

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

August 2, 2011

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, August 2, 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 Tuesday, August 2, 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, Mount, Powers and Mayor Puliti.
Absent: None.

Also, in attendance were Richard S. Krawczun, Municipal Manager, and Michael W. Herbert, Esq., Municipal Attorney.

Review and Revisions of Agenda

The Municipal Manager advised that Ordinance 6-A - An Ordinance Amending Chapter 12 of the Lawrence Township Administrative Code Entitled “Licenses” – Precious Metals, Gems, and all Previously Owned Jewelry, needs to be removed from the Agenda for further review and possible language changes, and Resolution 7-S - Closed Session, needs to be amended to include discussions dealing with acquisition of properties.

On a motion by Mr. Bostock, seconded by Mr. Powers, the Agenda was amended to include the above revisions.

Same was carried on the following roll call vote:

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

Public Participation

Prior to the opening of the meeting and public participation, Ms. Susan Varga, President of Lawrence League of Women Voters, read the "Fair Campaign Practices Pledge" drafted by the Lawrence chapter of the League of Women Voters that each of the candidates, Democratic and Republican, running for office in November were expected to sign, after which she introduced each of the candidates that were present - Lawrence Republican candidates - Falk Engel and Kyle Collins, and Lawrence Democratic candidates - Cathleen Lewis, David Maffei, incumbent Councilman Michael Powers and their Committee Manager, Mr. Joseph Cermele. Afterwards, there was a short discussion relative to the two Republican candidate's refusal to sign the LWV Campaign Pledge and their attempt to present their own version of the Pledge and the proper procedure for addressing such matter at a public meeting.

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*Mr. Falk Engel, 10 Barnett Road,* thanked the Council for giving him the opportunity to speak and extended an apology for comments made prior to the meeting concerning the LWV Campaign Pledge, as there might have been a procedural lack of clarity with respect to how the situation was handled. He then proceeded to discuss the core duties of the Clean Elections Committee and their commitment to clean election financing, as well as, the Clean Election Law that was overwhelming passed by Lawrence voters (78%) and it being one of the first anti-corruption laws enacted in the community that helped to clean up the government contracting process.

Mr. Engel proceeded to discuss his and his Republican running mate's refusal to sign the "Fair Campaign Practices Pledge", presented by Lawrence League of Women Voters, as they feel it is not substantive and it does not address campaign finance issues or have provisions in place for clean election financing. He further discussed their version of the Clean Election Pledge that his running mate, Collette Coolbaugh, who is not present supports and that he and running mate, Kyle Collins, would be signing before the Council and the people of Lawrence Township.

In closing, Mr. Engel advised that a signed copy of the Clean Election Pledge is available for anyone who would like to see it and concluded his discussion by indicating Lawrence is a sophisticated community that has taken the leadership role in reform and by pretending to endorse clean elections while not addressing the causal problem of unclean elections is a disingenuous position that the Lawrence Township Republican party will not take part in, as they mean what they say and the people of the community can take them at their word.

*Mr. Joseph Cermele, 528 Drexel Avenue,* stated that he would like to respond to the comments made earlier with respect to the "Fair Campaign Practicing Pledge" and advised that the Pledge should not have been brought up before the Council being they have nothing to do with the signing of the Pledge, as it was prepared by the League of Women Voters and has been signed by candidates from every election cycle for many, many years, and the fact that the issue was brought up before the Council is just grandstanding and has no place at a Township Meeting.

Mr. Cermele further stated everything that was discussed by Mr. Engel with respect to fair campaign financing is already covered under the New Jersey Election Law, and as of today there has never been a violation of that law in Lawrence Township that he is aware of. Further, all three Democratic candidates willfully and knowingly signed the Pledge and he sees no reason why the Republicans should not do the same.

Mr. Kyle Collins, 18 West Long Drive, stated that his comments will be brief being his running mate, Falk Engel, covered most of what needed to be said this evening and proceeded to discuss the League of Women Voters Pledge being a good start; but not thorough enough and their Pledge being a bit more mature with respect to ensuring that the money does not pollute the political system and indicated just because it has not happened before does not mean it can not happen now, after which he invited his Democratic friends to come up and sign their Pledge.

*Mr. Brian Hawkins, owner of Hawk's Towing,* stated he is present on behalf of all the towing companies for the Lawrence Township Police Department, and they would like to propose a rate increase as they have not had an increase since 2003 and there has been a lot of cost increases over the last eight years – such as insurance cost doubling and an increase in fuel and equipment cost. After an at length discussion, comment, question period, it was the consensus of Council to amend the Towing Ordinance to provide temporary relief to the towing companies until the matter could be further reviewed.

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

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Adoption of Minutes

On a motion by Mr. Bostock, seconded by Mr. Kownacki, the Minutes of the Special Meeting of May 31, 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.

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Introduction of Ordinances

Mayor Puliti read by title an ordinance entitled, "AN ORDINANCE AMENDING CHAPTER 12 OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE ENTITLED "LICENSES" – Precious Metals, Gems and all Previously Owned Jewelry

(TABLED FOR FURTHER REVIEW)

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Mayor Puliti read by title an ordinance entitled, "AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF LAWRENCE TO PROVIDE FOR THE LICENSING AND REGULATION OF TOWING AND STORAGE SERVICES"

Mr. Krawczun advised that the Ordinance addresses the process of an appeal in the event an application is denied for either items included on a written application or for inspection of the premises where tow vehicles are stored. He then proceeded to review some of the changes made when the Ordinance was previously amended and advised that there was a license fee change done in 2010 (\$200 to \$350) that was not reflected when the Ordinance was previously introduced; so the Ordinance is now being reintroduced to reflect the fee change.

Mr. Krawczun distributed copies of an Analysis of Fees Report for the Council's review and advised that the Administration took the liberty of creating a report that shows the proposed fee increases of 10% and 15% rounded up to the next whole dollar for various towing services. After some discussion relative to the matter, Mr. Bostock motioned to amend the Ordinance on introduction to increase the basic service fees by 10%, and Mr. Kownacki seconded the motion.

Mr. Powers voiced his objection to the process of doing a 10% increase in a hurry, as he feels in all fairness to the residents the increase should be posted prior to making a decision. A short discussion followed relative to the Mr. Powers comments, after which Mayor Puliti advised that there would be a public comment period taking place prior to the final adoption of the Ordinance.

The Ordinance was then introduced and approved with the amendment (a 10% increase for various services) on the following roll call vote:

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

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Mayor Puliti read by title an ordinance entitled, "BOND ORDINANCE AMENDING BOND ORDINANCE 1940-07 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 Ordinance amends a previously adopted capital Ordinance in order to revise the authorized purposes for which the bond proceeds may be utilized, and after some discussion with the Township Engineer and the Director of Public Works the conclusion was to add the roof replacement and painting at the Lawrenceville Fire Company as a permitted purpose. A short discussion followed relative the cost of the roof replacement and it not being a suitable site for the installation of solar panels.

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   |     |         |        |         |       |        |

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Mayor Puliti read by title an ordinance entitled, "AN ORDINANCE AMENDING CHAPTER 4, ARTICLE V ENTITLED "CAT LICENSING" OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE."

Mr. Krawczun advised that the Ordinance amends the fees for cat licenses to make them equal to the dog licenses. The fee will increase from \$8 to \$11 for spayed or neutered cats and from \$11 to \$14 for not spayed or neutered cats. In

addition, the delinquent fee will increase from \$2 to \$5 plus \$1 per month for each month the pet owner is late.

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

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Mayor Puliti read by title an ordinance entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 2050-10 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 involves two changes, The first being the Emergency Management Coordinator's position that was actually paid from Grade 19, but assigned to Grade 16. So, they are now making the corrective action of placing the Title in its proper grade. The second item is an adjustment of grade and salary for the position of Deputy Municipal Clerk from Grade 25 to Grade 19, as the Deputy Municipal Clerk has achieved both a Registered Municipal Clerk certification that is statewide and a Certified Municipal Clerk certification that is international. In addition, in the absence of the Municipal Clerk she performs the duties of the Clerk.

Mr. Krawczun further advised that the Deputy Clerk's salary range will be more consistent and equitable with the five surrounding municipalities in Mercer County that have Deputy Clerk positions with comparable work. In addition, it will eliminate any out of title pay paid between the Deputy Municipal Clerk and the Municipal Clerk for the duties performed by the Deputy in the absence of the Clerk. So, based on the items he just reviewed it is his recommendation that the Title be moved to different pay grade.

Mr. Bostock stated that he has a couple of questions regarding the grade change for the Deputy Municipal Clerk, but prior to proceeding he would like to get some clarification from the Township Attorney so that he does not get into personnel matters being there is only one Deputy Municipal Clerk and it is quite obvious who they will be talking about.

Mr. Herbert indicated as long as he does not state the person's name he thinks it would be okay for him to proceed. Thereafter, Mr. Bostock asked Mr. Krawczun the employee's current salary and how much of an increase would the grade change be?

Mr. Krawczun advised that the increase would be \$5724 on an annualized basis and that he would be providing the employee's current salary range, when Mr. Bostock withdrew the question regarding the salary.

Mr. Bostock stated at this point and time in the year where employees have been laid off and positions have not been filled authorizing an increase or change in grade is not an appropriate move, and indicated earlier in the year the Council went through the 2011 budget very carefully and they made a lot of tough decisions that still led to a tax increase higher than any one of them would have liked.

Mr. Bostock further stated that he applauded any employee who works to increase their qualifications, education or anything else; but he thinks making a \$5700 adjustment after asking all of the Township employees to take a wage freeze last year, a tight raise this year and contribute to their health insurance is just not equitable across the board – maybe in next year's budget the Deputy Clerk's salary and position can be reevaluated, which would be more appropriate given the overall decision they had to make with respect to all the Township employees. So, because he thinks it is just not the right thing to do at this point he will be opposing the Ordinance.

Mrs. Mount stated Mr. Krawczun mentioned that the employee was being paid out of title pay in the absence of the Municipal Clerk and asked how much was the employee previously paid in out of title?

Mr. Krawczun stated he had an exact number but could not locate it at the present time; but the amount is somewhere between a \$4000 to \$5000 range in 2010.

Mrs. Mount stated if they paid \$4000 to \$5000 in 2010 for out of title pay to the employee then they can conceivable say that the \$5700 increase would have been paid out this year anyway and in terms of the budget, just for clarification purposes, they are talking about an increase of \$1700 to the 2011 budget.

Mr. Krawczun stated in general conversation that calculation would be correct and indicated that he does not want to speak for the Municipal Clerk, who is not present, but in situations like this one he certainly always seeks out the Council recommendations from the Supervisor and advised that Mrs. Norcia concurred and supported the request.

Mayor Puliti stated he certainly understands Mr. Bostock's comments; but under the circumstances with respect to the Municipal Manager's recommendation for the Grade change and the salary practically being a wash with regards to out of title work he will be voting for the Ordinance.

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   |     |         |        |         |       | X      |
| Mrs. Mount   | X   |     |         |        |         |       |        |
| Mr. Powers   | X   |     |         |        |         | X     |        |
| Mayor Puliti | X   |     |         |        |         |       |        |

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### Resolutions

The Municipal Manager provided a brief summary of Resolution (7B) – Authorizing Amending Contract with Zone Striping for the 2010 Striping Program, and Resolution (8I), Authorizing Third Quarter Tax Due Date for 2011.

Resolution Nos. 219-11 (7A) thru 237-11 (7S)) was approved by the following roll call vote:

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

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

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### Awarding or Rejecting of Bids

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

#### Resolution 238-11

WHEREAS, on Thursday, June 23, 2011 bids were received and publicly opened for the project known as **Lawrence Hopewell Trail Carson Road Woods - Phase II**; and

WHEREAS, four (4) bids were received and reviewed by the appropriate Township Officials; and

WHEREAS, the lowest responsible bidder was TC Landscape Construction Group, Inc. who submitted a bid in the amount of \$35,300.00, and

WHEREAS, in accordance with N.J.A.C. 5:50-14, a Certificate of Availability of Funds has been provided and the accounts to be charged are G-02-40-934-299 (\$24,015.00) and 1-16-56-843-299 (\$11,285); and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that pursuant to the recommendations of the Municipal Engineer, the Mayor and Municipal Clerk are hereby authorized to execute a contract with TC Landscape Construction Group, Inc., 55 Comstock Street, New Brunswick NJ 08901 in the amount of \$35,300.00, and

BE IT FURTHER RESOLVED that the Municipal Manager is hereby authorized to draft the necessary agreement, subject to the approval of the Municipal Attorney as to form and content thereof.

Same was carried on the following roll call vote:

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

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

Resolution No. 239-11

WHEREAS, on Thursday, July 21, 2011 bids were received and publicly opened for the project known as **Marlboro Road Footbridge**; and

WHEREAS, thirteen (13) bids were received and reviewed by the appropriate Township Officials; and

WHEREAS, the lowest responsible bidder was Brennan Brothers who submitted a bid in the amount of \$47,635.00 and

WHEREAS, in accordance with N.J.A.C. 5:50-14, a Certificate of Availability of Funds has been provided and the accounts to be charged are C-04-55-335-240 (\$35,000); C-04-55-312-243 (\$11,268) and C-04-55-357-240 (\$1,367); and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that pursuant to the recommendations of the Municipal Engineer, the Mayor and Municipal Clerk are hereby authorized to execute a contract with Brennan Brothers, 28 Maple Street, Old Bridge NJ 08857 in the amount of \$47,635.00; and

BE IT FURTHER RESOLVED that the Municipal Manager is hereby authorized to draft the necessary agreement, subject to the approval of the Municipal Attorney as to form and content thereof.

Same was carried on the following roll call vote:

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

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

Resolution No. 240-11

WHEREAS, on Thursday, July 21, 2011 bids were received and publicly opened for the project known as **2011 Concrete Program**; and

WHEREAS, three (3) bids were received and reviewed by the appropriate Township Officials; and

WHEREAS, the lowest responsible bidder was Armando's Construction who submitted a bid in the amount of \$43,775.00 and

WHEREAS, in accordance with N.J.A.C. 5:50-14, a Certificate of Availability of Funds has been provided and the accounts to be charged are C-04-55-357-242 (\$40,000) and C-04-55-357-255 (\$3,775); and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that pursuant to the recommendations of the Municipal Engineer, the Mayor and Municipal Clerk are hereby authorized to execute a contract with Armando's Construction, 311 Dickinson Street, Trenton NJ 08638 in the amount of \$43,775.00.; and

BE IT FURTHER RESOLVED that the Municipal Manager is hereby authorized to draft the necessary agreement, subject to the approval of the Municipal Attorney as to form and content thereof.

Same was carried on the following roll call vote:

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

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

Resolution No. 241-11

WHEREAS, on July 7, 2011, bids were received for Bid No. 11-12, 2011 Ford F-550 4x4 or Equivalent with Dump Body, Salt Spreader, Spreader Control, Plow and Central Hydraulic System; and

WHEREAS, two (2) bids were received and reviewed by the Township Manager and the lowest responsible bidder is Flemington Car and Truck Country, 215 US Highway 202, Flemington, New Jersey, 08822 with a bid of \$79,035.00 including Option #1; and

WHEREAS, in accordance with N.J.A.C. 5:30-14, a Certificate of Availability of Funds has been provided and the account to be charged is C-04-55-342-280 (Purchase of PW Equipment);

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. 11-12, 2011 Ford F-550 4x4 or Equivalent with Dump Body, Salt Spreader, Spreader Control, Plow and Central Hydraulic System, to Flemington Car and Truck Country in the amount of \$79,035.00.

Same was carried on the following roll call vote:

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

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

Resolution No. 242-11

WHEREAS, on July 28, 2011, bids were received for Bid No. 11-16, 2011 High Reach Wheel Loader; and

WHEREAS, one (1) bid was received and reviewed by the Township Manager and the lowest responsible bidder is Jesco, 118 St. Nicholas Avenue, South Plainfield, NJ 07080 with a bid of \$149,851.00; and

WHEREAS, in accordance with N.J.A.C. 5:30-14, a Certificate of Availability of Funds has been provided and the account to be charged is C-04-55-348-286 (Various PW Equipment);

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. 11-16, 2011 High Reach Wheel Loader with additional options, to Jesco the amount of \$149,851.00.

Same was carried on the following roll call vote:

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

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

Resolution No. 243-11

WHEREAS, on July 28, 2011, bids were received for Bid No. 11-17, 2012 Ford Econoline Cargo Van E-250 Commercial E2E or Equivalent; and

WHEREAS, two (2) bids were received and reviewed by the Township Manager and the lowest responsible bidder is Winner Ford, 250 Haddonfield-Berlin Road, Cherry Hill, NJ 08034; and

WHEREAS, in accordance with N.J.A.C. 5:30-14, a Certificate of Availability of Funds has been provided and the account to be charged is C-04-55-348-281 (Various PW Equipment);

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. 11-17, 2012 Ford Econoline Cargo Van E-250 Commercial E2E or Equivalent, to Winner Ford in the amount of \$22,999.00.

Same was carried on the following roll call vote:

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

Adoption of Ordinances

Mayor Puliti read by title an ordinance entitled, "AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY – Window Signs."

Mayor Puliti asked for comments from the public. Mayor Puliti asked for comments from Council.

After Mr. Krawczun provided a brief summary regarding the Ordinance, a short discussion took place amongst the Council regarding signs not being properly affixed and temporary signs being displayed for long periods of time creating unsightly conditions.

Mrs. Linda Dlabik, 1358 Lawrence Road, asked if the Sign Ordinance pertained to homeowners or just businesses and whether or not directional signs have to be displayed in the inside or outside of a person's window if they are having a private party.

Mr. Krawczun advised that the Ordinance is not applicable to that situation of a personal party; but if they were to put up a sign offering a business service or conveying a commercial message then that sign would be regulated under the guidelines of the Sign Ordinance. A short discussion followed relative to the placement of signs for non-profits and the regulation as it relates to signs with commercial contents.

There being no additional comments, Mayor Puliti closed public participation.

The Ordinance 2100-11 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, "BOND ORDINANCE AMENDING BOND ORDINANCE 1852-05 BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, IN ORDER TO REVISE THE DESCRIPTION OF THE IMPROVEMENT HEREIN."

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. 2101-11

BOND ORDINANCE AMENDING BOND ORDINANCE 1852-05 BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, IN ORDER TO REVISE THE DESCRIPTION OF THE IMPROVEMENT HEREIN

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

Section 1:

Section 3 of Bond Ordinance 1852-05, finally adopted May 17, 2005, amended by Ordinance 1871-06, finally adopted January 19, 2006 be and are hereby amended to add the following purposes:

Purchase of various public works equipment consisting of: "...Hybrid SUV..."

Section 2:

The capital budget of the Township of Lawrence is hereby amended to conform with the provisions of this ordinance to the extent of inconsistency

herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of Local Government Services is on file with the Clerk and is available there for inspection.

Section 3:

This amending bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The Ordinance 2101-11 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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**Manager's Report –**

A. Certificate of Determination and Award –

Mr. Krawczun advised that the Certificate of Determination that was distributed to Council for review pertains to the sale of bonds and notes and will be discussed at a later date; but indicated it does relate to what he is about to discuss with regards to a previous agreement that Lawrence Township has with the Mercer County Improvement Authority (MCIA) to participate in the Renewable Energy Program that will determine whether or not municipal sites at various locations could sustain the installation of solar panels. He further advised that they submitted a list that included the municipal building, public works site, the three fire companies, the neighborhood center and the senior center and indicated that the Engineers, who were hired by the MCIA, have come back with their recommendations as to what sites qualify.

Mr. Krawczun stated part of the requirements for the Renewable Energy Program is for the MCIA to send out a Request for Proposal (RFP) for the design that would permit the construction and installation of solar panels at designated sites based on the municipalities that choose to participate. Thereafter, the MCIA would act on behalf of the Local Unit at the Local Board of Finance for any type of financing with the intent of signing a Power Purchase Agreement, where an independent entity would own the panels and sell the power back to the municipalities. He indicated the Program is expected to last for a period of 15 years with a useful life of 25 years, and at the end of that 15 year period there may be options available to the participating communities to remove the solar

panels, take over operation/ownership of the panels or extend some type of agreement with the provider; but indicated those things are yet to be determined.

Mr. Krawczun advised that the Resolution basically states that, at this juncture, Lawrence Township desires to continue their participation in the Renewable Energy Program and proceeded to discuss what the MCIA is looking for with respect to Lawrence Township's commitment and continuing participation in the program, as well as, the language contained in the Resolution that indicates if the company's proposal results in no savings the Township will have the option of withdrawing from the program as explained to them by the MCIA on Friday.

Mr. Krawczun proceeded to discuss in detail the Power Purchase Agreement in which the vendor will own the Solar Renewable Energy Credits, the cost-savings related to the program being unknown at the present time and what sites were determined to be economically viable for the solar panels. An at length comment, question an answer period took place relative to the pros and cons of participating in the program.

Mr. Krawczun distributed copies of the newly adopted Health Benefit and Pension Reform to the Council for review and advised that the Reform was adopted on June 28, 2011 and will affect both Local and State Government Employees in New Jersey. He then proceeded to review the Health Benefit Contribution Schedule/ Group Rates for 2011, the Pension Contributions that will continue to increase in increments until it reaches 7% for all employees, as well as, how and when the change will affect the union and non-union employees in Lawrence Township, including the Police Officers.

Mr. Krawczun distributed copies of a memo that he received from Lawrence Township Prosecutor, Reed Gusciora, requesting that Council consider passing a "Disorderly Persons" Ordinance that would give some opportunity to the Court in certain situations to downgrade criminal charges to disorderly persons offenses in instances where it is a marginal case and/or the accused person has no prior criminal record. He advised that a sample of the Ordinance from Princeton Borough is attached for their review and consideration. A brief discussion followed relative to possible misusage of the Ordinance.

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#### **Attorney's Report –**

Mr. Herbert stated with respect to the new Health Benefit and Pension Reform he has had an opportunity to read the Judges' lawsuit and it will be very interesting to see what the lawsuit will do to the Bill. He indicated although an adverse decision will only affect the Judges, it could open the door for other lawsuits... so the outcome should be interesting and worth watching.

Mr. Krawczun stated as a follow-up to Mr. Herbert's comments certain Statutory positions – such as the CFO, Municipal Clerk, Tax Collector and Tax Assessor, have certain statutory protections from reduced compensation, and the Division is under opinion that this is not applicable; but they will not seek advice from the Attorney General's office on whether or not their interpretation is correct.

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**Clerk's Report –**

There was no Clerk's report.

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**Written Communications –**

- A. Audit Report – ELSA – No Discussion

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**Old Business –**

There was no old business.

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**New Business –**

There was no new business.

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

9.02 P.M.

Respectfully submitted by,

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Kathleen S. Norcia, Municipal Clerk

Attest:

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Gregory J. Puliti, Mayor