

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

November 1, 2011

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, November 1, 2011 at 7:00 P.M.

The meeting was opened with the Inspiration and Pledge of Allegiance, led by the 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, November 1, 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.

Proclamations and Honors

There were no proclamations or honors.

Review and Revisions of Agenda

There were no revisions to the agenda.

Public Participation

Bergen Street Matter –

An at length discussion took place between the people in the audience and the Township Council relative to the Complete Streets Initiative and their extreme displeasure with the new striping that was completed on Bergen Street; a project they feel has caused the aesthetics of their street to change and look more like a thoroughfare rather than a residential neighborhood, after which there was some discussion relative to the traffic survey and the new striping that has caused motorists to speed rather than slow down, therefore, creating a real public safety concern in their community. Some discussion followed relative to the installation of speed bumps to help reduce speeding on Bergen Street.

The following individuals voiced their concerns and/or objections to the new striping, speeding and Council preparing a definitive action plan to remove the striping and help resolve the safety issues on Bergen Street. (For detailed comments regarding the matter, please refer to the Minutes of September 20th and October 18th)

- 1) Ms. Ruthann Jennings, 1 Woodland Road & Bergen Street, Lawrence Township, NJ 08648
- 2) Mr. Oscar Fahrenfeld, 404 Bergen Street, Lawrence Township, NJ 08648
- 3) Ms. Cara Cahalan, 307 Bergen Street, Lawrence Township, NJ 08648
- 4) Ms. Carol Bentivegna, 107 Nassau Drive, Lawrence Township, NJ 08648
- 5) Mr. Michael Nally, 1 Yeager Drive, Lawrence Township, NJ 08648
- 6) Mr. Robert Williams, 22 Dustin Drive, Lawrence Township, NJ 08648
- 7) Mr. Scott Bentivegna, 107 Nassau Drive, Lawrence Township, NJ 08648
- 8) Mr. Frank Seidl, 400 Bergen Street, Lawrence Township 08648

The following individual voiced his opinion concerning the Complete Streets Initiative and why he feels the striping/lineage is appropriate and an amenity to Bergen Street.

- 1) Mr. John Covello, 1 Dix Lane, Lawrence Township, NJ 08648

Mayor Puliti explained that the Council's objective with regards to Complete Streets was to make the roads in Lawrence safer for pedestrians and bicyclists, not necessarily to control traffic, and that Bergen Street just happened to be the first street selected under the program. Thereafter, each member of Council voiced their personal concerns and opinions regarding the Complete Streets Initiative/Model, pedestrian/public safety, the installation/opposition of speed bumps, Bergen Street being listed as a collector street and the aesthetics of Bergen Street as it relates to the removal of the striping and the striping not being consistent with the Complete Streets concept.

After the discussion, the Township Council made a decision to keep the striping on Bergen Street as part of its Complete Streets policy; but refer the matter of Bergen Street being listed as a "collector street" in the Master Plan back to the Planning Board for review. In closing, the Council thanked everyone for coming out and voicing his and her concerns.

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*Mr. Victor Murray, 4 Melvina Drive*, greeted the Council and stated prior to him addressing the Council he would like to thank and extend a sincere appreciation to the Fire and Rescue workers who did a tremendous job during the recent storms. He then proceeded to discuss in detail his feelings with regards to what is happening in the business community in terms of real estate and businesses moving out of Lawrence Township and the State of New Jersey and indicated whoever is elected in the upcoming election he hopes that those elected officials make attracting and retaining businesses in Lawrence Township one of their top priorities.

Mr. Murray stated that he was discussing the matter with another group who does see light at the end of the tunnel and a bright future out there with respect to attracting and retaining businesses; but in order to do that the State of New Jersey and the municipalities will need to build a strong employment base for young professionals; an area that the State of New Jersey is lacking in. He advised that many young professionals prefer to work in New York City because they like the life style and what the State and Lawrence need to do to attract those individuals is work with developers who will make it more attractive to live and work in New Jersey and in the Township. In closing, Mr. Murray encouraged the Council to dedicate every effort in making that plan come to fruition.

*Ms. Linda Dlabik, 1358 Lawrence Road*, stated that she read in the newspaper that the Lawrence First Aid Squad has bed bugs and she would like to know whether or not the problem has been resolved because that is the polling place and she does not want to bring bed bugs back to her house. She advised that she was out of town and unable to attend the meeting when the Township addressed the matter at the library; but based on everything she has heard concerning the elimination of bed bugs one spraying does not get rid of the problem; so, she would like for the Council to confirm whether the problem has been resolved or not.

Ms. Dlabik indicated the next item she would like to discuss is the status of the mold problem at the Lawrence Road Fire House being she does not see anything listed on the Agenda relative to mold remediation at the firehouse; so, she would like to know whether or not bids were sent out and if so were they accepted or rejected for the clean-up. And, the last item she would like to discuss is the Township dispatching million dollar EMS engines to almost every ambulance call when the firefighters cannot administer any first aid; they can only

stabilize a person and proceeded to discuss the usage of gas for all the calls and the amount of time firefighters are stuck at a scene and not available for actual fire calls.

Ms. Dlabik stated if a fire call comes in and the fire truck is stuck at a scene waiting for another ambulance to come for relief or for an ambulance to come from another town, which she has eye witnessed taking twenty minutes or more at the high school, could be the determining factor between saving a person's life or that person's house burning down. So, she would like an explanation as to why they are running EMS engines when the whole purpose of hiring paid firemen was to make sure the fire trucks were available to go out on fire calls.

Mr. Krawczun stated with regards to the first question they treated two areas that revealed signs of bed bugs, the lounge area and the locker room, and that both areas showed exposure to the bugs; but not an infestation. He advised that the exterminator is scheduled to come out on Friday and so far there has been no evidence of bed bugs; but if there are any additional bed bugs detected they will have ample time to treat the problem. A brief discussion followed relative to various techniques to treat the bed bug problem.

Mr. Krawczun stated with regards to the mold problem at the Lawrence Road Fire House three bidders picked up packages and no one submitted a bid back to the Township, so the Administration sent out another bid request and proceeded to explain the Local Public Contracts Law as it relates to the bid process and the Township's options if no bids are received or if bids come in over the projected amount. He advised that they did contact two of the bidders that previously picked up packages and each of the businesses had an internal problem that prevented them from getting the bids in on time; and, as for the third bidder he does not know why that company did not submit a bid. A brief discussion took place relative to the time frame for the completion of the work.

Mr. Krawczun stated that the EMS engines will no longer be first responders for ambulance calls now that the EMT's are trained for that purpose they will be first responders to future ambulance calls, which in part is why the EMS engines were sent out as first responders to a scene. He advised if they have to send an EMS engine out as first responder on any future calls they will stabilize the person and once the EMT's arrive they will turnover command of the situation and report back to the station. Some discussion followed relative to fire calls taking priority, insurance billing for ambulance services, EMS engines not being first responders and the protocol/criteria for sending EMS engines out on future ambulance calls.

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. Powers, seconded by Mr. Bostock, the Minutes of the Regular Meetings of June 9, 2011 were approved without corrections.

Same was carried on the following roll call vote:

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

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On a motion by Mr. Powers, seconded by Ms. Mount, the Minutes of the Regular Meetings of June 21, 2011 were approved without corrections.

Same was carried on the following roll call vote:

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

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On a motion by Mr. Powers, seconded by Ms. Mount, the Minutes of the Regular Meetings of July 5, 2011 were approved without corrections.

Same was carried on the following roll call vote:

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

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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

Mr. Krawczun advised that the Ordinance will require businesses engaged in the purchasing of precious metal, gems and previously owned jewelry to be licensed to conduct such business. He then proceeded to discuss the licensing process with regards to the initial \$250.00 application fee and a renewal fee of \$50.00, a police background investigation for applicant, proof of identity from person selling regulated items to licensed businesses, record keeping standards, licensee being bonded and all regulated items purchased or traded by the licensee must be held for no less than ten days from the date of the transaction or three business days from the delivery of records to the Lawrence Police Department. A short discussion followed relative to stolen items and how the Ordinance will affect businesses and protect those who are victims.

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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### Resolutions

Resolution Nos. 322-11 (7A) thru 335-11 (7N) 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.

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Resolution No. 339-11 (7O) 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 Resolution is spread in its entirety in Resolution Book Volume No. 2 of the Township of Lawrence.

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 Ms. Mount the following resolution was presented for adoption:

Resolution No. 336-11

WHEREAS, on Thursday, October 20, 2011 bids were received and publicly opened for the project known as **2011 Striping**; and

WHEREAS, two (2) bids were received and reviewed by the appropriate Township Officials; and

WHEREAS, the lowest responsible bidder was Traffic Lines, Inc. who submitted a bid in the amount of \$11,492.20, and

WHEREAS, in accordance with N.J.A.C. 5:50-14, a Certificate of Availability of Funds has been provided and the account to be charged is C-04-55-357-246; 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 Traffic Lines, Inc., 5100 Asbury Road, Farmingdale NJ 07727 in the amount of \$11,492.20; 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. 337-11

WHEREAS, on Thursday, October 20, 2011 bids were received and publicly opened for the project known as **Re-decking Existing Pedestrian Bridge**; and

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

WHEREAS, the lowest responsible bidder was RDA Construction Company who submitted a bid in the amount of \$17,770.00, 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-04-55-357-241 (\$15,000.00), C-04-55-353-255 (\$200.00) and C-04-55-306-255 (\$2,570.00); 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 RDA Construction Company, 202 Brandywine Court, Medford NJ 08055 in the amount of \$17,770.00; 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.

Ms. Dlabik questioned the cost of the snow plowing services and the Public Works Department hiring a former employee back to provide the services instead of the Township contracting the work out.

Mr. Krawczun replied that the cost for snow services last year exceeded the \$10,000 amount that is being authorized in the Resolution, and last year they tried to hire per diems to provide the snow services and that idea did not work out

very well; and, as for hiring an employee from the Public Works Department that person would need suitable equipment to do the job.

There being no additional comments, Mayor Puliti asked for comments from Council. There being none, public participation was closed. On a motion by Mr. Powers, seconded by Ms. Mount the following resolution was presented for adoption:

Resolution No. 338-11

WHEREAS, on October 19, 2011, bids were received for Bid No. 11-20, Snow Plowing Services; and

WHEREAS, one bids was received and reviewed by the Municipal Manager and Director of Public Works and the lowest responsible bidder is Armando's Construction, 311 Dickinson Street, Ewing NJ who submitted a bid in the amount of \$210 per hour per truck; 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 1-16-56-849-299 (Reserve for Snow Removal);

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. 11-20, Snow Plowing Services, to Armando's Construction in the amount of \$10,000 for the period of December 1, 2011 and April 15, 2012.

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 ORDINANCE NO. 1136-88 AMENDING THE ADMINISTRATIVE CODE OF THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER - Mayor's Term of Office"

Ordinance No. 2113-11

AN ORDINANCE AMENDING ORDINANCE NO. 1136-88
AMENDING THE ADMINISTRATIVE CODE OF THE TOWNSHIP OF
LAWRENCE, COUNTY OF MERCER

BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that Section 2-9 of the Lawrence Township Administrative Code be and is hereby amended to read as follows:

1. Sec. 2-9 Mayor [and Deputy Mayor]

- (a) At noon on the first day of January following each election of Council members, the Municipal Council shall assemble at Township Hall, organize and elect one of the Councilmembers Mayor of the Township. [In non-municipal election years, the Municipal Council shall assemble for the annual re-organization meeting at Township Hall and elect one of the Councilmembers Mayor of the Township.] The Mayor shall be chosen by ballot by majority vote of all members of Council. If the members shall be unable, within five ballots to be taken within two days of the organization meeting, to elect a Mayor, then the member who in the last election for members of the Municipal Council received the greatest number of votes shall be the Mayor. Should such person decline to accept the office, then the person receiving the next highest vote shall be the Mayor and so on until the office is filled.

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 twenty (20) days after adoption thereof.

Additions Underlined —
 Deletions Bracketed []

The Ordinance 2113-11 was adopted 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						

Manager’s Report –

Mr. Krawczun submitted invoice listings for the month of October 2011 in the amount of \$1,120,477.22.

Mr. Krawczun stated the only report he has is for Executive Session.

Attorney’s Report –

Mr. Herbert stated he could not help but notice that there are some real good sessions taking place at the League of Municipalities convention this year and that Councilwoman Mount is probably speaking at about half of them. He then proceeded to elaborate on some of the seminars of interest taking place at the event. Subsequently, Ms. Mount advised that the Township will be receiving its 2011 Sustainable Jersey Certification at the League this year.

Clerk’s Report –

Ms. Norcia asked the Council’s wishes with respect to canceling the November 22 meeting. After a brief discussion, it was the consensus of the Council to cancel the meeting.

Written Communications –

There was no written communication.

Old Business –

There was no old business.

New Business –

There was no new business.

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

9:00 P.M.

Respectfully submitted by,

Kathleen S. Norcia, Municipal Clerk

Attest:

Gregory J. Puliti, Mayor