

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

October 6, 2015

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, October 6, 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, October 6, 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 Dember, Kownacki, Maffei, Powers and Mayor Lewis.
Absent: None.

Also in attendance were Richard Krawczun, Municipal Manager, Township Attorney David Roskos, and Town Historian Dennis Waters.

Special Proclamations, Recognitions and Presentations

Town Historian, Dennis Waters Presentation

Mr. Waters came to give an update on plans, and upcoming events for October which is "Lawrence Township History Month." Mr. Waters went on to discuss special events going on for the Month of October. On Sunday, October 11th at Rider University starting at 2:00pm, the Historical Society will feature the lecture “The rise and fall of prohibition in Lawrence Township.”

The following week, the Historical Society will hold two free lectures at the Lawrence Library. On Sunday, October 18th at the 1761 Brearley House, the Historical Society will unveil new interpretative displays. The improvements have been made through grants from Mercer County Cultural and Heritage Commission in partnership

with the New Jersey Historical Commission, and The Lawrence Township Community Foundation.

Mr. Waters then imparted that in addition to the two grants received for the displays at the Brearley House, the Historical Society was awarded a General Operating Support Grant for fiscal year 2016 from the New Jersey Historical Commission. The Township has also been awarded a grant from the New Jersey Historic Preservation Office.

Mr. Waters announced that the repairs to the Port Mercer Canal House which suffered damage during Hurricane Irene in 2011, has been completed. The outside of the house has been repainted, and the Historical Society is planning a re-opening event; the date will be determined at a future time.

Mr. Waters announced that in 2016 the Historical Society will be celebrating an important anniversary. In February of 1816 the name of the town was changed from Maidenhead to Lawrence. In February 2016, the Historical Society will be hosting programs to commemorate 200 years of Lawrence Township.

Mr. Waters thanked all the volunteers of the Lawrence Historic Society for their work, and thanked Council for their continued support of bringing the Township's history to the public.

Public Participation (5-minute limitation per speaker)

Mr. Gary White, 289 Old Tout Road, Mountainside, NJ had sent some literature previously to the Council about a disease called FOP (Fibrodysplasia Ossificans Progressiva). Mr. White had distributed a book to Councilmembers which had Proclamations and Resolutions from Mayors from Townships from Atlantic County to Monmouth County.

Mr. White stated he is in Lawrence Township to raise awareness. Previously, he had gone to Council meetings in other Townships to raise awareness and ask for Special Proclamations or Resolutions. Currently, Mr. White states, there are 445 Proclamations from Mayors of different Municipalities throughout New Jersey. In Mercer County, he stated there were two Townships he has not heard from. This is Mr. White's first visit to Lawrence Township to address his FOP Awareness Campaign. He came to make a plea to Council to support the FOP Awareness Initiative by adopting a Resolution.

Mayor Lewis asked that Mr. White send the Municipal Clerk the Resolution he would like passed. She congratulated him on his accomplishments, and stated that Council will take it under advisement.

Review and Revisions of Agenda

Mr. Krawczun requested a Closed Executive Session to discuss contract proposals for the Fraternal Order of Police Lodge #209, Superior Officers, and contract terms for 2016-2017. He also requested for a Closed Session meeting regarding a potential acquisition of land, and pending litigation in the matter of Federal Realty-Mercer Mall, LLC vs. Lawrence Township.

On a motion by Mr. Kownacki, seconded by Dr. Maffei the agenda was amended to include the above revisions.

Same was carried on the following roll call vote:

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

Adoption of Minutes

On a motion by Mr. Powers, seconded by Mr. Kownacki, the Minutes of the Regular Meeting of November 6, 2014 were approved without correction.

Same was carried on the following roll call vote:

Ayes: Councilmembers Kownacki, Maffei, Powers.
Nays: None.
Abstain: Councilmember Dember, and Mayor Lewis.

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On a motion by Dr. Maffei, seconded by Mr. Kownacki, the Minutes of the Special Meeting of November 17, 2014 were approved without correction.

Same was carried on the following roll call vote:

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

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On a motion by Mr. Powers, seconded by Dr. Maffei, the Minutes of the Closed Meeting of July 21, 2015 and September 1, 2015 were approved without correction.

Same was carried on the following roll call vote:

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

Nays: None.

Abstain: Councilmembers Dember.

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. On a motion by Mr. Powers, seconded by Dr. Maffei, the following Resolution was presented for adoption.

Resolution No. 325-15

WHEREAS, a bid was awarded to C. B. Structures, Inc. for services for a project known as the Public Works Salt Storage Building in the amount of \$459,539.00, as outlined in Resolution No. 202-14; and

WHEREAS, this contract was amended per Resolution 327-14 (Change Order #1), resulting in a contract amount of \$483,053.00; and

WHEREAS, this contract was also amended per Resolution 334-14 (Change Order #2), resulting in a new contract amount of \$502,975.00; and

WHEREAS, the Township wishes to further amend this contract for a deduction of \$36,070.00, resulting in a new contract amount of \$466,905.00; and

WHEREAS, Final Change Order #3 provides for final quantity adjustment and project close-out; and

WHEREAS, Final Change Order #3 also reflects a \$15,000.00 credit to the Township due to delays in the project;

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 C.B. Structures, LLC, 202 Orlan Road, New Holland PA 17557, represented by Paul Schnettler, for a revised contract amount of \$466,905.00.

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 Dember, Kownacki, Maffei, Powers and Mayor Lewis.

Nays: None.

Introduction of Ordinances

There was no Introduction of Ordinances.

Adoption of Ordinances

Mayor Lewis read by title an Ordinance entitled, "AN ORDINANCE AMENDING CHAPTER 13 OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE ENTITLED "MOTOR VEHICLES AND TRAFFIC" – Fackler Road Weight Limit

Ordinance No. 2219-15

AN ORDINANCE AMENDING CHAPTER 13 OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE ENTITLED "MOTOR VEHICLES AND TRAFFIC"

BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey that Chapter 13 of the Lawrence Township Administrative Code entitled "Motor Vehicles and Traffic" is hereby amended as follows:

Section 1.

Section 13-10 "Heavy Trucks Prohibited on Certain Streets" is amended as follows:

Trucks over 4 tons registered gross weight are excluded from the following streets or parts of streets, except for the pick-up or delivery of materials on such streets.

Fackler Road

Section 2. Severability

If any section, paragraph, subdivision, clause or provision of the 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.

Section 3. Effective Date

This ordinance shall take effect twenty (20) days after adoption and posting of proper signage in accordance with law.

New material underscored _____

The Ordinance was adopted on the following roll call vote:

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

Manager’s Report –

Mr. Krawczun submitted invoice listings for the month of October 2015 in the amount of \$2,093,015.29.

Mr. Krawczun stated that he wanted to double check that a Resolution will be brought forth to rename Dyson Tract to Maidenhead Meadows. Mr. Krawczun stated that the Resolution will be moving forward if there are no other questions.

Mr. Krawczun handed out the annual Best Practices Survey which is up for review. The Best Practice Survey is required by the State to be completed by each Municipality. The score determines if any final payment of State Aid would be withheld. The deadline for submission is October 16th. Mr. Krawczun stated that there will be discussion at the meeting of October 20th.

Mr. Krawczun went on to discuss the information he imparted at the last meeting regarding Mercer County’s Ash Tree Borer infestation. He stated that further research has taken place, and he found that there are several methods to rectify the problem.

Mr. Krawczun wanted to make everyone aware of the situation as he is unsure what will occur in the future. Depending on infestation, some of the Ash trees may need to be removed over the course of time. Mr. Krawczun stated that at the proper time, a

Request for Bids notice will be put forward to treat the trees. He suggested that perhaps property owners may be able to participate in the Township's bid at their expense. Mr. Krawczun feels this would be a good idea as all trees need to be treated over the course of a few years to be effective.

Mr. Krawczun advised that it was brought to attention that Eggerts Crossing Village was charging \$30 per month for additional parking spaces. It was determined by Eggerts Crossing Village's Management Company that each apartment was entitled to one space, and additional parking spaces would incur a monthly fee. Mr. Krawczun stated that his office responded to the parking issue in late July. A letter was sent to the Eggerts Crossing Village Management Company stating that two parking spaces per unit are required in the complex per the Township's Zoning Ordinance. In September Mr. Krawczun received a letter from an Attorney representing Eggerts Crossing Village's Management Company. In the letter, they requested that the Complex be grandfathered under its prior approval and not be subject to updated Land Use Ordinances related to parking. The letter also states they are charging residents for parking as a way to limit those who want an additional parking space because of the apartment complex's over demand for parking. Mr. Krawczun said that the situation is ongoing, and they are working towards resolving the matter.

Mr. Krawczun then discussed a memo sent to Council from the Public Safety Advisory Committee recommending that they meet on a quarterly basis instead of a monthly basis unless there is a specific need. Mr. Krawczun believes that there needs to be an amendment to a Resolution reflecting the change.

Attorney's Report –

There was no attorney's report.

Clerk's Report –

Ms. Norcia advised that she had sent out an email about attendance at the New Jersey State League of Municipalities Conference in Atlantic City in November. She would like to know who wants to go. Also, the Women in Government breakfast which Mayor Lewis has speaking engagement conflicts with the Conference so she will probably be unable to attend, but indicated she will try to attend. Ms. Norcia also asked about Mayor's Box Luncheon, and who will be attending.

Old Business –

There was no Old Business.

New Business –

Mr. Powers imparted information about the Shade Tree Committee’s Memorial Tree area. The Committee has approved a Memorial Tree to be named for Councilmember Brame, who had passed away unexpectedly over the summer. The Shade Tree Committee also recommended two living persons to be recognized in the Memorial Tree Park area. Mr. Powers believe that this does not follow the rationale for a Memorial Tree, he imparted to Committee members that he will speak with the Council to get some feedback. He does think that a Memorial Tree for Councilmember Brame is appropriate given his service to the community.

Mayor Lewis asked if there is a formal definition of the Memorial Tree process. Mr. Krawczun stated that there is no formal process. Previously, individuals would contribute funds to remember someone, and the Township would direct them to plant a tree in that location. Mayor Lewis feels that a structure should be created which defines the parameters for a Memorial Tree. Mayor Lewis would welcome such a Resolution to be presented.

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Mayor Lewis wanted to clarify the decision of Mr. Dember’s appointment to the Planning Board. The sudden death of Councilmember Brame prompted Mayor Lewis to ask Councilmember Dember to fill the empty seat in the interim.

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

There was no Public Participation.

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**Resolutions**

Resolution Nos. 316-15(18-A) through 343-15(18-AA), and 345-15(18-CC) were approved by the following roll call vote:

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

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

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Resolution No. 344-15(18-BB) was approved by the following roll call vote:

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

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

Council Initiatives/Liaison Reports –

There was no Council Initiatives or Liaison Reports.

Written Communications –

There were no written communications.

There being no further business to come before this Council, the meeting adjourned at 7:15 p.m.

Respectfully submitted by,

Kathleen S. Norcia, Municipal Clerk

Attest:

Cathleen M. Lewis, Mayor