

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

December 3, 2013

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, December 3, 2013 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, December 3, 2013 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 Brame, Lewis, Maffei, Powers and Mayor Kownacki.
Absent: None.

Also, in attendance were Richard S. Krawczun, Municipal Manager, David Roskos, Esq., Municipal Attorney, and James Parvesse, Municipal Engineer.

Special Proclamations, Recognitions and Presentations

Presentation by Professional Property Appraisers Regarding the Tax Revaluation

Mr. Dan Gadey, Professional Property Appraisers, stated that he is a representative from the revaluation company for Lawrence Township and this evening he would be providing the Council with an update on the process and let everyone know where they are to date. He advised that the company is done with the revaluation, the field work and the Tax Assessor’s Office is currently reviewing their assessment. The letters will be sent out to residents within the next couple of weeks and they will include the new 2014 assessment versus the old 2013 assessment and if anyone has any questions they are welcomed to call them at the telephone numbers provided in the letter. In addition, they will have day and evening appointments available for those who would like to meet and discuss their valuation.

A short question and comment period took place relative to the valuation and the good cooperation/communication the firm received from the Township, residents and the overall process being a positive experience.

Public Participation (5-minute limitation per speaker)

Dr. Mohammad Choudhry, 1737 Princeton Avenue, stated that he has owned and operated a practice at 1737 Princeton Avenue for more than 20 years and in the back of his property are big empty lots and he would like to know how those lots can be of better use by creating businesses such as gas stations, banks, etc., that would bring in more ratables and make the area more profitable during these hard economic times and help lessen the tax burden to residents and businesses. The Municipal Manager requested Dr. Choudhry to leave his telephone number with the Municipal Clerk so he can contact him to further discuss matter as it pertains to the zoning.

Mr. Keith Pilot, 23 Huron Way, inquired about the Land Use Ordinance and the revisions to sections 420 and 521 (HC-Zone- used car dealerships) and if he could speak on the matter if he had any questions or comments after the Ordinance is presented and was advised by Mayor Kownacki that he could speak during the public comment period.

Officer Shaun Sexton, 1st Vice President of Fraternal Order of Police, Lodge #209, stated that he is present this evening to speak on behalf of Lodge #209 and President of the FOP, Andrew Lee, and to thank Police Chief Daniel Posluszny for his many years of service to the Township of Lawrence and indicated with the Chief's impending retirement the Township is losing a dedicated leader and educator who has worked tirelessly for the betterment of the town and leaving a legacy for continued growth and prosperity. He then expressed the Lodge's desire for the Township of Lawrence to continue the process whereby the Chief of Police is selected within the ranks of the Lawrence Township Police Department.

Officer Sexton proceeded to discuss the immense positive changes that have taken place within the Police Department since September 2012, which has caused the morale, cooperation, teamwork and a positive work environment to flourish and all of those changes would not have been possible without the vision and leadership of the Chief Posluszny and that the past decision of the FOP Lodge # 209 to endorse another form of leadership within the Police Department was solely based on certain issues that were transpiring at the time of that request; issues they believe are no longer relevant. Therefore, it is the desire of the Lodge that the Township continue the tradition of having a Police Chief with the next Chief being selected from one of the (3) three lieutenants who are more than capable of carrying on and building upon the foundation that has been laid

by Chief Posluszny. Afterwards, he thanked the Council for their time and consideration in the matter and extended best wishes to Chief Posluszny in all his future endeavors as well as the Lodge's appreciation for all the changes he has made during his tenure at the helm of the department.

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

Review and Revisions of Agenda

The Municipal Manager requested that the Agenda be amended to include Resolution (17-L) - Authorizing Refund of Taxes Overpaid, Resolution (17-M) – Authorizing the Duplicate of Tax Sale Certificate #98-70, Resolution (17-N) – Authorizing Refund of Homeowner Cancelled Project and Resolution (17-O) – Authorizing Supporting Lower Speed Limit on Province Line Road and remove Ordinance (9-B), Ordinance Amending the Land Use Ordinance of the Township of Lawrence to Amend the Regulation of Signs due to a lack of a Consistency Review by the Planning Board.

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

Same was carried on the following roll call vote:

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

Adoption of Minutes

There was no adoption of minutes.

Awarding and/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 Mr. Brame, the following resolution was presented for adoption:

Resolution No. 363-13

WHEREAS, on November 13, 2013, bids were received for Bid No. 13-15, On-Line Data Processing Assessor/Collector; and

WHEREAS, one bid was received and reviewed by the Township Manager and the responsible bidder is Vital Communications, 900 South Broad Street, Trenton NJ 08611 who submitted a bid in the total amount of \$131,386.80 including sewer billing, (\$43,329 for 2014, \$44,728.80 for 2015 and \$43,329 for 2016) for a one year contract; with the option to renew for a second and third year. Additional extra billing options include: Assessment Post Cards \$.18 each plus postage/Tax Bill Forms \$.46 each/Post Tax Year Forms \$.30 each; and

WHEREAS, in accordance with N.J.A.C. 5:30-14, a Certificate of Availability of Funds has been provided and the accounts to be charged are 4-01-20-150-207 and 4-01-20-145-207 for 2014 (Tax Assessor & Collector OE), 5-01-20-150-207 and 5-01-20-145-207 for 2015 (Tax Assessor & Collector OE), and 6-01-20-150-207 and 6-01-20-145-207 for 2016 (Tax Assessor & Collector OE); and

WHEREAS, the award of said contract is contingent upon the appropriation of funds in the year 2014, 2015 and 2016 municipal budgets;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that the Township is hereby authorized to award Bid 13-16, On-Line Data Processing Assessor/Collector to Vital Communications, Trenton New Jersey for the period January 1, 2014 to December 31, 2014 with the option to renew for two additional one year periods and said award is contingent upon the appropriation of funds in the municipal budget for said years.

Same was carried on the following roll call vote:

Ayes: Councilmembers Brame, Lewis, Maffei, Powers and Mayor Kownacki.

Nays: None.

~~~

Mr. Krawczun discussed at length the award of bid to Central Jersey Recycling Lawrence Curbside Organic Program as it relates to Option #9 in the Bid Specifications, the program being voluntary, sustainable and generating savings by reducing the tonnage that goes to the landfill, service cost of \$17 paid by the subscriber, a minimum of three-hundred households required for participation with no specific time limit and the upside of the program with respect to savings once it gets underway.

Mr. Chris Ahlers, Sustainable Lawrence, expressed his support for Item 8-B, Option #9 Food Collection Initiative and asked if the Council could provide a few more details about the advertising and coordination of the program.

Mr. Krawczun advised that they have a general outline and they will also have a budget. They will also use some of their resources that are currently available – such as the website, constant contact and press releases to inform residents of the program and once the program gets underway and the Committee meets, they may be able to use some of the recycling dollars to help get some information out being it is part of the recycling program and the funds are received from the State of New Jersey. Additional dialogue took place relative to the next steps of the program.

Mayor Kownacki asked for additional 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. Brame, the following resolution was presented for adoption:

Resolution No. 364 –13

**WHEREAS**, on November 7, 2013 by way of Resolution 360-13, Bid No. 13-11, Refuse Collection and Trash Disposal was awarded to Central Jersey Waste and Recycling, Inc., 432 Stokes Avenue, Ewing NJ 08638; and

**WHEREAS**, the Township is now awarding Option #9 from the bid specification which includes the voluntary participation of residents in a program for the curbside collection of organic food waste to Central Jersey Waste and Recycling, Inc.; and

**WHEREAS**, the Township is awarding this portion of said bid for the period December 1, 2013 through November 30, 2018.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that the Township is hereby authorized to enter into a five year contract from December 1, 2013 through November 30, 2018 for Option #9 Food Waste Collection per bid specifications, with Central Jersey Waste & Recycling, Inc.

Same was carried on the following roll call vote:

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

---

Introduction of Ordinances

Mayor Kownacki read by title an ordinance entitled, “AN ORDINANCE AMENDING ORDINANCE NO. 2054-10 PROVIDING CERTAIN JOB CLASSIFICATIONS AND PROVIDING COMPENSATION FOR THE MUNICIPAL EMPLOYEES OF THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY”

Mr. Krawczun stated the Ordinance amends a previous adopted Ordinance, 2054-10, that provides for a salary of the Chief of Police. The previous ordinance covered the years 2010 through 2012 and because there was no wage increase or salary adjustment for the Chief in 2013, as the FOP accepted a zero wage increase, the Ordinance was never amended to create the authority for the salary in 2013; so, the proposed Ordinance is an administrative catchup on the issue.

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

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

~~~

Mayor Kownacki read by title an ordinance entitled, “ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWNSHIP OF LAWRENCE TO AMEND THE REGULATION OF SIGNS”

POSTPONED UNTIL FURTHER REVIEW

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

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

~~~

Mayor Kownacki read by title an ordinance entitled, “AN ORDINANCE REPEALING ORDINANCE 2113-11 AND AMENDING THE ADMINISTRATIVE CODE OF THE TOWNSHIP – Mayor’s Term”

Councilman Powers stated as the Council may recall two years ago former Councilman Bob Bostock introduced Ordinance 2113-11 and at that time two years ago it was anticipated that by changing the Mayoral term it would strengthen the Mayor's relations with State officials and would provide the Mayor sufficient time to carry out the Mayor's agenda. Now, with the benefit of hindsight and actually the majority of new Councilmembers he thought it would be appropriate to reevaluate that decision in terms of changing the Mayoral term.

Mayor Kownacki stated it has been a real honor to serve as Mayor for the past two years and an honor to meet and talk with State, County and Municipal Officials as well as other mayors throughout the State. And, because of his work commitment some of meetings he was unable to attend and had to send a representative; but, the meetings he was able to attend he received positive feedback from other officials with regards to Lawrence stepping up and changing over to a two-year mayorship, as the communication and response time with the Mayor and Municipal Manager is better than ever. Furthermore, Councilman Powers' well knows under the Faulkner Act they can do a one-year, two-year or four-year term for the position of mayor and when the matter was last voted on it was the consensus of the Council to move forward with the two-year term, and it does not matter what the length of the term is because no matter who is selected as the Mayor for whatever length of time they will have to face the same challenges and problems rather it be taxes, bulk waste, etc.; therefore, it is his recommendation that they continue with the two-year term and give it more time to work.

Mr. Powers stated back in 2011 he voted against the proposal for a mayoral term of two years and asked Mayor Kownacki in the benefit of hindsight does he think a one year term would have been a sufficient amount of time to carry out his agenda?

Mayor Kownacki replied "no" and indicated no matter who is appointed to serve as Mayor he really feels that person will need a two-year term to fulfill their agenda; because with a one-year term by the time the Mayor gets underway with his or her agenda it is time to re-appoint a new Mayor and correspondence and contracts are still lingering under the preceding Mayor's name.

Mr. Powers stated he respectfully disagrees because what is anticipated and what has come to fruition are two different things...so he will be voting in favor of repealing the ordinance.

Ms. Lewis stated she was not on Council when the Ordinance was voted on but she wholeheartedly supported it as a citizen because she has seen from the other side when she worked for State government the importance of creating those strong relationships and the importance of that consistency. Also, she has seen over the last two years the importance of that consistency from a resident's standpoint and she thinks that the Township has had a number of challenges and

there will continue to be challenges as the rules of games have changed over the last few years, particularly, when it comes to how the Township collects revenue and how they are able to budget for them and it is important that residents have a consistency that they know who their Mayor is and that the person selected has the time to put forth a vision and respond to those challenges and be able to see it through or at least have a seamless transition. So, in her opinion, one year is never enough time for a person to complete something in government with a seamless transition; however, two years is a good amount of time for a person to create a vision and fulfill or transition into some of those challenges and provide some consistency to residents.

Mr. Brame stated that custom and tradition and continuity has its place but his concern is about the law and under the Faulkner Act, particularly, Section 9 – Sub-Part E, and the Governing Body’s decision to reorganize every two years; but more importantly when he looked at the legislative history there is a memorandum from Jan Stonaker, former Municipal Attorney, dated December 3, 1999 that addressed the issue of whether Lawrence was in compliance with the Faulkner Act and she annexed a case known as Styles vs. Galloway Township with Superior Court in Atlantic County; a case very similar to Lawrence Township structure found that compliance under the particular section of the Faulkner Act required reorganization every two years; thereby, a mayor would serve for a two-year term. Further, he finds it most interesting that no one has dared challenge that case on appeal because had it gone up on appeal and the Appellate Division had ruled then everyone would have been subject to either the Faulkner Act under one form or another.

Mr. Brame further stated he realizes the Council does have some discretion as Ms. Stonaker pointed out in her memorandum that in the absence of an Appellate Decision the Council can use their discretion; nevertheless, he finds it very compelling having read the case and the Judge’s opinion that Lawrence Township did the right thing in November 2011 to opt for a two-year term and more interesting, having reviewed the legislative history, that when the Ordinance was introduced on November 1, 2011 the ordinance for introduction was carried by a three to two majority and 20 days later upon second reading on the motion to adopt the Ordinance was adopted by a super majority. Further, it would not take much for someone to bring an action in Mercer County Superior Court challenging the Township for violating a Faulkner Act if they were to go back a one-year term. So, having read the legislative history, listening to the tape recordings of the proceedings of November 1<sup>st</sup> and 21<sup>st</sup>, 2011, reading the memorandum dated 1999 and the case Styles vs. Galloway Township he will vote to keep the status quo and vote against any repeal of the ordinance.

Mr. Powers stated the form of government under which Lawrence Township operates, Council/Manager, where the Mayor is a ceremonial position creates a very dangerous precedent when you have a two-year term; because it indicates that there is a strong mayor presence as opposed to the



Council/Manager form of government under which Lawrence Township operates, so when the Township moved away from the ceremonial one year role to a two year term that morphs into a strong mayor form of government in terms of interaction with County, State and Local officials and proceeded to reiterate his argument and thoughts from 2011 with respect to the change in term setting a dangerous precedent from a policy-making perspective; however, if the Council wants to consider a Charter Study Commission, which has not happened for a number of years, that is something they can open for discussion. But, for the Council to unilaterally change to a two-year form of government for Mayor stating that the change will create stronger relations with various government officials undermines the role of the Municipal Manager. Further debate took place amongst the Council relative to matter.

There being no additional discussion the Ordinance was **defeated** on the following roll call vote: **\*\*Discussion purposes only\*\***

| COUNCIL        | AYE | NAY | PRESENT | ABSENT | ABSTAIN | MOVE | SECOND     |
|----------------|-----|-----|---------|--------|---------|------|------------|
| Mr. Brame      |     | X   |         |        |         |      |            |
| Ms. Lewis      |     | X   |         |        |         |      |            |
| Dr. Maffei     | X   |     |         |        |         |      |            |
| Mr. Powers     | X   |     |         |        |         | X    |            |
| Mayor Kownacki |     | X   |         |        |         |      | <b>**X</b> |

---

**Adoption of Ordinances**

Mayor Kownacki read by title an ordinance entitled, “AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST OF LAWRENCE, LLC TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN LAWRENCE TOWNSHIP, NEW JERSEY”

**Ordinance No. 2165 -13**

**AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST OF LAWRENCE, LLC TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN LAWRENCE TOWNSHIP, NEW JERSEY.**

BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, as follows:

**SECTION 1. PURPOSE OF THE ORDINANCE**

The municipality hereby grants to Comcast renewal of its non-exclusive Municipal Consent to place in, upon, across, above, over and under highways, streets, alleys, sidewalks, easements, public ways and public places in the municipality, poles, wires, cables, underground conduits, manholes and other

television conductors, fixtures, apparatus and equipment as may be necessary for the construction, operation and maintenance in the Municipality of a cable television and communications system.

## **SECTION 2. DEFINITIONS**

For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. Such meaning or definition of terms is supplemental to those definitions of the Federal Communications Commission ("FCC") rules and regulations, 47 C.F.R. Subsection 76.1 et seq., and the Cable Communications Policy Act, 47 U.S.C. Section 521 et seq., as amended, and the Cable Television Act, N.J.S.A. 48:5A-1 et seq., and shall in no way be construed to broaden, alter or conflict with the federal and state definitions:

- a. "Township" or "Municipality" is the Township of Lawrence, County of Mercer, State of New Jersey.
- b. "Company" is the grantee of rights under this Ordinance and is known as Comcast of Lawrence, LLC
- c. "Act" or "Cable Television Act" is Chapter 186 of the General Laws of New Jersey, and subsequent amendments thereto, N.J.S.A. 48:5A-1, et seq.
- d. "FCC" is the Federal Communications Commission.
- e. "Board" or "BPU" is the Board of Public Utilities, State of New Jersey.
- f. "Office" or "OCTV" is the Office of Cable Television of the Board.
- g. "Basic Cable Service" means any service tier, which includes the retransmission of local television broadcast signals as defined by the FCC.
- h. "Application" is the Company's Application for Renewal of Municipal Consent.
- i. "Primary Service Area" or "PSA" consists of the area of the Municipality currently served with existing plant as set forth in the map annexed to the Company's Application for Municipal Consent.

## **SECTION 3. STATEMENT OF FINDINGS**

Public hearings conducted by the municipality, concerning the renewal of Municipal Consent herein granted to the Company were held after proper public notice pursuant to the terms and conditions of the Act and the regulations of the Board adopted pursuant thereto. Said hearings, having been fully open to the

public, and the municipality, having received at said public hearings all comments regarding the qualifications of the Company to receive this renewal of Municipal Consent, the Municipality hereby finds that the Company possesses the necessary legal, technical, character, financial and other qualifications and that the Company's operating and construction arrangements are adequate and feasible.

#### **SECTION 4. DURATION OF FRANCHISE**

The non-exclusive Municipal Consent granted herein shall expire 15 years from the date of expiration of the previous Certificate of Approval issued by the Board with a 10-year automatic renewal as provided by N.J.S.A. 48:5A-19 and 25, and N.J.A.C. 14:18-13.6.

In the event that the Municipality shall find that the Company has not substantially complied with the material terms and conditions of this Ordinance, the Municipality shall have the right to petition the OCTV, pursuant to N.J.S.A. 48:5A-47, for appropriate action, including modification and/or termination of the Certificate of Approval; provided however, that the Municipality shall first have given the Company written notice of all alleged instances of non-compliance and an opportunity to cure same within ninety (90) days of that notification.

#### **SECTION 5. FRANCHISE FEE**

Pursuant to the terms and conditions of the Act, N.J.S.A. 48:5A-30, the Company shall, during each year of operation under the consent granted herein, pay to the Municipality two percent (2%) of the gross revenues from all recurring charges in the nature of subscription fees paid by subscribers for cable television reception service in the Municipality or any higher amount permitted by the Act or otherwise allowable by law (currently three and one-half percent (3.5%) of the Company's gross revenues, as defined under N.J.S.A. 48:5A-3(x), upon approval by the BPU of a certification filed by a system-wide franchisee that said system-wide franchisee is capable of serving at least sixty percent (60%) of the households in the Municipality), whichever is greater.

#### **SECTION 6. FRANCHISE TERRITORY**

The consent granted under this Ordinance to the renewal of the franchise shall apply to the entirety of the Municipality and any property subsequently annexed hereto.

**SECTION 7. EXTENSION OF SERVICE**

The Company shall be required to proffer service to any residence or business along any public right-of-way in the Primary Service Area, as set forth in the Company's Application. Any extension of plant beyond the Primary Service Area shall be governed by the Company's Line Extension Policy, as set forth in the Company's Application.

**SECTION 8. CONSTRUCTION REQUIREMENTS**

Restoration: In the event that the Company or its agents shall disturb any pavement, street surfaces, sidewalks, driveways, or other surface in the natural topography, the Company shall, at its sole expense, restore and replace such places or things so disturbed in as good a condition as existed prior to the commencement of said work. The Company will make every effort to complete restoration to the satisfaction of a property owner within thirty (30) days of commencement of any work that has caused a disturbance. Restoration shall include proper installation in a workmanlike manner of all cable replacement.

Relocation: If at any time during the period of this consent, the Municipality shall alter or change the grade of any street, alley or other way or place the Company, upon reasonable notice by the Municipality, shall remove, re-lay or relocate its equipment, at the expense of the Company.

Temporary Removal of Cables: The Company shall, upon request of the Municipality at the Company's expense, temporarily raise, lower or remove its lines in order to facilitate the moving of buildings or machinery or in other like circumstances. Whenever the request for removal is made by, for or on behalf of private parties, the cost will be borne by those same parties.

Removal or Trimming of Trees: During the exercise of its rights and privileges under this franchise, the Company shall have the authority to trim trees upon and overhanging highways, streets, alleys, sidewalks, easements, public ways or other public places of the municipality so as to prevent the branches of such trees from coming in contact with the wires and cable of the Company. Such trimming shall be only to the extent necessary to maintain proper clearance of the Company's wire and cables. Requests for removal of trees or limbs for matters of public safety may be initiated by Lawrence Township.

**SECTION 9. CUSTOMER SERVICE**

In providing services to its customers, the Company shall comply with N.J.A.C. 14:18-1, et seq. and all applicable state and federal statutes and regulations. The Company shall strive to meet or exceed all voluntary company and industry standards in the delivery of customer service and shall be prepared

to report on it to the municipality upon written request of the Municipality Administrator or Clerk.

- a. The Company shall continue to comply fully with all applicable state and federal statutes and regulations regarding credit for outages, the reporting of same to regulatory agencies and notification of same to customers.
- b. The Company shall continue to fully comply with all applicable state and federal statutes and regulations regarding the availability of devices for the hearing impaired and the notification of same to customers.
- c. The Company shall use every reasonable effort to meet or exceed voluntary standards for telephone accessibility developed by the National Cable Television Association (NCTA).
- d. Nothing herein shall impair the right of any subscriber or the Municipality to express any comment with respect to telephone accessibility to the Complaint Officer, or impair the right of the Complaint Officer to take any action that is permitted under law.

#### **SECTION 10. MUNICIPAL COMPLAINT OFFICER**

The Office of Cable Television is hereby designated as the Complaint Officer for the Municipality pursuant to N.J.S.A. 48:5A-26(b). All complaints shall be received and processed in accordance with N.J.A.C. 14:17-6.5. The Municipality shall have the right to request copies of records and reports pertaining to complaints by Municipality customers from the OCTV.

#### **SECTION 11. LOCAL OFFICE**

During the term of this franchise, and any renewal thereof, the Company shall maintain a business office or agent in accordance with N.J.A.C. 14:18-5.1 for the purpose of receiving, investigating and resolving all local complaints regarding the quality of service, equipment malfunctions, and similar matters. Such a business office shall have a publicly listed toll-free telephone number and be open during standard business hours, and in no event (excepting emergent circumstances) less than 9:00 A.M. to 5:00 P.M., Monday through Friday. The Company currently maintains a local office at 940 Prospect Street, Trenton, New Jersey and other 3<sup>rd</sup> party payment outlets in Mercer County where customers may make payments.

#### **SECTION 12. PERFORMANCE BONDS**

During the life of the franchise the Company shall give to the municipality a bond in the amount of twenty-five thousand (\$25,000.00) dollars. Such bond shall be to insure the faithful performance of all undertakings of the Company as represented in its application for municipal consent incorporated herein.

**SECTION 13. SUBSCRIBER RATES**

The rates of the Company shall be subject to regulation as permitted by federal and state law.

**SECTION 14. COMMITMENTS BY THE COMPANY**

The Company shall provide Expanded Basic or a similar tier of cable television service on one (1) outlet at no cost to each qualified existing and future school in the Municipality, public and private, elementary, intermediate and secondary, provided the school is within 175 feet of active cable distribution plant. Each additional outlet installed, if any, shall be paid for on a materials plus labor basis by the school requesting service. Monthly service charges shall be waived on all additional outlets.

The Company shall provide Expanded Basic or a similar tier of cable television service at no cost on one (1) outlet to each qualified existing and future police, fire, emergency management facility, emergency medical facility, senior center, Public Works facility, Town Hall and public library in the Municipality, provided the facility is located within 175 feet of active cable distribution plant. Each additional outlet installed, if any, shall be paid for on a materials plus labor basis by the Municipality. Monthly service charges shall be waived on all additional outlets.

- a. The Company shall extend cable plant to 100 Dave Nevios Way in the Township's Central Park and provided Expanded Basic or a similar tier of cable television service at no cost on one (1) outlet. Each additional outlet installed, if any, shall be paid for on a materials plus basis by the Municipality. Monthly service charges shall be waived on all additional outlets.
- b. The Company shall provide free basic Internet service, via high-speed cable modem, to one (1) non-networked personal computer in each qualified existing and future public school in the Township, elementary, intermediate and secondary, at no charge provided the facility is located within 175 feet of active cable distribution plant. The Internet service shall be installed on a personal computer that is accessible to the students and not for administrative use only.
- c. The Company shall provide free basic Internet access via high-speed cable modem on one (1) non-networked personal computer in each qualified existing and future public library at no charge provided the facility is located within 175 feet of active cable distribution plant. The Internet service shall be installed on a personal computer that is accessible to library patrons and not for administrative use only.

- d. Within six months of the issuance of a Renewal Certificate of Approval by the BPU, the Company shall provide to the Municipality a one-time Technology Grant in the amount of fifty thousand dollars (\$50,000) to meet the technology and/or cable related needs of the community.
- e. The Communications Act of 1934, as amended [47 U.S.C. §543 (b)], allows the Company to itemize and/or identify: (1.) the amount on the subscriber bill assessed as a franchise fee and the identity of the governmental authority to which the fee is paid; (2.) the amount on the bill assessed to satisfy any requirements imposed on the Company by the cable franchise to support public, educational, and/or governmental access channels or the use of such channels; and (3.) any grants or other fees on the bill or any tax, assessment, or charge of any kind imposed by any governmental authority on the transaction between the operator and the subscriber. The Company reserves these external cost, pass-through rights to the extent permitted by law.

**SECTION 15. EDUCATIONAL AND GOVERNMENTAL ACCESS**

- a. Within 12 months of the issuance of a Renewal Certificate of Approval, the Company will provide one channel for governmental access use (sometimes, hereinafter, the “Governmental Access Channel”). Governmental access programming shall be provided by the Lawrence Township governing body, or a designated administrator named by the Municipality’s governing body, for the residents of Lawrence Township.
- b. The Company will continue to provide one channel for educational access use (sometimes, hereinafter, the “Educational Access Channel”). Educational access programming shall be provided by the Lawrence Township governing body, or other designated educational institution with the Municipality.
- c. The Company does not relinquish its ownership of or ultimate right of control over a channel by designating it for governmental or educational access use. An access user – whether an educational or governmental user – acquires no property or other interest by virtue of the use of a channel so designated, and may not rely on the continued use of a particular channel number, no matter how long the same channel may have been designated for such use.
- d. The Company shall not exercise editorial control over any educational or governmental use of channel capacity, except Company may refuse to transmit any educational or governmental access program or portion of an educational or governmental access program that contains obscenity, indecency, or nudity.

- e. The governing body of the Municipality shall be responsible for developing, implementing, and enforcing rules for governmental and educational access programming.
- f. Educational Access. "Educational Access" shall mean noncommercial use for educational purposes that is managed, scheduled, and programmed by local educational institutions such as public or private schools, but not "home schools," community colleges, and/or universities.
- g. Government Access. "Governmental Access" shall mean noncommercial use by the governing bodies, for the purpose of showing the public local government at work.
- h. Company Use of Fallow Time. Because blank or underutilized EG channels are not in the public interest, in the event the Municipality or other EG access users elect not to fully program their EG access channel, Company may program unused time on those channels (at its discretion and for any purpose), subject to reclamation by the Municipality upon no less than 60 days written notice. In the event the Company chooses to utilize unused time on the EG channels the Company shall provide sixty (60) days written notice to the Municipality or other EG access users.
- j. Indemnification. The Municipality shall indemnify the Company for any liability, loss, or damage it may suffer due to violation of the intellectual property rights of third parties on the EG channel and from claims arising out of the Municipalities' rules for or administration of access.

## **SECTION 16. EMERGENCY USES**

The Company will comply with the Emergency Alert System ("EAS") rules in accordance with applicable state and federal statutes and regulations.

The Company shall in no way be held liable for any injury suffered by the municipality or any other person, during an emergency, if for any reason the municipality is unable to make full use of the cable television system as contemplated herein.

## **SECTION 17. LIABILITY INSURANCE**

The Company shall at all times maintain a comprehensive general liability insurance policy with a single limit amount of \$1,000,000 covering liability for any death, personal injury, property damages or other liability arising out of its construction and operation of the cable television system, and an excess liability (or "umbrella") policy in the amount of \$5,000,000. The Township shall be named as an additional insured under said policies.



**SECTION 18. INCORPORATION OF THE APPLICATION**

All of the statements and commitments contained in the Application or annexed thereto and incorporated therein, and any amendment thereto, except as modified herein, is binding upon the Company as terms and conditions of this consent. The Application and other relevant writings submitted by the Company shall be annexed hereto and made a part hereof by reference provided same do not conflict with applicable State or Federal law.

**SECTION 20. SEPARABILITY**

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and its validity or unconstitutionality shall not affect the validity of the remaining portions of the Ordinance.

**SECTION 21. THIRD PARTY BENEFICIARIES**

Nothing in this Franchise or in any prior agreement is or was intended to confer third-party beneficiary status on any member of the public to enforce the terms of such agreements or Franchise.

**SECTION 22. EFFECTIVE DATE**

This Ordinance shall take effect immediately upon issuance of a Renewal Certificate of Approval from the BPU.

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

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

~~~

Mayor Kownacki read by title an ordinance entitled, "ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWNSHIP OF LAWRENCE TO REVISE SECTION 420 AND 521"

Verbatim Transcription - (Used Car Dealerships)

Richard Krawczun, Municipal Manager:

This Ordinance is an amendment to the Lawrence Township Municipal Land Use Ordinance. It will provide for a conditional use for used car sales for the Highway Commercial Zone provided they meet certain conditions under the use. Those are: there will be a minimum lot size of 5 acres; that there is minimum lot frontage on U.S. Route 1 of 500 feet; the use shall require a building with a minimum gross area of 15,000 sf; the building shall contain a showroom with a minimum display area of four passenger vehicles; and no service bay door shall face a zoning district that is predominately used and occupied for residential purposes unless sound attenuation measures are installed to ensure that no sound greater than 50 decibels occurs within 150 feet from the distance or the property line whichever is closer.

In addition, there are some standards of the buildings, as far as architectural features and facade features in this Ordinance. This Ordinance was first introduced then forwarded to the Planning Board for a consistency review with the Master Plan. The Planning Board did find this to be consistent with the exception of one additional recommendation which has been incorporated into this Ordinance. This would be for use car sales only and would exclude any auctions because they would not be a permitted use so the lot could not be used for auction purposes. The Highway Commercial Zone currently does have as a permitted use used car sales but in association with a new car dealer. These conditions, as I mentioned, and the conditions as far as what the standards of the designs are would prohibit or prevent used car dealers from being developed in the old gas station or the old convenient store. Due to the need for their size, their acreage and their frontage, these will appear as a new car dealership just as we have along that corridor right now.

So, it is the recommendation that this Ordinance be adopted and we think it's also important to mention here that we will see this as we enter 2014, and I mentioned this previously, that we continuously take a look at our Land Use Ordinance, we continually have taken looks at our Master Plan. There was a re-examination report done as recently as last, this year, and as uses have changed or uses as we know them change and further evolve we recognize that it is important for our Land Use Ordinances to evolve as well. Not to allow for hap hazard development; but, to design and to control that development in a standard by which we all have become accustomed to here in Lawrence Township. So, this is just one more example of the evolution of uses as we know them as things change within our society. That's all I have.

Mayor Kownacki opened public participation on Item 10-B, Ordinance Amending the Land use Ordinance of the Township of Lawrence to Revise Sections 420 and 521.

Thomas McDonald, 30 Hopatcong Drive:

My name is Tom McDonald. Mr. Mayor and members of the Committee. My wife brought the...our residence in 1968 when I was stationed in Guam and I spent most of my life in the military. And, when I was finally able to get off warships and out of combat zones and finally lived in the general area of Lawrence Township the one thing that we had was Heinemann Electric behind us. Every day for numerous occasions we had tractor trailers coming down between that building and the residents that lived on Hopatcong Drive. It got so bad that you could be sitting in your TV Room and the couch and the chair would start bouncing with all the traffic. We took...numerous times we complained. I even had a pool put in because I figure well that way my wife could watch the children and then all of sudden I had 15 yards of concrete around it that got cracked and I was told all that was settlement... it wasn't... it was from all the traffic of the trucks. There was times when you go to bed I had to go to work when I run the Navy's second largest prison I had to be at work 4:30 in the morning you'd hear the people come out of Heinemann Electric raising all kind of hell...you'd have to yell out the window 'shut the hell up" and give us a break... call the police or whatever.

Now, with the proposal we talk about a used car dealership. Now where are all the cars going to go from there. Are they going to go between that building and the property line where the fence is separating Heinemann old complex from Hopatcong Drive? If so, we are going to look out of our back window and all we are going to see is junk cars out there. And, another thing if you are going to have a bay to service those cars it should be on the other side of that building facing the car dealership up there so that any traffic you have disturbs them instead of the people in Lawr...on Hopatcong Drive. And, you know there is a lot iffy's and what's ever is going to go on to this thing, and I think you not just going to say well we are going to propose this I think the people should be apprise of specifically what are we doing here, maybe show a diagram of what they're going to do and then ask for comments from the people that live there that are going to be impacted 24 hours a day and not just when you have a meeting over here in the Township.

And, I think the people on Hopatcong Drive most of us have been there... well I have been there 45 years, not personally, because I was at sea and whatever; but most of the people on the block have been there for 30+ years and I don't think that now that most of us are getting older that we should have to be inundated with a lot of extra traffic, a lot of extra...a lot of everything that goes on there. And, I would hope that when the Board looks at this proposal that they look

at it and say okay you are a representative of the people in Lawrence Township. Give us a break...let us be able to live the final years of our life in a tranquil fashion.

Mayor Kownacki:

Sir, that application...no application has come in front of the Planning Board for this site. This is a recommendation...alright. It is a change to our Land Use Ordinances...alright. The site I believe you're talking about would be McGuire.

Richard Krawczun, Municipal Manager:

And, what I was going to say if it's the front this could be applicable to the front of the Heinemann site.

Mayor Kownacki:

It would...say it again.

Richard Krawczun, Municipal Manager:

It would be...one of the locations could be the front of the Heinemann Electric Company, which you were about to explain something very important.

Mayor Kownacki:

What I am about to explain to you sir is, when this application comes in front of... there is no application, right. This application comes in front of the Planning Board, right. You will get Public Notice and at that time is when you would come down stairs and speak in front of the Planning Board. One of the requirements in here the bay doors cannot face your property...okay; it will face the opposite side of your space, alright. This was a recommendation...

Thomas McDonald, 30 Hopatcong Drive:

Okay when I made my comments was a generality so when you sit down and you look at the final plans that you'll say okay I remember somebody was up here and they addressed this and maybe we want to look at this when we finalize the plans and it will be beneficial to everybody concerned and not benefit this guy and we will screw this guy over here...excuse my language; but I don't know how else to tell you about that one. And, that is why I came up here and voiced my opinion and that of my neighbors who we have been associated for...you know a lot of years.

Mayor Kownacki:

Well you will get noticed when this application comes up, okay. And, we are trying to cover what you are asking right now in this Ordinance, okay; but what you said will not be forgotten.

Thomas McDonald, 30 Hopatcong Drive:

Thank you very much for the opportunity to speak. Thank you ever so much.

Richard Krawczun, Municipal Manager:

Excuse me Mayor. Mayor, Mr. McDonald. I thought you were going to point out in the Highway Commercial Zone new car dealers that can sell used cars are now permitted...number one. Previously, there had been an approved Site Plan for a McGuire Dealership at that location...so that had already been in place. The primary changes between that concept and this concept is that the used car dealer...used a car sales would only have been permitted with a new car dealership. That new car dealership is removed and now you still have the same permitted use... car sales, we are just defining more clearly used versus new. So, all of that would have been permitted tomorrow without this Ordinance.

And, I think as the Mayor was pointing out there has been careful consideration and administrative meetings about your exact issue...about the noise and any type of traffic. And, those considerations whether or not there's...there could be an applicant that comes forward and wants to build on the site and is compliant with the ordinance and may not need to go the Board; if that's the case, that is why we put in the assurance of reducing the sound that would spill off the site. The other thing that you raised a very good point on and I'm glad you did. You mentioned that when you would go to work there was shift work going on at Heinemann Electric and that would not be the case here. This would be your typical car dealership or what appears to be your typical car dealership...so they are not going to operate on Sundays, they are not going to operate too early in the morning and they are not going to operate in a situation overnight; so, that also will go away.

And, I will tell you we have had some developer who wanted to put in a warehouse at that site. That was going to be a 24 hour day 7 days a week operation and we were very hesitant about that particular business...because you had Heinemann Electric. And, Mr. McDonald, I don't know if you remember but I came to your house at 9:00 at night when you had a problem with the ventilation over at the Heinemann building and we went through your backyard to investigate it. So, I was fully conscious of what were some of your concerns as well as some of your neighbors.

Thomas McDonald, 30 Hopatcong Drive:

Okay! Yeah, I remember sir, yes. And, the only thing I did not bring up sir. You know Transcontinental got that new gas line that is going to go through that area and I mean they had my whole backyard ripped up I thought I had a canal back there. And, again with the proposal where you are macadam and whatever else it's another area where some people actually disregard the flags that are there and they start digging and I know the size of that pipeline is going to be horrendous compared to what it is now. And, ah these are all the things that I'm sure...I'm not taking away from your expertise; but I figure sometimes when somebody stands before you and throws in the way he looks at it...it focuses other things in so that we're running all on 4-0 operation. Thanks again.

Mayor Kownacki:

Thank you very much.

Councilwoman Lewis:

Mr. Mayor just one more point. I guess the Manager can expand on this a little bit. One of the other issues you raised is that you do not want to be looking at junk cars in the back of your yard and one of things that this Ordinance has done is created...created regulations that would require it to look just like the new car dealerships so you're making a significant investment. So, I doubt very much that someone that's going to make that significant investment so that it looks like a new car dealer would be selling junk vehicles, and I think that is one of the things....

Thomas McDonald, 30 Hopatcong Drive:

That would be fantastic. Thank you.

Mayor Kownacki:

Anyone else for 10-B. Yes sir, state your name for the record again.

Keith Pilot, 23 Huron Way:

Umm... this lady, the Municipal Clerk here, Mrs. Norcia this morning gave me the impression these were going to be like two-year old cars, trade-ins and stuff like... Is that wrong, am I wrong here? Because that's what I think you said this morning to me. So...how can you demand somebody you can't sell four-year old car you going to sell a two-year old car? In other words they are going to look like new cars like you're saying rather than junk cars. By junk, we are talking about stuff that would normally be auctioned off and won't even be on a lot; something like Artic Parkway would be what I am thinking that I don't want to have there.

Richard Krawczun, Municipal Manager:

Well, I, I think that's the very good point. That's the comparison that I think is critical to make here. This Ordinance, because of its standards, will require that the dealership look like a new car dealership meaning that it will need a 15,000 sq. ft. showroom. I would imagine on Artic Parkway that the whole lot is probably close to 15,000 sq. ft. In addition, the minimum lot size as required by this Ordinance is 5 acres. I think we are both talking about the same intersection in the Ewing-Lawrence border and by no stretch of the imagination is that dealership 5 acres. What we wanted to be careful with, with this Ordinance, is to avoid just what you referred to. And, this Ordinance, because it will only be in the Highway Commercial Zone, it will not be a permitted use in the Neighborhood Commercial Zone; it will not be a permitted use in the Residential Commercial; and, not only is it limited to the Highway Commercial it's limited to where in the Highway Commercial. Because, for example, this couldn't go onto Quakerbridge Road because you need 500 ft. of length frontage... growth frontage on Route 1...because we want to keep the car dealers near the other car dealers and that's really what the focus of this does; the intent of what it does. It creates a large dealership, not a dealership of use cars which you gave us comparison on Artic Parkway.

Keith Pilot, 23 Huron Way:

This is gonna sort of look like the next to the Toyota place right where all those used cars that they have there and they are fixing up the façade in the front of it. Is that the kind of thing you talking about?

Richard Krawczun, Municipal Manager:

I would like to believe that this building will even look like the main showroom than the used car area. Because, for example, it the prominent feature of the building should be two-story in volume, number one. There are requirements for façade material of stone, brick, metal or tinted glass. It talks about that the front shall have a least 30-percent glass. That gives you a true showroom affect versus you know two little double hung windows and somebody sitting inside waiting for a customer to show up. This will...and again 15,000 sq. ft. building is not a small structure that's a pretty good size structure, and it will house and be required to at least house a certain number of used cars like you would go into any other showroom just like if you did go to the Toyota dealer and go into their main showroom. So, there will be similarities that are required for this facility and for this operation as there are for new car dealerships.

Keith Pilot, 23 Huron Way:

Okay...and you're saying right now you don't know who this is; or, do you know who it is and it just hasn't gone to the Planning Board yet?

Richard Krawczun, Municipal Manager:

Well again I call it an Applicant, but I don't know if it would be an applicant if a developer came in and had to comply with this Ordinance and the standards which are permitted in the Ordinance they may not have to go to the Planning Board. It's if they need to deviate from this Ordinance that they would go the either the Zoning or Planning Board depending on what the deviation would be, number one. Number two, we do have and I do not know if I can announce who they are publicly; but I can tell you it has been a used car dealer that has approached us about this concept and that's one of the ideas that kind of motivated us to think about how does our Land Use Ordinance need to evolve; because, when they presented their concept we recognized that the market has changed. We recognized that it would be beneficial to develop a site that allows for new car dealers and have an approval for a new car dealer and this also gave us the opportunity to as best we think to provide protections and buffers between a commercial operation and a residence who live near it.

There's...look...there are residents who are backing up to a Highway Commercial Zone, and, with you being one of them as you know it's a lot different than if you're backing up to Neighborhood Commercial. So, we think that we have gone through a good amount of discussion and, and, our planners have gone through a large of amount of thinking into this and we have looked at some other communities that have done similar type ordinances and we feel that we have provided a lot of protection for residents; because, the last thing that I want to do as the Manager is to create a situation where we have a room full of people who live in town where we have somebody new coming into town and the people who have been here a long time are angry. I don't want to create that situation; that's not the fight that we want. What we want to do is we need to balance uses as they are permitted and our problem here in New Jersey is we have zones such as residential and commercial immediately adjacent to one another and they are not always the same type of permitted uses in those areas.

Keith Pilot, 23 Huron Way:

That's me! (Laughter) Alright so then this showroom is going to be on the same level from Route 1 that Lexus is. In other words if you'll see the showroom driving down Route 1, I assume. It's not going to be hidden back there like the electric company was or whatever.

Richard Krawczun, Municipal Manager:

Yes...no, no.

Keith Pilot, 23 Huron Way:

Okay! And then any noise hopefully will be toward the Lexus end...the way you were talking to this other gentleman I assume.

And, if they, again, there is a standard of what the noise limit is umm...at a 150 point, 150 feet in distance...umm...from let me see. To install it there should be no sound greater than 50 decibels occurs at a point 150 feet distant or the property line, whichever is closer. So there is a 150 feet...sounds like a lot but when you're talking about noise that's not a very large distance, which so lowering those decibels levels. I'm just going to ask if I may Mayor, Jim...I don't, I frankly don't know what we quite equate 50 decibels to. Do you know?

Jim Parvesse, Municipal Engineer:

Yes, I really don't know. I don't quite know what that...

Richard Krawczun, Municipal Manager:

Well, 50 decibels is not a high volume.

Keith Pilot, 23 Huron Way:

No...I would think so. I agree with you there. Alright, I just umm...you know I got this letter and then I had a little...some questions about it. So, I think you've answered to this point.

Richard Krawczun, Municipal Manager:

And, thank you, because we wanted to be sure that we gave notice. We sent out over six-hundred letters so that everyone would be fully aware of what was going on.

Keith Pilot, 23 Huron Way:

And this like...more like this will come up before the Planning Board and everybody will be able to go...

Richard Krawczun, Municipal Manager:

Again, I want to caution everybody if an Applicant comes in, and somebody wants to develop this site, and says what are the standards to build at this

location if they meet the standards of the Ordinance there may not be a need to come to the Planning Board or the Zoning Board depending on what they need for a release bond.

Keith Pilot, 23 Huron Way:

Okay...okay. Alright, thank you.

Richard Krawczun, Municipal Manager:

You're welcome.

Mayor Kownacki:

Yes sir. State your name for the record.

Michael Siegfried, 52 Betts Avenue:

Hi, Mike Seigfried, I live at 52 Betts Avenue, Lawrence, and I received a letter as I guessed a lot of people in audience did...in the building did, and I guess my biggest concern is how do we prevent some similar to umm...what I'll call Route 22 in Union County where there is wall-to-wall car dealerships, traffic is a nightmare...umm it's, it's, it's something I think affects the quality of life in the Township by allowing wall-to-wall car dealerships. We now allow a new car dealerships and is probably limited amounts of those that you would get out there. I don't know if you could put another one out there; but, if you are now going to allow used car to dealerships that's going to make it almost limitless on what 'ca going allow out there.

And, again, I think it will impact our quality of life in the Township if that does happen. I, I'm, I think the, the umm... congestion, the air pollution from congestion and if anybody has any concerns about that take a ride up to Route 22 in Union County and you can see with that, and that is not the only place in the State of New Jersey. There's other area that have wall-to-wall car dealerships. Route 21 in umm...umm...the Newark area, umm...north of Newark has wall-to wall dealerships and that's the concern that I have umm... its, its affects our lives and affects all the people in the Township, it creates a lot more pollution and I think it opens the door to that... this, this Ordinance. Ah I don't think can, I don't know how you can prevent it from happening but that's my concern.

Richard Krawczun, Municipal Manager:

Mr. Seigfried again I don't want to take up a lot of time but, everybody who took time to come out and show their concern over this one of the things that we have done is to create standards by which you need to comply in order for you...for

you to develop a site for used cars. Again, the number of acres being no less than 5 acres, the minimum frontage on Route 1 of 500 ft. and this side of the building that needs to be constructed. And, the reason I say that is because frankly if you think about Route 1 and the Highway Commercial Zone there are not a lot of parcels, if any at all left, that are 5 acres and that have 500 ft. of frontage that are not developed. So, the buying numbers are going to be at a much higher amount and again those parcels are few and far between, if any, other than maybe what I think might be this one site...so they are some of the "governors on the throttle" we would say to prevent the proliferation of multiple car dealers, of used car dealers, up and down Route 1. And, again we were very careful to prevent the former convenience store, the former gas station being conducted in this type of use.

Michael Siegfried, 52 Betts Avenue:

I understand what your points are making, you know, but I don't think it guarantees much. I mean there's existing businesses there such as I know ah there's storage, self-storage place there that has probably 500 ft. of frontage. If someone made him the right offer for that property I'm sure there could be a used car dealership there. Umm...my problem is what you're saying is not a guarantee umm...to, to prevent I guess what I'm feeling something that would cause us to be an area that's congested, an area where there's just too much traffic, and area where there's a lot more pollution and things like that. And, and umm...I've, I've been around a little bit to know that guarantees aren't what they always tend to be. Thank you!

Drew Coleman, Coleman Buick/GMC Cadillac, Lawrence Township

Umm...I guess I have a couple of questions umm...you've discussed both of these umm...F and J or Section 2 and Section 3 as one, one item. Are we specifically talking about just the use piece right now or are we talking about the 420 and the 521? You talked about two story volume umm on new and used car dealerships. Is it something I'm misunderstanding here?

Richard Krawczun, Municipal Manager:

Are you...Mr. Coleman is your question about whether this would affect your existing dealership?

Drew Coleman, Coleman Buick/GMC Cadillac, Lawrence Township

No it's not. It's, it's...

Richard Krawczun, Municipal Manager:

Okay then, I'm not clear on your question then.

Drew Coleman, Coleman Buick/GMC Cadillac, Lawrence Township

Okay! And...again this my first meeting, so please bear with me if you can. I look at these Sections where's umm...on your Agenda talking about four, Section 420 and then also talking about Section 521 or Ordinance 521. Is that correct?

Richard Krawczun, Municipal Manager:

Yes.

Drew Coleman, Coleman Buick/GMC Cadillac, Lawrence Township

Are we talking about both of them at the same time?

Richard Krawczun, Municipal Manager:

Yes.

Drew Coleman, Coleman Buick/GMC Cadillac, Lawrence Township:

Okay...umm I would say that umm you've done a pretty good job keeping the little used car guy out. I don't have any used car dealerships. I don't intend on getting any used car dealerships. Umm... but I would say that when I read this it says on Route 1 minimum lot frontage would be 500 ft. Is Route 1 the only place we can even have a car dealership. Is that what you're saying in Lawrence? Because on Route it's 500 ft., but is there another place you can have a car dealership where it would be less than 500 ft.?

Richard Krawczun, Municipal Manager:

Jim.

Jim Parvesse, Municipal Engineer:

For a new car...for a new car dealership you can have less than 500 ft.

Drew Coleman, Coleman Buick/GMC Cadillac, Lawrence Township:

But not a used car dealership!

Jim Parvesse, Municipal Engineer:

Not a used car dealership.

Richard Krawczun, Municipal Manager:

In the Highway Commercial Zone

Jim Parvesse, Municipal Engineer:

In the Highway Commercial Zone, correct.

Richard Krawczun, Municipal Manager:

Because the Highway Commercial Zone is not limited to just Route 1

Drew Coleman, Coleman Buick/GMC Cadillac, Lawrence Township:

Right! Umm, so this says minimum lot frontage on U.S. Route 1 is 500. So, where would it be on...what, how, what would the...the frontage requirement be for umm Whitehead Road or for Quakerbridge Road as you mentioned before?

Richard Krawczun, Municipal Manager:

Correct! Well Quakerbridge Road for example that area that is zoned Highway Commercial it would only be a new car dealership. It could not be a used car dealership.

Drew Coleman, Coleman Buick/GMC Cadillac, Lawrence Township:

Okay. Okay.

Jim Parvesse, Municipal Engineer:

The frontage requirement would be 200 ft. That's the current requirement in a Highway Commercial Zone. That would not change with this Ordinance.

Drew Coleman, Coleman Buick/GMC Cadillac, Lawrence Township:

For a new or used car dealership, new and car dealership

Jim Parvesse, Municipal Engineer:

For a franchise new car dealerships on used cars sales on Quakerbridge Road.

Drew Coleman, Coleman Buick/GMC Cadillac, Lawrence Township:

But you could not open a used car dealership on Quakerbridge Road...just used.

Jim Parvesse, Municipal Engineer:

Right.

Drew Coleman, Coleman Buick/GMC Cadillac, Lawrence Township:

How does this Ordinance...

Richard Krawczun, Municipal Manager:

No, no new used cars would be limited to Route 1, Highway Commercial i.e. Quakebridge Road; new car dealerships selling new and used cars.

Drew Coleman, Coleman Buick/GMC Cadillac, Lawrence Township:

Fine...again thank you for answering these ah...basic questions. The only comment I would have ah about the new and used automobile building requirements is the glass and the two-story volume requirements ah I think that having. I don't know of a lot of dealerships that have two-story, complete two-story volume. My dealerships have high ceilings, but...and they are essentially almost two-story buildings but the inside of the building is not a full two stories and I am where that comes from. It's hard to heat them...it's hard to cool them and the glass requirement does the same problem.

Richard Krawczun, Municipal Manager:

Right, but I, I think what's important if we are...we both talking about J-1. Then the showroom should be the most prominent architectural feature of the building so that you would have a prominent showroom and in this Ordinance that used cars can also be on display for used car dealerships as they are in new car dealerships, number one. Then the language goes on to say "and should have a two-story volume". That doesn't necessarily mean the entire building has to be two stories but there has to be a prominent feature that provides the appearance of two stories.

Drew Coleman, Coleman Buick/GMC Cadillac, Lawrence Township:

We are. Okay! The appearance then is two stories. Okay...that's, that's fine. Thank you.

Richard Krawczun, Municipal Manager:

Excuse me Mayor...Mr. Coleman this, this will not be affecting any existing dealerships...just so you know that you're not going to have to make changes to be compliant.

Drew Coleman, Coleman Buick/GMC Cadillac, Lawrence Township:

Thank you.

Mayor Kownacki:

Anyone else for public participation...yes mam. Please state your name for the record. What's your name?

Barbara Fox, 64 Hopatcong Drive:

Barbara Fox. I just want to make sure I understand everything you said because I didn't read the letter until just a moment ago. Ah...this says in J4 service bays should be oriented to the sides or the rear of the building. So that could be any of the sides or the rear of the building. You are saying that it's...you, you, you thought it was going to be toward Lexus.

Mayor Kownacki:

Yes.

Barbara Fox, 64 Hopatcong Drive:

But that doesn't...

Richard Krawczun, Municipal Manager:

If there was a door towards Lexus that would be permitted, that's a side; what this is saying is you can't have it in the front. Secondly, there's an additional provision that if the door faces a zone that's predominantly residential then there's a standard which noise cannot exceed if that door is open.

Barbara Fox, 64 Hopatcong Drive:

Right! Okay...then, I'm not good with all this square footage and how close things would be but you know I'm concerned about my parents they backup to the side and what would the lighting then be that's going to shed off onto the neighborhood, especially, with like a two-story building. I don't know how high that would be either but that...I'm just thinking about that and I want safety to be a priority too. So, I'm not saying I don't want lighting...but you know how is that going to affect their backyards?

Richard Krawczun, Municipal Manager:

Well I will try and answer that but Mayor our Town Engineer is here if I go astray Jim you can jump in on this one. If someone was to come develop this site one of

things that we will look for there is that there is no what they call silage of light off the property that we... the design of technology is that the light goes towards the new development and not towards the residential piece. The other thing we will look for is that lights would go out at a certain time other than some security lighting. That the lot wouldn't stay lit the entire overnight. And, I have to tell you that I presume it through the people that we met with are going to come in again once the Ordinance passes. Look, if there's an issue that they're going to be willing to listen and they are going to be willing to say you know what, we don't want to be a bad neighbor. I never got that impression we've gone to great lengths to do the things so we are not intrusive as best we can. So I was saying earlier the issue here is you have two zones, which have dramatically different uses when you have Highway Commercial versus Residential; but we have tried to be very careful about that and standards are that we'll try to keep the lighting, we'll try to keep it onto the site. And, there's a lot of new technology and that happens very often where we hear applications or look at plans.

Barbara Fox, 64 Hopatcong Drive:

Okay thank you very much. I appreciate it.

Keith Pilot, 23 Huron Way:

Can I get to ask one more question then...can I come to ask it? The lighting situation that the lady just brought up...just, just a quick question on my part has nothing to do with this Ordinance. How come this Behavioral Health Center is allowed to be shined bright like it is football field then all night long; because that has bothered me since they put that in there. So, but, if there's no light Ordinance then they can put lights anywhere so then I would assume then with the dealership you are going to have, then why can't they shine lights everywhere.

Richard Krawczun, Municipal Manager:

I do apologize I know where you are talking about; but, I am not familiar with the night lighting; but, we can take a look at that.

Keith Pilot, 23 Huron Way:

It's on all night long and they're bright as can be.

Richard Krawczun, Municipal Manager

It might be enlightening that Mr. Parvesse is here this evening.

Mayor Kownacki:

On the building (inaudible) lighting.

Keith Pilot, 23 Huron Way:

It's in the back and it shines right into...actually it's even worse for my next door neighbor, but you know I'm right behind Lawrence where the Hamilton Jeweler is so ever since that Behavioral Health Center came in...when it was an insurance company they did not have lights on all day long. But, now this place is in here...you know...let's face it I'm, I don't like the place at all because the cops are there all the time...it's just a crappie thing. When it was in Trenton they had a 12 ft. umm...umm...you know a fence, iron fence around the whole place and everything and they had, they had people that were there protecting people; but you know this is just my time to rant but I just wanted to bring that up about the light because it's on my mind.

Mayor Kownacki:

Thank you. It will be checked into. Thank you.

Keith Pilot, 23 Huron Way:

Thank you.

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

Ordinance No. 2166-13

ORDINANCE AMENDING THE LAND USE ORDINANCE
OF THE TOWNSHIP OF LAWRENCE TO REVISE SECTIONS 420 and 521

WHEREAS, the Township Council of the Township of Lawrence, a municipal corporation in the County of Mercer, State of New Jersey, finds that the public health, safety, morals, and general welfare of the community shall be promoted by the revision and amendment of the Land Use Ordinance of the Township pertaining to Section 420, the Highway Commercial (HC) District and the Commercial and Industrial Buildings Design Standards in Section 521; and

WHEREAS, the Planning Board of the Township of Lawrence has adopted a Master Plan that comprehensively provides for the appropriate use, regulation and development of lands in the Township in a manner which will promote the public health, safety, morals, and general welfare; and

WHEREAS, the Municipal Land Use Law at *N.J.S.A. 40:55D-62a* requires substantial consistency of the provisions regulating zoning and land use with the adopted Master Plan; however, a governing body may adopt a zoning ordinance or zoning map wholly or partly inconsistent with such land use plan element

provided that the reasons for so doing are set forth in a resolution and recorded in its minutes; and

WHEREAS, the Planning Board has determined that the revisions and amendments to the Land Use Ordinance have no inconsistency with the Master Plan, represent sound land use regulation and therefore favorably recommends to the Township Council that the regulations pertaining to Sections 420 and 521 be so amended; and

WHEREAS, this Ordinance involves a classification change to a zoning district requiring individual notice to property owners pursuant to *N.J.S.A. 40:55D-62.1*.

WHEREAS, the Township Clerk sent by certified mail and regular mail notice to each individual property owner in the Highway Commercial district on November 9, 2013 and has executed affidavits of proof of service and proof of publication in the official newspaper of Lawrence Township.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Lawrence that the Land Use Ordinance be hereby amended as follows:

Section 1. §420, Highway Commercial (HC) District, shall be modified by renumbering sub-paragraph –F.6, –F.7.

Section 2. §420, Highway Commercial (HC) District, shall be modified by adding sub-paragraph –F.6 to “Conditional Uses Permitted” as follows:

F. **Conditional Uses Permitted.** The following uses may be permitted when authorized as a conditional use by the Planning Board in accordance with §705:

6. Used automobile sales excluding auctions conforming to the following conditions:
 - a. Minimum lot size: 5 acres
 - b. Minimum lot frontage on U.S. Route 1: 500 feet
 - c. The use shall require a building with a minimum gross floor area of 15,000 sf.
 - d. The building shall contain a showroom with a minimum display area for four passenger vehicles.
 - e. No service bay door shall face a zoning district that is predominantly used and occupied for residential purposes unless sound attenuation measures are installed to ensure that no sound greater than 50 decibels (dBa measurement) occurs at a point 150 feet distant or the property line, whichever is closer.

Section 3. §521, Commercial and Industrial Buildings Design Standards, shall be modified by adding sub-paragraph – J, entitled, “New and Used Automobile Sales Buildings” as follows:

- J. **New and Used Automobile Sales Buildings.** The following additional design standards for new and used automobile sales buildings shall apply:
1. The showroom should be the most prominent architectural feature of the building and should have a two story volume.
 2. The total front façade of the building facing the highest order street, excepting a limited access highway, shall consist of at least 30% clear glass, and any portion distinguishable from other portions of the building as the facility’s showroom shall be at least 50% clear glass.
 3. The remaining façade materials should be stone, brick, metal panel or tinted glass, except those areas not visible from a public street may be architectural concrete masonry units.
 4. Service bays should be oriented to the sides or rear of a building.
 5. Exterior display of vehicles, when permitted, shall be located at ground level and demarcated with textured paving materials to distinguish the area from customer parking.

Section 4. Continuation. In all other respects, the Zoning and Land Use Regulations Ordinance of the Township of Lawrence shall remain unchanged.

Section 5. Severability. If any portion of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the Land Use Ordinance as a whole, or any other part thereof.

Section 6. Repealer. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency only.

Section 7. Enactment. This Ordinance shall take effect upon the filing thereof with the Mercer County Planning Board after final passage, adoption, and publication by the Township Clerk of the Township of Lawrence in the manner prescribed by law.

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

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

Manager's Report –

Mr. Krawczun reported that the Administration received an update on the Pit Stop from NJDEP that the Environmental Engineer submitted a draft Remedial Investigation Report to NJDEP on November 19th, which will be reviewed by the DEP staff and they hope to have a final Remedial Investigation Report done probably in February or by the end of January and that the Report will identify any particular areas that need to be additionally cleaned up and what other types of measures are needed to correct any contamination at the site.

Mr. Krawczun advised that the Administration received a brief update from NJDOT on the longtime project of Business Route 1. They are working on the right-of-way submissions and are now preparing to deal with individual property owners on the right-of-way acquisitions. They estimate at this time there are only five or six small parcels involved in the right-of-way taking, so the process should not be too long. Additionally, they have concluded their negotiations and discussions with PSE&G for the utility work at Whitehead Road and Business Route 1 that was delayed due to Hurricane Sandy and it is their sentiment that in the latter part of the year they will be advertising for construction. The new target date for construction is spring 2015 and they have already begun the process of developing construction guidelines.

Mr. Krawczun stated that he had the opportunity to meet with five of the seven labor unions that have contracts expiring at the end of the year and all of the Unions have been presented with the Township's proposal and it is his understanding that both the Blue and White Collar Unions will be meeting with their membership and voting this week. So, they anticipate hearing something back as to whether the proposal was accepted or not by week's end.

Mr. Krawczun indicated on November 21st the Township received bids for the fire apparatus for the Rear-Mount Fire Truck for Slackwood Fire Company, three bids were submitted and all the documentation was received and those bids are being reviewed for compliance with the specifications. The low bid was \$849,611 for two additional warranty options that will also be required to be purchased and the high bid was \$1,050,673; so, they will now need to see if the bids are in compliance with the specifications because although the bid amount may be lower does not mean it is compliant.

Mr. Krawczun advised that Police Chief Daniel Posluszny plans to retire, effective January 1, 2014, and his last day with Lawrence Township, after a very distinguished career, will be December 31, 2013, and they heard Officer Sexton tonight refer to comments that were made publically at the May 2012 Council Meeting about the FOP and PBA's position, who is not present this evening, on eliminating the position of Chief of Police and hire a Public Safety Director in lieu of having a Chief. And, at that time it was also presented by both representatives of those two groups that it would be an economic savings by going in that

direction, as the cost of a Public Safety Director would be less than the cost of a Police Chief, and in all fairness their discussions at that time claimed that by eliminating the Police Chief's salary the savings could be applied to some of the officers who were slated to be laid off; but, absent from that presentation was a full analysis of that recommendation that provided the pros and cons of a Public Safety Director versus a Chief of Police and did not include a financial analysis supported by any backup.

Mr. Krawczun stated on that evening his response to Officers Lee and Mejia's suggestion was in support of the Police Chief and he will be the first to admit that he has had some difficulty and some challenges in trying to think forward about the decision objectively; because he thought the comments made that evening were completely inappropriate. He then distributed a handout to the Township Council with some of his observations based on some of the things they have looked at regarding the pros and cons of a Public Safety Director versus Chief of Police and advised that they can have a full discussion about individually or all of the options in the handout.

Mr. Krawczun presented to the Council a cost analysis of a couple of options of having a Public Safety Director versus Chief of Police and stated during their review they looked at the structure of the Police Department and the organization and what the best way would be at this time to proceed in providing public safety services and organization by divisions of those operations in the public safety area to include fire and EMS services, as well. And indicated during their review they needed to think about the best structure to provide those services to the residents of Lawrence while incorporating the policy of the Council regarding public safety and it being a priority as well as him being consistent in his review and remaining as objective as possible under the circumstances.

Mr. Krawczun discussed at length the pros and cons of having a Public Safety Director versus the Chief of Police as it relates to the structure of the Police Department and the Public Safety Director being a civilian, unable to carry a firearm and fully function within the task of what is expected of a sworn officer within the ranks of the department. He further discussed the economics between the Police Chief versus a Public Safety Director, which will create the need for a Captain's position that is currently unfunded and increase cost by \$134,000. So, based on their review of structure and the delivery of public services it is his recommendation to the Council that they continue the position of Chief of Police with a staff of three lieutenants.

Mayor Kownacki stated during that May 2012 meeting comments were made by several police officers publicly attacking the Chief of Police and none of those police officers have since come forth in support of Chief Posluszny, although, they have publicly stated that things are now better in the Police Department and they have had a change of heart with respect to the hiring of a

Public Safety Director. He then expressed his support for the Township to continue with the structure of a Police Chief; but, now it is up to the Council to decide whether to promote from within or if they can go outside and get a list to appoint a new Chief of Police which he will follow-up on with the Township Manager.

Mayor Kownacki further stated although he has seen members in the Police Department showing support for the Police Chief outside of work not one senior ranking officer up for promotion has come before the Council since that May 2012 meeting in support of the Chief. But, Officer Sexton did come forth tonight to express the FOP's support of promoting from within for a Police Chief instead of a Public Safety Director and his only concern is...will the three eligible officers be able handle the job the way the Chief did...will they work with the Municipal Manager the way the Chief did...and will they bring harmony within the Police Department with the other officers. He then asked the Municipal Manager if there is a list that they have to use to promote a Police Chief or can they promote from outside of the department.

Mr. Krawczun advised that New Jersey Civil Service Commission has a test twice a year for certain ranks of officers - Sergeants, Lieutenants, Captains and Chiefs, and once one of the lieutenants is appointed provisionally on January 1st that will initiate the process of the Civil Service Commission to issue a promotional announcement and those eligible must file an application to take the test. But, what is most important for everyone to understand is that Civil Service Rules require that you can only go down two ranks, so in the case of Lawrence Township the Ordinance establishes a position of (1) one Captain and (3) three Lieutenants and because the Captain's position is currently vacant they still have to consider that one rank down...so they are looking at three lieutenants who are eligible for the promotion. And, at that point Civil Service will schedule an oral exam and from that list of eligibles he will make the appointment for that person to serve provisionally as the Chief. And, as for the Mayor's question of going outside of the organization he is not going to speak publicly on the matter, but he will say past precedent with going outside of the department could be problematic.

Additional dialogue took place relative to one of the lieutenants being appointed provisionally on January 1st, thereby, triggering the Civil Service test and a presumption that all three lieutenants will qualify as eligible to take the test, after which the Township Manager will interview and make a final determination as to who will be appointed the next Chief of Police. After a general comment period Councilmembers Brame, Lewis and Powers all concurred with the Municipal Manager's recommendation to retain the Police Chief's position and the three lieutenants as well as promoting from within being the fairest and best way, as it would bring more cohesion within the Police Department and with the Administration.

Mayor Kownacki thanked everyone for coming out and expressing their views to the Council and reiterated his support for the Chief of Police, his beliefs with respect to promoting from within the ranks and how he respects each and every one of the officers that served in Lawrence Township Police Department. Thereafter, Mr. Krawczun stated based on the concurrence of the Council he will proceed with the process for a new Police Chief.

Attorney's Report –

Mr. Roskos stated that he has a discussion for Closed Session.

Clerk's Report –

There was no Clerk's report.

Old Business –

There was no old business.

New Business –

There was no new business.

Public Participation (3-minute limitation per speaker) –

Officer Andres Mejia, Lawrence Township Police Department, stated that things are a little different now than they were last year being the Chief who is retiring January 1st has made a complete one eighty on how the Police Department is run and after having a good heart-to-heart talk with the Chief they have settled their differences and he supports him 110-percent. Further, he would like to apologize to everyone for the comments made during the contentious meeting back in May of last year, which were not good times when they were losing seven officer positions; but, he now believes the Department is going in the right direction as he has seen significant changes since last year with the elimination of certain positions and he agrees with the Mayor that they should promote from within the department and continue to be the best Police Department in Mercer County as they once were.

Officer William Chester, Lawrence Township Police Department, greeted everyone and stated he is a Detective in the Police Department and a representative of the PBA Local 119 and they have come a long way since May

2012, and they have had some bumps and grinds and a lot of issues within the Police Department, issues that police go through being they have an extremely hard job and although they might make it look easy...it is a tough job. But, overall they have a great group of guys that work in the department and Chief Posluszny is the glue and he will be until he retires. He indicated that Lawrence Township Police Department has had a Chief since 1924 and there are six photos out in their lobby, which he glances at periodically, that has been the strength and integrity of the Police Department and he hopes it will continue to be that way.

Detective Chester further stated that the Police Chief has to be a person of strong commitment, integrity and the strength of the Police Department with his leadership and that all the guys up for the promotion have been through the ranks, taken the test, have worked in different aspects of the police work and anyone of them can assume the position as the Police Chief, and do a heck of a job. In addition, they are individuals who live in the town, know the pulse of the community and have given all of their conviction to the community and he wishes he was present earlier to stand beside the representative from the FOP being they all work together even though they are two separate unions and expressed Local 119 sentiments with respect to the Township continuing the tradition of a Police Chief and public safety continuing to be a priority in the Police Department.

Resolutions

Resolution Nos. 365-13 (17-A) thru 379-13 (17-O) with the exception of Resolution (17-F) were approved by the following roll call vote:

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

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

~~~

Mr. Powers stated everyone is aware of the accident involving the School Crossing Guard and asked Mr. Krawczun to talk a little about the training of crossing guards.

Mr. Krawczun stated that the Police Department provides semi-annual training for their post on safety, as to what their responsibilities are, and how they should conduct themselves in order to perform their duties. They test their hearing, sight and they are provided equipment as far as vests, handheld stop



signs, cones and hats and they are occasionally monitored to make sure they are wearing their gear and properly using the equipment.

Resolution No. 370-13 (17-F) was approved by the following roll call vote:

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

Cited Resolution is in its entirety in the Resolution Books of the Township of Lawrence.

---

**Council Initiatives/Liaison Reports**

There were no Liaison reports.

---

**Written Communications –**

There was no written communication.

---

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

8:47 p.m.

Respectfully submitted by,

\_\_\_\_\_  
Kathleen S. Norcia, Municipal Clerk

Attest:

\_\_\_\_\_  
James S. Kownacki, Mayor