

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

April 21, 2011

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Thursday, April 21, 2011, at 7:00 P.M.

The meeting was opened with the Inspiration and Pledge of Allegiance, led by the Deputy Municipal Clerk.

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

STATEMENT OF PROPER NOTICE: “Adequate notice of this meeting of the Lawrence Township Council being held on Thursday, April 21, 2011, 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, Powers, Mount and Mayor Puliti.

Absent: None.

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

There were no revisions to the agenda.

Public Participation

There was no public participation.

Adoption of Minutes

On a motion by Mr. Bostock, seconded by Mr. Powers, the Minutes of the Regular Meeting of February 1, 2011 were approved without corrections.

Same was carried on the following roll call vote:

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

Introduction of Ordinances

Mayor Puliti read by title an ordinance entitled, "BOND ORDINANCE AMENDING BOND ORDINANCE 2052-10 BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, IN ORDER TO REVISE THE DESCRIPTION OF THE IMPROVEMENT HEREIN."

Mr. Krawczun advised that the Bond Ordinance was previously amended in 2011, originally adopted in 2010, to revise the description of authorized purposes for which the bond proceeds can be utilized and that the amendment will add a HVAC system purchase and installation to the previously included gymnasium roof replacement for the Lawrence Neighborhood Service Center.

The Ordinance was introduced and approved 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. Powers	X						X
Mayor Puliti	X						

Resolutions

The Municipal Manager provided a brief summary of Resolution (8-E), Authorizing Citizen Participation Plan for Small Cities CDBG Program.

Resolution Nos. 126-11 (8A) thru 139-11 (8N)) with the exception of Resolution 98-11 (Bid Award) 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. Powers	X						X
Mayor Puliti	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 were no bid awards.

Adoption of Ordinances

Mayor Puliti read by title an ordinance entitled," AN ORDINANCE AMENDING CHAPTER 3 OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE ENTITLED "ALCOHOLIC BEVERAGES"

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

Ordinance No. 2089-11

AN ORDINANCE AMENDING CHAPTER 3 OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE ENTITLED "ALCOHOLIC BEVERAGES"

BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that Chapter 3 of the Lawrence Township Administrative Code entitled "Alcoholic Beverages" be and is hereby amended by addition of the following new section:

Section I

Section 3-33 Prohibition of Underage Drinking on Private Property

Definitions:

- 1) Guardian- means a person who has qualified as a guardian of the underage person pursuant to testamentary or court appointment.
- 2) Relative- means the underage person's grandparent, aunt, uncle, sibling or any other person related by blood or affinity.
- 3) School- is defined as any public or private institution of learning or any post-secondary college or university.
- 4) School Public Safety Agency - is defined as any public or private agency that provides security and/or first responder medical treatment to students of a school.

Section 3-33.1 Possession, consumption of alcoholic beverages by persons under legal age on private property prohibited

It shall be unlawful for any person who is under the legal age to purchase alcoholic beverages to knowingly possess without legal authority or knowingly consume any alcoholic beverage on private property.

Section 3-33.2 Violations and Penalties.

Any person convicted or adjudicated for violating the terms of this ordinance shall be subject to the following fines:

- 1) First offense-\$250.00
- 2) Second or subsequent offenses - \$350.00
- 3) In addition, the court may, upon a finding of guilty, in addition to the fine authorized for this offense, suspend or postpone for six (6) months the driving privileges of the defendant. Upon conviction of any person and the suspension or postponement of that person's driver's license, the court shall forward a report to the Division of Motor Vehicles stating the first and last day of the suspension or postponement period imposed by the court pursuant to this section. If a person at the time of the imposition of a sentence is less than 17 years of age, the period of license postponement, including a suspension or postponement of the privilege of operating a motorized bicycle, shall commence on the day the sentence is imposed and shall run for a period of six months after the person reaches the age of seventeen (17) years. If the defendant at the time of the

imposition of the sentence has a valid driver's license issued, the court shall immediately collect the license and forward it to the Division of Motor Vehicles along with the report. If for any reason the license cannot be collected, the court shall include in the report the complete name, address, date of birth, eye color, and sex of the person as well as the first and last date of the license suspension period imposed by the court.

- 4) The court shall inform the person orally and in writing that if the person is convicted of operating a motor vehicle during the period of suspension or postponement, the person shall be subject to the penalties set forth in N. J.S.A. 39-:3-40. The defendant shall be required to acknowledge in writing the receipt of the written notice in writing. Failure to receive a written notice or failure to acknowledge in writing the receipt of the written notice shall not be a defense to a subsequent charge of a violation of N J.S.A. 39:3-40.
- 5) If the person convicted under this ordinance is not a New Jersey resident, the court shall suspend or postpone, as appropriate, the non-resident driving privilege of the person based on the age of the person and submit to the Division of Motor Vehicles the required report. The court shall not collect the license of a non-resident convicted under this Article. Upon receipt of a report by the court, the Division of Motor Vehicles shall notify the appropriate officials in the licensing jurisdiction of the suspension or postponement.

Section 3-33.3 Exceptions.

- 1) Beverage consumption in connection with a religious observance, ceremony or rite or consuming or possessing an alcoholic beverage in the presence of and with the permission of a parent, guardian or relative who has attained the legal age to purchase and consume alcoholic beverages.
- 2) This ordinance shall not prohibit the possession of alcoholic beverages by any underage person while actually engaged in the performance of employment by a person who was licensed under Title 33 of the revised statutes or while actively engaged in the preparation of food while enrolled in a culinary arts or hotel management program at [a county vocational school or post-secondary educational institution;] a school of any type. However, this ordinance shall not be construed to preclude the imposition of a penalty under this Section, N.J.S.A. 33:1-81, or any other section of the law against a person who is convicted of unlawful alcoholic beverage activity on or at premises licensed for the sale of alcoholic beverages.
- 3) Lifeline Exemption
 - A. An underage person and one or two other persons shall be immune from prosecution under this ordinance if:

1. one of the underage persons called 9-1-1 or a School Public Safety Agency and reported that another underage person was in need of medical assistance due to alcohol consumption; and
2. the underage person who called 9-1-1 or a School Public Safety Agency and, if applicable, one or two other persons acting in concert with the underage person who called 9-1-1 or a School Public Safety Agency and provided each of their names to the 9-1-1 operator or School Public Safety Agency; and
3. the underage person was the first person to make the 9-1-1 report or report to the School Public Safety Agency; and
4. the underage person and, if applicable, one or two other persons acting in concert with the underage person who made the 9-1-1 call or call to a School Public Safety Agency and remained on the scene with the person under the legal age in need of medical assistance until assistance arrived and cooperated with medical assistance and law enforcement personnel on the scene.

The underage person who received medical assistance shall also be immune from prosecution under this ordinance.

Section II. Repealer.

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

Section III. 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 IV. Effective Date.

This ordinance shall become effective twenty (20) days after adoption thereof.

Adopted: April 21, 2011

New Material Underlined _____ Deleted Material Bracketed []

The Ordinance 2089-11 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. Powers	X						X
Mayor Puliti	X						

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Mayor Puliti read by title an ordinance entitled," AN ORDINANCE AMENDING ORDINANCE NO. 2075-11 PROVIDING FOR CERTAIN JOB CLASSIFICATIONS AND PROVIDING COMPENSATION FOR THE MUNICIPAL EMPLOYEES OF THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY – Marriage and Civil Union Fees

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

Ordinance No. 2090-11

AN ORDINANCE AMENDING ORDINANCE NO. 2075-11 PROVIDING FOR CERTAIN JOB CLASSIFICATIONS AND PROVIDING COMPENSATION FOR THE ICIPAL EMPLOYEES OF THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY

WHEREAS, NJSA 37:1-13 et seq. permits Mayors to perform such ceremonies to solemnize marriages and civil unions; and

WHEREAS, in accordance with NJSA 40:48-1 fees collected in association with the service or performance of a marriage or civil union ceremony shall be established and collected pursuant to an ordinance; and

WHEREAS, an ordinance setting forth the fees for performance of a marriage or civil union ceremony has been introduced and will be adopted simultaneously with this ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey Ordinance No. 1902-06 be and is hereby amended as follows:

Section 2. Salaried Employees

Fees
Marriages and Civil Unions

Title

Mayor

- A. Within jurisdiction of Lawrence Township \$100
- B. Outside jurisdiction of Lawrence Township \$150

Section 3. Method of Payment

Persons seeking to be married or joined in civil union by the Mayor shall remit the proper fee as indicated above payable to the Township of Lawrence.

Said fees are to be submitted to the Office of the Municipal Clerk prior to the ceremony and are to be forwarded to the Finance Department for deposit and disbursement to the Mayor through the bi-weekly payroll cycle or may be waived by the Mayor for general fund disbursements.

Additionally, said fees be waived in their entirety for members of the United States Armed Forces.

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. 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 6. Effective Date

This ordinance shall take effect immediately upon adoption.

Adopted: April 21, 2011

New Material Underlined _____

Deleted Material Bracketed []

The Ordinance 2090-11 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. Powers	X						X
Mayor Puliti	X						

Manager’s Report –

Mr. Krawczun submitted an invoice listing for the month of February 2011 in the amount of \$1,519,537.02.

Mr. Krawczun reported that the Administration entered into a Contract with a firm that will be providing Reverse 911 calling for Lawrence Township, and that they will be maintaining the system at a cost of approximately \$7500 per year and proceeded to discuss the various services the company would be providing with respect to listed/unlisted telephone numbers, the number of contact units available to residents and procedures implemented to ensure calls are answered and confidentially is not compromised.

Mr. Krawczun advised that the Administration met yesterday with the Matrix Consulting Group who is performing the review of staffing for the Police Department, and that they reviewed a draft of what would be included in the final report, although, the finalized report is not completed as they are awaiting the final report from representatives of the Steering Committee; but, they anticipate getting the revised Report sometime next week and once that is finalized they will disseminate copies of the report and schedule a public presentation at a Council Meeting to discuss the evaluation.

Mr. Krawczun advised that Judge Catanese will be retiring from the Lawrence Township Municipal Court and that the Town Council needs to prepare to appoint a replacement for the Judge, as he will be retiring on May 31st effective June 1st; but he will still remain as the Municipal Court Judge until that time and proceeded to discuss the procedure for an Acting Judge until the swearing in and appointment take place. A short discussion took place relative to the Council submission of qualified candidates, interviews and a deadline date to appoint a new judge.

Mr. Krawczun stated that he was asked by the Council go back and review the staffing and some additional items in the 2011 Municipal Budget to see where he could find additional savings that would help reduce the proposed

tax increase in the budget, after which he proceeded with an in-depth review of the Nursing Staff Analysis Annualized Cost, Reduction Scenarios and Annualized Savings Reports that outlined potential cuts and layoffs, which he advised would save 5-cents on the tax rate but create a dramatic change in the level of service that the Township currently provides.

An at length question, comment and review period took place relative to the reduction of services, staffing, salaries, pensions, healthcare benefits and insurance as it relates to the various departments and possible savings in the 2011 budget, as well as, creative ways to attract more ratables and bring more revenue into the Township that would help enhance the quality of life and the tax base to the residents of Lawrence. After the discussion, it was the consensus of Council for the Municipal Manager to proceed with the 2011 Municipal Budget as presented.

Mr. Krawczun reported that the Administration had an email exchange with a resident regarding the procedure for brush collection and proceeded to discuss a new plan they are contemplating with regards to changing the way residents are notified about brush pickup and disposal (via the Township website) and enforcement of the new regulation. A short discussion followed relative to the matter.

Attorney's Report –

There was no Attorney's report.

Clerk's Report –

A. Applicants for Zoning Board of Adjustment – Interview Dates

The Deputy Municipal Clerk advised that applications for the Zoning Board were placed in the Council's Agenda Books and asked their wishes as to when they would like to schedule the interviews. After a brief discussion, it was the consensus of the Council to conduct the interviews on May 17th at 6 p.m. – 15 minutes each.

Council Initiatives/Liaison Reports –

Councilmember Mount's report:

- Advised that the Greater Eldridge Park Neighborhood Association is gearing up and working on activities for their Spring Clean event, and that the Open Space Committee also met and made plans for the year, which includes a joint meeting with the Greenway Committee at their next meeting. Further the Greenway, Open Space and Sustainable Mobility Committees will all be meeting together on April 28th to plan something called “Let’s Move Lawrence”, and they are shooting for a June 11th date for the event that would get people moving by means of walking, biking, trail walking, etc.
- Advised that the Home and Energy Expo on April 2nd which was sponsored by the Green Team along with Sustainable Lawrence was a terrific success and indicated that the layout in the High School was perfect and lots of people were in attendance. She further discussed popular exhibits that created a lot of buzz – such as “Ask Your Neighbor Corner” where residents got to talk to the vendors and salespersons and verify the information with their neighbors and the “Children’s Corner” that dealt with children energy crafts.

Councilmember Kownacki’s report:

- Stated that he has nothing to report being the Planning Board has not been meeting, the Affordable Housing had no quorum and the Municipal Alliance on Drug and Alcohol and Lawrence Community Center meeting are coming up.

Councilmember Bostock’s report:

- Advised that the Senior Executive Committee met yesterday and they are starting to talk about how to commemorate the 20th Anniversary of the opening of the Senior Center.

Mayor Puliti’s report:

- Reported that the Recreation Advisory Committee is moving ahead with plans for the fireworks and fundraising efforts and stated he would like to thank Mr. Groeger, Superintendent of Recreation, for having the foresight to lay out a sustainable plan to raise money for the Fourth of July fireworks at no expense to the taxpayers after they had to cancel last year’s event. He further advised that the consensus of the committee is to create a base

of sponsors and donations that night to help carry the fireworks forward in the future and hope that is the consensus of the Council so they can keep the event moving forward.

- Stated that there is nothing to report for the Public Safety Advisory Committee, as they had no quorum.

Councilmember Powers' report:

- Advised at the Growth & Redevelopment Committee Awards Program they will be discussing special interest plans for 2014.
- Stated with regards to the Human Relations Committee Diversity Day is scheduled for Sunday, May 15th from 12 - 4:00 p.m. in the cafeteria at the Lawrence High School.
- Stated that next week is "Arbor Day" and the Shade Tree Advisory Committee wants to plant a tree at the Lawrenceville Elementary School, which will probably take place after Labor Day and he will update the Council when they set a date.
- Advised that Mayor Puliti, Councilwoman Mount and he were present at the Twin Pines Airport to celebrate sod being put down on the fields, and that Hopewell will be doing the turf and lighting on their side of the fields soon, after which he discussed the good turnout and the County grant and shared services that made it all possible.

Written Communications –

There was no written communications.

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.

7:43 P.M.

Respectfully submitted by,

Kathleen S. Norcia, Municipal Clerk

Attest:

Gregory J. Puliti, Mayor