

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

September 20, 2016

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, September 20, 2016 at 6:30 P.M.

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

At the commencement of the meeting Mayor Maffei 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, September 20, 2016 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, Lewis, Powers and Mayor Maffei.
Absent: None.

Also in attendance were Richard Krawczun Municipal Manager, and Acting Township Attorney Victoria Britton.

Special Proclamations, Recognitions and Presentations

Township Historian Dennis Waters - History Month Update

Mr. Waters provided an update on plans and upcoming events for October which is "Lawrence Township History Month." Mr. Waters went on to discuss the special events going on for the Month of October. On Sunday, November 6th at Rider University at 2:00 pm the Mary Tanner Lecture which is one of the main events and due to scheduling issues has slipped a few days beyond the history month, and indicated Ian Burrow who has the best name ever for an archaeologist will present "Three Houses, Three Thousand Years: Archaeological Discoveries at the Brearley House". Mr. Burrow is the archaeologist most closely identified with the Brearley House and his lecture is timed to coincide with the completion of his final report on 20 years of work there.

The Report was funded by a grant to the Township from the New Jersey Historic Preservation Office and Lawrence is eligible for those grants because of Council's ongoing efforts to maintain Lawrence status as a Certified Local Government which they are grateful for.

Mr. Waters spoke about another grant funded project that will be coming to fruition during history month which is a new interpretative sign for the Port Mercer Canal House that will be placed at the parking area on the popular Toll Path. It will tell the story of this important corner of Lawrence which was a center of commerce in the nineteenth century long before there were shopping malls in the area. The Sign Unveiling will take place on Sunday, October 30th at 2:00 pm at the Port Mercer Canal House and was funded by a generous grant from the Lawrence Township Community Foundation. He further announced after years and years of nothing to report the State of New Jersey has finally completed restorations of the Port Mercer Canal House, repairing the damage sustained by Hurricane Irene five years ago. The house has not been open to the public during that time but a regular schedule of openings are in the works.

Mr. Waters stated that the final major event for history month will be a free lecture on the D&R Canal by Linda Barth, President of the D&R Watch, and it will take place at the Mercer County Public Library – Lawrence Branch on Thursday, October 20th at 7:00 pm. He also has one more item to report just handed to him by Paul Larson, Chair of Trails, Open Space and Stewardship Advisory Committee, regarding a lecture by Daniel Drunkenbrod at Rider University on the subject of Aldo Leopold who was famous conservationist who spent a couple of years of his youth living in Lawrence sponsored by the Garden Gate Garden Club at the Senior Center on Monday, October 17th at 7:00 pm.

Mr. Waters advised of two additional signs being installed in Lawrence Township. One being Lawrence's newest historic marker installed on Fackler Road adjacent to Shipetaukin Creek. He extended thanks to Public Works Department for getting it done, and indicated it marks the events of January 1, 1777 which was the day before Colonel Hand celebrated holding action researched by Historian David Hackett Fisher placed a significant skirmish on New Year's Day 1777 at the location in which there were more than 140 casualties. The second sign was retrieved from the Great Museum known as EBay through the efforts of Mr. Larson. It is a vintage roadside sign that they think was placed today along today's Route 206 when it first became a paved highway in the mid-1920's. The Historian at the Department of Transportation is looking into the details, but they think it once stood near the stream crossing on Main Street between Hendrickson Avenue and Green Road. The sign is in pretty good shape but it will need a little bit of work and they will have to figure out exactly what to do with it.

Mr. Waters continued to discuss two major projects that are in the early stages. The first involves the Lawrence Hopewell Trail and indicated the County has done a nice job of historic interpretation along the Trail at the Pole Farm but indicated the Trail also passes along historic locations in both Lawrence and Hopewell and the goal of the project is to post interpretive signs all along to trail that could be easily be two or three dozen of the signs. The LHT Board has also approved funding for a project plan that will get underway shortly and he will be working on the Lawrence piece and his colleague Richard Hutter on the Hopewell segment. The second project involves a remarkable document that resides in the Township's archives down at the library which is a hand written diary several hundred pages long kept by local farmer George Phillips from the 1840s to the 1860s that paints an amazingly detailed picture of what life was like in Lawrence at the time. As a class project Professor Brooke Hunter is having her students transcribe the diary so it can be made available to a wider audience but exactly how it will be published remains to be seen he can only tell them that old George Phillips was a man of strong opinions.

In closing, Mr. Waters announced how pleased he was with the design of the new accessible playground at Central Park that includes a nautically themed tribute to the towns namesake Captain James Lawrence and advised of Mayor Maffei's interest in having Captain Lawrence commemorated more publicly and permanently and he looks forward to working with the Mayor to make that vision real.

Mr. Waters thanked Council for their continued support of bringing the Township's history to the public and he hopes to see some of them out for history month. He then opened the floor for questions.

Mayor Maffei thanked Dr. Waters for his presentation and indicated history is one of the foundations of the community and that the Council looks forward to anyone of his presentations at any time.

Public Participation (5-minute limitation per speaker)

Ms. Joanne Fletcher, 514 Lawrenceville Road, voiced her concerns about the Colonel Hand March that takes place in January at Notre Dame High School and the cannons being set off 10 times as the noise raffles her dog who has seizures and the effect of the cannon shakes her house and suggested that there be a limit on the amount of cannons set off and notification to the surrounding residents as to how many there will be. Mayor Maffei stated they would speak with the person in charge and do everything within their power to a change that situation.

Ms. Ruth Markoe, Woodlane Estates, advised that she is present this evening with a coalition of neighbors from Woodlane Estates to address the derelict property at 8 Ivy Glenn Lane and that she resides around the corner from the property at 7 Holly Lane, and indicated that the property has been in decay for several years while occupied but since becoming vacant three years ago it has deteriorated even further to where it not just unsightly but dangerous. And while they realize it has been a flurry of activity over the last several weeks to improve the appearance of the property they would like to know what the long-term plan is for that property as they are seeking immediate action from the Council to prevent devaluation of their homes.

Ms. Markoe proceeded to discuss a handout which she distributed to Council with signatures of residents who reside in the area outlining some of their concerns with regards to health, fire, diseases and declining property values as well as the significant risks regarding the structure of the property, cracks and water damage in shingled wood siding/ windows, open spaces that allow rodents to enter the property, unmaintained trees, lawn and shrubbery and the overall deplorable conditions of the grounds and advised of some of the immediate actions they would like the Council to take regarding the safety concerns.

Further discussion took place relative to the numerous offers that have taken place over the years to either remediate or tear the property down and rebuild it and the obstructionist attitude of the bank who owns the property that has led to the property not being sold and the issues they are faced with today.

Ms. Markoe thanked the Council for their time and consideration and stated they are looking forward to working in partnership with them to address this issue as quickly as possible. She then presented Mayor Maffei with a letter from the next door neighbor to the abandoned property thanking him for the work that has been actively done over the last several weeks.

Mayor Maffei thanked Ms. Markoe for updating the Council on the situation and advised that they will do their best to alleviate the situation. Brief discussion took place relative to Mr. Krawczun being the liaison for the Township and a resident from Woodland Estates being selected as a liaison to send/receive correspondence.

Mr. Krawczun then updated the Council on the criminology relative to the long history of complaints and violations that have taken place at the property and has led to the involvement of the various departments in the Township and now a pending Court Case that will be heard before the Judge tomorrow involving the violations and the property management group contracted by the bank to maintain the property.

Review and Revisions of Agenda

Mr. Krawczun asked that Resolution (18-L), Authorizing a Closed Session of Council Immediately Following the Regular Meeting to Discuss Mt. Laurel Litigation, be removed from the agenda as there is no need for an Executive Session this evening.

Adoption of Minutes

On a motion by Mr. Powers, seconded by Ms. Lewis, the Minutes of Regular Meetings of August 16, 2016 and September 6, 2016 with corrections were approved on the following roll call vote:

Same was carried on the following roll call vote:

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

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On a motion by Mr. Powers, seconded by Ms. Lewis, the Minutes of Closed Session Meetings of February 2, 2016 and September 6, 2016 were approved on the following roll call vote:

Same was carried on the following roll call vote:

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

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On a motion by Mr. Powers, seconded by Ms. Lewis, the Minutes of Closed Session Meetings of February 23, 2016 were approved on the following roll call vote:

Same was carried on the following roll call vote:

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

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On a motion by Ms. Lewis, seconded by Mr. Kownacki, the Minutes of Closed Session Meetings of March 1, 2016 were approved on the following roll call vote:

Same was carried on the following roll call vote:

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

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#### Awarding or Rejecting of Bids

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

On a motion by Mr. Powers, seconded by Mr. Bobbitt, the following Resolution (9-A) was presented for adoption.

#### Resolution No. 334-16

WHEREAS, a bid was awarded to Thor Construction Group, LLC for a project known as the **Carriage Park Site Improvements – Phase 2** in the amount of \$155,772.00, as outlined in Resolution No. 146-16 and

WHEREAS, the Township wishes to amend this contract in the amount of \$11,238.00, resulting in a new contract maximum of \$167,010.00, said increase allowed by statute without re-bid; and

WHEREAS, Change Order No. 1 reflects quantity adjustment and supplemental items required during construction; 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-04-55-671-299 (Municipal Improvement Carriage Park 2013) \$11,238.00;

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 Thor Construction Group, LLC, P. O. Box 518, West Long Branch NJ 07764 represented by Douglas Thorman, for a revised amount not to exceed \$167,010.00 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, Lewis, Powers and Mayor Maffei.  
Nays: None.

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Awarding or Rejecting of Bids

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

On a motion by Mr. Powers, seconded by Mr. Bobbitt, the following Resolution (9-B) was presented for adoption.

Resolution No. 335-16

WHEREAS, a bid was awarded to Discover Construction, LLC for a project known as the **2016 Concrete Program** in the amount of \$124,095.00, as outlined in Resolution No. 204-16 and

WHEREAS, the Township amended this contract in the amount of \$10,601.89 (Change Order No. 1), resulting in a new contract amount of \$134,696.89, as outlined in Resolution 264-16; and

WHEREAS, the Township wishes to further amend this contract in the amount of \$888.00, resulting in a new contract amount of \$135,584.89, said increase allowed by statute without re-bid; and

WHEREAS, Change Order No. 2 reflects final quantity adjustment; 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-04-55-410-235 (Various Capital Improvements – Lawrenceville Fire Driveway Apron) - \$888.00;

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 Discover Construction, LLC, 2207 U.S. Highway 130, Dayton NJ 08810 for a revised amount not to exceed \$135,584.89 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, Lewis, Powers and Mayor Maffei.
Nays: None.

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

On a motion by Mr. Powers, seconded by Mr. Bobbitt, the following Resolution (9-C) was presented for adoption.

Resolution No. 336–16

WHEREAS, on Thursday, September 8, 2016 bids were received and publicly opened for the project known as **Roof Replacement & Masonry Repairs at Department of Public Works**; and

WHEREAS, fifteen (15) bids were received and reviewed by the appropriate Township Officials; and

WHEREAS, the lowest responsible bidder was Strober-Wright Roofing, Inc. who submitted a bid in the amount of \$384,900.00, and

WHEREAS, in accordance with N.J.A.C. 5:50-14, a Certificate of Availability of Funds has been provided and the account to be charged is C-04-55-410-230 (Ordinance 2228-16 – Various Capital Improvements/Improvements Municipal Building); and

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 Strober-Wright Roofing, Inc., 1483 Route 179, Lambertville NJ 08530 in the amount of \$384,900.00; 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 Bobbitt, Kownacki, Lewis, Powers and Mayor Maffei.  
Nays: None.

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

On a motion by Mr. Powers, seconded by Mr. Bobbitt, the following Resolution (9-D) was presented for adoption.

Resolution No. 342-16

WHEREAS, on Thursday, September 8, 2016 bids were received and publicly opened for the project known as **Central Park Maintenance Facility**; and

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

WHEREAS, the lowest responsible bidder was Dutchman Contracting, LLC who submitted a base bid in the amount of \$247,000.00, 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-04-55-415-221 (Ordinance No. 2228-16 – Various Capital Improvements - \$75,000.00) and 6-16-56-843-299 (Open Space - \$172,000.00); and

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 Dutchman Contracting, LLC, 12 Riverview Drive, Denver, PA 17517 in the amount of \$247,000.00 (Base Bid only); 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 Bobbitt, Kownacki, Lewis, Powers and Mayor Maffei.
Nays: None.

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

On a motion by Ms. Lewis, seconded by Mr. Bobbitt, the following Resolution (9-D) was presented for adoption.

Resolution No. 348-16

WHEREAS, on Thursday, September 8, 2016 bids were received and publicly opened for the project known as **Ash Tree Hazard Mitigation Project**; and

WHEREAS, two (2) bids were received and reviewed by the appropriate Township Officials; and

WHEREAS, the lowest responsible bidder was Greenscape Tree Services, LLC, who submitted a bid in the amount of \$44,125.00, and

WHEREAS, in accordance with N.J.A.C. 5:50-14, a Certificate of Availability of Funds has been provided and the account to be charged is 6-01-20-190-299 (Ash Tree Hazard Mitigation/Replacement Program); and

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 Principal Planner, the Mayor and Municipal Clerk are hereby authorized to execute a contract with Greenscape Tree Services, LLC, 115 East Glenside Avenue, Suite 9, Glenside PA 19038 in the amount of \$44,125.00; 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 Bobbitt, Kownacki, Lewis, Powers and Mayor Maffei.  
Nays: None.

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#### Introduction of Ordinances

There was no introduction of ordinances.

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#### Adoption of Ordinances

Mayor Maffei read by title, an ordinance entitled, "ORDINANCE REPEALING ORDINANCE 1189-89 CHAPTER 17 OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE IN ITS ENTIRETY AND ENACTING A NEW CHAPTER 17 ENTITLED " PEDDLING, SOLICITING AND RELATED ACTIVITES"

Mr. Krawczun explained that the Ordinance replaces the current peddlers and solicitors ordinance and enacts an entirely new ordinance regulating such activities. The Ordinance will require individuals to be licensed versus organizations to be licensed; it will limit the time of solicitors can go door-to-door and will enable the Police to better protect the residents of Lawrence from not only from being disturbed but protected from a safety perspective.

#### Ordinance No. 2246-16

ORDINANCE REPEALING ORDINANCE 1189-89 CHAPTER 17 OF THE  
LAWRENCE TOWNSHIP ADMINISTRATIVE CODE IN ITS ENTIRETY  
AND ENACTING A NEW CHAPTER 17 ENTITLED  
"PEDDLING, SOLICITING AND RELATED ACTIVITIES"

CHAPTER 17. PEDDLING, SOLICITING AND RELATED ACTIVITIES.

Section 17-1. Purpose.

The purposes of this article are to: (1) prevent dishonest business practices; (2) provide for traffic and pedestrian safety by regulating the use of the streets and property adjacent thereto by itinerant or transient merchants; (3) prevent extended parking or trespassing on private or public property to prevent violations of the Township's Land Use Ordinance; (4) protect traffic and pedestrian safety; (5) generally, to provide for the safety of the residents of the Township of Lawrence; and (6) deter the use of canvassing, peddling, or soliciting as a means of gaining access to homes or other premises for criminal purposes.

Section 17-2. Definitions.

The following words and phrases, wherever used herein, shall have the following meanings, unless a different meaning clearly appears from the context:

BUSINESS

Includes businesses, trades, callings, vocations, operations of any kind, other than those specifically excluded from regulations by state statute or case law of the State of New Jersey or other specific municipal ordinance or license requirements.

CANVASSER

Any person who goes from house to house or business to business for the purpose of distributing literature, pamphlets, handbills, and the like or for the purpose of distributing information or seeking support for a cause, specifically including but not limited to political campaigning, circulation of a petition or the seeking of contributions for a cause.

COMMERCIAL

Pertaining to, or engaging in commerce, or prepared, done, or acting with the sole emphasis on salability or profit. The term "commercial" shall not include charitable speech.

FLEA MARKET/CRAFT OR HOME SHOW/EXPOSITION

Any event sponsored or promoted by any person as defined herein, where one or more vendors pay a fee to the owner/operator/promoter of said event for the use of space for the purpose of selling, displaying or promoting the sale of any goods, materials, merchandise or services by and for the profit of said vendor(s).

INDIVIDUAL

Any natural person.

MERCHANDISE

All goods, wares, food, drinks, fruits, vegetables, magazines, subscriptions, periodicals, printed material, farm products, all types of articles of personal property, all types of orders or contracts for services, home improvements or alterations, and anything that may be sold or distributed.

NONPROFIT ORGANIZATION

Shall mean (1) any organization that is tax exempt under §501(c)(3) of the Internal Revenue Code; (2) any organization created under or otherwise subject to the provisions of Title 15A of the New Jersey Statutes; (3) any organization, whose primary purpose it to benefit the school age children of Lawrence Township, including but not limited to schools, school clubs and organizations, Cub Scouts, Boy Scouts, Girl Scouts, Brownies, and similar youth groups (irrespective of their 501(c)(3) or Title 15A status); (4) any organization, whose primary purpose is to advocate for religious or political causes (irrespective of their 501(c)(3) or Title 15A status); or (5) any department within Lawrence Township's municipal governmental structure, including, but not limited to, the Police Department and any volunteer fire company that is located in, has a substantial membership from, or serves Lawrence Township.

PEDDLER

Any person who goes from house to house or place to place by any means of conveyance, carrying or transporting merchandise, goods, articles, or property of any kind or description for the purpose of selling and delivering the same to customers, or offering to render immediate services of any kind or description, and shall include the words "hawker," "huckster" or "itinerant vendor."

PERSON

Includes individuals, firms, partnerships, corporations, organizations, clubs, associations, or other entity, or any principals, agents, employees or representatives thereof.

SOLICITOR

Any person who goes from house to house or from place to place by any means of conveyance, who sells or offers to sell goods, articles or property of any kind or description by sample or otherwise for future delivery, or who offers to render services at some time in the future, with or without accepting payment or partial payment for the same.

TRADE SOLICITATION

The practice of going from house to house for the purpose of seeking orders, subscriptions or the purchase of any goods, wares or merchandise, including but not limited to direct sales and taking orders for future deliveries. For the purposes of this article, a trade solicitor shall also be deemed to be one who makes surveys for research purposes, analysis, opinion polls, rating data and any such similar work by which its nature involves a door-to-door or place-to-place activity. Unless otherwise distinguished herein, the term "trade solicitation" or "trade solicitor" shall also include and encompass the terms "peddler" and/or "solicitor."

TRANSIENT MERCHANT

- A. A person who, whether a resident of the Township of Lawrence or not, engages in a temporary business (i.e., less than six months in each year) within the Township of selling and delivering goods, wares, merchandise or services within the Township and who in furtherance of such purpose hires, leases, uses or occupies any building, structure, motor vehicle, tent, railroad, boxcar or boat, public room in hotels, lodging houses, apartments or shops, parking lot, sidewalk, street alley or other place within the Township for the exhibition and sale of such goods, wares or merchandise, either privately or at public auction.
- B. Unless otherwise distinguished herein, the term “transient merchant” shall also include and encompass the terms “roadside vendors,” “peddlers,” “hawkers” and “auctioneers,” as well as operators of circuses, tent shows and carnivals, flea markets, craft/home shows, and expositions.

Section 17-3. Trade Solicitation by invitation only; exceptions.

- A. No person may engage in trade solicitation in the Township of Lawrence without first presenting to the Township Clerk of the Township of Lawrence an invitation from the respective householders to be solicited.
- B. Local educational and charitable organizations may engage in trade solicitation in the Township of Lawrence, provided that they obtain a permit therefor from the Township Clerk of the Township of Lawrence.

Section 17-4. Permit required for canvassing, peddling, soliciting.

- A. It shall be unlawful for any person to engage in canvassing, peddling, or soliciting in the Township of Lawrence without obtaining a permit therefor from the Township Clerk of the Township of Lawrence.
- B. Permits shall not be transferrable.
- C. Upon obtaining a permit as hereinafter provided, a canvasser, peddler, solicitor, or transient merchant may conduct permitted activities within Lawrence Township only as long as he or she adheres to the regulations set forth in this article and carries the permit upon his or her person or displays the permit in a conspicuous place at all times during the conduct of the permitted activities. The permit shall be shown to any individual upon request.

Section 17-5. Exceptions.

The following persons shall not be subject to the requirements of §§17-3 and 17-4 of this article:

- A. Any nonprofit organization as defined in §17-2 of this article, provided that the means of identification assigned by such organization, if any, is carried by the canvasser, peddler, solicitor, or transient merchant. If no means of identification is assigned by such organization, the canvasser, peddler, solicitor, or transient merchant shall be required to carry a bona fide means of identification, including but not limited to a valid driver's license or other government-issued identification.
- B. Any individual 18 years of age and under.
- C. Any person honorably discharged from the military of the United States as defined by N.J.S.A.45:24-9 and 24-10, possessing corresponding identification in conformity with said statute(s).
- D. Any person who is an exempt fireman as defined by N.J.S.A. 45:24-9 and 24-10, possessing corresponding identification in conformity with said statute(s).
- E. Any public utility or its employees, where said public utility is subject to regulation by the New Jersey Board of Public Utilities Commission.
- F. Any person who is: (a) campaigning for any elected public office or public question, which is to be voted upon in Lawrence Township at a general, special, primary, or school board election, or in a national or State election; (b) distributing handbills, pamphlets, leaflets, circulars, advertisements, or printed materials with respect thereto; (c) canvassing for or against any political candidate or any political question; or (d) otherwise engaging in political speech.
- G. Any person intending to distribute noncommercial or not-for-profit handbills, pamphlets, leaflets, circulars, advertisements or printed material.
- H. Any person engaging in the advocacy of noncommercial or not-for-profit causes, whether or not in connection with a larger organization, or engaging in spontaneous speech, including, but not limited to, speech between neighbors.
- I. Any person conducting a sale pursuant to a statute or a court order.
- J. Any person who is engaged in the sale of any article at wholesale to dealers in such articles or the delivery of milk, eggs, bread, newspapers or such other necessary and perishable articles of food or merchandise of the type commonly delivered on a house-to-house basis at intervals of less than one week.
- K. Federal census takers and polls or surveys taken pursuant to Federal, State or local laws.
- L. Any person holding a solicitation license or permit issued under any legislation of the United States government or by a state agency pursuant to statute.
- M. Any person: (1) holding a general sale, fair, auction or bazaar sponsored by any church or religious organization; (2) holding a garage sale on premises devoted to residential use; and (3) selling crafts or similar items

made by hand and sold or offered for sale by the person making such crafts or handmade items.

Section 17-6. Notices regulating canvassing, peddling, and soliciting.

- A. No canvasser or trade solicitor shall enter into any property on which it is located a sign or signs stating "No Solicitors" or carrying a similar message forbidding the entry of any persons onto the property. Such sign so exhibited shall constitute sufficient notice to any trade solicitor or canvasser of the determination by the occupant of the residence of the information contained thereon.
- B. Duty of canvassers and trade solicitors.
  - (1) It shall be the duty of every canvasser and trade solicitor, upon going onto any premises in the Township of Lawrence on which a residence is located, to examine and look for the notice provided for in Subsection A of this section, if any is posted, and be governed by the statement contained on the notice.
  - (2) Any trade solicitor or canvasser who has gained entrance to any residence, whether invited or not, shall immediately and peacefully depart from the premises when requested to do so by the occupant.
- C. Uninvited soliciting prohibited. It is hereby declared to be unlawful and shall constitute a nuisance for any person to go upon any premises and ring a doorbell upon or near any residence or create any sound in any other manner calculated to attract the attention of the occupant of such residence for the purpose of securing an audience with the occupant thereof and engage in canvassing or trade solicitation as herein defined in defiance of the notice exhibited at the residence in accordance with the provision of Subsection A of this section.

Section 17-7. Hours of operation.

Every trade solicitor or canvasser shall restrict his or her door-to-door activities to the hours between 10:00 a.m. and dusk, on Mondays through Saturdays. No such activities shall be permitted on Sundays or state or national holidays.

Section 17-8. Transient merchants.

A transient merchant shall not be relieved from complying with the provisions of this article merely by reason of associating temporarily with any local dealer, trader, merchant or auctioneer or by conducting such transient business in connection with, as part of or in the name of any local dealer, trader, merchant or auctioneer.

Section 17-9. Prohibitions for transient merchants; exceptions.

- A. It shall be unlawful for any transient merchant to sell, buy, dispose of or offer to sell or dispose of any goods, wares, merchandise or other things of value or services or to solicit contributions, gifts, pledges or subscriptions for money or goods in or on any portion of a public right-of-way or on private property, unless said business has received Planning Board approval for the use respecting the specific location.
- B. The following exceptions shall apply to transient merchant businesses:
  - (1) Transient merchants leasing spaces within an existing, conforming commercial structure, provided that the space was designated for the intended use and had received the necessary development approvals prior to transient merchant use or occupancy. Such use shall be temporary in nature, not to exceed a maximum of fourteen (14) consecutive days.
  - (2) Transient merchants leasing a portion of a developed commercial site outside of a building, provided that the use is permitted and the area where the business is located has been designated for such activity pursuant to the appropriate site plan approval process. Such use shall be temporary in nature, not to exceed a maximum of fourteen (14) consecutive days.
  - (3) Home occupations as defined in the Land Use Ordinance and as otherwise permitted pursuant to the terms and provisions of said ordinance.
  - (4) Transient merchant uses by veterans and firemen permitted by N.J.S.A. 45:24-9 et seq. shall be permitted in commercial zones as established by the Lawrence Township Land Use Ordinance, and the actual location of such vending must be seventy-five feet (75') away from any intersection. The display of all goods and/or wares is limited to the vehicle utilized to transport said goods/wares and shall not be displayed on the ground or attached in any other way to any items other than said vehicle.
- C. Transient merchant activity shall not negatively interfere with the safe operation of any existing businesses, and such activity shall not hinder or interfere with approved ingress and egress, sufficient parking, and pedestrian passageways. The Municipality (i.e., any Municipal Official) reserves the right to refer any applicant to the Township of Lawrence Planning Board, Zoning Board, or similar department for an approval in the event that the Municipality, in its discretion, determines that the same is necessary in order to properly fulfill the intent and purpose of the New Jersey Municipal Land Use Law and the Lawrence Township Land Use Ordinance.

Section 17-10. Application for permit.

A. An application for a permit, for any business requiring a permit under this article, shall be made to the Township Clerk of the Township of Lawrence, on forms to be provided by the Township, and shall contain information as follows.

- (1) Peddlers, solicitors and canvassers.
  - (a) The applicant's name, a permanent address, a local address (if different than a permanent address), a telephone number, and an emergency telephone number.
    - (i) If the applicant is a corporation, the applicant shall submit a copy of its certificate of incorporation, the names and addresses of each person owning 10% or more of the shares of stock issued by said corporation, specifying the office held by each person, together with the name and address of the registered agent for said corporation. In the event that the applicant is a partnership, the applicant shall supply the Township with the name and address of each partner, general or limited, and the percentage of interest in said partnership held by each.
  - (b) The business for which the permit is being granted, including a complete description of the proposed business (e.g., nature of the merchandise), and identification on whose behalf the business is being conducted if different than that of the applicant, including an address and telephone number.
  - (c) The location on which said business is to occur. In the event the applicant is not the owner of said property, the applicant must provide a written form granting permission from the owner of record or his or her lawful designee. Each application for a permit shall also be accompanied by a certification that property taxes are current with respect to the property on which the business operation is to occur.
  - (d) The length of time for which the right to do business is desired.
  - (e) A statement as to whether or not the applicant, or the persons having the management or supervision of the applicant's business, have been convicted of any crime, disorderly persons offense or petty disorderly persons offense involving deceptive business practices or fraud, or a violation of any ordinance enacted in other municipalities concerning peddling, solicitation, or transient merchandising, when and where the offense(s) occurred and the penalty imposed, if any. Said statement shall also contain reasonable information as to the identity or character of the person or persons having the management or supervision of the applicant's business or the method or plan of doing such business as the Chief of Police of the Township of Lawrence may deem

proper to fulfill the purpose of this article and in the protection of the public good.

- (f) Fingerprints of the applicant and a photograph of the applicant taken within sixty (60) days prior to having filed the application.
- (g) Motor vehicle registration number, make and model of any motor vehicle used by the applicant in connection with his or her peddling or soliciting.
- (h) If the applicant is an agent, employee or representative, he or she shall attach to the application a letter from the person or organization for which the applicant works or represents, authorizing the applicant to act as its agent, employee or representative and assuming responsibility for the applicant's conduct.
- (i) Each applicant shall furnish its New Jersey Sales Tax identification number. In addition, each corporation shall furnish a federal identification number; each partnership shall furnish the social security numbers and/or federal identification numbers of the partners, as applicable, holding a ten percent (10%) or greater interest; each sole proprietorship shall furnish the social security number of the proprietor.
- (j) The Township shall not issue or authorize the issuance of a permit to any vendor of tangible personal property, other than property exempted from sales and use taxation pursuant to state statute, having no fixed place of business within the municipality without the submission of a copy of a valid certificate of authority issued to the vendor empowering said vendor to collect sales tax. The provisions set forth herein are set forth in accordance with N.J.S.A. 54:32B-15 et seq. All applicants selling merchandise subject to sales tax shall attach the original certificate of authority issued by the Director of the New Jersey Division of Taxation to their cart, stand, truck or other merchandising device, as required by N.J.S.A. 54:32B-15.
- (k) All applicants selling food items for immediate consumption shall submit a copy of the board of health license.

(2) Transient Merchants.

- (a) The applicant's name, a permanent address, a local address (if different than a permanent address), a telephone number, and an emergency telephone number.
- (b) Description of the nature of the business or activity including the average quantity, kind and value of the merchandise to be sold.
- (c) The days during which the business is to be conducted.
- (d) The name and addresses of the persons from whom the goods making up the stock were or are to be purchased by the applicant.
- (e) A statement as to whether or not the applicant has been convicted of any crime, disorderly persons offense or petty disorderly persons

offense involving deceptive business practices or fraud, or a violation of any ordinance enacted in other municipalities concerning peddling, solicitation, or transient merchandising, when and where the offense(s) occurred and the penalty imposed, if any. Said statement shall also contain reasonable information as to the applicant's business or the method or plan of doing such business as the Chief of Police of the Township of Lawrence may deem proper to fulfill the purpose of this article and in the protection of the public good.

- (f) Fingerprints of the applicant and a photograph of the applicant taken within sixty (60) days prior to having filed the application.
- (g) A bond in accordance with N.J.S.A. 45:24-5 in an amount equal to twenty-five percent (25%) of the value of the personal property shown in the disclosures required above but in no event less than one thousand dollars (\$1,000). The bond shall be in effect for a period of one year from the date the permit is issued, shall indemnify and pay Lawrence Township any penalties and costs incurred in the enforcement of this section and the purchaser of personal property a sum equal to at least the amount of any payment such purchaser may have been induced to make through the misrepresentation of the applicant, its agents, servants, or employees. The bond shall be in the form approved by the municipal attorney.
- (h) An instrument in accordance with N.J.S.A. 45:24-6 appointing the Township Clerk as the applicant's true and lawful agent for service of process.
- (i) If the applicant is an agent, employee, or representative, he or she shall attach to the application a letter from the person or organization for whom the applicant works or represents, authorizing the applicant to act as its agent, employee, or representative and assuming responsibility for the applicant's conduct.
- (j) All transient merchants are subject to the statutory requirements set forth in N.J.S.A. 45:24-1 et seq., and shall be subject to the penalties set forth therein in the event of a failure to comply with any of said requirements.
- (k) Each applicant shall furnish its New Jersey Sales Tax identification number. In addition, each corporation shall furnish a federal identification number; each partnership shall furnish the social security numbers and/or federal identification numbers of the partners, as applicable, holding a ten percent (10%) or greater interest; each sole proprietorship shall furnish the social security number of the proprietor.
- (j) The Township shall not issue or authorize the issuance of a permit to any vendor of tangible personal property, other than property exempted from sales and use taxation pursuant to state statute,

having no fixed place of business within the municipality without the submission of a copy of a valid certificate of authority issued to the vendor empowering said vendor to collect sales tax. The provisions set forth herein are set forth in accordance with N.J.S.A. 54:32B-15 et seq. All applicants selling merchandise subject to sales tax shall attach the original certificate of authority issued by the Director of the New Jersey Division of Taxation to their cart, stand, truck or other merchandising device, as required by N.J.S.A. 54:32B-15.

- (k) All applicants selling food items for immediate consumption shall submit a copy of the board of health license.

Section 17-11. Certain items prohibited.

The sale of drug paraphernalia, fireworks, illegal knives, weapons, or devices shall be prohibited. The sale of adult items is strongly discouraged; however, if sold, they shall not be openly displayed and shall be completely covered and out of the reach of the general public. The sale of patent infringement items is also prohibited by this article.

Section 17-12. Issuance or denial of permit; hearing; expiration.

- A. Upon receipt of a complete application by the Township Clerk or his or her designee, the Clerk shall refer the application to the Chief of Police who shall make or cause an investigation to be made of the applicant's business responsibility and character as he or she deems necessary for the protection of the public welfare and as is consistent with the purpose of this article. Said application shall be reviewed within thirty (30) days from the day of the filing of the application and the completion of all forms as requested by the Township, including but not limited to Online Form 212A (<https://www.njportal.com/njsp/criminalrecords/>). If it is determined that the applicant's character and business responsibility are found to be satisfactory and the business operation does not create a safety hazard and that the activity complies with all applicable statutes, regulations or ordinances, the Chief of Police shall endorse his or her approval on the application, and return it to the Township Clerk, who so shall certify and issue a permit to the applicant. The Township Clerk shall keep a record of all permits issued.
- B. In the event that the aforementioned requirements are not met, the permit shall be denied, and, in the event of such denial, the Township Council may, upon written request of the applicant, establish a hearing date, which date shall not be more than forty-five (45) days from the date of receipt of said denial from the Township Clerk or designee. The applicant shall receive at least seven (7) days' notice of the scheduled hearing date and be permitted to present evidence on behalf of said application. If the Township Council determines that the permit should not be issued, it shall

specifically set forth reasons for such denial, a copy of which shall be mailed to the applicant and/or applicant's duly authorized representative.

- C. All permits shall expire on December 31 of the calendar year in which they are issued unless, by their terms, they expire prior to that time, and shall be limited to the express purpose set forth therein. With respect to transient merchants, the permit shall expire no later than one hundred eighty days (180) after its issuance.

Section 17-13. Revocation of permit.

- A. The permits issued pursuant to this article may be revoked by the Township Clerk or the Clerk's designee for any of the following causes:
  - (1) Any fraud, misrepresentation or false statements contained in the application for a permit.
  - (2) Any fraud, misrepresentation or false statements made in connection with the selling of goods, wares, or merchandise.
  - (3) Any violation of this article or another Lawrence Township ordinance.
  - (4) Conviction of the permittee of any felony or of a misdemeanor involving moral turpitude, deceptive business practices or fraud.
  - (5) Violation of ordinances enacted in other municipalities concerning peddling, solicitation or transient merchandising.
  - (6) Conducting the business permitted under this article in an unlawful manner or in such a manner as to constitute a menace to the health, safety or general welfare of the public.
- B. An appeal from such revocation may be made to the Township Council within ten (10) days of the date of the revocation; it shall forthwith schedule a hearing on the appeal. The Township Council shall hear such appeal and render its decision within forty-five (45) days from the date of the hearing.

Section 17-14. Payment of permit fees.

- A. The nonrefundable permit fees to be paid at the time of the application and annually thereafter, as above provided, to the Township of Lawrence, for conducting the following business shall be as follows:
  - (1) Circus, tent shows, and carnivals: \$500.
  - (2) Auctioneers: \$75.
  - (3) Flea markets, craft/home shows, expositions, etc.:
    - (a) 1-25 vendors: \$250
    - (b) 26-50 vendors: \$500

- (c) 51-100 vendors: \$750
- (d) 101 or more vendors: \$1,000
- (4) Peddlers, hawkers, canvassers, trade solicitors, etc.: \$100
- (5) All others: \$25

- B. No pro rata fees shall be permitted, and the establishment of these fees is to help defray the Township's administrative and investigative costs for the enforcement and implementation of this article, and not to produce revenue therefrom.
- C. All nonprofit organizations and/or associations must apply for a business registration license and submit with said application proof of the not-for-profit status. After receipt of the appropriate proofs, the Township Council may waive any and all fees relevant to this article.

Section 17-15. License or permit pursuant to other ordinances; additional fee not required.

Those businesses which are otherwise licensed pursuant to other ordinances of the Township of Lawrence may be required to file an application hereunder to the extent that another regulatory or licensing application does not contain the requisite information required hereunder. However, in the event that such application is required hereunder, no additional license or permit fee pursuant to this article shall be required of the applicant.

Section 17-16. General requirements.

It shall be unlawful for a person to:

- (a) Attempt to peddle or distribute merchandise or printed material, or solicit funds or canvass for information, without first having identified himself or herself as a peddler, solicitor, transient merchant, or canvasser registered with the Township and displaying the permit issued therefor.
- (b) Have exclusive right to any location on public property.
- (c) Refuse to leave a private dwelling or property after having been once requested to do so by the owner or occupant thereof.
- (d) Shout, cry out, blow a horn, ring a bell, or use any sound making or amplifying device on any streets, parks, or in public places of the Township, or upon private property, that would create or become a nuisance or noise disturbance as prohibited elsewhere in this Code.
- (e) Distribute obscene merchandise or printed material, or printed material that advocates unlawful conduct.
- (f) Litter the streets, public places or other property within the Township by any merchandise or printed material.
- (g) Station, place, set up or maintain a cart, wagon, motor vehicle or other vehicle, or allow it to remain on any sidewalk in a way that would:

- (1) Restrict, obstruct, interfere with, or impede any pedestrian's right of way;
  - (2) Restrict, obstruct, interfere with, or impede the ingress or egress from the abutting property;
  - (3) Create or become a nuisance;
  - (4) Increase traffic congestion; or
  - (5) Cause or create or constitute a danger to life, health, or property.
- (h) Peddle using a cart of the dimensions which exceed two feet in width, four feet in length and four feet in height, including wheel height, while conducting business on any sidewalk.
  - (i) Use any cart which, when fully loaded with merchandise, cannot be easily moved and maintained under control by the permittee only.
  - (j) Use, set up, attach, place or permit the use of any table, crate, carton, rack, device, or structure of any kind to increase the selling or display capacity of the peddler's cart.
  - (k) Station, place, set up, or maintain a peddler's cart or allow it to remain on any sidewalk if to do so would reduce the unobstructed pedestrian right of way.
  - (l) Engage in the business of peddling within ten feet of any location where the curb has been depressed to facilitate pedestrian or vehicle movement.
  - (m) Engage in the business of peddling on any sidewalk or along any street within fifteen feet of any fire hydrant, crosswalk, or driveway.
  - (n) Station, place, set up, or maintain a peddler's cart or goods against display windows of fixed location businesses, nor shall they be within twenty feet from an entranceway to a building, store, library, school, or other place of public assembly, without the permission of the property owner and in such a manner as to restrict, obstruct, interfere with or impede pedestrian or vehicular right of way.
  - (o) Engage in the business of peddling on any sidewalk or along any street within ten feet from intersecting streets or sidewalks.
  - (p) Engage in the business of peddling within thirty feet of any location where another peddler is engaged in the business of peddling.
  - (q) Engage in the business of selling at any location without giving a written receipt to each customer for any sale in excess of twenty dollars. The receipt shall show clearly the seller's name, business address, permit number, a description of the merchandise sold, and the purchase price, and shall be sequentially numbered.
  - (r) Engage in the business of peddling on any sidewalk or along any street within ten feet of a bus stop. For purposes of this section, the words "bus stop" shall include the sidewalk and the adjoining street where there is a designated bus stop.
  - (s) Sell food, drinks, ice cream, confections or other items for immediate consumption unless the peddler has available for public use a litter receptacle which shall be clearly marked and maintained for patronage use, nor shall any peddler leave any location without first picking up,

removing and disposing of any trash or refuse remaining from the sales made by him or her; nor shall any person sell food, drinks, ice cream, confections or other food items for consumption without having first received any permit or license required by the Township or the board of health for food handling.

- (t) Leave any cart unattended at any time or place or leave the same overnight on any sidewalk.
- (u) Stop, stand or park any vending cart or motorized vehicle used for vending purposes for more than five minutes for the purpose of selling food and merchandise.
- (v) Station, place, set up, or maintain a cart, wagon, table, stand, display or vehicle on private property unless the owner has previously secured approval for such use of the property pursuant to the provisions of Code governing land use.
- (w) Use of any motorized vending carts and/or motorized vehicles for vending purposes in any location except on the street.

**Section 17-17. Violations and penalties.**

Any person violating any of the provisions of this article shall, upon the first conviction in the Municipal Court of the Township of Lawrence, be punished by a fine of not less than \$50 nor more than \$100; for a second offense within a twelve-month period, by a fine of not less than \$300 nor more than \$500; for a third or subsequent offense within a twelve-month period, by a fine of not less than \$500 nor more than \$1,000 or imprisonment for a term not exceeding 90 days in the county jail. For the purpose of this article, the twelve-month period shall be based upon the date of issuance of the first and any subsequent complaints.

Ordinance 2246-16 was approved on the following roll call vote:

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

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**Manager’s Report –**

Mr. Krawczun advised Council that the Administration had their first negotiation session with the Firefighters Union (FMBA) and the discussion was very productive. There were some topics that were introduced for the first time so they will have an opportunity to explore them to see if they can reach some type of agreement. Overall, it was a great away to open up conversation and negotiations with some very good dialogue.

Mr. Krawczun advised that he and Peter Kiriakatis, Lawrence Township Comptroller, met with Bob Filler, Executive Director of Ewing-Lawrence Sewerage Authority, and Vance Stephens, ELSA's Comptroller, to discuss cost estimates for 2017 and based on that discussion there will be an increase in charges from ELSA to Lawrence for sewer services in 2017. The projected usage and increase is only an estimate as the Authority has begun to work on their 2017 budget but there are some indications and known factors that the increase will have an impact on Lawrence Township.

Mr. Krawczun advised that there has been no increase in sewer rates since 2012. The capital improvement to the plant, implementation of new technology, older portions of the plant being retooled and modified and certain cost for plant operations, debt service and plant improvements not specific to either Lawrence or Ewing Townships in which the apportionment is broken out by the amount of flow for each of the municipalities has resulted in the anticipated increase of 2 to 3-percent for Lawrence Township and a decrease of 3-percent for Ewing Township. The increase changes the value of what the towns are required to pay for both plant operations and debt services in the plant, and there will be a small increase in operating cost for chemical and power to the plant although they are implementing a solar array to offset some of those cost. The Authority is anticipating an increase in revenue that will decrease the need for fees and the anticipated increase for Lawrence Township is estimated at \$500,000 to \$600,000. They also have a reserve rent stabilization account that is just over \$900,000 that has enabled the Township over the last five years to not increase rates; but the rate change will address the shifting and increases in the cost for 2017. He then reviewed a handout regarding the 2015 Sewer Collections, 2017 Projected Usage & Revenue Calculation and Projected Revenue for 2017 and indicated if it the recommendation is acceptable he will bring forth an Ordinance for introduction. A brief discussion followed relative the sewer rate increase, improvements and anticipated revenue.

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#### **Attorney's Report –**

There was no Attorney's report.

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#### **Clerk's Report –**

Ms. Norcia reminded the Council to contact Yvette Martinette in the Manager's Office if they were interested in attending the League of Municipalities Convention so she can get them registered.

Ms. Norcia advised that there are four people who have not filed their Financial Disclosure Statement so she will be sending out letters advising that the State will be sending out letters that they are going to be fined if they do not comply.

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**Unfinished Business –**

There was no unfinished business.

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**New Business –**

Mayor reported that Richard Krawczun, Municipal Manager, is resigning from his position as Township Manager on May 1, 2017, and he would like to have a discussion as to how the Council would like to move forward regarding the replacement procedures for that position.

Mr. Powers noted that the Municipal Manager is not just resigning; he is retiring effective May 1<sup>st</sup> and going to sunny Florida to enjoy his retirement. He then expressed the Council's true appreciation for all that Mr. Krawczun has done as Manager for Lawrence Township, and indicated under Mr. Krawczun's contract he only had to give the Council 90-days' notice but graciously agreed to give the Council until May 1<sup>st</sup> to select a replacement.

Mr. Powers stated that the Manager's position is really a State's specific position as there are certifications that are only explicit to New Jersey, and he thinks it would be prudent to advertise in the League of Municipalities magazine that Civil Service folks read announcing the vacancy in Lawrence Township.

Ms. Lewis stated that while she agrees with Mr. Powers there are a couple of steps they need to develop first regarding the position. The first being a comprehensive description of what the position includes as well as what they are looking for being this is an important and large piece of how the Township business gets done, and while they have a finite deadline as the Manager has been gracious enough to give them time it is not a lot of time. She then spoke of the League advertising firms that do professional searches and suggested instead of just posting the position that they look into the cost of a firm to help search for a viable candidates and control the process which would give the Council an outsiders view as to what they should be looking for in a candidate to fill the position; because often times they just do not know what to look for and this would be a good opportunity to get that vantage point and to make sure they are doing the process properly with regards to vetting people appropriately and getting as much information as they can while adhering to the strict timeline in selecting a qualified person to fill the position.

Mr. Bobbitt extended a personal thank you to Mr. Krawczun for the tremendous job he has done as the Municipal Manager and indicated one of the things he has always appreciated is Lawrence being a quiet town that plows their roads on time, have stable taxes and they do a lot of things in the right manner, and it would behoove them

as Council to take the proper time and steps to find the right replacement for the position so that they can continue to deliver services that the residents of Lawrence have come to expect and to do it in an efficient manner. He further agrees with Councilwoman Lewis with regards to looking at an outside firm and for them to get a better understanding of Mr. Krawczun job description as Manager so they can figure out what they should be looking for and how to proceed going forward.

Mr. Kownacki stated he cannot thank Mr. Krawczun enough for the great job he has done as the Township Manager and it will be hard for someone to fill his shoes and not an easy job looking for a replacement. However, he does not feel that the Council is ready to advertise for a replacement as they need to understand their job as Council first so they can make a mutual decision as to how to move forward with the replacement process then they can take the next step of advertising for the Manager position being they still have time. Furthermore, he thinks they should have some type of list describing the duties and responsibilities of the Manager to help select the most qualified candidate. A brief discussion ensued relative to a list of Mr. Krawczun’s duties being compiled with Council’s input prior to them seeking an outside firm for the search.

Additional dialogue took place relative to the Council soliciting Manager Ads from other towns and making the Ad as attractive as possible, the cost of an outside firm to help narrow the pool of candidate, soliciting in-house and outside for a viable candidate and the candidate having attributes that fit into the organizational culture of Lawrence Township. After the discussion, it was the consensus of the Council that the search be internal and external and limiting the scope to New Jersey.

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

There was no public participation.

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**Resolutions**

Resolution Nos. 337-16(18-A) through 349-16(18-K) with the exception of Resolution 342-16 (Bid Award) by the following roll call vote:

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

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

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**Council Initiatives/Liaison Reports –**

Mr. Lewis reported that a copy of the Health Report has been provided to the Council, and Community Day is scheduled for Sunday, October 2<sup>nd</sup>.

Mr. Kownacki advised that he received a letter from the Commander of Post 414 requesting a Proclamation for Nicholas Chomicki, a 99 year old longtime resident of Lawrence Township and World War II Veteran who took part in Lawrence Township Memorial Day Parade as well as other events and is turning 100 years old on December 4<sup>th</sup>. And, in honor of his 100<sup>th</sup> Birthday they would like to present him with the Proclamation recognizing this milestone occasion at the Veterans Day Ceremony. It was the consensus of the Council for the Municipal Clerk to prepare a Proclamation extending best wishes to Mr. Chomicki from the Township Council.

Mr. Bobbit reported that the Growth & Redevelopment will be having their Annual Award's ceremony on Thursday, October 13<sup>th</sup> at 8:00 pm at Collaborationcore.

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**Written Communications –**

There was no written communication.

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There being no further business to come before this Council, the meeting adjourned at 7:04 p.m.

Respectfully submitted by,

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Kathleen S. Norcia, Municipal Clerk

Attest:

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David C. Maffei, Mayor