

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

December 1, 2015

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, December 1, 2015 at 6:30 P.M.

The meeting was opened with the Inspiration and Pledge of Allegiance, led by the Municipal Clerk.

At the commencement of the meeting Mayor Lewis 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 1, 2015 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 Bobbitt, Kownacki, Maffei and Mayor Lewis.
Absent: Councilmember Powers.

Also in attendance were Richard Krawczun, Municipal Manager, Township Attorney David Roskos, and Angelo Onofri of the Mercer County Prosecutor’s Office.

Special Proclamations, Recognitions and Presentations

Mayor Lewis welcomed new Councilmember Christopher Bobbitt to his first meeting.

Mercer County Prosecutor Presentation

Mr. Onofri came to present to Council and to the community, information about new uniform statewide practices and procedures for investigating and reviewing Police Use of Force incidents. Mr. Onofri stated that Use of Force and officer involved shootings has become a hot topic nationally. Mr. Onofri then imparted information about the system in place in New Jersey, which he says is very good, and does more than most other States. This is known as the 2015 Directive.

There are seven core principles that guide the new Directive. The first principle being a comprehensive, rigorous and impartial investigation, this involves taking the use of force investigation away from the Municipal Police Department, and bringing it to the County Prosecutors Office, to maintain and protect the integrity of the ongoing investigation as well as the rights of the accused.

There is a mandatory review of all actual and potential conflicts of interest. There are multi-tiered levels of the independent review from the County Prosecutor's Office to the Attorney General's Office; it is the Attorney General's Office that has final say. There is now uniformity in the statewide investigative and legal practice; the supplemental directive sets how the investigative process is supposed to be. This directive encompasses the entire State of New Jersey. There are now standardized Grand Jury charges which were published by the Attorney General's Office. Those standards are now used in every County in New Jersey.

Part of the new Directive arises out of the Bridgeton, NJ shooting incident that occurred in late 2014. The 2015 Directive, Mr. Onofri stated, is different from previous practices as County Prosecutors are now required to present all cases to the Grand Jury unless the undisputed facts of the case indicate that the use of force was justifiable under the law. The 2015 Directive also gives the County Prosecutor the ability to present a case to the Grand Jury when the interest adjusted dictates that. It could be for reasons to satisfy the concerns of a community, or when a shooting was questionable. Once a determination by a County Prosecutor is made that a case may not need to go to Grand Jury because of undisputed facts, the matter then goes to the Attorney General.

Once the Attorney General has reviewed the facts in an investigation, there are four options that the Attorney General can choose from. They can agree with the County Prosecutor's assessment regarding Use of Force was justified, they can disagree and have the case go to Grand Jury, it can be returned to the Municipal Police Department for an administrative review, or it can be returned to the County Prosecutor's Office for further investigation in specific areas.

Mr. Onofri then discussed the process of a Grand Jury trial in the matters of Police Use of Force cases. After deliberation by a Grand Jury, the County Prosecutor's Office must issue a detailed public statement regarding the case.

Mr. Onofri concluded that if a Police shooting should occur, the 2015 Directive dictates that Community leaders and Governing leaders will have full disclosure and transparency to tell the public everything that is known or revealed in an investigation.

After Mr. Onofri's presentation there was a brief question and answer session with members of the Council regarding specifics of the 2015 Directive.

Public Participation (5-minute limitation per speaker)

Mr. Sam Alphin of 151 Altamawr Avenue is the Commander of the American Legion Post 414. Mr. Alphin spoke of Military Appreciation night at Trenton Thunder minor league baseball game which took place in May of 2015. He stated that they will be doing it again on May 7, 2016 at 7:00pm at Arm and Hammer Stadium. The game is Trenton Thunders vs. Harrisburg Senators. Mr. Alphin came to ask the Council if the Township would like to join in with him to make this years' Military Appreciation night a bigger success than last year. Mr. Alphin did state that last year he had sold tickets totaling \$940. He is hoping to have a bigger turnout this year and feels with the Township involvement it will seem more legitimate than him alone selling tickets to the game.

Mr. Krawczun stated that he would like to have a meeting with Mr. Alphin to discuss the particulars and work out the logistics to help with promoting the event.

Review and Revisions of Agenda

There was no review or revisions to the agenda.

Adoption of Minutes

On a motion by Dr. Maffei, seconded by Mr. Kownacki, the Minutes of the Regular Meeting of January 20, 2015 were approved without correction:

Same was carried on the following roll call vote:

Ayes: Councilmembers Bobbitt, Kownacki, Maffei, and Mayor Lewis.

Nays: None.

Absent: Councilmember Powers.

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On a motion by Dr. Maffei, seconded by Mr. Kownacki, the Minutes of the Closed Session Meeting of May 19, 2015 were approved without correction:

Same was carried on the following roll call vote:

Ayes: Councilmembers Bobbitt, Kownacki, Maffei, and Mayor Lewis.

Nays: None.

Absent: Councilmember Powers.

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Awarding or Rejecting of Bids

Mayor Lewis asked for comments from the public. There being none, Mayor Lewis asked for comments from Council. There being none, public participation was closed.

Mr. Krawczun said the Resolution authorizes a change order for \$537.07 for a new total of \$38,037.07 for roof work being done by Clarke, Canton and Hintz at various locations mentioned in the Resolution.

On a motion by Dr. Maffei, seconded by Mr. Kownacki, the following resolution was presented for adoption:

Resolution No. 394-15

WHEREAS, a bid was awarded to Clarke Caton & Hintz for services for a project known as the Roof Renovations & Replacements at the Lawrence Municipal Building, Lawrence Police & Courts Building and Slackwood Fire House in the amount of \$37,500.00, as outlined in Resolution No. 175-14; and

WHEREAS, the Township wishes to amend this contract for an amount of \$537.07, resulting in a new contract maximum of \$38,037.07, said increase allowed by statute without re-bid; and

WHEREAS, in accordance with N.J.A.C. 5:30-14, a Certificate of Availability of Funds has been provided and the account to be charged for the additional increase is C-04-55-372-244 (Ordinance 2156-13 – Improvement to Municipal Building Slackwood Roof Repair);

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

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute an amended agreement with Clarke Caton & Hintz, represented by Michael F. Sullivan, PP, for a revised amount not to exceed \$38,037.07 and availability of funds has been certified for said amount.
2. Notice of this resolution shall be published in The Trentonian as required by law within ten (10) days of its passage as required by law.

Same was carried on the following roll call vote:

Ayes: Councilmembers Bobbitt, Kownacki, Maffei, and Mayor Lewis.

Nays: None.

Absent: Councilmember Powers.

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Mayor Lewis asked for comments from the public. There being none, Mayor Lewis asked for comments from Council. There being none, public participation was closed.

Mr. Krawczun stated the Resolution is a change order with a new total amount of \$334,330.46 for various road and drainage improvements in Lawrence Township in 2015. A change order is required to adjust for final quantity adjustments. It is an increase of \$9,017.33.

On a motion by Dr. Maffei, seconded by Mr. Kownacki, the following resolution was presented for adoption:

Resolution No. 395-15

WHEREAS, a bid was awarded to Earle Companies for services for a project known as the 2015 Road Repair Program – Various Roads in the amount of \$325,313.13, as outlined in Resolution No. 51-15 and

WHEREAS, the Township wishes to amend this contract in the amount of \$9,017.33, resulting in a new contract maximum of \$334,330.46, said increase allowed by statute without re-bid; and

WHEREAS, Change Order No. 1 reflects supplemental items and final quantity adjustments; and

WHEREAS, in accordance with N.J.A.C. 5:30-14, a Certificate of Availability of Funds has been provided and the account to be charged for the additional increase is C-04-55-329-230 (Ordinance 2197-14 – Various Road Improvement & Drainage Improvement);

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

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute an amended agreement with Earle Companies, P. O. Drawer 556, Farmingdale NJ 07727, represented by Walter Earle, II, for a revised amount not to exceed \$334,330.46 and availability of funds has been certified for said amount.

2. Notice of this resolution shall be published in The Trentonian as required by law within ten (10) days of its passage as required by law.

Same was carried on the following roll call vote:

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

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Mayor Lewis asked for comments from the public. There being none, Mayor Lewis asked for comments from Council. There being none, public participation was closed.

Mr. Krawczun said that this Resolution is a change order with a new total amount of \$239,619.00 for roof renovations and replacement for the Municipal Building, the Police and Court Building and the Slackwood Firehouse. A change order is required to adjust for final quantity adjustments. It is an increase of \$1,369.00.

On a motion by Dr. Maffei, seconded by Mr. Kownacki, the following resolution was presented for adoption:

Resolution No. 396-15

WHEREAS, a bid was awarded to Northeast Roof Maintenance, Inc. for services for a project known as the Roof Renovations and Replacements at the Lawrence Municipal Building, Lawrence Police & Courts Building and Slackwood Fire House in the amount of \$238,250.00, as outlined in Resolution No. 324-14; and

WHEREAS, the Township wishes to amend this contract in the amount of \$1,369.00, resulting in a new contract maximum of \$239,619.00, said increase allowed by statute without re-bid; and

WHEREAS, Change Order No. 1 reflects supplemental items and final quantity adjustments; and

WHEREAS, in accordance with N.J.A.C. 5:30-14, a Certificate of Availability of Funds has been provided and the account to be charged for the additional increase is C-04-55-372-244 (Ordinance 2156-13 – Improvement to Municipal Building Slackwood Roof Repair);

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

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute an amended agreement with Northeast Roof Maintenance, Inc., 649 Catherine Street, Perth Amboy NJ 08861, represented by Andrew Hooley, for a revised amount not to exceed \$239,619.00 and availability of funds has been certified for said amount.
2. Notice of this resolution shall be published in The Trentonian as required by law within ten (10) days of its passage as required by law.

Same was carried on the following roll call vote:

Ayes: Councilmembers Bobbitt, Kownacki, Maffei, and Mayor Lewis.

Nays: None.

Absent: Councilmember Powers.

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Mayor Lewis asked for comments from the public. There being none, Mayor Lewis asked for comments from Council. There being none, public participation was closed.

Mr. Krawczun said this is a Change Order authorizing a new total amount of \$52,500.00 for Van Cleef Engineering Associates for inspection services. This is an increase of \$30,000.00.

On a motion by Dr. Maffei, seconded by Mr. Kownacki, the following resolution was presented for adoption:

Resolution No. 397-15

WHEREAS, a bid was awarded to Van Cleef Engineering Associates for inspection services associated with Planning Board and Zoning Board projects for 2015 in the amount of \$20,000.00, as outlined in Resolution No. 281-15 ; and

WHEREAS, this contract was amended per Resolution 335-15 resulting in a contract amount of \$22,500.00; and

WHEREAS, the Township wishes to further amend this contract for an amount not to exceed \$30,000.00, resulting in a new contract amount of \$52,500.00, said increase allowed by statute without re-bid; and

WHEREAS, funds are available through various developer's escrow accounts and the account to be charged is 5-15-56-810-206 (Site Plan / Subdivision Inspection); and

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

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute an amended agreement with Van Cleef Engineering Associates, 4 AAA Drive, Suite 103, Hamilton NJ 08691, represented by Herbert J. Seeburger, Jr., PE, for inspection service to cover the period of September 1, 2015 to December 31, 2015 in an amount not to exceed \$52,500.00, in accordance with their proposal, subject to appropriation in the 2015 budget and availability of funds.
2. Notice of this resolution shall be published in The Trentonian as required by law within ten (10) days of its passage as required by law.

Same was carried on the following roll call vote:

Ayes: Councilmembers Bobbitt, Kownacki, Maffei, and Mayor Lewis.

Nays: None.

Absent: Councilmember Powers.

Introduction of Ordinances

Mayor Lewis read by title and ordinance entitled: "AN ORDINANCE AMENDING ORDINANCE NO. 2201-14 AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF LAWRENCE TO PROVIDE FOR THE LICENSING AND REGULATION OF TOWING AND STORAGE SERVICES."

Mr. Krawczun explained that this Ordinance clarifies that the application, processing and administrative fees are not refundable when a personal vehicle is towed by the Township. The Ordinance also provides for a process of re-inspection. The Ordinance also states that Township owned passenger vehicles would incur no charges if towed or recovered within two miles of the Township border to a location within the Township.

There were no questions or comments for this Ordinance.

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

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

Adoption of Ordinances

There was no Adoption of Ordinances.

Manager's Report –

Mr. Krawczun submitted invoice listings for the month of December 2015 in the amount of \$1,526,084.04.

Mr. Krawczun met with members of the Open Space Committee to discuss new signs to identify the re-named Maidenhead Meadows Park. The Township is contributing signage for the park. Three locations were discussed for the new signage including one by Foxcroft Drive, one at a location on Princeton Pike, and the third sign at a location further south.

Attorney's Report –

There was no Attorney's report.

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) –

There was no Public Participation.

Resolutions

Resolution Nos. 398-15(18-A) through 410-15(18-N) were approved by the following roll call vote:

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

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

Council Initiatives/Liaison Reports –

Mayor Lewis welcomed new Councilmember Christopher Bobbitt who is the permanent replacement for Councilmember Brame who had passed away over the summer. Mr. Bobbitt is currently serving on the Planning Board as well.

Dr. Maffei wanted to remind everyone in attendance that on Friday, December 4th from noon to 3:00pm, the Senior Center is having their Holiday Social.

Mayor Lewis stated that the Tree Lighting ceremony will take place on Sunday, December 6th at the Municipal Building at 6:00pm.

Written Communications –

There was no written communications.

There being no further business to come before this Council, the meeting adjourned at
7:30 p.m.

Respectfully submitted by,

Kathleen S. Norcia, Municipal Clerk

Attest:

Cathleen M. Lewis, Mayor