

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

May 15, 2012

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, May 15, 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, May 15, 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

Prior to the awards presentation, Mayor Kownacki announced that a Special Meeting of the Council is scheduled for Thursday, May 17, 2012 at 6:30 for the purpose of taking action on a Resolution to amend the budget, and the second Special Meeting will take place on Wednesday, May 23, 2012 for a public hearing on the amendment and that a three day advanced Notice period will be provided prior to the public hearings.

Mayor Kownacki stated that the Council has the privilege of awarding a number of Honors, to include the 2012 Officer of the Year award, after which he and Chief Posluszny provided a brief background history for each the recipients, congratulated the honorees and presented the following designated Awards:

Police Awards

Sergeant Joseph J. Amodio:

WHEREAS, it is the policy of Lawrence Township Council to recognize police officers who have demonstrated exceptional dedication in the performance of their duties; and

WHEREAS, Sergeant Joseph J. Amodio has served as an evidence technician with the Lawrence Township Police Department since 1997; and

WHEREAS, Sergeant Joseph Amodio has processed numerous crime scenes throughout this time, always doing so in a thorough, conscientious and professional manner; and

WHEREAS, from Sergeant Joseph Amodio's dedicated efforts, a total of 11 latent fingerprint submissions have resulted in the identification of numerous suspects for the crimes of theft, carjacking, burglary, and theft of motor vehicles; and

WHEREAS, were it not for the professionalism, alertness, perseverance and attention to detail of Sergeant Amodio, several of these crimes may have gone unsolved.

NOW, THEREFORE BE IT PROCLAIMED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that it hereby recognizes and pays tribute to Sergeant Joseph J. Amodio for the determination, professionalism and keen investigative skills he exhibits as a member of the Lawrence Township Police Department.

Sergeant Joseph J. Amodio:

WHEREAS, it is the policy of Lawrence Township Council to recognize police officers who have demonstrated exceptional dedication in the performance of their duties; and

WHEREAS, on June 23, 2011, a bank robbery occurred at a Chase Bank in Hamilton Township, Mercer County, New Jersey, the suspect was a male dressed as a female, wearing a dress with a distinct pattern and armed with a semi-automatic pistol; and

WHEREAS, the Hamilton Township Police and Federal Bureau of Investigation transmitted bank surveillance photos of the suspect to area police departments; and

WHEREAS, Sergeant Joseph Amodio, who was assigned to the Quaker Bridge Mall when he observed a female patron shopping at the Mall wearing that identical dress and approached the patron to inquire where she had purchased the dress; and

WHEREAS, the patron informed Sgt. Amodio that it was purchased at a female clothing store in Independence Mall in Hamilton after which he contacted the Hamilton Township detectives and relayed this information to them; and

WHEREAS, Hamilton detectives went to the clothing store and discovered that a male had purchased that type of dress with a credit card and subsequent investigation by the Hamilton detectives led to them charging the male with committing the bank robbery; and

WHEREAS, the Hamilton Township Police Department contacted the Lawrence Township Police Department stating that it was Sergeant Amodio's phone call that solved the robbery investigation for them; and

WHEREAS, were it not for the professionalism, alertness and perseverance of Sergeant Joseph Amodio, the suspect may have continued his crimes and caused great harm to others.

NOW, THEREFORE BE IT PROCLAIMED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that it hereby recognizes and pays tribute to Sergeant Joseph J. Amodio for the alertness, determination, keen investigative skills and professionalism he exhibited as a member of the Lawrence Township Police Department.

Officer Marc A. Caponi:

WHEREAS, it is the policy of Lawrence Township Council to recognize police officers who have demonstrated exceptional dedication in the performance of their duties; and

WHEREAS, on July 21, 2011 at approximately 2:47 am, Police Officers Marc Caponi, Sean Kerins and Shawn Sudol were conducting self-initiated surveillance at the Lawrence Shopping Center due to recent burglaries to businesses, when from his position Officer Kerins observed two males walking to the rear of the Shopping Center; and

WHEREAS, Officer Kerins attempted to stop the two males but they fled, running away from him at which time he gave chase and radioed to Officers Marc Caponi and Shawn Sudol for assistance; and

WHEREAS, Officer Kerins provided a description of the suspects to the other officers and Officer Sudol observed one of the suspects running across the parking lot; and

WHEREAS, Officer Sudol exited his patrol vehicle, ran after the suspect and tackled him from behind and took him into custody; and

WHEREAS, Officer Marc Caponi observed the second suspect running from Officer Kerins and immediately exited his patrol vehicle and was able to stop the fleeing suspect and order him to the ground where he was taken into custody by both officers; and

WHEREAS, it was later determined that the suspects were in possession of burglary tools and had come to the Shopping Center to commit a burglary and had committed numerous other burglaries in and around the Lawrence Township area; and

WHEREAS, if not for the perseverance and selfless concern of Officer Marc Caponi, these individuals would have remained free to commit more crimes in the area.

NOW, THEREFORE BE IT PROCLAIMED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that it hereby recognizes and pays tribute to Officer Marc A. Caponi for the determination, professionalism, and skills that he exhibited as a member of the Lawrence Township Police Department.

Officer Marc A. Caponi:

WHEREAS, it is the policy of Lawrence Township Council to recognize police officers who have demonstrated exceptional dedication in the performance of their duties; and

WHEREAS, on January 7, 2012 Police Officers Marc Caponi and Andrew Lee were on uniformed patrol on the midnight shift when they observed a vehicle exit the Howard Johnson Motel onto Brunswick Pike with its lights off; and

WHEREAS, Officer Caponi made a computer inquiry on the vehicle and learned the vehicle was reported stolen out of the City of Trenton; and

WHEREAS, Officers Caponi and Lee attempted to make a motor vehicle stop on the vehicle by activating their emergency lights and siren; however, the stolen vehicle accelerated and a motor vehicle pursuit ensued and as the vehicle headed towards Trenton, they observed the occupants throwing items out the windows of the vehicle; and

WHEREAS, once the vehicle drove into the City of Trenton the three occupants abandoned the vehicle on Klagg Avenue and fled on foot and Officers Caponi and Lee began a foot chase after the suspects and were able to apprehend two of the suspects; and

WHEREAS, back-up officers checked the area where the suspects threw the items from the stolen vehicle and located two handguns loaded with hollow point bullets; and

WHEREAS, the two suspects were charged with receiving stolen property, eluding, weapon offenses, possession of hollow point bullets and tampering with evidence and a large amount of cash was seized for forfeiture; and

WHEREAS, were it not for the diligent and alert patrol, dedication and perseverance to duty by Officer Marc Caponi, these criminals would not have been captured on January 7, 2012 and would have remained free to commit further criminal acts thereby jeopardizing the residents of Lawrence and the State of New Jersey.

NOW, THEREFORE BE IT PROCLAIMED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that it hereby recognizes and pays tribute to Police Officer Marc A. Caponi for the determination, professionalism, and intelligent actions that he exhibited as a member of the Lawrence Township Police Department.

Officer Shawn S. Carroll:

WHEREAS, it is the policy of Lawrence Township Council to recognize police officers who have demonstrated exceptional dedication in the performance of their duties; and

WHEREAS, on July 8, 2011 at 3:35 p.m. Police Officer Shawn Carroll and Sergeant Michael Yeh responded to the Lawrence Township Public Works facility at 240 Bakers Basin Road on the report of a person that was electrocuted and was now unconscious and unresponsive; and

WHEREAS, Officer Carroll and Sergeant Yeh immediately responded and arrived within four minutes, and found Mr. Zaed Quituqa, an electrical subcontractor that had been working on light fixtures, laying on the service bay floor being attended to by two of his co-workers; and

WHEREAS, Officer Carroll and Sergeant Yeh immediately took over lifesaving efforts and found Mr. Quituqa unconscious, unresponsive and without a pulse; and

WHEREAS, Officer Carroll and Sergeant Yeh applied a Semi-Automatic Defibrillator Device and began to administer Cardio Pulmonary Resuscitation to Mr. Quituqa in an effort to resuscitate him; and

WHEREAS, as the Semi-Automatic Defibrillator Device recommended an electric shock be delivered to the victim, Officer Carroll and Sergeant Yeh delivered that shock; and

WHEREAS, after administering CPR for several minutes a pulse was detected and both officers continued to provide basic life support until the arrival of EMS who then transported Mr. Quituqa to Capital Health Regional Medical Center where he was treated and released after recovery; and

WHEREAS, were it not for the professionalism, alertness and perseverance of Police Officer Shawn Carroll, Mr. Quituqa may not have survived this life-threatening event.

NOW, THEREFORE BE IT PROCLAIMED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that it hereby recognizes and pays tribute to Police Officer Shawn S. Carroll for the determination, alertness and professional life saving skills that he exhibits as a member of the Lawrence Township Police Department.

Officer Sean A. Kerins:

WHEREAS, it is the policy of Lawrence Township Council to recognize police officers who have demonstrated exceptional dedication in the performance of their duties; and

WHEREAS, on July 21, 2011 at approximately 2:47 am, Police Officers Sean Kerins, Marc Caponi and Shawn Sudol were conducting self-initiated surveillance at the Lawrence Shopping Center due to recent burglaries to businesses, when from his position Officer Kerins observed two males walking to the rear of the Shopping Center; and

WHEREAS, Officer Kerins attempted to stop the two males but they fled from him at which time he gave chase and radioed to Officers Marc Caponi and Shawn Sudol for assistance; and

WHEREAS, Officer Kerins provided a description of the suspects to the other officers and Officer Sudol observed one of the suspects running across the parking lot; and

WHEREAS, Officer Sudol exited his patrol vehicle, ran after the suspect and tackled him from behind and took him into custody; and

WHEREAS, Officer Marc Caponi observed the second suspect running from Officer Kerins and immediately exited his patrol vehicle and was able to stop the fleeing suspect and order him to the ground where he was taken into custody by both officers; and

WHEREAS, it was later determined that the suspects were in possession of burglary tools and had come to the Shopping Center to commit a burglary and had committed numerous other burglaries in and around the Lawrence Township area; and

WHEREAS, if not for the perseverance and sound police tactics used by Officer Sean Kerins, these individuals would have remained free to commit more crimes in the area.

NOW, THEREFORE BE IT PROCLAIMED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that it hereby recognizes and pays tribute to Officer Sean A Kerins for the determination, professionalism, and keen investigative skills that he exhibited as a member of the Lawrence Township Police Department.

Officer Andrew F. Lee:

WHEREAS, it is the policy of Lawrence Township Council to recognize police officers who have demonstrated exceptional dedication in the performance of their duties; and

WHEREAS, on January 7, 2012 Police Officers Andrew Lee and Marc Caponi were on uniformed patrol on the midnight shift when they observed a vehicle exit the Howard Johnson Motel onto Brunswick Pike with its lights off; and

WHEREAS, Officer Caponi made a computer inquiry on the vehicle and learned the vehicle was reported stolen out of the City of Trenton; and

WHEREAS, Officers Lee and Caponi attempted to make a motor vehicle stop on the vehicle by activating their emergency lights and siren; however, the stolen vehicle accelerated and a motor vehicle pursuit ensued and as the vehicle headed towards Trenton, they observed the occupants throwing items out the windows of the vehicle; and

WHEREAS, when the vehicle drove into the City of Trenton the three occupants abandoned the vehicle on Klagg Avenue and fled on foot and Officers Lee and Caponi began a foot chase after the suspects and were able to apprehend two of the suspects; and

WHEREAS, back-up officers checked the area where the suspects threw the items from the stolen vehicle and located two handguns loaded with hollow point bullets; and

WHEREAS, the two suspects were charged with receiving stolen property, eluding, weapon offenses, possession of hollow point bullets and tampering with evidence and a large amount of cash was seized for forfeiture; and

WHEREAS, were it not for the diligent and alert patrol, dedication and perseverance to duty by Officer Andrew Lee, these criminals would not have been captured on January 7, 2012 and would have remained free to commit further criminal acts thereby jeopardizing the residents of Lawrence and the State of New Jersey.

NOW, THEREFORE BE PROCLAIMED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that it hereby recognizes and pays tribute to Police Officer Andrew F. Lee for the determination, professionalism, and intelligent actions that he exhibited as a member of the Lawrence Township Police Department.

Officer Robert G. Loveless:

WHEREAS, it is the policy of Lawrence Township Council to recognize police officers who have demonstrated exceptional dedication in the performance of their duties; and

WHEREAS, Police Officer Robert Loveless has served as an evidence technician with the Lawrence Township Police Department since 1995; and

WHEREAS, Officer Robert Loveless has processed numerous crime scenes throughout this time, always doing so in a thorough, conscientious and professional manner; and

WHEREAS, from Officer Robert Loveless' dedicated efforts, a total of 16 latent fingerprint submissions have resulted in the identification of numerous suspects for the crimes of burglary, theft of motor vehicles, eluding and theft; and

WHEREAS, were it not for the professionalism, alertness, perseverance and attention to detail of Officer Loveless, several of these crimes may have gone unsolved.

NOW, THEREFORE BE IT PROCLAIMED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that it hereby recognizes and pays tribute to Police Officer Robert G. Loveless for the determination, professionalism and keen investigative skills he exhibits as a member of the Lawrence Township Police Department.

Officer Steven Simon:

WHEREAS, it is the policy of Lawrence Township Council to recognize police officers who have demonstrated exceptional dedication in the performance of their duties; and

WHEREAS, on January 4, 2012, Officer Steven Simon of the Lawrence Township Police Department observed a suspicious vehicle located at a business on Princeton Avenue and upon Officer Simon running the license plate of the vehicle he discovered it had been reported stolen in the City of Trenton; and

WHEREAS, Officer Simon attempted to stop the stolen vehicle, but the driver refused to stop and drove down Vermont Street striking a curb, stop sign and a parked vehicle rendering the stolen vehicle disabled at which time the suspect exited the stolen vehicle and fled on foot into the City of Trenton; and

WHEREAS, Officer Simon pursued the suspect on foot chase as he ran through backyards of residences over a 3 block area attempting to take the suspect into custody several times; however, the fleeing suspect was able to resist, slip out of his jacket and shirt and continue his flight; and

WHEREAS, State Fire Inspector Margaret Knight stopped to assist Officer Simon and in so doing the suspect jumped into Inspector Knight's vehicle in an attempt to steal it and with the assistance of Inspector Knight, Officer Simon was able to detain the suspect in the vehicle until back-up police officers arrived and successfully subdued the suspect; and

WHEREAS, the suspect was charged with receiving stolen property, eluding, resisting arrest, operating a vehicle under the influence and attempted motor vehicle theft; and

WHEREAS, were it not for the professionalism, alertness and perseverance of Police Officer Steven Simon the male would have remained at large to the jeopardy of the residents of both Lawrence Township and the City of Trenton.

NOW, THEREFORE BE IT PROCLAIMED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that it hereby recognizes and pays tribute to Police Officer Steven Simon for the courage, determination, selfless concern for his own safety and professionalism he exhibited as a member of the Lawrence Township Police Department.

Officer Shawn D. Sudol:

WHEREAS, it is the policy of Lawrence Township Council to recognize police officers who have demonstrated exceptional dedication in the performance of their duties; and

WHEREAS, on July 21, 2011 at approximately 2:47 am, Police Officers Shawn Sudol, Marc Caponi and Sean Kerins were conducting self-initiated surveillance at the Lawrence Shopping Center due to recent burglaries to businesses, when from his position Officer Kerins observed two males walking to the rear of the Shopping Center; and

WHEREAS, Officer Kerins attempted to stop the two males but they fled from him at which time he gave chase and radioed to Officers Shawn Sudol and Marc Caponi for assistance; and

WHEREAS, Officer Kerins provided a description of the suspects to the other officers and Officer Sudol observed one of the suspects running across the parking lot; and

WHEREAS, Officer Sudol exited his patrol vehicle, ran after the suspect and tackled him from behind and took him into custody; and

WHEREAS, Officer Marc Caponi observed the second suspect running from Officer Kerins and immediately exited his patrol vehicle and was able to stop the fleeing suspect and order him to the ground where he was taken into custody; and

WHEREAS, it was later determined that the suspects were in possession of burglary tools and had come to the shopping center to commit a burglary and had committed numerous other burglaries in and around the Lawrence Township area; and

WHEREAS, if not for the perseverance and selfless concern of Officer Shawn Sudol, these individuals would have remained free to commit more crimes in the area.

NOW, THEREFORE BE IT PROCLAIMED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that it hereby recognizes and pays tribute to Officer Shawn D. Sudol for the determination, professionalism, and skills that he exhibited as a member of the Lawrence Township Police Department.

Sergeant Michael Yeh:

WHEREAS, it is the policy of Lawrence Township Council to recognize police officers who have demonstrated exceptional dedication in the performance of their duties; and

WHEREAS, on July 8, 2011 at 3:35 p.m. Sergeant Michael Yeh and Police Officer Shawn Carroll responded to the Lawrence Township Public Works facility at 240 Bakers Basin Road on the report of a person that had been electrocuted and was now unconscious and unresponsive; and

WHEREAS, Sergeant Yeh and Officer Carroll immediately responded, arrived within four minutes, and found Mr. Zaed Quituqa, an electrical subcontractor that had been working on light fixtures, laying on the service bay floor, being attended to by two of his co-workers; and

WHEREAS, Sergeant Yeh and Officer Carroll immediately took over life saving efforts and found Mr. Quituqa unconscious, unresponsive and without a pulse; and

WHEREAS, Sergeant Yeh and Officer Carroll applied a Semi-Automatic Defibrillator Device and began to administer Cardio Pulmonary Resuscitation to Mr. Quituqa in an effort to resuscitate him; and

WHEREAS, as the Semi-Automatic Defibrillator Device recommended an electric shock be delivered to the victim, Sergeant Yeh and Officer Carroll delivered that shock; and

WHEREAS, after administering CPR for several minutes a pulse was detected and both officers continued to provide basic life support until the arrival of EMS who then transported Mr. Quituqa to Capital Health Regional Medical Center where he was treated and released after recovery; and

WHEREAS, were it not for the professionalism, alertness and perseverance of Sergeant Michael Yeh, Mr. Quituqa may not have survived this life-threatening event.

NOW, THEREFORE BE IT PROCLAIMED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that it hereby recognizes and pays tribute to Sergeant Michael L. Yeh for the determination, alertness and professional life saving skills that he exhibits as a member of the Lawrence Township Police

Police Officer of the Year

Officer Marc Poveromo:

WHEREAS, it is the policy of Lawrence Township Council to recognize police officers who have demonstrated dedication, commitment and professional service in the performance of their police duties; and

WHEREAS, the Chief of Police and the Lawrence Township Police Department convened a Committee to recognize an officer for Outstanding Officer of the Year for 2011-2012; and

WHEREAS, the Committee and the Chief of Police selected and awarded the Chief's Achievement Award for Outstanding Officer of the Year 2012 to Officer Marc Poveromo; and

WHEREAS, Officer Marc Poveromo has been a Lawrence Township Police Officer since March of 2004 and has served in the Patrol Division working as a Patrol Officer for eight years; and

WHEREAS, Officer Poveromo has volunteered and serves as an evidence technician helping solve numerous crimes, as well a traffic crash investigator and is also a certified 9-1-1 telecommunicator; and:

WHEREAS, Officer Poveromo is a certified Emergency Medical Technician who has utilized his acquired skills to assist and give aid to local citizens throughout the Township; and

WHEREAS, Officer Poveromo was nominated by a supervisor who commended his strong work ethic, great attitude, advanced investigative skills and the assistance he lends to other officers and the community at large; and

WHEREAS, Officer Poveromo displays these characteristics of outstanding service on a daily basis to the citizens of Lawrence Township, fellow law enforcement officers, and others in need for the service year 2011-2012.

NOW, THEREFORE BE IT PROCLAIMED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that it hereby recognizes and pays tribute to Police Officer Marc Poveromo for his selection as 2012 Outstanding Officer of the Year of the Lawrence Township Police Department.

Civilian Awards

Mr. Najib F. Alsahoum:

WHEREAS, It is the policy of the Lawrence Township Council to recognize citizens who have demonstrated exceptional service to the public; and

WHEREAS, on July 8, 2011, Mr. Zaed Quituqa, an electrician working at the Lawrence Township Public Works facility at 240 Bakers Basin Road, was on a scissor lift replacing fluorescent light fixtures when he came in contact with a live electric wire and was electrocuted; and

WHEREAS, Najib Alsahoum was on the scissor lift with Mr. Quituqa when he observed him being electrocuted and knew he had to break him free from the live wire and the side of the metal lift; and

WHEREAS, Najib Alsahoum kicked Mr. Quituqa in the leg area breaking him free of contact with the live wire and immediately called for help and had other employees lower the lift and call for medical assistance; and

WHEREAS, Najib Alsahoum and another employee, Saed Quituqa, the victim's father, lifted Mr. Quituqa off of the lift, onto the floor and checked his vital signs; and

WHEREAS Najib Alsahoum and Saed Quituqa found no signs of breathing or a pulse and began performing cardiopulmonary resuscitation with Najib Alsahoum administering chest compressions and Saed Quituqa providing rescue breaths which they continued performing until Lawrence Township Police Officers arrived and took over; and

WHEREAS, after a short period of time, Zaed Quituqa's heart began to beat on its own and he was taken to Capital Health Regional Medical Center where he received further treatment and made a full recovery; and

WHEREAS, were it not for the quick thinking and decisive action by Najib Alsahoum, Zaed Quituqa may not have survived his ordeal.

NOW THEREFORE BE IT PROCLAIMED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey that it hereby recognizes and pays tribute to Najib F. Alsahoum for his quick thinking and decisive action that saved the life of Zaed Quituqa.

Mr. Michael T. Fink:

WHEREAS, it is the policy of the Lawrence Township Council to recognize citizens who have demonstrated exceptional service to the public; and

WHEREAS, on April 25, 2011 at 12:17 p.m., three males entered the Hamilton Jewelers Store at 2542 Brunswick Pike, wearing hoods and masks and one was brandishing a handgun and pointing it at the employees of the store and one of the males smashed the glass from a display case and stole over \$120,000 worth of watches after which the three armed robbers fled the store; and

WHEREAS, Michael Fink, a letter carrier for the United States Postal Service, was in the parking lot of a business at Route One and Texas Avenue, when he observed three males wearing hoods running across the parking lot, enter a parked vehicle being operated by another male and fled the area; and

WHEREAS, Mr. Fink found the actions of the three males to be suspicious so he wrote down the license plate of the vehicle the males had gotten into and alerted the responding police officers of what he observed and provided the officers with the license plate and description of the getaway vehicle; and

WHEREAS, Mr. Fink provided a formal statement of his observations aiding in the prosecution of the suspects; and

WHEREAS, it was discovered that the same suspects had committed an armed robbery at a restaurant in Hamilton Township earlier on this same day; and

WHEREAS, the getaway vehicle that was described by Mr. Fink was later located in the City of Trenton enabling detectives to identify and charge a suspect with robbery, theft, and weapons offenses; and

WHEREAS, were it not for Michael Fink's keen observations, courage and dedication, the suspects may have continued on their crime spree and committed additional robberies.

NOW THEREFORE BE IT PROCLAIMED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey that it hereby recognizes and pays tribute to Michael T. Fink for his alertness, courage and selfless concern that provided for the arrest of an armed robbery suspect.

Ms. Jennifer L Guider:

WHEREAS, it is the policy of the Lawrence Township Council to recognize citizens who have demonstrated exceptional service to the public; and

WHEREAS, on January 11, 2012, the Lawrence Township Police Department was alerted to a theft and forgery that was occurring at the PNC Bank, 138 Franklin Corner Road; and

WHEREAS, Jennifer L. Guider, a teller at the PNC Bank, had been alerted by another bank that a female was attempting to fraudulently withdraw a large sum of money from another bank customer's account; and

WHEREAS, Ms. Guider realized that the person at her drive up window was, in fact, the female that was trying to defraud another account holder, at which time she alerted her bank manager of the crime in progress who then immediately contacted the police; and

WHEREAS, Ms. Guider maintained her composure and stalled the criminal long enough for the responding police officers to arrive and take the suspect into custody; and

WHEREAS, a subsequent investigation by detectives discovered that the female suspect was part of a professional organized theft ring that stole identities of individuals and then defrauded their bank accounts; and

WHEREAS, the female suspect in this case had already defrauded the victim of over \$11,000; and

WHEREAS, the suspect was charged with identity theft, forgery, theft by deception and receiving stolen property; and

WHEREAS, were it not for Jennifer L. Guider's keen observations, poise, courage and positive identification, the suspect would have escaped and been able to commit additional crimes.

NOW THEREFORE BE IT PROCLAIMED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey that it hereby recognizes and pays tribute to Jennifer L. Guider for her alertness, courage and selfless concern that provided for the arrest of the suspect in a swift manner.

Inspector Margaret Knight:

WHEREAS, it is the policy of the Lawrence Township Council to recognize citizens who have demonstrated exceptional service to the public; and

WHEREAS, on January 4, 2012, Officer Steven Simon of the Lawrence Township Police Department observed a suspicious vehicle located at a business on Princeton Avenue and upon Officer Simon running the license plate of the vehicle he discovered it had been reported stolen in the City of Trenton; and

WHEREAS, Officer Simon attempted to stop the stolen vehicle, but the driver refused to stop and drove down Vermont Street striking a curb, stop sign and a parked vehicle rendering the stolen vehicle disabled, at which time the suspect exited the stolen vehicle and fled on foot into the City of Trenton; and

WHEREAS, New Jersey State Fire Inspector Margaret Knight was driving her State Vehicle in the area and observed the pursuit, crash and subsequent foot chase and on her own initiative followed the foot pursuit as it continued through several city blocks to provide any assistance she could to Officer Simon; and

WHEREAS, as Officer Simon attempted to take the suspect into custody on Ohio Avenue, Inspector Knight exited her vehicle to assist in placing the suspect into custody; however, the suspect broke free and jumped into Inspector Knight's vehicle in an attempt to flee and Inspector Knight quickly removed the ignition key thereby preventing the suspect from escaping; and

WHEREAS, the suspect was detained by Officer Simon in the vehicle until back-up police officers assisted in taking him into custody; and

WHEREAS, the suspect was charged with receiving stolen property, eluding, resisting arrest, operating a vehicle under the influence and attempted motor vehicle theft; and

WHEREAS, were it not for Margaret Knight's keen observations, poise and courage, the suspect may have escaped.

NOW THEREFORE BE IT PROCLAIMED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey that it hereby recognizes and pays tribute to Margaret Knight for her alertness, courage and selfless concern that provided for the arrest of a violent suspect.

Ms. Elizabeth Morgan:

WHEREAS, it is the policy of the Lawrence Township Council to recognize citizens who have demonstrated exceptional service to the public; and

WHEREAS, on January 24, 2012 a residential burglary occurred in the Pine Knoll neighborhood and Lawrence Township Police Officers and Detectives responded and began an investigation into the burglary; and

WHEREAS, a neighborhood resident, Elizabeth Morgan, became aware that a burglary occurred in her neighborhood and contacted the Lawrence Township Detective Bureau; and

WHEREAS, Elizabeth Morgan reported that she observed a suspicious male in the neighborhood on January 24, 2012 whom she did not recognize and gave a detailed description of the male including that she saw him on a bicycle; and

WHEREAS, detectives used this information to form a suspect description and began performing surveillance in the neighborhoods throughout the Township; and

WHEREAS, several days later when detectives observed a person on a bicycle, matching the description provided by Elizabeth Morgan, they stopped the male, identified him, arrested him on an outstanding warrant and discovered he was in possession of burglar's tools; and

WHEREAS, detectives executed a search warrant on the suspect's residence and discovered stolen property from the Pine Knoll neighborhood burglary as well as several other burglaries that occurred in Lawrence Township; and

WHEREAS, were it not for this key information provided by Elizabeth Morgan, this criminal would not have been captured on February 8, 2012 and would have remained free to commit further criminal acts thereby jeopardizing the residents of Lawrence Township and the State of New Jersey.

NOW, THEREFORE BE PROCLAIMED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that it hereby recognizes and pays tribute to Elizabeth Morgan for her keen observation and cooperation with the Lawrence Township Police Department which contributed to the apprehension of the criminal and to the safety of the citizens of Lawrence Township.

Mr. Saed Quituqa

WHEREAS, It is the policy of the Lawrence Township Council to recognize citizens who have demonstrated exceptional service to the public; and

WHEREAS, On July 8, 2011, Mr. Zaed Quituqa, an electrician working at the Lawrence Township Public Works facility at 240 Bakers Basin Road, was on a scissor lift replacing fluorescent light fixtures when he came in contact with a live electric wire and was electrocuted; and

WHEREAS, Najib Alsahoum was on the scissor lift with Mr. Quituqa when he observed him being electrocuted and knew he had to break him free from the live wire and the side of the metal lift; and

WHEREAS, Najib Alsahoum kicked Mr. Quituqa in the leg area breaking him free of contact with the live wire and immediately called for help and had other employees lower the lift and call for medical assistance; and

WHEREAS, Saed Quituqa, the victim's father, and Najib Alsahoum lifted Mr. Quituqa off of the lift, onto the floor and checked his vital signs; and

Whereas Saed Quituqa and Najib Alsahoum found no signs of breathing or a pulse and began performing cardiopulmonary resuscitation with Najib Alsahoum administering chest compressions and Saed Quituqa providing rescue breaths which they continued performing until Lawrence Township Police Officers arrived and took over; and

WHEREAS, after a short period of time, Zaed Quituqa's heart began to beat on its own and he was taken to Capital Health Regional Medical Center where he received further treatment and made a full recovery; and

WHEREAS, were it not for the quick thinking and decisive action by Saed Quituqa, Zaed Quituqa may not have survived his ordeal.

NOW THEREFORE BE IT PROCLAIMED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey that it hereby recognizes and pays tribute to Saed Quituqa for his alertness and quick action that assisted in saving the life of Zaed Quituqa.

Review and Revisions of Agenda

There were no revisions to the agenda.

Public Participation

Prior to opening public participation, Mayor Kownacki stated that the volunteers selected by Council to review the 2012 Budget will give a report on the budget. He then turned the floor over to the following appointees:

Mr. Ira Marks, 6 Pembroke Court, distributed copies of his Budget Report to the Council and apologized in advance for his lengthy report, which he read and discussed at length regarding his findings and determination as to how the budget problem arose, what things can or cannot be done in the short term to diminish the problem and what things need to be done in the long term to prevent the problem from reoccurring.

Mr. Marvin Van Hise, 118 Federal City Road, stated prior to discussing his analysis of the budget he would like to praise Mr. Krawczun and his staff for being so candid, forthright and cooperative in providing information during the budget meetings. He then proceeded to discuss his difference of opinion from the other members selected to the Sub-committee with regards to there being no soft cushion or deception found in the budget, the negative impact tax appeals have had on the municipal budget, 2012 budget year being halfway over therefore compounding the budgetary problem by rolling over into next year's budget (2013), department and program cuts remaining at the discretion of management due to the Committee's limited expertise and a full reevaluation of employment contracts for possible reduction of salaries and benefits; and, if no agreement can be reached then possible layoffs may be in order.

Councilman Puliti stated on behalf of Council he would like to thank the Public Sub-committee for their time, interest, expertise and professionalism, as it was a very good exercise and enlightening process.

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*Officer Andrew Lee, President, Lawrence Township F.O.P., Lodge #209*, stated he is present tonight to address the budget that involves the layoffs of several fellow Officers in the Lawrence Township Police Department, and advised that he is going to keep the presentation short and to the point as he will be focusing on three key issues – safety of his fellow officers, safety of the community and alternatives to the layoff process. He then proceeded to discuss in detail two separate aggravated assault incidences that involved two officers, who sustained minor injuries and needed backup at a crime scene, and how the inadequate manpower could be detrimental to the safety of officers in those types of situations, the low morale of officers in the department and maintaining the high quality of service and low crime residents in Lawrence have come to expect. In closing, he thanked the Council for their time and urged the Council to reconsider any layoffs of police officers.

*Officer Andres Mejia, Treasurer, Lawrence Township P.B.A., Local #119*, indicated that he is present to discuss the potential layoffs of police officers in the P.B.A., and that Officer Lee already presented several valid points as to why they should not lay off any police officers. He then proceeded to discuss the layoff of police officers as it relates to the excessive amount of money that will be paid out for overtime, staff shortages and unfilled vacancies within the department,

resulting in a lack of manpower and low morale amongst the rank and file in the police department, layoff of police officers as it relates to the Township paying out a significant amount of money in unemployment insurance and overtime to compensate for the lack of available manpower, which in turn will be passed on the taxpayers of Lawrence. He further discussed several retirements occurring in the near future and advised that any positions lost should be done through attrition and not layoffs; therefore, he is urging the Council to reconsider layoffs of any Officers due to the ramifications it will have on the staffing in the police department, as well as, the tens of thousands of dollars that will be spent on overtime, effectively negating any savings from the layoffs. He then thanked the Council for their time.

*Ms. Joyce Copleman, 44 Titus Avenue,* asked if there would be additional public participation to discuss the 2013 Municipal Budget after Mr. Krawczun's budget presentation.

Mayor Kownacki advised that there will be public hearing on Thursday, May 17, 2012 at 6:30 for the purpose of taking action on a Resolution to amend the budget, and the second Special Meeting will take place on Wednesday, May 23, 2012 at 6:30 p.m. for a public hearing on the amendment of the budget, which he indicated was announced at the beginning of the meeting.

*Mr. George Kline, State Treasurer F.O.P., New Jersey,* stated that he is a retired Police Lieutenant from Willingboro Township, Burlington County, New Jersey, and indicated one of the things the Council could look forward to is the new legislation signed into law by the Governor that will affect every public employee in the State of New Jersey, as it will require everyone making under \$100,000 to pay 30-percent of their medical insurance and anybody making over \$100,000 to pay 35-percent of their coverage. In addition, pension contributions will increase in increments up to 7½-percent for public employees so by the fourth year everyone will be paying the maximum amount for benefits. So, that is a source of revenue that the Council can look forward to coming back into the Township's budget.

Mr. Kline continued to discuss a friend of his who is a firefighter in Cherry Hill that has considered leaving fire services because of the new change in the law, as his take-home pay would be substantially less even with his cost of living raise. Thereafter, he voiced his objection and concerns with the layoffs of public employees – fire, police and EMS - because when he calls for 911 assistance he expects his fire department, police department and EMS to arrive on time, and if they cut those services they are not only hurting the officers, firefighters and EMS or the assistance that they need, but every resident will be affected. So, he hopes the Council will consider the consequences before they layoff any of their public servants. He then thanked the Council for their time.



*Mr. Thomas Egan, 1336 Indiana Avenue,* stated that he is a resident of Lawrence Township and the President of Robbinsville P.B.A. and if he calls his municipality and no one is available to take his call he can leave a message and wait for a return call; but if a person calls the Police Department and there is no officer available to respond a person could die...so the Council needs to brace themselves as layoffs could cost lives. He then proceeded to discuss quality of life when crime and traffic violations are on the rise in areas where the police officers have been layed off and urged the Council to reconsider the layoffs of police officers.

*Mr. Frank Herrick, AFSCME Representative,* stated he is the representative for both the White Collar and Blue Collar unions in Lawrence Township and he cannot make the impaction plea that folks are hearing tonight for the police and fire because the members of his unions are not seen in that type of light; but they are Public Works employees who clean the roads, plow the snow, clean up after hurricanes; health inspectors who inspect restaurants, pools and issue food licenses; recreation employees who run the recreational programs and special events, as well as, other employees in various departments who help run the day-to-day operations of the municipality. He advised that the departments are at their bare bones due to longtime employee cuts, the lack of hiring or filling existing positions and they do not anticipate any hiring in the near future, therefore, they cannot afford to lose any employees to layoffs.

Mr. Herrick stated for clarification purposes AFSCME, as a union, has never bluntly refused to open a contract but before they open a contract they would like to know what they are opening the contract for in terms of a proposal; and, because the Township has not formally asked for cuts in the medical, pay, days, etc. they have nothing to negotiate. So, when the Administration present a plan to him that he can take back to his union members they can decide whether or not they would like to open their contracts, as they have always tried to work with the Township in terms of givebacks, to include seeking lower healthcare cost, healthcare contributions and employees taking a wage freeze. In closing, he discussed the average salary range of members in his unions being under \$60,000 and their pensions averaging about \$19,000, as well as, the importance and need for the services they provide to the Township.

*Mr. Thomas Maple, 26 Brookside Drive, Florence Township, NJ,* stated he is the second generation in the police department and he proudly wears his father's badge, who worked for Lawrence for 27 years, and he is working on his 25<sup>th</sup> year in the Police Department. Further, he is a third generation and a life member of the Lawrenceville Fire Company and the second generation as a squad member of the First Aid Squad when it was a volunteer squad. In addition, he is first Vice-President of F.O.P., Lodge #209 and he was formerly the President of the P.B.A., Local #119 and instrumental in negotiating several police contracts, and indicated one of things he would like to point out is that under

Richard Krawczun, Township Manager, and former Township Manager, William Guhl, the Township has been very fiscally sound and that the contract currently in place is a very reasonable agreement between both of the parties and after review of the current police contract there is very little wiggle room for givebacks at this point and time. He advised that contract negotiations are supposed to end at the end of the year, but the F.O.P. has extended an invitation to the Township Manager to start contract negotiations sooner than what is mandated by law and they are looking forward to those discussions.

Officer Maple reiterated his status as a third generation in a number of emergency services within the Township and how proud he was to have served in those capacities. He then proceeded to discuss today being Police Memorial Day and the number of fallen officers who died in 2012, and the 20,000+ officers who have died over the history of the United States and asked that everyone remember the fallen officers throughout the country today. Afterwards, he congratulated all the police officers who went down to the Police Memorial on their tremendous fundraising efforts. In closing, he briefly discussed some of the concessions that were given during contract negotiations for the police and why the Council should not layoff any police officers.

*Mr. Steven Amriott, 144 Roxboro Road*, discussed at length growing up in Lawrence when there were more officers patrolling the streets and the police being only seconds away when called upon, and because things have changed the Township needs to operate as a community. And, because police coverage is down the Township should be looking for ways to hire more officers to patrol streets of Lawrence - not lay them off.

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

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#### Adoption of Minutes

On a motion by Mr. Puliti, seconded by Dr. Maffei, the Minutes of Regular Meeting of January 3, 2012 and January 17, 2012 were approved without corrections.

Same was carried on the following roll call vote:

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

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Introduction of Ordinances

Mayor Kownacki read by title an ordinance entitled, "BOND ORDINANCE AMENDING BOND ORDINANCE 1977-08 BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, IN ORDER TO REVISED THE DESCRIPTION OF THE IMPROVEMENT HEREIN."

Mr. Krawczun stated that the Ordinance amends the previously adopted capital ordinance by adding an additional purpose for which the bond proceeds may be applied, but the Ordinance will not incur any additional debt. He indicated that the additional purpose is for accessibility improvements in compliance with ADA regulations and the proceeds will be utilized as a match for a 2012 Small Cities Community Grant in the amount of \$100,000.

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   |     |         |        |         |      | X      |
| Mr. Powers     | X   |     |         |        |         |      |        |
| Mr. Puliti     | X   |     |         |        |         |      |        |
| Mayor Kownacki | X   |     |         |        |         |      |        |

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Resolutions

Resolution Nos. 164-12 (8-A) thru 174-12 (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 Resolution Book Volume No. 2 of the Township of Lawrence.

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Awarding or Rejecting of Bids

There was no bid award.

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Adoption of Ordinances

Mayor Kownacki read by title an ordinance entitled,“ ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER”

Mayor Kownacki asked for comments from the public.

Ms. Carol Harle, 117 Review Avenue, voiced her opposition to the passage of the following Ordinance as she feels it will affect future budgets and is a loophole for the Township to get around the 2-percent cap put in place by the State.

Mr. Krawczun provided a detailed explanation of the Ordinance as it relates to the 2-percent cap, the limit on taxation and the amount to be raised by taxation, as well as, the appropriations being by the aggregate amount and not by line items.

Mayor Kownacki asked for comments from Council. There being no additional comments, public participation was closed.

Ordinance No. 2119–12

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION  
LIMITS AND TO ESTABLISH A CAP BANK FOR THE TOWNSHIP OF  
LAWRENCE, COUNTY OF MERCER

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey finds it advisable and necessary to increase its CY 2012 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Township Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$278,462.66 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey by a majority of the full authorized membership of this governing body affirmatively concurring that, in the CY 2012 budget year, the final appropriations of the Township of Lawrence shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$278,462.66 and that the CY 2012 municipal budget for the Township of Lawrence be approved and adopted in accordance with this ordinance;

BE IT FURTHER ORDAINED that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within five days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within five days after such adoption.

Adopted: May 15, 2012\*

The Ordinance 2119-12 was adopted on 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   |     |         |        |         |      |        |

\*Second adoption date. Newspaper failed to publish as requested.

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Mayor Kownacki read by title an ordinance entitled, "AN ORDINANCE AMENDING ORDINANCE NOS. 2002-09, 1976-08 AND 1876-06 ESTABLISHING RATES FOR SEWER SERVICES"

Mayor Kownacki asked for comments from the public.

Ms. Carol Harle, 117 Review Avenue, voiced her opposition to the passage of the following Ordinance, as she feels the 15-percent increase in rates will impose a hardship for the residents of Lawrence and Ewing-Lawrence Sewage Authority (ELSA) is ignoring the plight of the taxpayers, as they are living above their means and not reducing expenditures to meet their declining revenues. She indicated they should share in the pain and be more prudent during these hard economic times.

Mayor Kownacki asked for comments from Council. There being no additional comments, public participation was closed.

Ordinance No. 2120-12

AN ORDINANCE AMENDING ORDINANCE NOS. 2002-09, 1976-08 AND 1876-06 ESTABLISHING RATES FOR SEWER SERVICE

BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey that Section 20-1A of the Lawrence Township Administrative Code entitled 'Sewers and Sewage Disposal' is hereby amended as follows:

Section 20-1A Sewer Connection – Schedule of Rates for Sewer Services

B. Fees Attributable to Operation and Maintenance Charges

1. All users shall be subject to an additional fee attributable to Operation and Maintenance charges of [~~\$3.94~~] \$4.54 per cubic feet of water...

D. Rate Charges for Unmetered Premises

1. Charges for residential sewer service for premises without metered sewer or water connections shall be based on an estimated annual water consumption of fourteen thousand two hundred (14,200) cubic feet. Applying the Operation and Maintenance charges of [~~\$3.94~~] \$4.54...

- a. Each unmetered residential use [~~559.48~~] \$644.68
- 2. Charges for sewer service for hotels and motels without metered sewer or water connections shall be based on an estimated annual water consumption of six thousand four hundred and fifty (6,450) cubic feet. Applying the Operation and Maintenance charges of [~~\$3.94~~] \$4.54 per hundred...
 - a. Each unmetered room [~~\$254.13~~] \$292.83
 - 3. Charges for sewer service for all other uses without metered sewer or water connections shall be based on an estimated annual water consumption of fourteen thousand two hundred (14,200) cubic feet for up to ten fixtures. Each additional fixture shall be estimated at one thousand four hundred and twenty (1,420) cubic feet. Applying the Operation and Maintenance charges of [~~\$3.94~~] \$4.54 per hundred...
 - a. Each use up to ten fixtures [~~\$559.98~~] \$644.68
 - b. Each additional fixture [~~\$55.95~~] \$64.47

Deletions are in brackets []
 Additions are underlined _____

Adopted: May 15, 2012*

The Ordinance 2120-12 was adopted on 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**			

*Second adoption date. Newspaper failed to publish as requested.

**Mayor recused himself prior to discussion and voting - employed by ELSA

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Mayor Kownacki read by title an ordinance entitled, "AN ORDINANCE AUTHORIZING THE PRIVATE SALE OF CERTAIN LAND OF THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, NOT NEEDED FOR PUBLIC USE"

Ordinance No. 2123-12

ORDINANCE AUTHORIZING THE PRIVATE SALE OF CERTAIN LANDS OF THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, NOT NEEDED FOR PUBLIC USE

WHEREAS, certain land as described hereafter more particularly as owned by the Township of Lawrence but not needed for public use, and said municipality desires to sell said land by private sale in accordance with N.J.S.A. 40A:12-12(b) and 40A:12-13.2; and

WHEREAS, the Township Council of the Township of Lawrence hereby determines that the said sale is in each instance a parcel both less than the minimum size required for development under the Land Use Ordinance, and without any capital improvements thereon, and must therefore be offered for purchase to the owner or owners of real property contiguous thereto on the basis of first refusal pursuant to N.J.S.A. 12-13.2;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, that:

(1) The Township Clerk is authorized, subject to the terms and conditions hereafter set forth, to offer for private sale pursuant to N.J.S.A. 40A:12-13(b) all of the Township's right, title and interest in and to the certain land at the assessed value, hereby determined to be the fair market value thereof, to the owner or owners of real property contiguous thereto, as per the attached list.

(2) This Ordinance shall be published twice in a newspaper approved for legal publications, once not less than seven (7) days prior to the public hearing thereof in accordance with law applicable to the adoption of ordinances generally, and a second time within five (5) days after adoption hereof, at which time it shall also be posted on the bulletin board in Town Hall of the Township of Lawrence and remain so posted for at least twenty (20) days thereafter. Sworn proof of such publication shall be filed by the Township Clerk with the Director of the State Division of Local Government Services in the Department of Community Affairs.

(3) Offers by such contiguous owner(s) to purchase the said contiguous parcel may be made in writing addressed to the Township Manager, Township of Lawrence, 2207 Lawrence Road, Lawrenceville NJ 08648, for a period of twenty (20) days following the second advertisement hereof. The Township reserves the right to reject all bids in each instance where the highest bid is not



accepted, and to re-advertise the parcel concerned for public sale following reconsideration within thirty (30) days of the date of adoption of this ordinance.

(4) In the event that more than one bid is received for the parcel from multiple contiguous owners thereof, only the highest such bid will be considered for acceptance or rejection.

(5) The conveyance of any such parcel to any successful bidder shall be for the total parcel without the subdivision of or sale of a portion thereof, shall be by standard municipal Bargain and Sale Deed without covenants of the Grantor, subject to any statement or facts which an accurate survey would show, subject to all covenants, conditions, easements, liens and restrictions of record, as well as applicable ordinances of the Township of Lawrence shall be without obligation of the Township of Lawrence to provide access, public private, or any improvements thereon or thereto, with all sales being "as is" without any representation whatever as to character, quality or condition or otherwise, bidder being deemed to have inspected the premises bid upon and waived any objections to the conditions thereon.

(6) The parcel to the conveyed shall be deemed to merge and become one parcel for all purposes, including taxation and land use control, with the adjacent parcel owned by the successful bidder. In the event the successful bidder is the owner or more than one adjacent lot, the successful bidder shall be entitled to designate which of the adjacent parcels shall be consolidated with the subject property. The deed of conveyance shall contain a restriction governing the subject property that neither it nor the property with which it is consolidated shall thereafter be subdivided or, without subdivision, utilized for the construction of an additional dwelling or other structure other than an accessory building (e.g. a storage shed), if otherwise permissible. The property offered hereunder shall not be utilized by the successful bidder to support an application for relief from prevailing land use restrictions (e.g. single-family residential vs. multi-family residential), other than bulk restrictions (e.g. set back requirements for structures otherwise permitted) which, by reason of the size of the previously owned property, would not reasonably qualify for consideration by the Planning Board or Zoning Board for a variance absent the additional property purchased hereunder.

(7) The acceptance of any bid by the Township shall be subject to receipt within ten (10) days of such acceptance of a certified deposit check of the bidder (or cashier's check) in the amount of ten percent (10%) of the accepted bid price, which shall be non-refundable, the balance to be paid not later than ninety (90) days from the date of bid, again by certified or cashier's check, at which time title shall be conveyed to bidder by the Township and the Deed delivered therefore by the Township. Concurrently, with payment of the ten percent (10%) deposit, bidder shall execute an agreement to accept the terms and conditions of sale set forth herein on a form to be prescribed by the Township.

(8) In the event the bidder should for any reason not pay the balance due as above provided, the Township reserves the right to cancel the sale and retain the ten percent (10%) deposit as liquidated damages for non-performance. In the event title is not insurable by the bidder at prevailing rates by a reputable title insurance company, bidder's sole remedy shall be to give written notice of cancellation of the bid to the Township within ninety (90) days of the date of bid. The Township shall refund the deposit, and there shall be no further obligation by either party to the other respecting said bid or any obligations created by the giving or acceptance of said bid.

(9) All ordinance or provisions thereof conflicting or inconsistent with the provisions of this ordinance be and the same are hereby repealed to the extent of such conflict or inconsistency.

(10) If any section or provision of this ordinance shall be adjudged invalid, such determination shall not affect the remaining provisions hereof, which shall remain in full force and effect.

(11) This ordinance shall take effect after adoption and final publication in accordance with law.

The Ordinance 2123-12 was adopted on 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   |     |         |        |         |      |        |

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**Manager’s Report –**

Mr. Krawczun submitted invoice listings for the month of April 2012 in the amount of \$1,404,721.21.

Mr. Krawczun distributed draft copies of a Resolution that was prepared by the Administration for Council’s review and consideration regarding the support of Assembly Bill 458; legislation that would prohibit the growing of medical marijuana on preserved farmland. He advised whether the farmland is preserved or not it would be eligible for farmland assessment for the purposes of taxation, which is the intent of the legislation. So, the Council can review the Resolution and let him know if they would like to move forward at a future meeting.

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Discussion of the 2012 Budget

Mr. Krawczun asked the permission of Council to address some of the issues that were brought up during public participation as he feels it would be helpful to everyone in the audience to get a better understanding on some the matters. (There were no objections to Mr. Krawczun's request.) He then proceeded to address the following issues raised during public participation: the revaluation process ordered by the County Board of Taxation; the financial situation related to municipal budget and the Administration being proactive in seeking a solution to the situation; EMS staffing and salaries; reimbursements for apartment complexes that do not receive curbside collection; the elimination, recycling and essential use of Township vehicles.

Mr. Krawczun further addressed the issue regarding budget appropriations for the Planning and Zoning Boards for 2011/2012; increased appropriations for the Community Action Program to cover program costs for residents at the Lawrence Community Center; pay out of sick leave and sick leave being capped for new/existing employees; tax appeals as it relates to the Township's obligation to pay or credit back 100-percent of the taxes to property owners for all municipal, county and school purposes; layoffs not being proposed in the 2012 Recommended Budget submitted to the Council and the Council acceptance of that recommendation; the defeated referendum as it relates to the \$2.3M Township deficit, the 2-percent "cap" put in place by the State, the proposed user fee for trash collection and changes in municipal services; employees' healthcare and pension contributions being increased due to healthcare/pension reform and his acceptance to start early contract negotiations with the Fraternal Order of Police, Lodge #209.

Mr. Krawczun reported that there was previous discussion with regards to the Council submitting some cost-cutting recommendations, his submission of long term cuts, changes to the organizational structure of the Recreation/Senior Center, other staffing decisions - elimination of police positions, revenue - more use of surplus, and the trash user fees - fees imposed should cover the cost of service and postpone decision of user fee. He indicated that there are no numbers associated with any of the recommendations because there are a lot of details associated with the expense of salaries and benefits for each employee. A short comments period took place relative the Council being proactive in addressing the budgetary situation, the budget remaining an ongoing problem as it relates to the 2-percent cap, cuts in municipal services remaining permanent due to the 2-percent cap, the defeated referendum forcing the Council to propose lay off employees and changes to municipal services, usage of the \$5M surplus thereby reducing it to \$154,000 and regeneration of surplus and shortfall of revenues between the 2012 and 2013 budget.

Mr. Krawczun distributed copies of a Report regarding the budget to Council, in which, he discussed at length regarding layoffs/hour reductions for employees, resignations/retirements to include the Deputy Chief of Police plans to retire in 2012, departmental vacancies and other expense reductions and the annualized budget deficit and savings for 2012/2013. An at length question, comment and answer period took place relative to Mr. Krawczun's report, after which the Council provided their recommendations as to what amendments and appropriations they would like incorporated in the 2012 Municipal Budget.

Attorney's Report –

Mr. Roskos stated that he moved to dismiss certain Tax Appeals for failure to pay taxes and a few were dismissed, which prompted other taxpayers to make their tax payments; so, it was certainly worthwhile to file those motions.

Clerk's Report –

There was no Clerk's report.

Council initiatives/Liaison Reports –

There were no Liaison reports.

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.

8.54 p.m.

Respectfully submitted by,

Kathleen S. Norcia, Municipal Clerk

Attest:

James S. Kownacki, Mayor