

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

January 8, 2013

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, January 8, 2013 at 6:30 P.M.

The meeting was opened with the Pledge of Allegiance, led by the Fire Chiefs.

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, January 8, 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 Lewis, Maffei, Powers and Mayor Kownacki.
Absent: None.

Also, in attendance were Richard S. Krawczun, Municipal Manager, and Michelle Lamar, Acting Municipal Attorney.

Review and Revisions of Agenda

There were no revisions to the agenda.

Mayor Kownacki administered the Oaths of Office of the Chiefs of the Fire Companies as follows:

Chief Shaun Dlabik	Lawrence Road Fire Company
Chief Michael Oakley	Slackwood Fire Company
Chief Gary Wasko,	Lawrenceville Fire Company

S. Robert Filler, Executive Director, Ewing-Lawrence Sewerage Authority- Presentation of 2013 Budget for ELSA

Prior to public participation, Mayor Kownacki stated that Mr. Robert Filler, Executive Director, Ewing-Lawrence Sewerage Authority, would be giving a presentation of the 2013 budget for ELSA, and because he is employed by ELSA he would be recusing himself from the meeting. He then turned the floor over to Mr. Filler.

Mr. Filler greeted the Council and introduced himself and his Finance Officer, Vance Stephens, and acknowledged Harold Vereen, who is a Board member and on the Finance Committee, and advised that the Ewing-Lawrence Sewerage Authority (ELSA) services both Ewing and Lawrence Townships and some portions of Hopewell by way of the Ewing Township system and between the two towns they have about 25,000 plus connections, 450 miles of sewer and more than 10,000 plus manholes as well as 10 pump stations in the systems, seven of which are in Ewing Township and the other three in Lawrence Township. In addition, they have 34 acres of treatment plant at 600 Whitehead Road, along the Assunpink Creek and 60-percent of their flow is from Ewing with a piece from Hopewell and the other 40-percent is from Lawrence and they make an adjustment for actual flow because they measure every gallon that comes into the plant from Ewing and Lawrence.

Mr. Filler stated every February they work on their budget that includes cost of operations and anticipated revenues for the following year then they send what is called an Annual Charge to the Township paid quarterly with the first payment due March 1. Further, they will be getting the bill for 2013 sometime late February and it will be an estimate based upon the amount of flow that each of the towns send to the Sewerage Authority that pays for their portion of the operating cost for ELSA, which includes debt service, operating budget, trust loan fees, if applicable, retained earnings and improvement fund escrow/rate stabilization that was added this year. Thereafter, he discussed at length the 2013 Ewing Lawrence Sewerage Authority Budget/Supplemental Schedules, Debt Service Schedule for 2003 through 2031 and the 2012 Five-Year Capital Program, which was distributed to the Council for review.

An at length question, answer and comment period took place relative to the employees' salaries and fringe benefits, operating/non-operating revenues and appropriations, administration cost, cost of providing services, ELSA's debt services and interest payments on the debt, grants, other expenses – supplies, professional services, etc., accumulated deficit, connection/service fees, rate stabilization, major upgrades/improvements plan for the plant, Hopewell purchasing capacity as it relates to Ewing-Lawrence average sewer usage and the flow reserve and ELSA's new website. After the presentation, the Council thanked Mr. Filler for his in-depth budget report.

General Public Participation

Ms. Amy Davis, 54 Pine Knoll Drive, stated she is pleased to see that the Council is introducing an Ordinance to allow for a second public session after the Manager's Report; however, she is baffled as to why the Council is proposing to move the Executive Session to the middle of the meeting as the public merely requested that an additional comment period be added after the Manager's Report and before Executive Session. Mayor Kownacki and Councilmember Lewis responded that the Council was following a format used by other municipalities that have two public comment periods as well as adjusting the Agenda to accommodate the public's request for an additional comment period. A short discussion followed relative to the matter.

Mr. Joseph Mislán, 4 Sunset Road, discussed the Council's leadership ability as it relates to the financial crisis and the impact it has had on the community and the trash pick-up fee being a way of alleviating some of the budgetary gap, which he feels is not good leadership, and suggested that the Township Council start doing a spread sheet accounting for their own use, separate from the State, so they can come up with good figures for cross accounting and cost reduction. Additionally, it should be made available via the internet for viewing by the public.

Mayor Kownacki advised that major layoffs of Township employees have taken place to reduce the budget deficit along with other cost saving reductions and if he needs the exact amount of savings he should make an appointment to further discuss the matter with the Municipal Manager. Mr. Krawczun then briefly explained the budget, accounting and reporting process for municipalities in the State of New Jersey as well as the operating cost and changes that have taken place over the last several years as it relates to the Township's projections. A short discussion followed relative to the matter.

Mr. Mislán further discussed the matter of gun control laws as it relates to the shooting incident in Connecticut and the Second Amendment that allows the right of the people to keep, bear arms and suggested that the Council address the issue and was advised by Mayor Kownacki that the Municipal Manager, Chief of Police and the School Board have all met and they are working on that matter.

Ms. Joyce Copleman, 44 Titus Avenue, suggested some changes to the two Ordinances merging the following committees: Environmental Resources and Sustainability Green Advisory Committee and the Trails, Open Space and Stewardship Committee. She advised that the Trails, Open Space and Stewardship Ordinance should include the full new name of the Committee in Section 1 under Letter (C); and, as for the Environmental Resources and Sustainability Ordinance where it mentions research and analyze green initiatives which make practical environmental and financial sense she knows in Princeton they were able to get their food waste out of their trash stream and in some

cases save a considerable amount of money on their trash cost; so the sooner they can get the Committee to speak with Princeton and make recommendations it would be very helpful to the Township during budget discussions that will start soon.

Ms. Copleman asked for further clarification regarding the EMS Ordinance that was previously adopted with regards to balance billing, deductibles, payments and reimbursements for Medicare recipients and people who have private insurance. Mr. Krawczun explained the balance billing and payment process in detail, as well as, how the collected revenues are recorded and disbursed in the budget.

Ms. Linda Dlabik, 1358 Lawrenceville Road, stated she knows Councilman Puliti resigned but she has not read or heard anything in the newspapers regarding his replacement so she would like to know who will replace Mr. Puliti and when his replacement will be put on Council. The Township Attorney advised that there is a State Statute - Municipal Vacancy Law - pertaining to municipal vacancies, which essentially states within (15) days of the occurrence of the vacancy, the Municipal Committee of the political party from which the vacancy occurred shall present (3) three names to the Governing Body for the selection of the successor to fill the vacancy. Those names are then given to the Council who will within (15) days select one person; and, if they fail to submit a name the matter will go back to the Municipal Committee who will in turn appoint a successor from the same political party to fill the vacancy. Further, the names of the candidates do not have to be made public prior to the appointment as that factor is not mentioned in the Statute.

Ms. Dlabik indicated when the Council presented the Ordinance to put in the pedestrian crosswalk through Bristol-Myers Squibb she was present at that meeting and she voiced her opinion as to how they had "no trespassing" signs posted there and inquired as to why the Township is paying for a walkway to go through BMS when they still have huge "no trespassing" signs posted. As she has seen during her travels on Lewisville Road that the new walkway is built she wanted to ask the Council to address the matter. Mr. Krawczun advised that the Township did not pay for the walkway, the Lawrence-Hopewell Trail Corporation received a grant from the DVRPC and the Township became a sub-recipient of that grant. And, the access there is a signed easement between BMS and the Lawrence-Hopewell Trail Corporation and they are very specific about the Trails width of land that the public can traverse. A brief discussion followed relative the easement and the Trail's various access and exit points.

Mr. Allen Cohen, 31 Pin Oak Drive, stated he is pleased that the Council added a second public participation session to the order of business on the Agenda; but, he would like for the Council to rethink the placement of the Executive Session and suggested that they have it in the beginning of the meeting before public participation or leave it at the end of the meeting because

where they are proposing to put it will abruptly interrupt the flow of the meeting and discourage residents from staying for the duration of the meeting, as they will not want to stay around while the Council is in Executive Session not knowing when the meeting will resume. So, having it either at the beginning or end would be more encouraging and friendly to the citizens and more respectful of their time.

Mayor Kownacki stated part of the reason he proposed the change to Executive Session was to accommodate the seniors so they can speak during the first public comment period then the Council would go into Executive Session allowing them to go or stay for the balance of the meeting and the second public comment period.

Mr. James Cleak, 7 E. Darrah Lane, stated that he regularly attends the School Board meetings and his recollection of their meeting times for Executive Session is a little different from Ms. Davis, as he has been present when they have met prior to the meeting, in the middle of the meeting and at the end of a meeting depending upon whether they had a prior public meeting or special circumstances - such as selecting a new Board member - which leads him to believe that the Board does not have a set time for Executive Session. In addition, he feels the Township Council should have the same flexibility depending on their sense of whether the Executive Session will be short or not and he agrees with the public that the Executive Session should not be put in the middle of the meeting and suggested that it take place at the beginning of the meeting prior to public meeting which would give working people who would like to attend more time to get to the meeting.

Ms. Barbara Nester, 20 Adele Court, stated now that the Bulk Waste Fee Ordinance has been adopted when will the bills be mailed to the residents and was advised by Mr. Krawczun that it would be sometime in July or August depending upon when they set the annual fee. She further inquired as to when the fee would be set and was advised that the Governing Body will present a Resolution to set the fee for the calendar year after the budget discussions.

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

Adoption of Minutes

There was no adoption of minutes.

Introduction of Ordinances

Mayor Kownacki read by title an ordinance entitled, “AN ORDINANCE AMENDING ARTICLE II OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE - Agenda.”

Mr. Krawczun stated that the Ordinance amends the Lawrence Township Municipal Administrative Code for the purpose of changing the order of business of the Agenda for Township Council meetings.

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

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

Mr. Powers stated that the Council heard the public speak on the matter and the Ordinance was driven by the those that came out, participated and played a role in government and he is glad to see lot of folks in audience not just reporters and empty seats. So, given the feedback from tonight’s meeting he will make a motion to move Item F (Executive Session) between Items T & U (Written Communications and Adjournment).

After a brief discussion, the motion to amend the Ordinance was approved on the following roll call vote:

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

Resolutions

Resolution Nos. 1-13 (7-A) thru 40-13 (7-MM) with the exception of (7-G, 7-T, 7-W and 7-II – Conflict of Interest for Mr. Powers) and (7-LL – Separate Discussion) were approved by the following roll call vote:

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

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

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Resolutions Nos. 7-13 (7-G), 20-13 (7-T), 23-13 (7-W) and 35-13 (7-II) were approved by the following roll call vote:

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

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

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Mr. Krawczun provided a detailed review of the police settlement proposal as it relates to economics issues and the following items of negotiation: police sick leave at retirement, vacations, longevity, uniform allowance, hospital and medical insurance, retired officer benefits, personal days, schedule for rank and file and sergeants, salary guide for current employees/new hires, cost of living adjustments, duration of contract, estimated costs/savings during contract term and future savings between the FOP Lodge #209 and the Township of Lawrence for the labor agreements that expired December 31, 2012. He further advised before he begins his presentation he knows there has been a lot of public interest and discussion about the labor agreements and after the presentation tonight he will be giving his recommendation to the Governing Body to ratify the proposed agreements for a period of January 1, 2013 through December 31, 2015 for the Rank and File and Superiors Officers. In addition, the FOP has advised him that the ratification is satisfactory to their organization and thanked the FOP and their bargaining committee for the detailed negotiations, which included extensive language changes and for acting in the spirit of cooperation that avoided arbitration. After the presentation discussion took place relative to the ratification of the contracts and the Council thanked both Mr. Krawczun and the FOP for its leadership, cooperation and cost-saving measures.

Resolution No. 38-13 (7-LL) - Authorizing Ratification of FOP Contracts for Rank and File and Superior Officers was approved by the following roll call vote:

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

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

Awarding or Rejecting of Bids

Decision to Award or Reject the Bid Submission for the Providing of Police Emergency Dispatching Services

Mr. Krawczun stated that there has been much discussion regarding the possibility of privatizing 911 Police Dispatch Services in Lawrence Township and last Thursday the Township received one bid from iXP Corporation located in Cranbury, New Jersey and proceeded to highlight a few items that were included in the bid proposal and the Township's analysis of the proposal along with some of the conversations he had with the White Collar Union that represents the Dispatchers in Lawrence. Further, it will be his recommendation to the Governing Body to postpone the decision to award or reject the bid until the January 22nd meeting as he had an opportunity to meet with representatives of the White Collar Union just yesterday afternoon and giving their request for additional time to respond and suggest changes to their labor agreement gives both parties a chance to make sure they are getting the best value and making the best possible decision.

Mr. Krawczun proceeded to outline some of the highlights in the proposal that includes the savings of man hours for police time for not backfilling dispatchers' positions, iXP's language concerning employees' compensation based on an agreed schedule, performance bonuses and the company being responsible for all normal overtime payments except emergency events such as a hurricanes, iXP's extensive dispatch training and the police dispatch center becoming a revenue center if the Township should choose to do shared services, iXP's 60-day transitional period and their goal to hire existing dispatchers, iXP's workload delivery and the development of staffing patterns that will give the Township 24 hour coverage, iXP's 2-year agreement period with a possible renewal period of 3-years and iXP's cost analysis with regards to salaries, benefits and scheduling versus the current cost for dispatch services.

Mayor Kownacki asked for comments from the public.

Ms. Susan Handleman, Lawrence Township Dispatcher, stated that they did have a lengthy discussion with Mr. Krawczun yesterday; however, she does have a couple of additional questions for Mr. Krawczun and asked if his totals for non-salary issues included what the Dispatchers would be paying in 2014 for benefits according to the Martrix and Mr. Krawczun replied "yes". She then voiced her concern about the Cost of Living Adjustments (COLA) in iXP's bid proposal for employees as it relates to negotiations and Mr. Krawczun using estimated figures to project future increases when he does not know what iXP will ask for in terms of increases and was advised by Mr. Krawczun that he estimated the COLA by using the same percentages that were given to the police which is the worst case scenario being no bargaining agreements will be more than what was negotiated with the police. Additional discussion took place

relative the pros and cons of iXP locking in a rate and the per diem rate set at \$180 per day for an 8 hour shift.

Mr. Frank Herrick, AFSCME Union Staff Representative, Council #73, stated he is a staff representative for the Dispatchers and one of things he noticed is that the overtime for the 12 hour shift will occur in the first week and in the second week the iXP employees will work only 32 hours so the figures presented in the report are probably incorrect if they figure in that the Township is getting overtime in the one week, but a smaller pay in the second week in a 80 hour period, so they end up working only 70 to 74 hours. Mr. Krawczun explained the difference and why he has to pay for the excess hours.

Mr. Herrick went on to explain the difference between Lawrence professional dispatchers and the new group of people coming in and advised in his prior profession he was journalist whose points of coverage were all the police departments in Mercer County, Central New Jersey and parts of Pennsylvania and many years ago dispatch services in the State of New Jersey were run by Trenton and eventually spread out to public agencies and never in the history of his coverage did anyone want to take emergency services out of the hands of public control because they all knew private industry needs a profit margin – governments do not – and dispatch services is not an area that should be generating a profit and proceeded to discuss a town in Essex County, New Jersey that tried to privatize their police services and ended up being shut down by the County Prosecutors.

In closing, Mr. Herrick asked the Council to think about why iXP, a company based New Jersey, does not have one single contract with a town in New Jersey and why Lawrence is the first municipality looking to privatize such a critical service that has never been privatized before given the need for fire, police and the people that dispatch those agencies and suggested that the Council reconsider privatizing the service given the damaging impact it could have on the Township and his feelings with respect to the Dispatchers coming back with a competitive plan.

Ms. Linda Dlabik, 1358 Lawrence Road, inquired as to how many years iXP has been doing dispatch services in Georgia and was it a small town totally different from Lawrence? She then proceeded to discuss the Township's previous attempt to privatize ambulance services which failed and now they are attempting the same thing with the police dispatchers, which to her makes no sense as the dispatchers are willing to work with the Township in good faith and the Township should not have gone out to bid for the service; because when they starting talking about the whole idea they were supposed to be just looking into the proposal then she reads in the newspaper that the Township has received a bid proposal and decided to move forward with the proposal which is very disheartening. In addition, it is very disheartening for her to hear Mr. Powers say nobody is ever present at the meeting when she and Mr. Cleak are present at

almost every meeting. And, because the company is based in New Jersey; but, performs dispatch services elsewhere, the Council should really take a hard look before changes are made.

Mr. Krawczun replied that the two towns that initiated the idea starting back in 2009, Sandy Springs and Johns Creek, Georgia, with respective populations of 100,000 and 80,000 people and are located in the northern Atlanta metro area that has a well-established population. In addition, they took on in October 2011, a third city with a population of 46,000, so the communities are larger communities than Lawrence Township and proceeded to discuss privatization of 911 Dispatch Services being cost efficient and the newest trend and read an article written by a former Public Safety Director who worked in Cobb County for 8 years and is now a swing shift supervisor for iXP Corporation regarding iXP's accountability for any deviations of their contracts with an employer and their employees operating as a family and indicated they will try to work the matter out with a cost-neutral approach as well create more police time, which is about 4,000 hours.

Mr. Dave Handleman stated he is confused about the hour calculation for the twelve hour shift and questioned if the employee works 48 hours one week and 32 hours the next week are the actual overtime hours calculated as 8 hour or 4 hours in a two week pay period and was advised by Mr. Krawczun that the overtime is calculated at 8 hours because they are salaried employees and he has to pay them overtime for that week which is part of the problem. Mr. Handleman then asked if the bid proposal has a penalty clause in it if the company screws-up and Mr. Krawczun replied "no" that is why the contract is limited and performance bonds and terms are in the agreement as protection.

Detective Scott Caloiaro, Lawrence Township Police, stated for the record although he is in uniform he is not on duty; he had to work overtime and did not have an opportunity to change out of uniform and advised that he is Vice-President elect of the FOP and head of their scheduling and contract committee and when the Council talked about removing the current dispatchers and bringing in a private company the FOP considers it a huge public safety issue because a private service does not know the town, its citizens, demographics or its history with regards to reoccurring calls, domestic violence, break ins, etc.; something the current dispatchers on staff are excellent at because they know exactly who, what, why, when and how; and when a police officer's life is on the line he wants a person that knows those things and proceeded to discuss a town he lived in where they had a central dispatch agency, which he knows is a little bit different from what the Township is proposing, that did not know the demographics of the town so when a deer plunged into their house and his wife thought it was a burglar it took them 3 hours to respond to the call and at the time he was at work and had to instruct his wife how to handle the situation. So, the point he is trying to make is, is that the private entity they are prepared to hire knows nothing

about Lawrence Township thereby creating a public safety issue for police officers and the residents.

He then discussed the fair contract the police negotiated with the Township Manager and urged the Council to please let the Dispatchers do the same by allowing them to make a fair “bargain” with the Manager so they can keep the current dispatchers who care about the residents and love Lawrence Township.

Ms. Ellen-Marie McGinley, Lawrence Township Dispatcher, asked if the total salary stated in the first line of the proposal includes a fully staffed nine-position dispatch center and Mr. Krawczun responded “yes”. She stated if that is the case, a fully staffed dispatch center with 12 hour shifts will never need a police officer; however, if they revert to 8.5 hour shifts there might be a need for 4 hours of coverage every two weeks for someone to be relieved because with nine positions it would be hard shifting the schedule. Additionally, she discussed the accountability level that Lawrence dispatchers have compared to other towns and the fact that police officers who are serving at the desk do not strictly do dispatch work as they are also doing police related work – such as taking walk-in complaints, handling walk-in reports, fingerprinting, photographing and cell block checks, which is not the duty of the dispatchers. And, because the officer on duty is in and out of the dispatch center the dispatchers are handling all of the calls by themselves and it is unfair for the Township to charge the cost of those officers who are not at the desk full-time to the cost of the dispatchers.

Officer Andrew Lee, Fraternal Order of President, Lodge #209, stated that he has been listening to all the comments regarding the privatization of dispatch services and he understands the need for cost-effective saving measures for the Township and one of the things that was brought up by Detective Caloiaro is the matter of public safety which is a definite need and concern for the police as the Township does not know this outside company and the dispatchers they currently have are second to none as far as what they do. Further, the FOP’s concern is the same as the Township with regards to officers being on the desk and not on the road because they need the manpower out there as they are short and at critical levels. So, if there is a way to figure out how to eliminate the situation by creating a schedule that would be beneficial to the Township and the Dispatchers there would be no need for them to hire iXP and urged the Council to not make any hasty decisions by moving too quickly with a private company before they sit down with the Dispatchers Union to look at some alternatives and see what else could be done to alleviate the situation and make it beneficial for both parties.

Mr. Edward Wizinitzer, 118 Darrah Lane, echoed the previous comments made with regards to the importance of dispatch services and the citizens’ need to be safe as they rely on Dispatchers for what could be a life or death situation and proceeded to discuss the iXP Analysis Report as it relates to the proposed 12 hour shifts and no overtime and the Manager’s recommendation to the

Council to postpone a decision tonight that would allow the Dispatchers more time to put numbers together and make a counter-offer which he feels is extremely important and urged the Council to take a good look at the proposal and adhere to the Township Manager's recommendation prior to moving forward so they can make the best possible decision.

Mr. Krawczun stated tonight the Council has heard about the haste and the speed of their decision to privatize dispatch services and he would like to remind everyone that the review of Emergency Management 911 Dispatch in Lawrence Township did not begin last Thursday as they have been doing research on the services for years, examining regionalizing the service, sharing dispatch services with other towns, and they even had some discussion with County regarding the matter and did a study that was financed by the State of New Jersey to determine whether regional dispatch was feasible and found that it was and they received additional funding from the State to do the fiscal analysis of the Dispatch Center, which never got off the ground for a host of reasons, mainly, because of the number of communities involved and proceeded to discuss the Matrix Report located on the Township's website that had the calls of service per time of day and that is the model iXP used to do their analysis report, and the Township's decision to privatize 911 Dispatch Services is not a reflection of the Dispatchers job performance, as they have set the bar very high, but a matter of economics and the need for the Township to find new ways to do business to create cost-savings and in order to do that they have to look at things differently that may require them to take chances and move in a different direction.

In closing, Mr. Krawczun advised that there is no Resolution presented and asked for the concurrence of the Council to delay any decisions on the matter for two weeks. There was no objection from the Council regarding Mr. Krawczun's request.

There being no additional comments, Mayor Kownacki closed public participation was closed.

Adoption of Ordinances

Mayor Kownacki read by title an ordinance entitled, "AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWNSHIP OF

LAWRENCE TO REVISE ARTICLE XII, ADMINISTRATION, ENFORCEMENT, VIOLATIONS AND PENALTIES.”

Ordinance No. 2143-13

ORDINANCE AMENDING THE LAND USE ORDINANCE
OF THE TOWNSHIP OF LAWRENCE TO REVISE ARTICLE XII,
ADMINISTRATION, ENFORCEMENT, VIOLATIONS AND PENALTIES

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 Article 12; 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 are consistent with said Master Plan, represent sound land use regulation and therefore favorably recommends to the Township Council that the regulations pertaining to Article 12 be so amended; and

WHEREAS, this Ordinance does not involve a classification and boundary change requiring individual property owner notice pursuant to *N.J.S.A. 40:55D-62.1*.

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

§ 1200 Administration.

These rules, regulations and standards shall be considered the minimum requirements for the protection of the public health, safety and welfare of the citizens of the municipality. Any action taken by the municipality under the

terms of this Ordinance shall give primary consideration to the abovementioned matters and to the welfare of the entire community.

ARTICLE XII
ADMINISTRATION, ENFORCEMENT,
VIOLATIONS, AND PENALTIES

§ 1201 *Enforcement.*

- A. The Zoning Officer and Construction Official of the municipality, as established by the Administrative Code of the Township of Lawrence, shall administer and enforce the provisions of this Ordinance. The duties of the Zoning Officer shall include the following:
1. The issuance of zoning permits pursuant to §1202;
 2. The issuance of non-conforming use certificates pursuant to the time limitation of *N.J.S.A. 40:55D-68*;
 3. Receipt of an appeal of the decision by the Zoning Officer made in the enforcement of the Ordinance and Zoning Map pursuant to *N.J.S.A. 40:55D-72*;
 4. Investigate allegations of the use of property in contravention of this Ordinance, whether by his or her own cognizance, referral by municipal office or outside agency and/or complaint.
 5. Cause citations to be issued alleging violations of this Ordinance and assist the Municipal Prosecutor in bringing such complaints before Municipal Court.
 6. Other matters of a similar nature as directed by the Township Manager.
- B. When Required. Precedent to the issuance of a permit pursuant to the State Uniform Construction Code (*N.J.S.A. 52:27D-123, et seq.*) for the erection, construction, alteration, repair, remodeling, conversion, removal or destruction of any building or structure; and the use or occupancy of any building, structure or land, the Zoning Officer shall determine that their respective conditions comport with each of the following, as applicable:

1. The requirements of this Ordinance; or
2. Through the grant of a duly authorized variance by the Board of Jurisdiction; or
3. Through the grant of a duly authorized design or performance exception by the Board of Jurisdiction; or
4. Through the approval or approval with conditions of a zoning permit in accordance with §1202.

C. It shall be the duty of the Construction Official to keep a record of all applications and all construction permits which are either issued or denied, with notations of any conditions involved, which data shall form a part of the municipality's public records. A monthly report of construction permits issued shall be filed with the municipal tax assessor.

§ 1202 *Zoning Permit.*

- A. Forms and Application. The Zoning Officer shall cause to be made the form and substance of the zoning permit. Generally, the zoning permit shall require the disclosure of the applicant's name, address, telephone number, email address and the name, address, telephone number and email address of the land owner, if different from the applicant. Additionally, the zoning permit shall contain the street address of the property in question, block and lot number from the Township of Lawrence tax assessment maps, zoning district designation, dimensions of all principal and accessory buildings, structures of note, the activities to be conducted in each of the buildings or upon the property, if such use of the property is being conducted as a non-conforming use, and if the premises have been the subject of any prior application to the Planning Board or Zoning Board of Adjustment. The Zoning Officer may require additional information to be disclosed as required to fulfill his or her duties. Specialized forms of the zoning permit, as described hereunder, may require additional submittal of information.
- B. Requirements Precedent to the Issuance of a Zoning Permit.
1. No zoning permit shall be issued for any use or structure until site plan, subdivision and variance approvals and approvals with conditions, as may be necessary, have been granted by the Board of Jurisdiction in accordance with the provisions of *N.J.S.A. 40:55D-1 et seq.*, and until all due and payable review and inspection fees and all local taxes and assessments on the

property have been paid.

2. No zoning permit shall be issued without the approval of any agency of any local, county, state or federal government having jurisdiction over the proposed use or structure, unless such agency approval is a function of the duties and responsibilities of the Lawrence Township Construction Code Official.
 3. No application for a zoning permit for any structure or for any addition, alteration, demolition or change to an existing structure which is listed on the State Register of Historic Places, National Register of Historic Places or any such local historic district or historic landmark as designated in the Historic Preservation Element of the Master Plan (or which is the subject of a pending application for such listing), shall be approved unless the plans for the requested alteration are in conformance with the procedures and regulations of Article XI, Historic Preservation, of this Ordinance.
 4. Lot grading and elevation plan. As a condition precedent to the issuance of a new building permit, a proposed grading plan for each individual lot shall be submitted to the Municipal Engineer for review and approval. The individual grading plan shall conform to the requirements for plot plans in Lawrence Township's Engineering Standards, last edition. A lot grading and elevation plan shall also be required pursuant to §541.E.2. A proposed grading plan may be required for any building addition or swimming pool that would change existing grades or drainage patterns, or if reasonably requested by the Municipal Engineer.
 5. Location plans/property surveys. Prior to issuance of a construction permit for a building addition, deck, shed and/or swimming pool, a location plan showing property line offsets shall be submitted to the Zoning Officer for review. The Zoning Officer and the Municipal Engineer shall determine if a grading plan is required. If required, this grading plan shall include the proposed improvement footprint, proposed ground elevations and contours, sufficient to indicate no adverse impact to adjoining neighboring properties.
- C. Specialized Zoning Permits.

1. Business occupancy permit. Prior to the issuance of a Certificate of Occupancy or Continuing Certificate of Occupancy within an existing building, each business establishment shall apply for and receive an approval from the Zoning Officer for the change of use, change in business entity if the same use, or expansion within the same building. This requirement shall apply only to such business establishments that are physically occupying space they had not previously occupied. The Zoning Officer shall cause to be made the form and substance of the business occupancy permit setting forth the type of information to be submitted.
 2. Sign permit. An application for a sign regulated by this Ordinance shall be as set forth in §535.C.
- D. Issuance of Permit. A zoning permit granting the application, granting with conditions, or denying the application shall be issued within ten (10) business days of receipt of the request. Business days shall mean Monday through Friday, excluding legal holidays and furlough days. Any zoning permit may be denied by the Zoning Officer, or any permit issued may be suspended or revoked by the Zoning Officer for any of the following causes:
1. The lack of the submission of complete information as required herein or on any duly adopted form.
 2. The applicant has filed an application containing materially false information.
 3. The applicant has failed to comply with the regulations within this Ordinance.
 4. The applicant has been convicted by a court of competent jurisdiction of violating the regulations within this Ordinance.

§ 1203 *Certificate of Occupancy Precedents.*

- A. Requirements Precedent to the Issuance of a Certificate of Occupancy. Prior to the issuance of a Temporary Certificate of Occupancy and Certificate of Occupancy, or a change of use, Certificate of Continued Occupancy, pursuant to *N.J.A.C. 5:23-2.6* and *-2.23*, the following site work components and as-built drawings, as applicable, shall be completed and submitted as required by the Zoning Officer if needed:

1. Soil certification:
 - a. A soil certification must be obtained from the Municipal Engineer prior to the issuance of a certificate of occupancy. An as-built plan of site improvements shall be submitted for review when the soil certification is requested. The as-built grading plan shall be prepared by a land surveyor licensed in the State of New Jersey in accordance with the Engineering Department's Standards.
 - b. If site conditions do not warrant issuance of a permanent soil certification, a temporary soil certification may be issued at the discretion of the Municipal Engineer. If a temporary soil certification is issued, a bond for permanent stabilization shall be submitted in accordance with the fee schedule established by the Municipal Engineer.
 - c. If stabilization of the soil is not completed in accordance with a schedule as approved by the Municipal Engineer, the performance guarantee held to ensure such stabilization shall be forfeited upon 30 days written notice from the Municipal Engineer and the funds used to complete the required work.
2. As-built plan requirements. As required by §910 of this Ordinance.
3. Lot grading and elevation plan. Following the completion of all work, the Municipal Engineer shall conduct a final inspection and notify the Construction Code Official, in writing, whether the completed construction is in compliance with the approved grading plan and that a temporary certificate of occupancy or a certificate of occupancy may be issued. The Construction Code Official shall issue the temporary certificate of occupancy or certificate of occupancy only if all conditions for the approved lot grading plan and elevation plan have been satisfied.
4. It shall be unlawful to use or permit the use of any structure or part(s) thereof, either occupied by a new use or occupant or hereafter erected, altered, converted or enlarged wholly or in part, until a Certificate of Occupancy shall have been issued by the Construction Official, as noted in §1203A.

§ 1204 *Violations.*

In case any building or structure is erected, constructed, reconstructed, altered, moved or converted; or any building, structure or land is used in violation of, or contrary to, the provisions of this Ordinance, the municipality may institute an action to enjoin or take any other appropriate action or proceeding to prevent such erection, construction, reconstruction, alteration, conversion or use. However, nothing in this Ordinance shall be construed to restrict the right of any party to obtain a review by any court of competent jurisdiction according to law.

§ 1205 *Penalties.*

A. Fines.

1. Any person, firm or corporation that shall violate any provisions of this Ordinance shall, upon conviction thereof by any court authorized by law to hear and determine the matter, be fined such sum not exceeding \$500.00, as such court in its discretion may impose; or, if the party so convicted be a natural person, such person may be imprisoned for such term not exceeding 90 days, as such court in its discretion may impose; or be fined a sum not exceeding \$500.00, as such court in its discretion may impose; or such natural person may be both imprisoned and fined not exceeding the maximum limits set forth herein, as such court in its discretion may impose. Each day that such violation exists shall constitute a separate and equal offense.

2. The owner of any building or structure, lot or land, or part thereof, and/or the tenant or occupant of any building or structure, lot or land, or part thereof, where anything in violation of this Ordinance shall be placed or shall exist or be suffered, allowed or permitted to exist; and any architect, builder, developer, contractor, agent, person or corporation engaged in connection therewith and who assists in the commission of any such violation, shall each be guilty of a separate violation, and upon conviction thereof shall each be liable to the fine or imprisonment, or both, specified above.

B. Selling Land Before Final Subdivision Approval.

1. If, before final subdivision approval has been granted, any person

as owner or agent, transfers or sells or agrees to transfer or sell any land which forms a part of a subdivision for which municipal approval is required in accordance with the provisions of this Ordinance, except pursuant to an agreement expressly conditioned on final subdivision approval, such person shall be subject to a penalty not to exceed \$1,000.00, and each lot disposition so made may be deemed a separate violation.

2. In addition to the foregoing, the municipality may institute and maintain a civil action:
 - a. For injunctive relief; and
 - b. To set aside and invalidate any conveyance made pursuant to such a contract or sale if a certificate of compliance has not been issued in accordance with *N.J.S.A. 40:55D-56*.

3. In any such action, the transferee, purchaser or grantee shall be entitled to a lien upon the portion of the land from which the subdivision was made that remains in the possession of the subdivider or his or her assigns or successors, to secure the return of any deposit made or purchase price paid, and also a reasonable search fee, survey expense and title closing expense, if any. Any such action must be brought within two years after the date of the recording of the instrument of transfer, sale conveyance of said land, or within six years if unrecorded.

This ordinance shall become effective twenty (20) days after adoption thereof.

Ordinance 2143-13 was adopted on the following roll call vote:

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

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Mayor Kownacki read by title an ordinance entitled, "BOND ORDINANCE AMENDING BOND ORDINANCE 1978-08 BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, IN ORDER TO REVISE THE DESCRIPTION OF THE IMPROVEMENT HEREIN"

Ordinance No. 2144-13

BOND ORDINANCE AMENDING BOND ORDINANCE 1978-08  
BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER,  
STATE OF NEW JERSEY, IN ORDER TO REVISE THE  
DESCRIPTION OF THE IMPROVEMENT HEREIN

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

Section 1:

- a. Section 3 (a) of Bond Ordinance 1978-08, finally adopted April 1, 2008, amended by Ordinance 2037-09, finally adopted December 1, 2009, amended by Ordinance 2129-12, finally adopted July 17, 2012, amended by Ordinance 2132-12, finally adopted August 21, 2012 be and are hereby amended to add the following purposes:

Various park and recreational facility improvements consisting of: "...equipment storage shed and storage fixtures..."

Section 2:

The capital budget of the Township of Lawrence is hereby amended to conform with the provisions of this ordinance to the extent of inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of Local Government Services is on file with the Clerk and is available there for inspection.

Section 3:

This amending bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Ordinance 2144-13 was adopted on the following roll call vote:

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

~ ~ ~

Mayor Kownacki read by title an ordinance entitled, "AN ORDINANCE AMENDING CREATING THE ENVIRONMENTAL RESOURCES AND SUSTAINABILITYGREEN ADVISORY COMMITTEE."

Ordinance No. 2145-13

AN ORDINANCE CREATING THE ENVIRONMENTAL RESOURCES AND SUSTAINABILITY GREEN ADVISORY COMMITTEE

WHEREAS, the Township Council of the Township of Lawrence, strives to save tax dollars, assure clean air and water, improve working and living environments to building a community that is sustainable economically, environmentally and socially; a community that would thrive well into the new century; and

WHEREAS, in the interest of promoting efficiency during implementation of sustainable practices without duplicative efforts by two separate committees; and

WHEREAS, the combining of the Environmental Resources Committee and the Green Team will produce a more efficient and productive use of Township resources;

NOW, THEREFORE BE IT ORDAINED, that the membership of both the Environmental Resources Committee and the Green Team shall be combined into one committee to be known as the Environmental Resources and Sustainability Green Advisory Committee; and

BE IT FURTHER ORDAINED that the membership of the Committee shall consist of 10 members for 4-year terms with said terms ending as follows:

- 2 Representatives from the Trails, Open Space and Stewardship Advisory Committee for a 1-year period
- 5 4-year terms ending December 31, 2013
- 5 4-year terms ending December 31, 2015

BE IT FURTHER ORDAINED, that the initial membership shall consist of the five current members of the Environmental Resources Committee and the four current members of the Green Team at the time of the effective date of this ordinance; and

BE IT FURTHER ORDAINED, that the powers and duties of the Environmental Resources and Sustainability Advisory Committee shall be as follows:

- A. Advise and consult with the Municipal Manager with respect to the environmental needs and resources of the Township;
- B. Study and develop proposals for the conservation and preservation of natural features, including landscaping of the Township and make recommendations with respect thereto to the Council and Municipal Manager;
- C. Review and make recommendations to the Zoning Board of Adjustment and the Planning Board on all site plans and subdivisions submitted to said Boards;
- D. Collaborate through the Municipal Manager with service providers and other governmental agencies to share resource information and ideas consistent with sustainability;
- E. Encourage participation through the Municipal Manager to solicit ideas on green initiatives to maintain Sustainable Jersey Certification;
- F. Research and analyze green initiatives which make practical environmental and financial sense; and
- G. Develop strategies for sustainable green initiatives in municipal operations.

BE IT FURTHER ORDAINED, that upon final adoption hereof, the Environmental Resources Committee and the Green Team are hereby disbanded and repealed; and

BE IT FURTHER ORDAINED, that:

- A. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.
- B. All ordinances, rules or regulations inconsistent herewith are hereby repealed.
- C. This ordinance shall become effective upon adoption after publication thereof in accordance with law.

Ordinance 2145-13 was adopted on the following roll call vote:

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

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Mayor Kownacki read by title an ordinance entitled, "AN ORDINANCE CREATING A TRAILS, OPEN SPACE AND STEWARDSHIP ADVISORY COMMITTEE"

Ordinance No. 2146-13

AN ORDINANCE CREATING A TRAILS, OPEN SPACE AND STEWARDSHIP ADVISORY COMMITTEE

Section 1.

WHEREAS, the Township Council is desirous of creating a more efficient and productive use of volunteer resources; and

WHEREAS, it has been determined that committees charged with similar missions would be better served to work as one unit; and

WHEREAS, the reorganization of the Greenway Committee and the Open Space and Stewardship Advisory Committee would prove to be a more efficient use of volunteer resources;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that the members of the stated committees be combined to create a Trails, Open Space and Stewardship Advisory Committee; and

BE IT FURTHER ORDAINED, that the membership of the newly-formed committee shall consist of 9 regular members for 3-year terms and 1 representative as indicated with said terms being as follows:

- 1 Representative from the Recreation Advisory Committee serving for a 1-year period
- 3 3- year terms ending 12/31/12
- 3 3-year terms ending 12/31/13
- 3 3-year terms ending 12/31/14

BE IT FURTHER ORDAINED, that the initial membership shall consist of the two current members of the Open Space and Stewardship Advisory Committee and the four current members of the Greenway Advisory Committee at the time of the effective date of this ordinance; and

BE IT FURTHER ORDAINED, that two members of this committee shall serve as liaisons to the Environmental Resources Committee; and

BE IT FURTHER ORDAINED, that the powers and duties of the Greenway, Open Space and Stewardship Advisory Committee shall be as follows:

- A. Advise and consult with the Council and the Municipal Manager with respect to the implementation of the trails and bikeways throughout the Township, including reviewing and making recommendations with respect to Township acquisition and administration of the projects;
- B. Make recommendations regarding property acquisition of environmentally sensitive land and of land to be used for active and passive recreation;
- C. Make recommendations to the Environmental Resources and Sustainability Green Advisory Committee regarding proposed trails and desired land acquisition consistent with open space and trail expansion;
- D. Make recommendations regarding the management of Township parkland;
- E. Assist in the development of the Township's Open Space Plan;

BE IT FURTHER ORDAINED, that upon final adoption hereof, the Greenway Advisory Committee and the Open Space and Stewardship Advisory Committee are hereby disbanded and repealed.

Section 2. Repealer

All ordinances or parts of same inconsistent with any provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 3. Severability

If any section, paragraph, sentence, clause or phrase of this ordinance shall be declared invalid for any reason, the remaining portions of said ordinance shall not be affected thereby and shall remain in full force and effect.

Section 4. Effective Date

This ordinance shall take effect twenty (20) days after adoption thereof.

Ordinance 2146-13 was adopted on the following roll call vote:

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

Appointment to Boards and Committees –

Mayor Kownacki advised that the Liaisons will be casting their nominations for the nominees appointed to the following Boards and Committees:

CABLE TELECOMMUNICATION ADVISORY COMMITTEE – (Ronald Comer – 4-year term ending 12/31/16)

Resolution No. 40-13 was approved by the following roll call vote:

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

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CONSTRUCTION BOARD OF APPEALS – (Richard Hocking – 4-year term ending 12/31/16)

Resolution No. 40-13 was approved by the following roll call vote:

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

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ENVIRONMENTAL RESOURCES AND SUSTAINABILITY GREEN ADVISORY COMMITTEE – (Teresita Bastides-Heron (Unexpired 4-year term 12/31/13), James Ciccone, Berry Chalofsky and Pamela Mount – Unexpired 4-year term ending 12/31/15)

Resolution No. 40-13 was approved by the following roll call vote:

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

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EWING-LAWRENCE SEWERAGE AUTHORITY – (Pasquale Colavita – 5-year term ending 1/31/18)

Resolution No. 40-13 was approved by the following roll call vote:

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

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GROWTH AND REDEVELOPMENT ADVISORY COMMITTEE – (Lovette Love-Stevens – 3 year term ending 12/31/15 and Melissa Saunders – Unexpired 3-year term ending 12/31/13)

Resolution No. 40-13 was approved by the following roll call vote:

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

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HEALTH ADVISORY BOARD – (Leo Brummel and Liang Schweizer – 3-year term ending 12/31/15)

Resolution No. 40-13 was approved by the following roll call vote:

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

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HISTORIC PRESERVATION ADVISORY COMMITTEE– (Michael Lavanga and Douglas Sargent – 4-year term ending 12/31/16)

Resolution No. 40-13 was approved by the following roll call vote:

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

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HUMAN RELATIONS ADVISORY COMMITTEE – (Teresita Bastides-Heron and Shabnam Salih– 3-year term ending 12/31/15)

Resolution No. 40-13 was approved by the following roll call vote:

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

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PLANNING BOARD – (Ian Dember – 4-year term ending 12/31/15 and Glenn Collins 2-year Alternative term ending 12/31/14)

Resolution No. 40-13 was approved by the following roll call vote:

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

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PUBLIC SAFETY ADVISORY COMMITTEE – (John Gladwell, Roseanne Manghisi and Michael Burzachiello – 2-year term ending 12/31/14)

Resolution No. 40-13 was approved by the following roll call vote:

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

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RECREATION ADVISORY COMMITTEE – (Geoffrey Kimmel, Albert Pitman and Marie Tagliaferri – 3-year term ending 12/31/15)

Resolution No. 40-13 was approved by the following roll call vote:

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

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RENT STABILIZATION BOARD – (Ian Kops – 2-year term ending 12/31/14)

Resolution No. 40-13 was approved by the following roll call vote:

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

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SENIOR EXECUTIVE BOARD – (Cheng How Mao and Kay Palazey – 4-year term ending 12/31/16)

Resolution No. 40-13 was approved by the following roll call vote:

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

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SHADE TREE ADVISORY COMMITTEE – (Judith Bubar, Carmine DiSanzo and Doris Weisberg – 3-year term ending 12/31/15)

Resolution No. 40-13 was approved by the following roll call vote:

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

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TRAILS, OPEN SPACE AND STEWARDSHIP ADVISORY COMMITTEE – (Christoph Ahlers, Nancy Becker and Michael Winka – Unexpired 3-year term ending, and Anthony Colavita, Joyce Copleman, Paul Larson and David Mizenko 3-year term ending 12/31/15)

Resolution No. 40-13 was approved by the following roll call vote:

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

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ZONING BOARD – (Stephen Brame and Peter Kremer – 4-year Regular term ending 12/31/16, and Frank Scangarella – 2-year Alternate term ending 12/31/14)

Resolution No. 40-13 was approved by the following roll call vote:

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

Manager’s Report –

A. Review of Sale of Township-owned Properties

Mr. Krawczun reported at the last Council meeting he distributed maps to the Council of contiguous properties to be sold to contiguous property owners without restrictions for their review and consideration and that the properties can be developed at some point by the land owners and by not having restrictions on the properties raises the value of those properties if they are developed. Therefore, if there are no objections regarding the sale of the parcels, the Administration will proceed with their internal assembly of an Ordinance for the properties to be sold at an auction. Further, there is no need for a formal vote on the matter as it was brought to the attention of the Council in the event they had any questions or concerns.

Mr. Krawczun advised that the Administration received a letter from PNC Bank seeking approval to have a parcel of land connected to the Ewing-Lawrence Sewerage Authority and that the application is pending before Lawrence Township Planning Board and the property is located in West Windsor Township between Nassau Park and Mercer Mall, which is the little island that sits outside of Mercer Mall. Further, the Ewing-Lawrence Sewerage Authority has approved the connection as well as the Mercer County Planning Board and a representative of the developer is seeking approval from Lawrence Township by way of a letter or resolution to allow the bank to use that lateral to tie into the ELSA plant so they can develop the site. In addition, he has discussed the matter with James Parvesse, Township Engineer, who has no concerns regarding the request.

After a brief discussion relative to the proposed location of the connection, Councilman Powers advised he would be abstaining on the matter as he has a conflict to interest with the requester (PNC Bank), and the remaining members of Council approved the request and gave their consensus for Mr. Krawczun to prepare the Letter of Approval as requested.

Attorney's Report –

Ms. Lamar stated that Mr. Roskos, Township Attorney, who is not present this evening asked that she advise the Council that all the Tax Appeals before 2011 have been resolved and there are only a few left in 2012 that are awaiting resolution which should be accomplished shortly.

Clerk's Report –

There was no Clerk's report.

Written Communications –

There was no written communication.

Old Business –

There was no old business

New Business –

Ms. Lewis stated that there are a collection of Christmas trees being used to sure up the dunes in certain areas at the shore that have been impacted by Superstorm Sandy and when she reached out to the Municipal Manager to seek Lawrence's participation she was happy to find out that Lawrence already participates, and advised for residents who drop their Christmas trees at Ecological Center those trees will automatically go into the pile to be used at the shore and for those who get their trees picked up curbside they will try their best to separate them so they can be utilized, as well.

Mr. Krawczun further advised for those who would like to participate the Compost Facility is open Monday – Friday, 7:30 a.m. to 2:30 p.m.; but, the facility is not open on Saturday's until April 2013 and the volunteers will come and collect the trees at the end of month.

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

10:16 p.m.

Respectfully submitted by,

Kathleen S. Norcia, Municipal Clerk

Attest:

James S. Kownacki, Mayor