluszny advised that a copy of the Police Department's Annual Report was distributed for the Council to review at their leisure and if they have any questions or concerns relative to the Report they could contact either him or Mr. Krawczun and they will be glad to assist them. He then proceeded with an in-depth review of his staff with respect to hiring, retirements, existing employees and their day-to-day departmental operations, as well as, an extensive review of his 2009 Statistics Report and the 2010 Budget Request for Council's consideration.

A short question and answer session took place relative to Chief Posluszny's presentation, after which Mayor Powers and the Council all thanked and gave closing remarks regarding him and his staff's diligent service and the great job they do in protecting the community.

Manager’s Report –

Mr. Krawczun reported at the last meeting there was a “draft” copy of an ordinance distributed to the Council which creates a Division of Fire within the Department of Public Safety and advised the Public Safety Committee has made some minor changes to the ordinance involving the Codes that the Fire Marshall is responsible for and asked if there were any questions regarding the original ordinance. There was none.

Mr. Krawczun asked the wishes of Council with regards to bringing forth the ordinance for approval at the next meeting. There was no opposition to Mr. Krawczun’s proposal.

Mr. Krawczun distributed copies of a Priority Capital Request and an Operation Expenditures for Capital Expenditures list for the Council to review and future discussion and proceeded to review the breakdown associated with the operating and capital expenditures that will be approved for the 2010 Capital Budget.

Mr. Krawczun reported that there was a Special Meeting last night of the Recreation Advisory Committee that included the Lawrence Lightning Football Program and the Baseball and Soccer Associations, to give the groups one final look at the proposal concerning the development of the recreational fields at the Twin Pines Airport and advised that the proposal could be going out to bid as soon as next week and proceeded to elaborate on the bid process.

Attorney’s Report –

There was no Attorney’s report.

Clerk’s Report –

There was not Clerk’s report.

Council Initiatives/Liaison Reports –

Councilmember Kownacki’s report:

- Mr. Kownacki had no Liaison report.

Councilmember Mount's report:

- There was no Liaison report. (Mrs. Mount absent.)

Councilmember Puliti's report:

- Mr. Puliti advised that Mr. Krawczun already reported on the ordinance pertaining to the Fire Services Division which was passed unanimously by the Public Safety Committee and the Recreation Advisory Committee who will be moving forward with the bid process for the joint recreational facility at the Twin Pines Airport.

Councilmember Bostock's report:

- Mr. Bostock reported that he attended the first meeting of the Senior Executive Committee this year which was very engaging, as they had lots of good questions about the budget and tax increases and he tried to provide them with good answers. They are excited about the new construction going on at the Senior Center, and although they are grateful for the usage of other facilities, they can't wait to have their own facility back.
- Mr. Bostock stated the Environmental Resources Committee met last week and the person they appointed earlier tonight filled the one vacancy, and that she will be a great addition to the Committee, as she is an Environmental Wildlife Biologist for airports. Additionally, he discussed the Resolution that was also approved by the Council for the 2010 Smart Growth Grant from ANJEC, to study the private wells capacity around Lawrence Township.
- Mr. Bostock advised that Cable Telecommunication Advisory Committee is scheduled to meet next week.

Mayor Powers' report:

Mayor Powers reported on the following items:

- Mayor Powers advised that Lillian LaSalle, Director of Office on Aging, is an active member on the Human Relations Committee and she’s monitoring the construction going on at the Senior Center being Diversity Day is scheduled to take place there on Sunday, May 2nd from 12:00 Noon to 4:00 p.m., and they are in the process of finalizing the plans and soliciting support of food from local restaurants.
- Mayor Powers stated that the Growth and Redevelopment Committee had an In-house Marketing Team in attendance at their last meeting, who are map providers that make colorful maps illustrating points of attractions in various towns like the ones seen on golf courses and at the shore. And, advised that they are a private business that has already done one for Pennington Borough and would like to do the same for Lawrence Township and proceeded to elaborate on the plan.
- Mayor Powers stated unfortunately he was unable to attend the Shade Tree Advisory Committee meeting, so he has no Liaison report for that Committee.
- Mayor Powers reported that the “Ask the Mayor” meeting at Amalfi’s was very low key, so he and Mr. Krawczun had a little time to work, and that the next meeting is scheduled for Monday, April 26th at Vidalia’s.

Written Communications –

There was no written communication.

Old Business –

A. Discussion Relative to Green Team Committee

Mayor Powers asked the wishes of the Council as to how they would like to proceed with the discussion due to Councilmember Mount’s absence.

Mr. Bostock suggested they first adopt an ordinance creating the Green Team Advisory Committee in accordance to the Sustainable Jersey guidelines and any further discussions can wait until the next meeting when Councilmember Mount is present.

Mr. Puliti questioned whether or not it was mandatory for Township employees to be on the Committee?

Mr. Krawczun stated that would the decision of the Council since there is nothing he is aware of suggesting otherwise.

Mayor Powers questioned if there was ever a resolution done appointing members to the Committee?

Mr. Krawczun advised that there was a resolution done in 2009 appointing members until December 31, 2009.

Mr. Bostock stated he would also like to know if and what tangible benefits are associated with the Township being designated as a "Green" community. For example: Grant applications being reviewed or approved ahead of communities that are not designated as a "Green" community.

Mayor Powers advised that they will have further dialogue regarding the matter at the April 6th meeting.

New Business –

There was no new business.

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

9:16 P.M.

Respectfully submitted by,

Kathleen S. Norcia, Municipal Clerk

Attest:

Michael S. Powers, Mayor