

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

October 1, 2013

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, October 1, 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, October 1, 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, Maffei, Powers and Mayor Kownacki.
Absent: Councilmember Lewis. (The Municipal Clerk advised that Ms. Lewis is excused.)

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

Special Proclamations, Recognitions and Presentations

“Beautification Award Presented by the Garden Gate Garden Club”

Ms. Ruth Miale stated that Pam Mills and she are co-chairs of the Beautification Award Committee for the Garden Gate Garden Club of Lawrence Township, New Jersey and they are an interesting new wave, as both of them have mothers who are in their 80’s who founded the Club or were very early members. So, it is very interesting for them to be in this new wave and they are very excited to have co-chairmanship and to present this Award. And, as conversed by her and Ms. Mills the meaning of the Beautification Award is to always look for a business whether it is for profit or non-profit in the community that has improved its landscaping to beautify the experience of the passerby, whether they are driving or on foot; and they are pleased to announce that this

year's recipient is HomeFront. She then called Dana Irlbacher to accept the award and advised that HomeFront has more than one location and the one being recognized today is located on Princeton Avenue as they noticed the beautiful new landscaping, which they admired and would like to celebrate with HomeFront.

Ms. Irlbacher thanked Ms. Miale and the Garden Gate Garden Club for nominating HomeFront to receive the Award and stated that they really appreciate the recognition and that they were very pleasantly surprised when they were notified that they were this year's recipient, and she is very, very proud to accept the award on behalf of HomeFront as they have a longstanding and pleasant association on many levels with the Township and they have a very strong interest in their role as a citizen and a citizen's business. So to receive the award is something of which they are very proud. Ms. Miale and Ms. Irlbacher thanked the Council for their time.

Public Participation (5-minute limitation per speaker)

Mr. Joseph Mislán, 4 Sunset Road, resident of Lawrence for 43 years, spoke about the past and upcoming municipal budget as it relates to the financial uncertainty at the Federal and State level and the negative impact it will have on the Township's budget causing the budget and taxes to increase for the taxpayers unless the Council can break down the barriers between the Board of Education and the County. Additionally, he wants a better grouping and governmental cooperation between the organizations when Council reviews the upcoming budget. He also discussed the Council updating the style of the Meeting Room with updated equipment and furniture and making the community a more dynamic and desirable place live, which will in turn will increase the values of their properties.

Mayor Kownacki explained that the Township has been working in cooperation with the County and School Board for many years to try to reduce the tax burden as well as some of the things that the Administration has done to bring in more businesses and reduce the tax burden - such as the approval of the Costco application by the Planning Board and employee layoffs that will help cut cost and reduce the budget deficit and keep Lawrence the desirable place it has always been to live.

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

Review and Revisions of Agenda

There were no revisions to the agenda.

Adoption of Minutes

On a motion by Mr. Powers, seconded by Mr. Brame, the Minutes of Regular Meeting of **March 19, 2013** were approved without correction.

Same was carried on the following roll call vote:

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

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On a motion by Mr. Powers, seconded by Mr. Brame, the Minutes of Closed Session Meeting of **August 20, 2013** were approved without correction.

Same was carried on the following roll call vote:

Ayes: Councilmembers Brame, Maffei, Powers and Mayor Kownacki.  
Nay: None.  
Absent: Councilmember Lewis.

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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 Dr. Maffei, seconded by Mr. Powers, the following resolution was presented for adoption:

Resolution No. 319-13

WHEREAS, on Tuesday, September 24, 2013 bids were received and publicly opened for the project known as **2013 Road Improvement Program – Pretty Brook Road**; and

WHEREAS, three (3) bids were received and reviewed by the appropriate Township Officials; and

WHEREAS, the lowest responsible bidder was All Surface Asphalt Paving, Inc. who submitted a bid in the amount of \$74,865.00, and

WHEREAS, in accordance with N.J.A.C. 5:50-14, a Certificate of Availability of Funds has been provided and the accounts to be charged are C-04-55-380-245 (\$60,000.00) and C-04-55-380-247 (\$14,865.00);

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that pursuant to the recommendations of the Municipal Engineer, the Mayor and Municipal Clerk are hereby authorized to execute a contract with All Surface Asphalt Paving, Inc., 528 Hardenberg Avenue, Point Pleasant, New Jersey 08742 in the amount of \$74,865.00; and

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

Same was carried on the following roll call vote:

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

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#### Introduction of Ordinances

There was no introduction of ordinances.

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#### Adoption of Ordinances

There was no adoption of ordinances.

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#### **Manager's Report –**

Mr. Krawczun distributed copies of a location map relative to Bayless Drive and advised that they had an inquiry from a property owner about the development of two parcels that intersect on Pilla Avenue and Bayless Drive and the property owner, Mr. Wirkijowski, who lives and occupies the house on Millerick Avenue and owns the two parcels to the rear of the site, and wants to

build a single family home on the site. And, during the course of their review they recognized that both Pilla Avenue and Bayless Drive remain as public streets and their concern is with Bayless Drive remaining a public street that may create a pass-through for drivers entering in and out of the neighborhood and them not wanting an increase in traffic through that area, as they would like to minimize traffic because at the present time the First Aid Squad, Emergency Medical Services and the fire operations are still operating out of the old First Aid Squad Building. So, it is their recommendation which the Police Department and Trenton Water Works have already been notified about that an Ordinance be presented to the Council to vacate the portion of Bayless Drive that connects Pilla Avenue to Millerick Avenue. This will eliminate the ability for traffic to pass through the neighborhood as well as minimize traffic on and around the emergency services locations.

Mr. Krawczun stated if the Council is in favor of the proposal he will prepare an Ordinance that will be brought forward for approval. But, the final vacating of property would be subject to all the utility companies waiving whether or not they need any easement, etc. at that location. Trenton Water Works has already signed off on the proposal. After a short question and comment period relative to adjacent property owners and the vacation of Bayless Drive, and possibly Pilla Avenue, the Council posed no objection to Mr. Krawczun moving forward with the proposed Ordinance.

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**Attorney's Report –**

Mr. Roskos stated that he has nothing to report except that they have moved for a Summary Judgment in the Simone Sunrise case and they are asking the Court to dismiss the discrimination claims that have been advanced under State and Federal law regarding the allegation that Lawrence Township does not to accommodate addicts and alcoholics. And, he is hopeful that they will have a good result and the Briefing Schedule does not have them in Court until December after which he will report back to Council.

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**Clerk's Report –**

There was no Clerk's report.

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**Old Business –**

There was no old business.

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**New Business –**

There was no new business.

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**Public Participation (3-minute limitation per speaker) –**

There was no public participation.

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**Resolutions**

Mr. Krawczun advised that Resolution 17-F, Authorizing Resolution Reviewing 2013 Best Practice Inventory, is the Best Practices List that they are required to complete as a municipality and that there are 50 questions of which depending on the answers and the point score allows a municipality to obtain the full amount of funding of the last portion of the town’s Energy Tax Receipts for fiscal year 2013. He indicated that it is a long document with multiple pages that covers various areas of operations, insurance policies, labor agreements, planning, shared services, etc., but they were able to answer satisfactory to 43 out of the 50; therefore, the Township will be entitled to receive 100-percent of the final allocation of the Energy Tax Receipts for 2013. A short discussion followed relative to the Best Practices List, after which Council commended Mr. Krawczun on a job well done and a copy of the List was presented to Mr. Mislan for his information.

Resolution Nos. 304-13 (17-A) thru 318-13 (17-O) with the exception of Resolution (17-K & 17-L) and were approved by the following roll call vote:

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

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

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Resolution Nos. 314-13 (17-K) and 315-13 (17-L) were approved by the following roll call vote:

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

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

Council Initiatives/Liaison Reports –

Mayor Kownacki reported that the Planning Board met last night and he gave credit to the Municipal Manager and his professional staff for getting everything resolved with the Costco application, which made the approval process easy and asked Mr. Krawczun to thank his staff on behalf of Council for all the hard work they put forth into making the application process effortless.

There were no further Liaison reports.

Written Communications –

There was no written communication.

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

7:01 p.m.

Respectfully submitted by,

Kathleen S. Norcia, Municipal Clerk

Attest:

James S. Kownacki, Mayor