

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

May 1, 2012

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, May 1, 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 1, 2012, has been provided through the posting of the annual meeting schedule of said Council in accordance with Section 13 of the Open Public Meetings Act”.

The roll was then called as follows:

Present: Councilmembers Lewis, Maffei, Powers, Puliti and Mayor Kownacki.

Absent: None.

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

Proclamation and Honors

There were no proclamations or honors.

Review and Revisions of Agenda

There were no revisions to the agenda.

Public Participation

Mr. Allen Cohen, 31 Pin Oak Drive, advised that he paid his property taxes today and he probably paid more this quarter than most people in many parts of the country pay for in an entire year so the Council should understand when they speak about increasing taxes over the cap they are asking for an increase at a level that is already sky high and that is one of the reasons the referendum was rejected. Furthermore, they should take charging for trash collection off the table and indicated that he does not want to steal the thunder of the Citizens Advisory Committee appointed by the Council to review the budget but it is quite apparent that some areas in the Township are over staffed and could be reduced and that the police unions needs to be taken off of a pedestal. He then proceeded to discuss the economy as it relates to job security and economic changes, the Council hiring a labor lawyer to negotiate union contracts and them finding better ways to allocate tax dollars so that they do not have to make service cuts.

Ms. Gloria Gao, Lawrence resident, stated that it is her first time attending a Council meeting since she came to the United States thirteen years ago, because coming from China, which is an authoritarian country, she had no concept that the public could participate in a forum; so, she is very glad to have the opportunity to speak about Falun Dafa, a meditation practice that is now the persecuted in China. She advised on May 13 thousands of people across the country will celebrate World Falun Dafa Day marking the 20th Anniversary of the introduction of one of the world's most positive meditation and cultivation practices and since 1992 over one-hundred million people worldwide have become healthier and happier through the practice of Falun Dafa, and she hopes that the Council will come and join them in recognizing the benefits of the great practice World Falun Dafa gives to society.

Ms Gao advised that Falun Gong also called Falun Dafa is a peaceful spiritual practice deeply rooted into the traditional Chinese culture and that it consists of meditation, diet, five gentle exercises and a mortal philosophy centered on the values of truthfulness, compassion and tolerance; a practice Falun Practitioners take as a guide to their daily lives. She proceeded with a brief background history regarding the Founder of the Falun Dafa Practice and the history surrounding the practice as it relates to the Chinese tradition, to include the organization's active work across the United States to try and bring about a peaceful resolution to the persecution of Falun in China and improve the future of the world's most populist country and for those reasons and more the Founder has been nominated for the Nobel Peace Prize four times including this year and it would mean a great deal to the Fulan Practitioners and supporters across the nation to hear a message of support from the Council on such an important occasion. So, on behalf of Falun Dafa Association of New Jersey and her personal experiences she is requesting a Proclamation from Lawrence Township Council in support of World Fulan Dafa Day.

Councilman Powers stated that Lawrence Township Human Relations Committee is having their annual "Diversity Day" celebration on Sunday, May 6 at the Lawrence High School from 12 Noon to 4:00 p.m., after which he extended an invitation to Ms. Goa and her organization to come and see what they are doing in terms of celebrating the different nationalities within the community.

Mr. Keith Pilot, 23 Huron Way, inquired as to whether or not there would be any discussion on the 2012 Municipal Budget tonight; and, if so, will they be taking any formal action on the budget in terms of cutting services or laying off employees and voiced his objection to the layoff of police officers. He also inquired about the use of surplus to operate until the final budget is adopted and whether or not Resolution (7-H), Resolution of Support for the Concept of the Sustainable Raritan River Initiative, is going to cost any money out of the Township's surplus to participate; and, if so, the Council should consider tabling that Resolution for other time.

Mr. Krawczun advised that there is no formal item on the Agenda for discussion of the budget, but he will be updating the Council on the work of the Citizen Advisory Committee that was formed with the three volunteers to review the budget. And, as for the matter of Resolution (7-K), the budget law only provides for three ways to spend public funds - the Budget, Capital Ordinance and the Trust Accounts known as the Dedication by Rider - and without an authorization by way of a temporary budget there is no ability to spend public funds. He further advised that the Township's participation in the Raritan River Initiative is ran through the Bloustein School at Rutgers University and there will be no cost to Township except for the time it will take staff members to participate in the needs. And, because the Raritan Initiative will affect the residents in the northern end of town, who are supplied water from the Raritan River, the Township's participation will give them some voice at the table and knowledge of information with regards to things that are going on.

Mr. David Mizenko, 5 Village Court, stated that he is a member of the Greenway Committee and that there is an Ordinance on the Agenda to merge the Greenway and Open Space Committees together, which has created a lot of emails and conversations going back and forth and a lot of confusion so he would like for the Council to consider tabling the Ordinance so that they can review the differences between the Statutory and Advisory Committees and get a better understanding of the issues at hand and come to an agreement that is satisfactory to all parties involved. In closing, he indicated that the Committees have had a tremendous relationship over the years with Mr. Krawczun and his staff, as well as, the Township Council and he would like to thank everyone for their support.

Ms. Lewis advised that the Council has already decided to table the motion for both Ordinances so that they can continue conversations, as it was the hope of the Council in introducing the two Ordinances that the Committees

could continue their work... but in a more streamlined fashion. So, they will table the Ordinances and continue to work with the Committees to achieve that goal.

Ms. Joyce Copleman, 44 Titus Avenue, stated that she knows the Township Council is tabling the Ordinance but she would like to put a plug in for the volunteers in the Township and advised that she worked on the Committee that formed the Trail Guide, which was distributed to all of the businesses and citizens of the Township; a project that did not cost the Township a dime as it was a result of a grant from the Lawrence Township Community Foundation and a lot of hard work and donated time from all the volunteers. And, because she thinks the volunteers in Lawrence Township have done really good things for the Township and want to continue, the Council should keep that in mind during their next discussion about consolidating the Boards and Committees.

Ms. Copleman stated with regards the budget she just read an article that the School Board was told to cut \$500,000 from their budget and she hopes when the Council starts talking about the Township budget, as it relates to the property owners, that they think in terms of what needs to be done honestly and make the necessary changes in the best interest of the Township as there are things that need to be changed. In addition, she would like to publicly thank the volunteers that have been assigned to the Financial Advisory Committee for all of their hard work, time, energy and a lot of good ideas that she hopes the Council will be able to benefit from. She then thanked the Council for their time.

Ms. Anne Demarais, 64 Lawn Park Avenue, stated that she is the Chair of the Greenway Committee and she had a very lengthy and impressive list of things that she had to tell the Council but she is going to boil it all down to bullet points and a slogan that was said for the first time in the '70s "if it ain't broke, don't fix it", and the Council knows she is referring to how the Committee has operated and the things they have accomplished over the past 20 years, which they can fill in. And, it is her observation that the Ordinance is creating an arranged marriage between two separate Committees who do two separate jobs and the Council has arranged for the two to be married, which is like a marriage between two kissing cousins; because although they have worked together on Community Day and other projects for the last 20 years they are two separate entities with two separate agendas.

Ms. Demarais advised that the Committees had a big job with the preparation of the Trail Guide and they had been working on the project for two or three years when they started to come to their knees so they solicited the help of the Open Space Committee, who did the maps and recorded the mileage of the trails at all of the parks, after which Ms. Mount, former Mayor and Councilwoman, went to ETS who helped to distribute the Trail Guide to thousands of people in the community and she just heard that they are now on their third edition of the successful task. So, going back to the slogan of "if it ain't broke, don't fix it" she would like for the Council to consider keeping the

Committees “as is” for at least one year then revisit the matter at that time and in turn they promise to pull up their socks by continuing their work and conforming to the rules and regulations governing submission of Minutes and adequate Notices regarding meeting cancellations. In closing, she thanked the Council for their time and asked that they do the right thing with regards to the matter.

Mr. Paul Larson, 170 Darrah Lane, stated that he is the Chair of the Open Space & Stewardship Advisory Committee and he agrees with the comments made by earlier speakers with regards to tabling the Ordinances until further review and he knows during one of the discussions there was some concern about the lack of membership; but he would like to point out that there are three pending applications for the three vacancies on the Open Space Committee which he confirmed with the Municipal Clerk; so, hopefully by the next meeting the Council will be able to act on those appointments.

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 Ms. Lewis, the Minutes of Reorganization Meeting January 1, 2012 were approved without corrections.

Same was carried on the following roll call vote:

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

Introduction of Ordinances

Mayor Kownacki read by title an ordinance entitled, “ORDINANCE AUTHORIZING THE PRIVATE SALE OF CERTAIN LANDS OF THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, NOT NEEDED FOR PUBLIC SALE.”

Mr. Krawczun stated that the Ordinance will authorize the private sale of the property owned by Lawrence Township on Meriline Avenue to contiguous property owners. Further, the condition of sale is such that the property will be merged with an adjacent parcel and will be deed restricted by prohibiting any

future subdivisions so that the primary purpose will be to create either yard space or area around the existing single-family home, as it will not be a buildable lot.

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					X	
Mr. Puliti	X						
Mayor Kownacki	X						

Resolutions

Resolution Nos. 148-12 (7-A) thru 161-12 (7-L) was approved with the exception of by the following roll call vote:

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

Mayor Kownacki asked for comments from the public. There being none, Mayor Kownacki asked for comments from Council. There being none, public participation was closed. On a motion by Mr. Powers, seconded by Mr. Puliti the following resolution was presented for adoption:

Resolution No. 162-12

WHEREAS, on Thursday, March 22, 2012 bids were received and publicly opened on the project known as **Lawrence Hopewell Trail Dyson Tract – Phase II**; and

WHEREAS, sixteen (16) bids were received and reviewed by the appropriate Township Officials; and

WHEREAS, the lowest responsible bidder was TC Landscape Construction Group, Inc. who submitted a bid in the amount of \$44,500.00; and

WHEREAS, in accordance with N.J.A.C. 5:50-14, a Certificate of Availability of Funds has been provided and the account to be charged is G-02-40-888-299 (Bristol Myers Squibb Trail Grant);

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that pursuant to the recommendations of the Municipal Engineer, the Mayor and Municipal Clerk are hereby authorized to execute a contract with TC Landscape Construction Group, Inc., 55 Comstock Street, New Brunswick NJ 08901 in the amount of \$44,500.00; and

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

Same was carried on the following roll call vote:

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

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Mayor Kownacki asked for comments from the public. There being none, Mayor Kownacki asked for comments from Council. There being none, public participation was closed. On a motion by Dr. Maffei, seconded by Mr. Powers the following resolution was presented for adoption:

Resolution No. 163-12

WHEREAS, on Tuesday, April 10, 2012 bids were received and publicly opened for the project known as **2011 Road Improvement Program– Various Roads**; and

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

WHEREAS, the lowest responsible bidder was Cardinal Contracting Co., LLC who submitted a bid in the amount of \$359,998.00; and

WHEREAS, in accordance with N.J.A.C. 5:50-14, a Certificate of Availability of Funds has been provided and the accounts to be charged are C-04-55-356-230 (\$136,825); C-04-55-356-231 (\$25,650); C-04-55-356-233 (\$100,905); C-04-55-356-234 (\$85,500); C-04-55-357-246 (\$11,118); and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that pursuant to the recommendations of the Municipal Engineer, the Mayor and Municipal Clerk are hereby authorized to execute a contract with Cardinal Contracting Co., LLC., 1738 Route 206, Red Lion Circle, Southampton NJ 08088 in the amount of \$359,998.00; and

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

Same was carried on the following roll call vote:

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

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Adoption of Ordinances

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

- (l) Authorizing the Appointment of Michael Winka to the Environmental Resources and Sustainability Green Advisory Committee

**AFTER SOME DISCUSSION, IT WAS THE DECISION OF THE COUNCIL TO TABLE THE FOLLOWING ORDINANCE, AS WELL AS, TABLING RESOLUTION TO APPOINT MICHAEL WINKA**

The Ordinance 2121-12 was tabled on the following roll call vote:

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

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Mayor Kownacki read by title an ordinance entitled, “AN ORDINANCE CREATING A GREENWAY, OPEN SPACE AND STEWARDSHIP ADVISORY COMMITTEE”

AFTER SOME DISCUSSION, IT WAS THE DECISION OF THE COUNCIL TO TABLE THE FOLLOWING ORDINANCE

The Ordinance 2122-12 was **tabled** on the following roll call vote:

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

Manager’s Report –

Mr. Krawczun stated last week he and Chief Posluszny had an opportunity to meet with representatives of the Ewing Township, Hopewell Borough, Hopewell Township, Princeton Borough, Princeton Township and representatives from the New Jersey Department of Personnel to discuss some of the issues and matters that need to be addressed for any type of combined or shared service for the 911 Dispatch System, and indicated that they had productive talks about a host of options that they would have to choose from with regards to combining employees, labor contracts, civil service/non-civil service towns and how it would affect those employees and that the meeting was the first step of the conversation on personnel.

Mr. Krawczun advised that the operational and functionality of the 911 System has already been studied by an independent consultant who has conveyed that it is an operation that can be done; however, the difficulty will be combining the employees and determining the correct amount of staff people. So, it will be a lot work involved for the Labor Attorneys from the various communities to address the particulars as they relate to the State Statute and Labor Agreements from the different communities, to include pay and conditions of employment.

Mr. Krawczun stated that second item he would like to discuss is regarding the 2012 budget review with the three volunteers, Mr. Ramos, Mr. Marks and Mr. Van Hise, whom he had opportunity to meet with on two occasions to discuss the budget and he thinks that the three gentlemen can concur that they all had a very professional dialogue and a cooperative

environment with a lot of exchange of information. In addition, they took a lot of the data and rearranged it in fashion where they could look at a lot of questions from both the financial and operation side of the budget, as well as discuss individual line items of appropriations.

Mr. Krawczun advised that they met last Friday (April 27) and at that time the three volunteers had provided the Administration with a list of possible suggestions – best case, worst case and case-case scenarios, three scenarios regarding various appropriations that they tried to address individually and inquiries that they addressed informally format. He then suggested that they all meet again to further discuss the matter and advised that he would update the Council during the Executive Session on the long list of questions presented at the meeting. Hopefully, there will be some direction from the Council as to when they would like to meet with the volunteers to bring the matter to a conclusion. He then proceeded to discuss the timeline for the adoption of the budget which was March 20, but extended by one month this year, and indicated since the referendum was defeated and the budget was introduced based on the outcome of the referendum in anticipation it would pass, which is a requirement under the 2-percent cap law, there is no specific adoption deadline for municipalities which is different from the School Board budget that has a strict budgetary deadline.

Mr. Krawczun further advised that he has spoken with the Division of Local Government Services that has direct jurisdiction over municipal finances and much of the municipal operations in the State of New Jersey and that they provided him with a verbal allowance to have action taken by the Governing Body on the budget amendment by May 15. Because the budget was introduced stipulating all of the revenues and appropriations and some of those revenues and appropriations will need to be changed they have to prepare a Resolution that will identify specifically the original amounts and amended amounts that has to be reviewed by the DLGS. And, because the next Council meeting is on May 15, the deadline for submission will be May 11 to allow enough time to get the document to the Division for review. He then proceeded to discuss in detail the changes in the budget that might require a public hearing and a three day advertising period and him not being able to move forward until he gets the recommendations of the Council as to how they would like to proceed and what will be included in the final adopted document.

Mr. Puliti stated that on behalf of the Council he would like to publicly thank the Public Sub-committee being they went through a lot of paperwork and had two lengthy meetings which were very engaging, as they discussed things that are set statutorily and bargaining agreements that the Administration is up against; and, because of the professionalism of the Committee he felt the need to thank all three of them for time and ideas. In closing, Mr. Van Hise and members of Council echoed Mr. Puliti's sentiments with respect to the professionalism, truthfulness, productivity and informative dialogue that took place amongst the people at the meetings.

Attorney's Report –

There was no Attorney's report.

Clerk's Report –

There was no Clerk's report.

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.

7.37 p.m.

Respectfully submitted by,

Kathleen S. Norcia, Municipal Clerk

Attest:

James S. Kownacki, Mayor