

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

July 17, 2012

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, July 17, 2012, at 6:30 P.M.

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

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, July 17, 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, Puliti and Mayor Kownacki.
Absent: Councilman Powers. (The Municipal Clerk advised that Mr. Powers is out of state.)

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 Clerk advised that the Agenda needs to be revised to include Resolution (8-S), Authorizing Recreation Fee Refunds, and Resolution (8-R) - Closed Session, to include discussion items dealing with the Trenton Water Works/ City of Trenton litigation.

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, Puliti and Mayor Kownacki.
Nays: None.
Absent: Councilmember Powers.

Public Participation

Mr. Joseph Mislán, 4 Sunset Road, stated that he has been a resident of Lawrence Township since 1970 and his comments this evening are about education and finances in the community. He then proceeded to discuss the list of top one-thousand high schools that were published in Newsweek and Lawrence High School not ranking amongst the top 73 high schools that were listed from New Jersey. In addition, he discussed the criteria and used and the serious attention that needs to be given to where Lawrence stands with regard to education compared to other schools across the country and him wanting the Council to demand Lawrence School Board do a better job of educating the children so that it will increase Lawrence real estate value by having a school system that is in greater demand.

Officer Andrew Lee, FOP President, Lodge #209, stated at their last meeting he was approached by a resident about setting up a Trust Fund for police officers who have been laid off and that the Fund will be called "Save Our Cops Program". He indicated that he does not know the resident's name offhand but he wanted to bring the matter to the Council's attention being the resident will be contacting them very soon to discuss the matter. Further, the members of the FOP have agreed to the proposal and that it will be a cooperative effort between the Township and their union, as there are a lot of different things they still need to work out; but, he is willing to try and do anything to save the officers and ensure they have an adequate level of manpower in the Police Department, and he hopes the Council is willing to do the same.

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

Adoption of Minutes

On a motion by Mr. Puliti, seconded by Dr. Maffei, the Minutes of the Closed Session Meetings of March 20, 2012, April 3, 2012, April 18, 2012, May 1, 2012, May 15, 2012, June 6, 2012 and June 19, 2012 were approved without corrections.

Same was carried on the following roll call vote:

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

Introduction of Ordinances

Mayor Kownacki read by title an ordinance entitled, "AN ORDINANCE AMENDING CHAPTER 14 OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE ENTITLED 'NUISANCES'"

Mr. Krawczun advised that the Ordinance amends the Lawrence Township Administrative Code, Chapter 14, "Nuisances" and that the Lawrence Township Health Department was audited by the New Jersey Department of Health, and after the assessment the State deemed the review satisfactory but recommended some required changes to the ordinance.

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

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

Mayor Kownacki read by title an ordinance entitled, "BOND ORDINANCE AMENDING BOND ORDINANCE 1787-04 BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, IN ORDER TO REVISE THE DISCRIPTION OF THE IMPROVEMENT HEREIN."

Mr. Krawczun stated that the Ordinance amends a previously adopted capital ordinance by adding an additional purpose for which the bond proceeds may be applied. He indicated that the additional purpose is for the acquisition and installation of video surveillance equipment and software for the Public

Works Department and that the following ordinance (7-C) accomplishes the same purpose.

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						

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 DISCRIPTION OF THE IMPROVEMENT HEREIN."

Mr. Krawczun advised that the Ordinance accomplishes the same purpose as Ordinance 7-B by adding the purpose of acquisition and installation of video surveillance equipment and software.

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						

Resolutions

The Municipal Manager gave a detailed explanation as to the increase in legal fees for Resolution (8-L) – Authorizing Amending the Contract Amount for Special Counsel for Labor Relations; Resolution (8-N) – Authorizing Amending the Professional Services Contract for Township Attorney, as they relate to Resolutions 8-P and 8-Q, both subject to approval of emergency resolution.

Resolution Nos. 219-12 (8-A) thru 237-12 (8-S) 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 Resolution Book Volume No. 2 of the Township of Lawrence.

Awarding or Rejecting of Bids

There were no bid awards.

Adoption of Ordinances

Mayor Kownacki read by title an ordinance entitled, "AN ORDINANCE AMENDING ORDINANCE 1794-04 WHICH ESTABLISHES THE STRUCTURE OF THE LAWRENCE TOWNSHIP POLICE DIVISION"

Ordinance No. 2126-12

AN ORDINANCE AMENDING ORDINANCE 1794-04 ESTABLISHING THE STRUCTURE OF THE LAWRENCE TOWNSHIP POLICE DIVISION

BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey that Ordinance 1794-04 establishing a maximum table of organization for the sworn officers of the Division of Police is hereby amended as follows:

SECTION 1. Amend as follows:

...1 Police Chief, [1 Deputy Chief], [2] 1 Captain...

SECTION 2. 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 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 become effective September 2, 2012.

New Material Underlined _____
 Deleted Material-Brackets []

The Ordinance 2126-12 was 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 PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF LAWRENCE, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$1,548,000 AND AUTHORIZING THE ISSUANCE OF \$1,470,600 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF"

Ordinance No. 2127-12

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF LAWRENCE, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$1,548,000 AND AUTHORIZING THE ISSUANCE OF \$1,470,600 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

**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.** The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Lawrence, New Jersey as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$ 1,548,000 and the aggregate sum of \$77,400 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

**Section 2.** In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,470,600 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

**Section 3.** The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefore, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

| Purpose                                                                                                                                                                                                                                | Appropriation & Estimated Cost | Estimated Maximum Amount of Bonds or Notes | Period or Average Period of Usefulness |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|--------------------------------------------|----------------------------------------|
| A. Purchase of various public works equipment consisting of: Mechanical Street Sweeper; Single Axel Dump Truck w/Plow and Sander; Trash Cart Replacements; 4x4 Utility Truck w/Plow; 72" Zero Turn Mower                               | 490,000                        | 465,500                                    | 5                                      |
| B. Improvements of Municipal Buildings consisting of: Roof Repairs Town Hall/Police HQ; HVAC Upgrade                                                                                                                                   | 55,000                         | 52,250                                     | 15                                     |
| C. Acquisition of fire/rescue equipment consisting of: Slackwood Turnout Gear; Lawrence Road Holmatro Rescue Equipment; Lawrence Road Turnout Gear; Lawrence Road Leather Boots; SCBA Replacements; Van Style Transport Vehicles (EMS) | 169,700                        | 161,215                                    | 5                                      |
| D. Acquisition of Fire Apparatus                                                                                                                                                                                                       | 475,000                        | 451,250                                    | 10                                     |
| E. Acquisition of various communications equipment: Upgrade Radio Console System; Migration to County Wide 500 MHZ System                                                                                                              | 215,800                        | 205,010                                    | 10                                     |
| F. Acquisition of various computer and office equipment: Hardware and Software Upgrades; Various Computer Replacements; Upgrade Nortel PBX (Phase II);                                                                                 | 127,500                        | 121,125                                    | 5                                      |

|                                                                                                        |           |           |      |
|--------------------------------------------------------------------------------------------------------|-----------|-----------|------|
| Police Desktop Computers; High back Communications Chairs; Handheld Quick Ticket Units                 |           |           |      |
| G. Various park and recreational facility improvements consisting of: Central Park Ball Field Upgrades | 15,000    | 14,250    | 15   |
| TOTAL                                                                                                  | 1,548,000 | 1,470,600 | 7.68 |

All of the improvements listed herein include all work and material necessary therefore or incidental thereto. The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefore, as above stated, is the amount of the down payment for each purpose.

**Section 4.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

**Section 5.** The Township hereby certifies that it has adopted a capital budget or a temporary capital budget as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

**Section 6.** The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that may be lawfully undertaken as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law is 7.68 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,470,600, and the obligations authorized herein will be within all debt limitations prescribed by the Law.

(d) An aggregate amount not exceeding \$62,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes of improvements.

**Section 7.** Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

**Section 8.** The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

**Section 9.** The full faith and credit of the Township are hereby pledged to the punctual payment of the principal and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

**Section 10.** This 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 2127-12 was 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 PROVIDING FOR VARIOUS ROAD IMPROVEMENTS IN AND BY THE TOWNSHIP OF LAWRENCE, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$835,000 INCLUDING THE AMOUNT OF \$250,000 EXPECTED TO BE RECEIVED AS A GRANT AND AUTHORIZING THE ISSUANCE OF \$555,750 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF"

Ordinance No. 2128-12

BOND ORDINANCE PROVIDING FOR VARIOUS ROAD IMPROVEMENTS IN AND BY THE TOWNSHIP OF LAWRENCE IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$835,000 INCLUDING THE AMOUNT OF \$250,000 EXPECTED TO BE RECEIVED AS A GRANT AND AUTHORIZING THE ISSUANCE OF \$555,750 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

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

**Section 1.** The improvement described in Section 2 of this bond ordinance is hereby authorized to be undertaken by the Township of Lawrence, New Jersey as a general improvement. For the improvement or purpose described in Section 2, there is hereby appropriated the sum of \$835,000 including the amount of \$250,000 expected to be received as a grant and the sum of \$29,250 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

**Section 2.** In order to finance the cost of the improvement or purpose not covered by application of the down payment or the grant referred to in Section 1, negotiable bonds are hereby authorized to be issued in the principal amount of \$555,750 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

**Section 3.** (a) The improvement hereby authorized and the purpose for the financing of which the bonds to be issued is the: (1) Darrah Lane Reconstruction including construction and design; (2) road improvement program: Bunker Hill Road, Central Park (adjacent to DPW Building), and Cold Soil Road; including construction and design of all authorized purposes; (3) road striping; (4) concrete improvements incidental to overlay and all work and materials therefore or incidental thereto and all as shown on and in accordance with the plans and specifications therefore on file in the office of the Municipal Clerk, which plans are hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is \$835,000.

**Section 4.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

**Section 5.** The capital budget of the Township of Lawrence is hereby amended to conform with the provisions of this ordinance to the extent of any 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 the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

**Section 6.** The following additional matters are hereby determined, declared, recited and stated: (a) The purposes described in Section 2 of this bond ordinance are not current expenses. They are all improvements that may be lawfully undertaken as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness, and the reasonable life thereof, within the limitations of the Local Bond Law is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such

statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$755,250 and the obligations authorized herein will be within all debt limitations prescribed by the Law.

(d) An aggregate amount not exceeding \$55,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purpose of improvements.

**Section 7.** The grant referred to in Section 1 when received will be applied to the direct payment of the cost of the improvements authorized herein. Any other grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

**Section 8.** The Chief Financial Office of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, the in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

**Section 9.** The full faith and credit of the Township are hereby pledged to the punctual payment of the principal and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

**Section 10.** The Township reasonably expects to reimburse any expenditures towards the cost of the improvement or purpose described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Township, or any member of the same "control group" as the Township, within the meaning of Treasury Regulations Section 1.150-1(f), pursuant to their budget or financial policies with respect to any expenditures to be reimbursed. The Section is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures towards the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.103-18, and no action (or inaction) will be an artifice or

device in accordance with Treasury Regulation Section 1.103-13(j) or 1.148-9(g) to avoid, in whole or in part, arbitrage yield restrictions or arbitrage rebate requirements.

**Section 11.** This 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 2128-12 was approved on the following roll call vote:

| COUNCIL        | AYE | NAY | PRESENT | ABSENT | 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, "BOND ORDINANCE AMENDING BOND ORDINANCE 1978-08 BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, IN ORDER TO REVISE THE DISCRPTION OF THE IMPROVEMENT HEREIN."

Ordinance No. 2129- 12

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

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:

- a. Section 3 (a) of Bond Ordinance 1978-08, finally adopted April 1, 2008, amended by Ordinance 2037-09, finally adopted December 1, 2009 be and are hereby amended to add the following purposes:

Purchase of Various Public Works Equipment consisting of:
 "...Underground Truck Lift Overhaul ..."

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 2129-12 was approved on the following roll call vote:

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

Manager’s Report –

Mr. Krawczun submitted invoice listings for the month of June 2012 in the amount of \$758,281.89.

Discussion – 2013 Tax Levy Cap

Mr. Krawczun reported that he and Peter Kiriakatis, Comptroller, spent the last week reviewing the Cap Calculation information that was applicable from 2012 to help determine the calculations for 2013, taking in consideration current data and projected cost, to include an increase to non-police personnel, increase in health benefits/pension, debt services, the acceptance of the contract proposal given to the FOP, Superior Officers, Rank & File, and additional challenges the Township will face and manage in 2013 with regards to the 2-percent cap. He then proceeded to discuss at length the Tax Levy Cap as it relates to the 2-percent cap, budget appropriations, revenues, surplus regeneration, employee layoffs, tax assessments/revaluation, reserve for uncollected taxes, tax appeals, privatization of trash collection and adjustments that need to be made prior to the 2013 budget year in order for the Township to remain under the required “cap” limit. An at length comment, question, and answer period took place relative to Mr. Krawczun’s report.

Mr. Krawczun advised the Council of the operational changes that will take place in the Health Department due to the reduction of one part-time nurse.

Mr. Krawczun reported that the Administration received an email update from Louis Berger the company that is performing the work at the Pit Stop for the monitoring of the wells and that they may have noticed activity taking place today and that tomorrow there will be more drilling of monitoring wells at the end of Pilla Avenue near the Emergency Medical Services Building and at Gainesboro and Stella Drive, and they can expect the drilling at both locations to be completed by the end of the week.

Mr. Krawczun stated that the Council has received copies of the Audit Report for December 31, 2011 and that once again, 10 out of the last 11 years, Lawrence has had a clean audit without any recommendations and that it does not happen because he retains the title of Chief Financial Officer; it happens because of his staff and their contributions. He then proceeded to acknowledge those instrumental in making sure that the Audit Report is satisfactory - Peter Kiriakatis, Comptroller, Linda Lutes, Supervisor of Accounts and Debbie Monroe, Payroll Supervisor, as well as, other Department Directors and Division Heads in various departments.

In closing, Mr. Krawczun asked the Council's wishes as to whether they would like the Auditor to come in and give a full presentation. There was no desire of the Council for a presentation from the Auditor, as the Audit Report was acceptable. Councilman Puliti further expressed the Council's full confidence in Mr. Krawczun and his staff moving forward and thanked them for services.

Attorney's Report –

Mr. Roskos stated that he thought he was going to be able to report on a settlement this evening but through no fault of the Township, as they are merely one party in the lawsuit, a resolution to the matter got off track so they now have to ask Judge Hurd to get involved; otherwise, they would have to embark on numerous Depositions in a case that should not be in Court in the first place. So, he hopes to report some good news at the next meeting regarding the matter.

Clerk's Report –

There was no Clerk's report.

Council Initiatives/Liaison Reports –

- There was no Liaison Report.

Written Communications –

- A. Audit Report and Related Documents – Discussed during the Manager's Report.

Old Business –

There was no old business.

New Business –

There was no new business.

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

7:39 p.m.

Respectfully submitted by,

Kathleen S. Norcia, Municipal Clerk

Attest:

James S. Kownacki, Mayor