

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

November 8, 2012

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Thursday, November 8, 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 Thursday, November 8, 2012, has been provided through the posting of the annual meeting schedule of said Council in accordance with Section 13 of the Open Public Meetings Act”.

The roll was then called as follows:

Present: Councilmembers Lewis, Maffei, Puliti and Mayor Kownacki.  
Absent: Councilman Powers. (The Municipal Clerk advised that Mr. Powers is out of town on business but he will be joining the Council by remote communication.)

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

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Proclamation and Honors

There were no proclamations or honors.

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Review and Revisions of Agenda

The Municipal Clerk advised that the Agenda needs to be amended to include the following Resolutions – (7BB), Authorizing an Extended Contract Period of One-Year for Option 4 30-Yard and 40-Yard Roll-Off Containers to Carnevale Disposal Company, Inc.; (7CC), Authorizing an Extended Contract Period of One-Year Period for Option 3 Recycling Container Collection to Waste

Management and (7DD), Authorizing an Extended Contract Period of One-Year for Curbside and Container Garbage Collection Including Bulk Waste to Central Jersey Waste and Recycling.

The Municipal Manager also advised that Resolution (7-P), Authorizing an Executive Session needs to be amended to go beyond matters dealing with labor negotiations to discuss matters dealing with litigation – Paff vs. Township of Lawrence.

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

Same was carried on the following roll call vote:

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

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#### Public Participation

*Ms. Susan Handelman, LT Dispatcher, VP of AFSCME #2257, spoke about an article that was on the Lawrence Patch several weeks ago regarding the Township Manager wanting the Council to make a decision tonight about moving forward with privatization of 911 Dispatch Services; and, because she has heard conflicting details as to why the Council would not be making a decision on the matter tonight she would like for someone clarify the matter.*

Ms. Lewis explained that she presented a question to Mr. Krawczun at the last Council Meeting as to when he would need a response from the Council on the budget matters he presented to them for consideration, which did not include the matter of dispatch services. She then turned the floor over Mr. Krawczun who further explained that the matter regarding the budget is separate from the matter regarding dispatch services and that bid quotations through competitive contracting did go out last week; however, due to the redirection of everyone's attention to the storm responses have been postponed for the moment and as soon as they update the timeline they will send out another request.

Further discussion took place relative to the draft specifications being refined and made available to the public and the Dispatchers' union and Mr. Krawczun communicating directly with AFSCME Representatives because of the laws governing competitive contracting.

Ms. Handleman asked the Council to keep in mind that all the Dispatchers are under a lot of stress worrying about whether or not they will have a job next year and that every one of them just worked through their second hurricane, leaving their safe homes and families behind to ensure that there were enough police officers on the streets and not behind the desk and that the residents were safe and had assistance, if needed, and urged the Council to keep that in mind when they review the bids of the private companies that are not well known. A short discussion took place relative to the privatization of dispatch services being a budgetary matter and reflection of their job performance.

*Mr. Robert Handleman, Susan Handleman's Son*, stated that he has lots of experience with government contracts and a strong background in contract administration, specifically, with the Department of Defense. And, although, the service contracts he deals with pertain to engineering and the guidelines are a little bit different he has some general questions relative to the competitive contracting process for the Township, particularly, with regards to how many bids they plan on taking in and whether or not they have a minimum number set for the bids – such as with his job where an ethical number of three is set.

Mr. Krawczun advised that the competitive contracting process is different from the public bidding process so when they put out a Request Proposal (RP) they have no idea how many bidders will respond and depending on the type of service or commodity they are trying to procure they never set a minimum so that there would be more or less of an opportunity for vendors to participate, and they have rejected bids if there were not enough number of bidders.

Mr. Handleman indicated because they already have a workforce set up and they are contracting for the same service it would be ethical that they entertain a minimum amount of bids before they move forward and Mr. Krawczun explained that ethics is whether they follow the law and competitive contracting stipulates the process under the New Jersey Public Contracts Law... the process in which they are using.

*Ms. Dora Haines, LT Dispatcher and President of AFSCME #2257*, asked the Council what could be done to make the situation go away and what exactly do they want from the Dispatchers because every time they are in negotiations they always give back, as they understand the tough economic times the Township is facing, while other unions and Department Heads take 4 and 5-percent increases right after their union contract is settled. And, because they have been dealing with the Municipal Manager, Chief of Police and their Union Representative and hearing different things she would like a straight forward answer from the Council as to what they need to do to make the problem go away and secure their jobs.

Mr. Krawczun advised that he did meet with the Dispatchers union representative, Mr. Herrick, as well as the President (Dora) and Vice-President

(Sue) on one or two occasions; and, since the authorization of competitive contracting there have not been any discussions on the matter. He further explained that Ms. Haines understanding of what the other unions received is completely inaccurate and proceeded to review the increases and some of the terms negotiated by the other union as well as what was given to the Department Directors and that the last time he met with their union he gave them a round number of what he would fiscally need to receive from the nine dispatch positions.

Further discussion took place relative to the duties and job performance of the Dispatchers, police officers being put on the desk to cover unfilled dispatch positions creating an overtime expense, as well as, the cost of health benefits for public employees driving the cost of the service to astronomical heights and the challenges and needs of the Township to find ways to provide services at a lesser cost.

Additionally, Mr. Krawczun stated that he does not want anyone to leave this meeting tonight thinking that the Township is not sympathetic to the situation because that it not the case. This issue is not about the quality of service or performance because our biggest challenge is to make sure we keep the same benchmark that our current dispatchers have established.

*Ms. Linda Dlabik, 1358 Lawrence Road*, stated she is curious as to why the Council would be introducing Ordinance (6-A) that adds the position of a per diem Public Safety Telecommunications Operator if they have not made a decision on privatizing dispatch services and was advised by Mr. Krawczun that a Dispatcher left employment and instead of back filling with police officers we back fill with dispatchers, so the Ordinance has nothing to do with the proposal to privatize dispatch services.

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 Ms. Lewis, seconded by Mr. Maffei, the Minutes of Closed Session Meetings of August 21, 2012 and September 4, 2012 were approved without corrections.

Same was carried on the following roll call vote:

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

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Introduction of Ordinances

Mayor Kownacki read by title an ordinance entitled, "ORDINANCE AMENDING ORDINANCE 2050-10 KNOWN AS THE SALARY ORDINANCE OF THE TOWNSHIP OF LAWRENCE UNCLASSIFIED AND/OR EXEMPT, SEASONAL, EMERGENCY (NON-UNION) EMPLOYEES FOR 2010-2013."

Mr. Krawczun stated that the Ordinance amends the current salary ordinance for non-classified employees by adding the position of Public Safety Telecommunications Operator on a per diem basis in the event they need to fill a vacancy, whether by shift or short-term, they will be able to do so with the temporary position.

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

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

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Resolutions

Resolution Nos. 318-12 (7-A) thru 347-12 (8-DD) 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

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 Ms. Lewis, seconded by Dr. Maffei, the following resolution was presented for adoption:

Resolution No. 315-12

WHEREAS, on September 26, 2012, bids were received for Bid No.12-11, Six Wheel Broom Street Sweeper with Belt Conveyor, Demonstrator Unit or Newer; and

WHEREAS, two bids were received and the Municipal Manager and the Director of Public Works have reviewed said bids; and

WHEREAS, the bids submitted are being recommended for rejection due to the Township's decision to make major specification changes;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that the bids submitted for Bid No.12-11, Six Wheel Broom Street Sweeper with Belt Conveyor, Demonstrator Unit or Newer, is hereby rejected.

Same was carried on the following roll call vote:

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

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Adoption of Ordinances

Mayor Kownacki read by title an ordinance entitled, "ORDINANCE PROVIDING FOR SIDEWALK IMPROVEMENTS IN AND BY THE TOWNSHIP OF LAWRENCE IN THE COUNTY OF MERCER, NEW JERSEY, and APPROPRIATING \$37,644.65 THEREFOR AND DIRECTING THE SPECIAL ASSESSMENT OF THE COST THEREOF."

Ordinance No. 2137-12

ORDINANCE PROVIDING FOR SIDEWALK IMPROVEMENTS IN AND BY THE TOWNSHIP OF LAWRENCE, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$37,644.65 THEREFOR AND DIRECTING THE SPECIAL ASSESSMENT OF THE COST THEREOF

WHEREAS, at the request of certain owners of properties identified herein, the Township of Lawrence has previously authorized and undertaken certain sidewalk improvements; and

WHEREAS, the understanding between the property owners and the Township was that these improvements would be specially assessed against the properties; and

WHEREAS, the Township now wishes to authorize the special assessment of the cost of such improvements;

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

Section 1. The improvement described in Section 3 of this ordinance is hereby authorized to be undertaken by the Township of Lawrence, New Jersey as a local improvement. For the improvement or purpose described in Section 2, there is hereby appropriated the sum of \$37,644.65.

Section 2. (a) The improvement hereby authorized is the improvement of the sidewalks, curbs, and driveway aprons along the streets listed below. The affected properties, listed by name of record owner, street address, block, lot and assessment amounts are as follows:

<b>OWNER of RECORD</b>	<b>No.</b>	<b>PROPERTY ADDRESS</b>	<b>TOTAL</b>
Eugenia Moore	229	Johnson Avenue	\$588.00
Cecelia Haynes	321	Johnson Avenue	\$1,249.85
Elton & Darlene Thomas	381	Johnson Avenue	\$84.00
Donald Wayne Davis	385	Johnson Avenue	\$588.00
Stephen Boughn, ux	3	Springwood Drive	\$879.75
Yoshitomo & Lora Hamuro	5	Springwood Drive	\$750.00
Aaron Levin, ux	6	Springwood Drive	\$1,107.00
Michael & Barbara Gliddon	7	Springwood Drive	\$818.00
Barbara Kendrick	9	Springwood Drive	\$951.00
William McBride & Susan Wheeler	11	Springwood Drive	\$918.00
James & Judith Springer	14	Springwood Drive	\$867.00
Fadil Harun	17	Springwood Drive	\$84.00
Mario & Felicia R. DeVincenzi	21	Springwood Drive	\$1,652.00
Paul Moran, ux	22	Springwood Drive	\$1,427.00
Thomas & Ann T. Gordon	26	Springwood Drive	\$918.00
Andrew & Karen Sarnow	28	Springwood Drive	\$1,500.00
Kirk & Catherine LeCompte	30	Springwood Drive	\$876.50
Frank & Catherine Scangarella	37	Springwood Drive	\$842.00
Reginald & Zuzana Forgie	2	Woodlane Road	\$168.00
Jose & Colleen Ramos	4	Woodlane Road	\$399.00
Patrick Ahearn, et ux	5	Woodlane Road	\$2,303.40
D. G. Sarsfield & J. E. Reich	6	Woodlane Road	\$2,043.00
Jonathan Husch & Geraldine Hutner	8	Woodlane Road	\$1,786.75
Fred & Mary Zeleznik	9	Woodlane Road	\$902.00

Brian & Janel Ihlefeld	10	Woodlane Road	\$340.00
Frank & Lori Pressler	11	Woodlane Road	\$905.25
Kenneth & Mary Najjar	13	Woodlane Road	\$146.25
Lynn David Dorsey, ux	14	Woodlane Road	\$1,651.75
William VanPelt, Jr., ux	17	Woodlane Road	\$357.00
Antoinette Sinclair	20	Woodlane Road	\$1,345.00
Robert Williamson, Jr., ux	21	Woodlane Road	\$680.00
Thomas & Cynthia Pearce	22	Woodlane Road	\$272.00
Michael Roberts, ux	23	Woodlane Road	\$1,303.75
Janet Madison	26	Woodlane Road	\$1,648.00
James & Stefanie Over	27	Woodlane Road	\$1,619.40
Vivian Kenyon	28	Woodlane Road	\$1,360.00
Barbara Weiner	29	Woodlane Road	\$988.00
William & Denise O'Sullivan	30	Woodlane Road	\$1,020.00
Paul Kydd, ux	32	Woodlane Road	\$306.00
		Total	\$37,644.65

(b) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefore.

Section 3. The improvement described in Section 2 of this ordinance shall be undertaken as a sidewalk improvement and the cost thereof shall be assessed in the following manner. An accurate account of the cost of construction of the sidewalks shall be kept, and such cost shall be assessed upon the several properties fronting on the improvement in proportion to their respective frontage or square yardage thereon pursuant to and in accordance with N.J.S.A. 40:65-1 *et seq.*

Section 4. The owner of any land upon which any assessment for the local improvement shall have been made may pay such assessment in the number of equal yearly installments herein determined, with legal interest on the unpaid balance of the assessment. The first of the installments shall be due and payable two months after the confirmation of the assessment, and each subsequent annual installment and interest shall be payable in each successive year thereafter at such time as the governing body shall by resolution determine, provided that any owner of land so assessed shall have the privilege of paying the whole of any assessment or of any balance of installments with accrued interest thereon at any time. Whenever any such installment shall remain unpaid for thirty (30) days from and after the time it shall become due and payable, the whole assessment or balance thereof shall become and be immediately due and payable and shall draw interest at the rate imposed upon the arrearage of taxes in the Township and shall be collected in the same manner as provided by law for other past due assessments. Such assessment shall remain a lien upon the land described herein until the assessment with all installments and accrued interest thereon shall be paid and satisfied. Notwithstanding anything herein to the contrary, the Township shall have the right to waive default as may be permitted by law.

Section 5. The following additional matters are hereby determined, declared, recited and stated:



(a) The improvement or purpose described in Section 3 of this ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a local improvement the cost of which shall be specially assessed in the manner provided herein.

(b) The number of annual installments within which the special assessments are to be levied on the lots and parcels of real estate affected by the improvement is five (5) with an interest rate of six-percent (6%).

(c) The Township will not contribute to the payment of any part of the cost of the improvement.

Ordinance No. 2137-12 was adopted on the following roll call vote:

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

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**Manager’s Report –**

Mr. Krawczun advised that the first item of discussion is a presentation by Mr. Groeger, Superintendent of Recreation, to discuss some recommendations or proposals that he is exploring for the Recreation Department and some budgetary matters. He then turned the floor over to Mr. Groeger.

Report from Superintendent of Recreation Steven J. Groeger

Mr. Groeger distributed handouts and proceeded with an overview of the functions of the Recreation Department and a detailed review of the Anticipated Recreation Office Cost as it relates to operating expenses, full-time/seasonal employees’ salaries and benefits, recreation budget and total cost, prior year revenue in fees, current year revenue increase (13%), permits, grants, total revenue and net recreational cost for 2013-2017. Additionally, he reviewed the Five Year Fee Schedule for all recreational programs for 2013-2017.

Ms. Lewis asked if he would be presenting a comparable five-year plan for the other half of his budget, the Senior Center, and was advised by Mr. Groeger that the comparable for the senior’s will be more difficult because most of their programs do not generate revenue; but there are other things they can do in terms of running activities that are fundraisers. A short question and comment period took place relative to Mr. Groeger’s report, after which the Council thanked and commended Mr. Groeger for his efforts in coming up with cost-saving ways to maintain the recreational programs going forward.

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Mr. Krawczun advised the Council that he would be inviting Slackwood Fire Chief, Michael Oakley, to give presentation at the December 4<sup>th</sup> Council Meeting on matters of apparatus, as the Fire Company is in need of replacement apparatus and he thought it would good time have a full conversational regarding that Capital Expenditure.

Mr. Krawczun publicly thanked all the organizations, volunteers and people who were intimately involved in assisting the Township during Hurricane Sandy, as well as, the Board of Education who opened up a Comfort Station at Lawrence High School for people to warm-up, get warm meals, shower and charge their electronic devices and advised that is a good example of the two entities working together. In addition, he thanked all of the Township Department Directors, Division Heads, Emergency Management and Public Safety Officials for their tremendous effort and the residents for their patience during the storm.

In closing, Mayor Kownacki and members of Council stated they received lots of positive feedback from businesses and the residents and thanked Mr. Krawczun and his staff for the long hours they put in and their cooperative effort during the storm.

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#### **Attorney's Report –**

Mr. Roskos advised all is quiet they are just continuing with the Tax Appeals, as they have had some dismissed and some resolved in Tax Court. And, in one particular case, a taxpayer filed an Appeal and it was determined that the property was under assessed once they obtained the commercial leases through Discovery so they will be pursuing a counterclaim and indicated taxpayers have to realize it is a double-edged sword and their taxes can go up when they pursue a Tax Appeal and additional information is uncovered.

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#### **Clerk's Report –**

Ms. Norcia advised that is time for Boards and Committees appointments and she will have a list prepared for the next Council meeting with regards to who is interested in serving, how many vacancies and if there are any new application and indicated if there are any Zoning Board or Planning Board appointments they can schedule a date and time to conduct interviews.

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**Written Communications –**

- A. Letter from Lawrence Historical Society Annual Financial Report – No Discussion.

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**Old Business –**

There was no old business.

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**New Business –**

There was no new business.

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

7:35 p.m.

Respectfully submitted by,

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Kathleen S. Norcia, Municipal Clerk

Attest:

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James S. Kownacki, Mayor