

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

December 18, 2012

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, December 18, 2012 at 6:30 P.M.

The meeting was opened with the Pledge of Allegiance, led by Slackwood Chief Michael Oakley. Afterwards, Mayor Kownacki asked for a moment of silence for the 26 victims killed Newtown, Connecticut.

At the commencement of the meeting Mayor Kownacki 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, December 18, 2012 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 Lewis, Maffei, Powers, Puliti and Mayor Kownacki.
Absent: None.

Also, in attendance were Richard S. Krawczun, Municipal Manager, and David M. Roskos, Municipal Attorney.

Proclamation and Honors

There were no proclamations or honors.

Review and Revisions of Agenda

The Municipal Manager advised that the Agenda needs to be amended to remove Resolution (7-L), Authorizing the Ratification of the Police Union Contract; amend Resolution (7-M), Closed Session, to include two additional items for discussion and add Resolution (7-N), Authorizing Garden State

Municipal Joint Insurance Fund Joint Trust Agreement, after the Manager's Report on the current and proposed Insurance Fund.

On a motion by Mr. Puliti, seconded by Ms. Lewis, the Agenda was amended to include the above revisions.

Same was carried on the following roll call vote:

Ayes: Councilmembers Lewis, Maffei, Powers, Puliti and Mayor Kownacki.
Nays: None.
Absent: None.

**Presentation by Michael Oakley, Chief of Slackwood Fire Company,
Regarding Apparatus Replacement Needs**

Prior to the presentation, Mr. Puliti questioned if his presence would be a conflict of interest being he is a lifetime member of the Slackwood Fire Company. Mr. Roskos, Municipal Attorney, advised that he does not see a conflict of interest related to his lifetime membership with the fire company nor his participation with anything listed on the Agenda having to do with the fire company. Further, he has spoken with Mr. Puliti regarding any feeling of bias in the matter and was advised that he is not. He then turned the floor over to Chief Oakley.

Chief Michael Oakley, Slackwood Fire Company, opened his presentation by introducing Chief Shaun Dlabik, Lawrence Road Fire Company, Chief Gary Wasko, Lawrenceville Fire Company and President of Slackwood Fire Company, Aaron Duff. Copies of a report entitled "Township Volunteer Fire Company Update on Equipment Risks" were distributed to the Township Council and each of the Fire Chiefs gave a brief presentation relative to the needs of their fire companies as it relates to the following items presented in the report: Lawrence Township Apparatus, Lawrence Equipment Sustainability Plan, Snorkel 21 Operation Numbers, Snorkel 21 (Fire Apparatus) Operating Conditions, Costs of Maintenance and Operation and the Fire Company request for continued support from the Township Council. In closing, the Chiefs thanked the Council for their time and consideration.

An at length question and comment period took place relative to the Replacement Plan, Snorkel Risk Management, cost, usage and need for the fire apparatus. Afterwards, the Council thanked the Chiefs for their presentation and Mayor Kownacki advised that they would review and consider their request.

Public Participation

Boards/Committees Matter – The following Board and Committee members voiced their objection to the passage of Ordinance (7-C), An Ordinance Creating the Environmental and Sustainability Green Advisory Committee, and (7-D), An Ordinance Creating a Trails, Open Space and Stewardship Advisory Committee. These ordinances are derived from the combining of the Environmental Resources Committee and the Green Team; and the combining of the Greenway Committee and the Open Space and Stewardship Advisory Committee, respectively and requested that they be removed from the Agenda. Some discussion took place relative to the public comments.

Ms. Anne Demarais, 64 Lawn Park Avenue, Lawrence Township 08648

Ms. Teresita Bastides-Heron, 78 Meriline Avenue, Lawrence Township 08648

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**Budget, Bulk Waste & Fee Matter** – The following residents voiced their views with regards to proposed tax increases, the expense problem and cost saving measures, their approval for the purchase of new fire apparatus and their opinions and objections to the adoption of the following fee ordinances – Recreation, Zoning and the Bulk Waste Collection User Fee for residential properties that receive curb side collection services. An at length comment, question and answer period took place relative to the municipal budget and unwanted tax increases, upcoming contract negotiations, municipal consolidation and shared services, non-profit donations, trash tipping fees paid to the County, renegotiations of trash contracts to do away the proposed bulk user fee and the defeated referendum as it relates to the bulk waste fee being a backdoor tax to get around the 2% cap.

Further discussion took place regarding the EMS Ordinance with regards to balance billing, the rate increase and insurance deductibles/payments and whether or not the fee increases will save the service and protect the EMT's from layoffs.

**Mr. Jeffrey Reed, 13 Pine Knoll, Lawrence Township, NJ 08648**

**Ms. Joyce Copleman, 44 Titus Avenue, Lawrence Township, NJ 08648**

**Mr. Nick Sferra, 116 Oaklyn Terrace, Lawrence Township, NJ 08648**

**Mr. Jose Max Ramos, 4 Woodlane Road, Lawrence Township, NJ 08648**

**Ms. Maria Delaney, 94 Harmony Avenue, Lawrence Township, NJ 08648**

**Mr. Victor Murray, 4 Melvina Drive, Lawrence Township, NJ 08648**

**Ms. Linda Dlabik, 1358 Lawrenceville Road, Lawrence Township, NJ 08648**

**Mr. Marc Goepfert, 21 Hopkins Drive, Lawrence Township, NJ 08648**

**Mr. Scott Bentivegna, 107 Nassau Drive, Lawrence Township, NJ 08648**

**Mr. Marvin Van Hise, 118 Federal City Road, Lawrence Township, NJ 08648**

**Mr. James Cleak, 7 E. Darrah Lane, Lawrence Township, NJ 08648**

**Mr. Thomas Morris, 730 Pilgrim Avenue, Lawrence Township, NJ 08648**

**Ms. Amy Davis, 54 Pine Knoll Drive, Lawrence Township, NJ 08648**

*Ms. Veronica Pickering, Senior Executive Committee Chair,* stated she knows the plans to change the Senior Center is tentative; but, the seniors are very upset about suggested plans to change the Senior Center because they like the Center very much and they do not want to share it with anyone and she hopes the Council understands that the Senior Center keeps the seniors happy, healthy and interactive and they can also get an inexpensive meal, which she feels is very important and proceeded to discuss the various ways the seniors contribute to the community – such as shopping locally, paying taxes and supporting the schools in the Township. Mr. Krawczun advised that there are no changes planned for the Senior Center and Ms. Pickering replied that she is aware of that, her comments were made as a precautionary measure.

*Ms. Joyce Copleman, 44 Titus Avenue,* advised that she is the President of the Lawrence Township Conservation Foundation and she has some very good news to share with the Council that will make them smile and indicated that they are almost totally closed on the Bossio-Salt Project and they will soon be introducing 12 more acres to Open Space and they did it with the help of Mr. Roskos, Mr. Krawczun and their staff as they were able to get money from Green Acres, the County, and the Lawrence Conservation Foundation used almost all of its budget as well, and they will probably be doing some kind of announcement in January. She then congratulated everyone on a job well done and Mr. Puliti complimented the Conservation Foundation on the acquisition of Open Space and stated because of their dedication and hard work Lawrence Township looks beautiful.

*Mr. Edward Wizinitzer, 118 Darrah Lane,* discussed an incident where a friend of his got in an accident and the towing truck that came out to the site was in worse shape than the crashed vehicle and suggested that the Council consider tabling the Towing Resolution that is on the Agenda for approval. He further discussed his taxes being too high and his objection to any tax increases, especially a backdoor tax, and suggested that they look at some big items to cut and changing the bulk waste schedule to every two weeks.

In addition, he discussed the revenue problem not being because of the Township's spending; but, because of New Jersey's tax structure, which has not been right for decades and all it took was the economic downturn to cause the revenue problem Lawrence is now experiencing and proceeded to discuss the municipal tax Pennsylvania imposes on New Jersey residents who commute and work in Pennsylvania and New Jersey not doing the same and advised that there is a lot more wrong with New Jersey's tax structure that needs to be fixed and reformed and he is hoping to draft some proposed tax legislation that addresses those points that will help municipalities and he hopes within the next several months he can offer it to the Council for their endorsement at some point.

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

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Adoption of Minutes

There was no adoption of minutes.

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Introduction of Ordinances

Mayor Kownacki read by title an ordinance entitled, "ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWNSHIP OF LAWRENCE TO REVISE ARTICLE XII, ADMINISTRATION, ENFORCEMENT, VIOLATIONS AND PENALTIES."

Mr. Krawczun stated that the Ordinance amends the Lawrence Township Municipal Land Use Ordinance for the purpose of codifying procedures that are currently being utilized when applying the requirements of the LUO and advised that there has been some evolution with regards to the process for the issuance of zoning permits and the development of appropriate forms and the Ordinance will give clarification to those processes as well as clarify and define the duties of the Zoning Officer versus the Construction Official.

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

| COUNCIL        | AYE | NAY | PRESENT | ABSENT | ABSTAIN | MOVE | SECOND |
|----------------|-----|-----|---------|--------|---------|------|--------|
| Ms. Lewis      | X   |     |         |        |         |      | X      |
| Dr. Maffei     | X   |     |         |        |         |      |        |
| Mr. Powers     | X   |     |         |        |         |      |        |
| Mr. Puliti     | X   |     |         |        |         | X    |        |
| Mayor Kownacki | X   |     |         |        |         |      |        |

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Mayor Kownacki read by title an ordinance entitled, "BOND ORDINANCE AMENDING BOND ORDINANCE 1978-08 BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, IN ORDER TO REVISE THE DESCRIPTION OF THE IMPROVEMENT HEREIN"

Mr. Krawczun stated that the Local Bond Law restricts that the proceeds from a bond sale can only be utilized for the purpose that is stated in the approved Ordinance and there was additional funding from an Ordinance in 2008 that was not utilized so this Ordinance will expand the authorized purpose to

allow them to utilize the funds for an equipment storage shed that will be placed at the Twin Pines Airport athletic fields.

COUNCIL	AYE	NAY	PRESENT	ABENT	ABSTAIN	MOVE	SECOND
Ms. Lewis	X						
Dr. Maffei	X					X	
Mr. Powers	X						
Mr. Puliti	X						X
Mayor Kownacki	X						

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Mayor Kownacki read by title an ordinance entitled, "AN ORDINANCE CREATING THE ENVIRONMENTAL RESOURCES AND SUSTAINABILITY GREEN ADVISORY COMMITTEE."

Mr. Powers motioned to table the Ordinance given the opposition from some of the members of the Committees as he feels it will discourage future membership. The motion to table was seconded by Mr. Maffei in error.

Ms. Lewis stated she disagrees with Mr. Powers' motion as she has had several meetings with the members on the Committee to discuss the Committees being combined into a single committee to better serve the people with no opposition until last week so she objects to Mr. Powers' motion to table.

Mayor Kownacki stated he agrees with Ms. Lewis who has been working on this matter for over a year and he feels the matter has been postponed long enough and it is time to move forward. So he will be voting no on the motion.

The motion to table was defeated on the following roll call vote:

| COUNCIL        | AYE | NAY | PRESENT | ABENT | ABSTAIN | MOVE | SECOND |
|----------------|-----|-----|---------|-------|---------|------|--------|
| Ms. Lewis      |     | X   |         |       |         |      |        |
| Dr. Maffei     |     | X   |         |       |         |      | X      |
| Mr. Powers     | X   |     |         |       |         |      |        |
| Mr. Puliti     |     | X   |         |       |         | X    |        |
| Mayor Kownacki |     | X   |         |       |         |      |        |

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After the motion was defeated the Ordinance was introduced and approved on the following roll call vote:

| COUNCIL        | AYE | NAY | PRESENT | ABENT | ABSTAIN | MOVE | SECOND |
|----------------|-----|-----|---------|-------|---------|------|--------|
| Ms. Lewis      | X   |     |         |       |         | X    |        |
| Dr. Maffei     | X   |     |         |       |         |      |        |
| Mr. Powers     |     | X   |         |       |         |      |        |
| Mr. Puliti     | X   |     |         |       |         |      | X      |
| Mayor Kownacki | X   |     |         |       |         |      |        |

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Mayor Kownacki read by title an ordinance entitled, "AN ORDINANCE CREATING A TRAILS, OPEN SPACE AND STEWARDSHIP ADVISORY COMMITTEE"

Mr. Powers motioned to table Ordinance 7-B. There was no second on the motion. The motion failed and Ordinance 7-B was then presented for approval.

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

COUNCIL	AYE	NAY	PRESENT	ABENT	ABSTAIN	MOVE	SECOND
Ms. Lewis	X					X	
Dr. Maffei	X						
Mr. Powers		X					
Mr. Puliti	X						X
Mayor Kownacki	X						

Resolutions

Resolution Nos. 360-12 (8-A) thru 372-12 (8-M) with the exception of (8-L) were approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVE	SECOND
Ms. Lewis	X						X
Dr. Maffei	X						
Mr. Powers	X						
Mr. Puliti	X					X	
Mayor Kownacki	X						

Cited Resolutions are spread in their entirety in the Resolutions books of the Township of Lawrence.

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Resolution No. 373-12 (8-L) was approved by the following roll call vote:

| COUNCIL        | AYE | NAY | PRESENT | ABSENT | ABSTAIN | MOVE | SECOND |
|----------------|-----|-----|---------|--------|---------|------|--------|
| Ms. Lewis      | X   |     |         |        |         |      |        |
| Dr. Maffei     | X   |     |         |        |         |      |        |
| Mr. Powers     | X   |     |         |        |         |      | X      |
| Mr. Puliti     | X   |     |         |        |         | X    |        |
| Mayor Kownacki | X   |     |         |        |         |      |        |

Cited Resolution is spread in its entirety in the Resolutions books of the Township of Lawrence.

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Awarding or Rejecting of Bids

There was no award of bids.

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Adoption of Ordinances

Mayor Kownacki read by title an ordinance entitled, "AN ORDINANCE AMENDING ENTITLED AN ORDINANCE AMENDING, THE CONSOLIDATED LICESNE PERMIT AND FEE CHAPTER OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE – Recreation Fees."

Ordinance No. 2139-12

AN ORDINANCE AMENDING ORDINANCE NO. 2078-11 ENTITLED AN ORDINANCE AMENDING CHAPTER 6A, "FEES: THE CONSOLIDATEDLICENSE, PERMIT AND FEE CHAPTER" OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE

SECTION I. BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that section 6A-23 "Recreation Fees" is hereby amended as follows:

| ACTIVITY                  | Present Fee | Amended Fee   |
|---------------------------|-------------|---------------|
| Art/Theater Camp Full Day | \$240.00    | \$250.00      |
| Art/Theater Camp Half Day | \$180.00    | \$185.00      |
| Art, Winter               | \$75.00     | \$80.00       |
| Basketball, Competitive   | \$90.00     | \$110.00      |
| Basketball, Summer Teen   | \$60.00     | \$65.00       |
| Basketball, Youth         | \$60.00     | \$75.00       |
| <u>Bocce</u>              | <u>N/A</u>  | <u>\$5.00</u> |



|                                      |                  |                  |
|--------------------------------------|------------------|------------------|
| Camp, After Care                     | \$55.00          | \$60.00          |
| Camp, Before Care                    | \$45.00          | \$50.00          |
| Cheerleading                         | \$50.00          | \$55.00          |
| Field Hockey, Indoor                 | \$70.00          | \$75.00          |
| Garden Plot, Resident                | \$35.00          | \$45.00          |
| Garden Plot, Non-resident            | \$85.00          | \$90.00          |
| Lacrosse, <u>Boys</u>                | \$65.00          | \$100.00         |
| <u>Lacrosse, Girls</u>               | NA               | \$50.00          |
| Playgrounds, Full Day until April 30 | \$240.00         | \$265.00         |
| Playgrounds, Full Day after April 30 | \$265.00         | \$290.00         |
| Playgrounds, Half Day until April 30 | \$180.00         | \$195.00         |
| Playgrounds, Half Day after April 30 | \$200.00         | \$210.00         |
| Safety Town                          | \$65.00          | \$75.00          |
| Senior Instruction                   | \$2.00 per class | \$3.00 per class |
| Sports Camps                         | \$240.00         | \$250.00         |
| Sports Camps, Half Day               | \$180.00         | \$185.00         |
| Sports Clinics                       | \$35.00          | \$40.00          |
| Swim Lessons                         | \$75.00          | \$80.00          |
| Swim Team                            |                  |                  |
| October – March, Level 1             | \$190.00         | \$210.00         |
| October – March, Level 2             | \$160.00         | \$185.00         |
| October – March, Level 3             | \$135.00         | \$185.00         |
| <u>October – US Swim</u>             | <u>NA</u>        | <u>\$140.00</u>  |
| [April – May, Level 1                | \$70.00          | \$70.00]         |
| [April – May, Level 2                | \$70.00          | \$70.00]         |
| [T-Ball                              | \$40.00          | \$40.00]         |
| Tennis Instruction, Adult            | \$80.00          | \$85.00          |
| Tennis Instruction, Youth            | \$6.00/HR        | 7.00/HR          |
| Travel Camp, Daily (Resident)        | \$75.00          | \$85.00          |
| Travel Camp, Daily (Non-resident)    | \$90.00          | \$100.00         |
| Travel Camp, Week (Resident)         | \$265.00         | \$285.00         |
| Travel Camp, Week (Non-resident)     | \$340.00         | \$350.00         |
| Volleyball                           | \$60.00          | \$70.00          |
| Wrestling                            | \$40.00          | \$45.00          |
| <u>PERMIT</u>                        |                  |                  |
| Picnic/Park/Facility                 | \$40.00          | \$40.00          |
| Athletic Field w/o lights            | \$75/3 hours     | \$90/ 3 hours    |
| Athletic Field w/lights              | \$135/ 3 hours   | \$150/ 3 hours   |
| <u>SWIMMING POOL</u>                 |                  |                  |
| Family Membership                    |                  |                  |
| School Year                          | \$150.00         | \$165.00         |
| Summer                               | \$105.00         | \$115.00         |
| Individual Membership                |                  |                  |
| School Year                          | \$80.00          | \$90.00          |

|                                   |         |         |
|-----------------------------------|---------|---------|
| Summer                            | \$60.00 | \$70.00 |
| Senior Membership                 |         |         |
| School Year                       | \$20.00 | \$25.00 |
| Summer                            | \$15.00 | \$20.00 |
| Daily Fee (all year Non-member)   | \$4.00  | \$5.00  |
| Dip Ticket                        | \$75.00 | \$85.00 |
| Subsidized League Participant Fee | \$5.00  | \$5.00  |

Section 2. Miscellaneous Fee

Except as provided for, fees for non residents and organizations with their base of operation not in Lawrence Township shall be twice the established fee. (established in Ord. 1125-88)

Section 3. Financial Assistance for Program Fees

Upon review of gross household income and family size the Superintendent of Recreation can issue a partial scholarship to Lawrence Township residents for Recreation Department fees set forth in said ordinance. Qualified participants will be assessed [25%] 35% or 65% of the registration fee. Travel Camp participants meeting the guidelines will be required to pay a minimum of [\$100] \$125 per week. (established in Ord. 1627-00 amended in Ord. 1966-08)

Section 4. Refunds of Registration Fees

Individuals withdrawing from a program before the start date will receive a refund, minus 25% of the established registration. No refund will be issued if the participant withdraws after the starting date of the activity. (established in Ord. 1996-08)

Section 5. Temporary Food License for Community Day

Individuals must obtain a temporary food license for the purpose of distributing food and/or beverages at Community Day and meet all the requirements as outlined by the Lawrence Township Health Department. The fee for non-profit or not for profit organizations based in Lawrence Township will be waived. (established in Ord. 1996-08)

Section 6. Repealer

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

Section 7. 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 8. Effective Date

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

After calling for comments and/or questions from Council the Mayor called for comments and/or questions from the public and hearing none, Ordinance 2139-12 was adopted on the following roll call vote:

| COUNCIL        | AYE | NAY | PRESENT | ABENT | ABSTAIN | MOVE | SECOND |
|----------------|-----|-----|---------|-------|---------|------|--------|
| Ms. Lewis      | X   |     |         |       |         |      | X      |
| Dr. Maffei     | X   |     |         |       |         |      |        |
| Mr. Powers     | X   |     |         |       |         |      |        |
| Mr. Puliti     | X   |     |         |       |         | X    |        |
| Mayor Kownacki | X   |     |         |       |         |      |        |

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Mayor Kownacki read by title an ordinance entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 2079-11 AMENDING THE CONSOLIDATED LICENSE, PERMIT AND FEE CHAPTER OF THE LAWRENCE TOWNSHIP ADMINSTRATIVE CODE – Zoning Fees"

Mayor Kownacki asked for comments from the public.

Mr. Scott Bentivegna, 107 Nassau Drive, voiced his objection to additional fees for Zoning Permits and suggested that the Township look for ways to reduce the number of things that need permits and the amount of work that the office has to do instead of increasing fees on the residents.

Mr. Krawczun advised although the fees for Construction and Zoning Permits seem onerous to the person the permit does get people to comply with whatever the standards are for the work being performed and at the same time it provides protection to surrounding property owners from infringement either across properties lines or uses that would occur that are not permitted in the zone. So, there is a benefit to the permit process.

Mayor Kownacki asked if there were any additional comments from Council. There being none, public participation was closed.

Ordinance No. 2140 -12

AN ORDINANCE AMENDING ORDINANCE NO. 2079-11 AMENDING THE CONSOLIDATED LICENSE, PERMIT AND FEE CHAPTER OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE – Zoning Fees

BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that Chapter 6A is hereby amended as follows:

Section 1.

Sec. 6A-27 Zoning Permit Fees

<u>Residential</u>	<u>Fee</u>
<u>Additions</u>	<u>\$50.00</u>
<u>Pools</u>	<u>\$50.00</u>
<u>Home Occupations</u>	<u>\$50.00</u>
<u>Decks & Patios</u>	<u>\$30.00</u>
<u>Fences</u>	<u>\$25.00</u>
<u>Sheds</u>	<u>\$25.00</u>
<u>Standard Zoning Permit (if none of the above)</u>	<u>\$25.00</u>
<u>Commercial Business Occupations</u>	<u>\$50.00</u>
<u>Signs (reface existing sign)</u>	<u>\$50.00</u>
<u>Signs (new or modified sign)</u>	<u>\$100.00</u>
<u>Building Expansion</u>	<u>\$250.00</u>
<u>Standard Zoning Permit (if none of the above)</u>	<u>\$30.00</u>

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 _____

Ordinance 2140-12 was adopted on the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABENT	ABSTAIN	MOVE	SECOND
Ms. Lewis	X					X	
Dr. Maffei	X						
Mr. Powers	X						
Mr. Puliti	X						X
Mayor Kownacki	X						

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Mayor Kownacki read by title an ordinance entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 6A OF THE ADMINISTRATIVE CODE OF THE TOWNSHIP OF LAWRENCE ESTABLISHING AND IMPLEMENTING FEES FOR EMERGENCY MEDICAL SERVICES."

Mayor Kownacki asked for comments from the public.

Ms. Joyce Copleman, 44 Titus Avenue, asked if the non-residents are still included in the language of the Ordinance and what would be the process if the person did not have any insurance and Mr. Krawczun replied that non-residents are included in the Ordinance and they will balance bill the person for ambulance services and if the person does not have the means to pay the Township will try and make one attempt to collect the payment but they will not refuse any services because they can seek charity care from the State if they are not in the position to bill the person.

Ms. Copleman questioned if she was in an accident and she needed the Jaws of Life and had to be taken to the hospital and her insurance does not cover everything that is written down to be collected would she be responsible for the difference and was advised by Mr. Krawczun that the Jaws of Life would be billed to her car insurance carrier and the transport would be billed to her primary insurance first then to her secondary insurance, if applicable. And, if she has both insurances they would bill both carriers then balance bill the difference if the full amount is not reimbursed. Further discussion took place relative to balance billing as it relates to individuals the Township is not allowed to bill - such as those on Medicare and the Township's efforts to work with individuals who cannot pay the full balance.

Mr. Glenn Collins, 11 Bearfort Way, inquired about the hiring date for the paid EMT's and the cost of the service at the time and Mr. Krawczun advised that the change took place about three years ago and he does not have the exact cost on hand but at that the time the Township had a split service between the Township and Capital Health employees and because Capital Health did not have the full 24 hour service they had to pay them and the combination of paying both was the most expensive scenario and proceeded to discuss various options that led to the Council's decision to revert to in-house employees for EMS Services. An at length question and comment period took place relative to the

revenues not offsetting the cost of the ambulance service, preserving versus privatizing ambulance services and the process of balance billing.

Mayor Kownacki asked if there were any additional comments from Council. There being none, public participation was closed.

Ordinance No. 2141-12

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 6A OF THE ADMINISTRATIVE CODE OF THE TOWNSHIP OF LAWRENCE ESTABLISHING AND IMPLEMENTING FEES FOR EMERGENCY MEDICAL SERVICES

BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, and State of New Jersey that Chapter 6A of the Lawrence Township Administrative Code is hereby amended and supplemented as follows:

SECTION I

The Administrative Code of the Township of Lawrence is hereby amended by adding to Chapter 6A a new section 28, entitled "Fees for Emergency Medical Services."

Schedule of fees.

Emergency Medical Services and Ambulance Transport Services Fees:

1. A fee of [six hundred seventy-five] seven hundred eighty-five dollars [(\$675)] (\$785) plus [ten] fifteen dollars [(\$10)] (\$15) per mile calculated one way will be charged to all persons receiving ambulance transport service by the Lawrence Township Emergency Medical Services.
  - a. In addition to the above, a fee in the amount of [sixty] seventy dollars [(\$60)] (\$70) will be charged for the use of oxygen when required,
  - b. A fee in the amount of twenty-five dollars (\$25) will be charged for the use of a cervical collar when required.
  - c. When it becomes necessary to extricate a person(s) from a motor vehicle, domestic entrapment or confined spaces, the following fees will be assessed: stabilization/extrication, nine-hundred and fifty dollars (\$950), power extrication with the use of mechanized tools, one-thousand nine hundred and fifty dollars (\$1,950), a technical

rescue (rope/swift water/flood water, trench, confined space, etc.), two-thousand eight hundred dollars (\$2,800).

2. Notwithstanding the foregoing, the payment of the fee by any person receiving such ambulance transport services from the Lawrence Township Emergency Medical Services will be waived provided such person certifies that he/she has no medical insurance coverage in effect to cover the ambulance transport services.
  - [a. The Township will accept the amount paid by an insurance company as payment in full and will not seek further reimbursement for services for any resident of Lawrence Township.]
  - b. [Any non-residents of Lawrence Township who receives] All persons that receive ambulance services shall be billed for any co-payments, co-insurance payment or deductible payment as required.
  - c. The recipient of ambulance transport services must facilitate the submittal of the bill for such services if required by the insurance company or secondary insurance company, and provide all required information necessary for payment.
  - d. The Chief Financial Officer and Chief of Police will be responsible for the billing of all services and/or third party administration of billing.
3. The Township of Lawrence is authorized to enter into contracts with various hospitals that provide Advanced Life Support (ALS) services to patients that are transported by the Lawrence Township Emergency Medical Service allowing the hospitals to bundle bill Medicare for service rendered. The hospital will reimburse the Township of Lawrence its transportation costs within forty-five (45) days of receiving payment.
4. This ordinance shall take effect twenty (20) days after adoption thereof.

New material is underlined \_\_\_\_\_

Deleted material is bracketed [      ]

Ordinance 2141-12 was adopted on the following roll call vote:

| COUNCIL        | AYE | NAY | PRESENT | ABENT | ABSTAIN | MOVE | SECOND |
|----------------|-----|-----|---------|-------|---------|------|--------|
| Ms. Lewis      | X   |     |         |       |         |      | X      |
| Dr. Maffei     | X   |     |         |       |         |      |        |
| Mr. Powers     | X   |     |         |       |         |      |        |
| Mr. Puliti     | X   |     |         |       |         | X    |        |
| Mayor Kownacki | X   |     |         |       |         |      |        |

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Mayor Kownacki read by title an ordinance entitled, “AN ORDINANCE AMENDING THE CONSOLIDATED LICENSE, PERMITAND FEE CHAPTER OF THE LAWRENCE ADMINISTRATIVE CODE - Bulk Waste Collection User Fee”

Mayor Kownacki asked for comments from the public.

The following residents spoke against the passage of the Bulk Waste User Fee Ordinance and several residents requested that the Council make other concessions and vote “no” on the ordinance.

- Mr. Jose Max Ramos, 4 Woodlane Road, Lawrence Township, NJ 08648
- Ms. Joyce Copleman, 44 Titus Avenue, Lawrence Township, NJ 08648
- Mr. Nick Sferra, 116 Oaklyn Terrace, Lawrence Township, NJ 08648
- Mr. Thomas Morris, 730 Pilgrim Avenue, Lawrence Township, NJ 08648
- Mr. George Ford, 86 Federal City Road, Lawrence Township, NJ 08648
- Ms. Patricia Metzger, 13 Pine Knoll Drive, Lawrence Township 08648
- Mr. Joseph Furch, 68 Northbrook Avenye, Lawrence Township, NJ 08648
- Mr. Marvin Van Hise, 118 Federal City Road, Lawrence Township, NJ 08648
- Mr. Scott Bentivegna, 107 Nassau Drive, Lawrence Township, NJ 08648
- Ms. Maria Delaney, 94 Harmony Avenue, Lawrence Township, NJ 08648
- Mr. James Cleak, 7 E. Darrah Lane, Lawrence Township, NJ 08648
- Mr. Glenn Collins, 11 Bearfort Way, Lawrence Township, NJ 08648
- Mr. Edward Wizinitzer, 118 Darrah Lane, Lawrence Township, NJ 08648 – (Does Not Oppose the Bulk User Fee)**

After the public comment period Mr. Powers advised that no member of Council is happy about the decision they have to make regarding the bulk waste fee; but, they play the cards they were dealt and no matter what they call it... bulk waste, trash, etc., the issue is still about trash pickup and asked the public to rewind back to the beginning of the year when they had the referendum and trash as they know it was going to be eliminated in Lawrence Township in order to stay under the 2% cap and the Municipal Manager’s recommendation to the Council was to have trash taken out of the budget and put as a referendum item and indicated the voters spoke. The proposal was rejected and trash was put back into the budget and continued to discuss the additional item not being tax deductible on their income taxes and the Council having to play the hand they were dealt based on the outcome of the referendum.

Mr. Powers further discussed the resident who spoke about living in Plainsboro where they had to hire their own private contractor to do trash pickup, which he indicated is optional by the Council, and the resident who spoke about charitable organizations being tax exempted; a policy decision that was made by State Legislators over 50 years ago and consequences that everyone is living with based on that decision. So, from his perspective the vote is about trash and the only way to resolve the issue is to vote "yes" because he does not want the senior citizens who live in Lawrence Township to have to hire some fly-by-night contractor to pay for their trash removal or have people dumping in the Township parks.

Mayor Kownacki asked if there were any additional comments from Council. There being none, public participation was closed.

ORDINANCE NO. 2142-12

AN ORDINANCE AMENDING CHAPTER 6A
OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE
ENTITLED "FEES, THE CONSOLIDATED LICENSE, PERMIT AND FEE
CHAPTER" AUTHORIZATION OF A BULK WASTE COLLECTION USER FEE

WHEREAS, the Township Council of the Township of Lawrence has determined that it is appropriate to authorize a user fee for the collection, transportation and disposal of bulk waste generated from property owners that receive curbside collection services.

NOW, THEREFORE BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey that Chapter 6A of the Lawrence Township Administrative Code is hereby amended as follows:
Section I.

Sec. 6A-27 Trash Receptacles

NEW PROVISION

Bulk Waste Collection Fee

Definition: Bulk waste consists of all items to be discarded which are too large for the Township-issued trash cart, including "white goods" such as washers, dryers, refrigerators and other metal products.

Curbside collection and disposal services for bulk waste shall be provided by a solid waste hauler contracted for such services by the Township of Lawrence.

Every property owner within the Township of Lawrence that is provided curbside bulk waste collection and disposal services shall pay an annual fee between \$0.00 but not to exceed \$55.00 for the collection of bulk waste. The annual fee will be established by resolution of the Township Council for each respective fiscal year. The curbside bulk waste collection and disposal services fee will be billed to property owners annually.

Collection of Fee and Enforcement

The bulk waste collection service fee shall be due within thirty days of receipt of billing from Lawrence Township. Nonpayment of fee shall be enforced in accordance with N.J.S.A. 40:66-12 and applicable provisions of enforcement for nonpayment contained under New Jersey Title 54.

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 phase 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.

Ordinance 2142-12 was adopted on the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABENT	ABSTAIN	MOVE	SECOND
Ms. Lewis	X						X
Dr. Maffei	X						
Mr. Powers	X						
Mr. Puliti	X					X	
Mayor Kownacki	X						

Manager's Report –

Mr. Krawczun submitted invoice listings for the month of November 2012 in the amount of \$312,474.15.

Mr. Krawczun reported about a week ago the Administration had an opportunity to meet with representatives from NJDEP and a couple of representatives from Greater Eldridge Park Neighborhood Association (GEPNA) regarding the Pit Stop located on Lawrence Road and they shared information as to what they discovered in their investigation and what the Township can expect going forward and indicated the amount of ground water contamination has been delineated and in the first week of January they will finish setting the wells that have been boarded, put in the casements and do any additional well drilling that is needed. After a couple of weeks all of the monitoring wells will be sampled at the same time and 40 days later they should receive the results that will be incorporated into a report by the Environmental Engineer and a draft copy will be prepared within a couple of months. Thereafter, he discussed what the report would entail with regards to on and off site monitoring wells, additional work that may be needed, the challenges with regards to further contamination under the buildings as it relates to soil removal and compromising the structure, the timeline for vapor treatments for groundwater contamination, deed restrictions and the slab construction as it relates to work that may be needed below the surface.

Mr. Krawczun stated at the beginning of the meeting he discussed the need for an additional Resolution to be added to the Agenda regarding the renewal of the Township's insurance coverage and a proposal from Garden State Municipal Joint Insurance Fund (GSMJIF), which would become effective January 1, 2013 and proceeded to review in detail the insurance proposal that included a Matrix of the Township's current self-insured coverage and the limitations versus GSMIF coverage and its limitations along with the Premiums for the following items: property, bonds, general liability, auto liability, law enforcement liability, public officials liability, employment practices liability, various levels of property coverage and workers compensation, as well as, the cost associated with the Township contracting out with a Third Party Administrator (TPA) and the Township's deductible on a per occurrence basis for each liability or property event that occurs. Additionally, he discussed the disadvantages associated with the competitiveness that is now causing the Self-Insured Retention (SIR) levels to rise and reviewed some of the alternatives and benefits to participating in the Joint Insurance Fund. (After some discussion relative to the plan it was the consensus of the Council for Mr. Krawczun to move forward with a Resolution.)

Mr. Krawczun distributed maps to the Council of the Township's property sale for 2013 and advised the properties listed on the tiers are the next list of properties that the Administration is suggesting to sell and the difference between the first sale as opposed to the current one is the first round was sold to contiguous owners with restrictions and these will be sold to contiguous owners without restrictions that will afford them an opportunity to create additional building lots or a subdivision when combined with other properties. So, the

information he provided is just for their review and consideration and discussion at a future meeting.

Mr. Krawczun advised that Mr. Singleton, a resident who resides on Cold Soil Road, spoke at the last Council Meeting about the deer management on Pole Farm and that he and Chief Posluszny met with Kevin Bannon, Executive Director of the Mercer County Park Commission, to discuss the matter and proceeded discuss a few highlights from their conversation. The first being the 17 hunters selected by the Park Commission and the application and training process they have to go through in addition to being properly licensed and thoroughly trained to have a hunting license. The hunters are only allowed to use traditional bows and the use of shotguns or crossbows are prohibited and the park will be closed on the days of the hunt. Additionally, Mr. Bannon agreed that during the expected hours of the hunt, the hunters will arrive in the morning or afternoon and man those entrances along with the Park Rangers to ensure that no one is crossing into the park or that the park is closed. They will also post signs in the park of the dates of the hunt and electronic changeable copy signs will be posted at different locations in the park that will clearly indicate when the park is opened or closed.

Mr. Krawczun further advised that notifications have been sent out to surrounding residents and information is also available on the Park Commission website as Mr. Bannon understands the importance of the matter being it is the first year the regulations are in place and he would like to monitor the situation so he can make an informative decision whether to keep or make changes to the procedures that do not work well. He then publicly thanked Mr. Bannon for his level of cooperation and objectivity during their discussion.

Mr. Krawczun stated that everyone has heard the residents' concerns with regards to the 2013 Municipal Budget and advised on January 3, 2013 the Township will be receiving bids for Police Dispatch Services and it is the Administration's intention to award a contract as early as January 8, 2013, which is the first meeting of the year, which be of benefit to the budget in allowing the savings to be gained over a longer period.

Attorney's Report –

Mr. Roskos stated that he has some comments for Closed Session and they only have three Tax Appeals left from 2010 and indicated they have had some good results as they have had some commercial business owners dismiss some of the years with the idea that the assessment would change for 2013. So, the impact is not as detrimental as they estimated it to be in the early part of the year; however, the dust has not completely settled.

Clerk's Report –

There was no Clerk's report.

Council Initiatives/Liaison Reports –

Councilmember Lewis' report:

- Advised that the Growth and Redevelopment Committee has already started working on next year's Awards ceremony and they are very proactive in getting new businesses to host and participate in that event.

Councilmember Maffei's report:

- No report.

Councilmember Powers' report:

- Advised that the Human Relations Committee meets tomorrow and with the shooting that took place on Connecticut he will see if they would like to do anything like St. Ann's who is having a candlelight vigil.

Councilmember Puliti's report:

- Stated that the Fire Chiefs gave a report earlier on their need for fire apparatus and Mr. Groeger spoke at length at the Recreation Advisory Committee meeting about his 5-year plan to make the recreation program self-sustaining and once the plan is implemented he will review the plan to see how his projections stack up.

Mayor Kownacki's report:

- No report.

Written Communications –

There was no written communication.

Old Business –

Mr. Powers stated that the Council previously spoke about making a decision one way or the other about adding an additional public comment period to the Agenda and asked the Council's wishes with regards to moving forward on the matter tonight.

Ms. Lewis advised that the Municipal Clerk provided the Council with several options and at the very least she feels public participation should be at the beginning of the meeting to give the public an opportunity to present something that is not on the Agenda and she would be happy to add a public comment period in another place.

Mr. Powers echoed Ms. Lewis comments with regards to his approval of adding an additional comment period at the end of the Agenda that will give folks an opportunity to speak that might have missed the first public participation; however, he does not want folks rehashing what was already said during the first public participation and he would like for the Township Attorney to guide them in setting some type of time limit for the public to speak.

Mr. Roskos advised that there is case law that recognizes 3 minutes as more than sufficient time for a person to convey their comments or concerns and suggested that the Township have a sign or place something on the table that limits the time a speaker can speak.

After an at length discussion amongst the Council, Municipal Clerk, Municipal Manager and the Township Attorney with regards to rearranging the Agenda to include the second public comment period it was the consensus of Council to limit the time for speakers and add an additional public comment after the Manager's report.

New Business –

There was no new business.

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

11:00 p.m.

Respectfully submitted by,

Kathleen S. Norcia, Municipal Clerk

Attest:

James S. Kownacki, Mayor