

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

August 20, 2019

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, August 20, 2019, at 6:00 p.m.

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

At the commencement of the meeting Mayor Bobbitt 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, August 20, 2019, 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." Said Notice was forwarded to The Trentonian, The Times and The Princeton Packet on December 19, 2018.

The roll was then called as follows:

Present: Councilmember Kownacki, Lewis, Maffei, Powers and Mayor Bobbitt.
Absent: None.

Also in attendance were Kevin Nerwinski, Esq., Municipal Manager, David Roskos, Esq., Municipal Attorney and Peter Kiriakatis, Certified Finance Officer.

Special Proclamations, Recognitions and Presentations

Oath of Office Administered to Police Officer Charles Morreale

Mayor Bobbitt administered the Oath of Office to Officer Charles Morreale. Afterwards, Chief Caloiaro greeted the Township Council and thanked everyone for coming out to Officer Morreale's swearing in and proceeded with a brief background history on Officer Morreale and indicated what an honor and a privilege it is to welcome the new officer to the Lawrence Township Police Department. He then turned the floor over to Officer Morreale.

Officer Morreale thanked everyone for coming out this evening. He further thanked Kevin Nerwinski, Township Manager, Mayor Bobbitt and the Township Council, Police Chief Brian Caloiaro and the entire command staff for the amazing opportunity, and indicated he is looking forward to making them all proud and serving the citizens of Lawrence as well. Officer Morreale also thanked his family for all of their love, help and support throughout the whole process which did not go unnoticed. In closing, Officer Morreale thanked his FCO, his crew and all of Lawrence Township's finest for their welcoming support and stated there is so much to learn and he is lucky to have the opportunity to learn with such great officers and continued to discuss his ultimate goal of becoming a police officer in the town in which grew up and being fortunate enough to say that he achieved that goal and he has enjoyed being a member of such a great community and is now looking forward to the opportunity to serve and protect his community as a Lawrence Township Police Officer.

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**Presentation and Review of Newly Enacted Brush Collection Regulations**  
**Gregory Whitehead, Director of Public Works**

Mr. Whitehead greeted everyone and thanked the Mayor, Council and Municipal Manager for giving him an opportunity to speak again regarding the issues the Public Works Department was having with the Municipal Brush Collection Program and the new Brush Collection Regulations which were enacted in January 2019 and has been chugging along since. He indicated the current Brush Program has not changed much; they collect brush January - October, the town is divided in (4) four zones as it always has and they pick up each zone once a week starting with the first full week of the month. Every street is collected once per month which includes all county, state and township roads and proceeded to explain that the collection issues are why the changes were implemented as it relates to the brush pickup dominating Public Works labor hours taking away from other duties; the constant sizes of the piles and debris in all the roadways around town creating hazards for bicyclist, pedestrians and traffic; quality of life issues with streets being littered with brush piles and the mandated storm water regulation by the State for cleaning the drains, and debris piles that are required to be 10 feet from the drains and Lawrence Township having 2100 storm drains half of which are required to be inspected and cleaned annually and have a written report done each year for NJDEP.

Mr. Whitehead advised that the Brush Collection Program is basically the same with only a few major changes as they started to have unlimited amounts of brush from homeowners and landscapers placed in the roadways at any time year-round with violation piles ranging from 30 feet to 90 feet long piles throughout the streets. So, the Township restructured the requirement where the piles can be 12 foot in length – 3 foot in height - 4 foot wide which is in line with other towns in Mercer County. The tree segments should be 6 inches in diameter in order for the public works employee to be able to load and handle it at the compost facility for grinding - other sizes they really cannot handle.

Mr. Whitehead stated the next major change to the Brush Collection Program was the requirement for landscapers to register which is working out pretty well as they now have approximately 70 landscapers registered with the Township and who now understands the rules and regulations and if provided a note by the homeowner can have full access to the Ecological Center to take and drop off piles free of charge. The goal was to eliminate all of the community piles throughout the Township left on cul-de-sacs, vacant lots, etc. where neighbors and landscapers were piling up and leaving a mountain of debris and when asked about the debris nobody knew anything. And, when his department started collecting the debris there was sometimes pallets, dirt and sand mixed in the piles and the Township was stuck cleaning it up which is one of things that created a problem in terms of disposal being they cannot take contaminated material to the ecological facility; but, they still had to clean up the debris and work on a 'Plan B' for disposal which required additional time and money.

Mr. Whitehead also spoke about the disposal of vegetative materials and the number of hours the Public Works Department now spends on brush and leaf collection. Over 7,000 labor hours which cost over \$300,000 that did not exist when the program was implemented and allowed the Department time to focus on other duties and projects they used to do around the Township and the parks prior to the brush problem which is why it was necessary for the town to restructure the Brush Collection Program. He pointed out that the issue is not a new issue...but a matter that has grown out of control over the last several years and has been discussed at staff meetings, with residents, neighbors and they have had arguments with landscapers over the brush situation. They have done everything possible to table the issue and still the issues exist...so they enacted the new Brush Ordinance and the problem is getting better.

Mr. Whitehead explained with the new Brush Ordinance in place the Township is now able to manage the program instead of letting it get out of control and that during the storms in July they took quick action by getting the notifications out allowing residents to take materials from the storm damage to the Ecological Center and increased the pile limits to 25 feet until mid-August; so, they have been very flexible with the program as they have allowed for pile sizes for an extended period, they have doubled back on a couple of zones for pickup and because they are now managing the program he has the capacity at the Ecological Center for the trucks bringing in debris from the storms as they have room to put it and proceeded to discuss all the good faith efforts they made with distribution of materials to educate the residents and landscapers regarding the changes to brush regulations via – Constant Contact, Lawrence Township website, Facebook, Twitter, Household mailing, etc.

Mr. Whitehead went to discuss additional details that led to the changes in the Brush Ordinance as it relates to cost associated with composting and disposal of materials, damage to the equipment, compliance with DEP regulations, popular changes to the brush ordinance and non-compliant violations; landscapers registration and compliance, property owners doing a yard clean-up and putting out leaves after the leaf collection season or their zone pickup and continued to review some of the items discussed during his PowerPoint presentation at the June 19, 2018 Council Meeting

detailing all the problems public works was experiencing with the brush pickup and why the program needed some serious tweaking in order for the very popular program to continue and his recommendation to the Council for the brush program not to be canceled, reduced or closed down at the compost site, he just wanted to set new guidelines and make some practical changes to sustain the program long-term for what it costs for labor to collect, process and haul away. He then recommended that the newly enacted Brush Pickup Ordinance stay in place for a least one year so he can evaluate how efficient the program is operating and to get a grasp on the true cost of the program and thanked the Council for their time and consideration.

Thereafter, an at length question and comment period took place relative to Mr. Whitehead's presentation as it relates to cost savings, homeowners and landscapers complying with the new brush regulations, less equipment repairs, brush pile limitations, the difference between the leaf and brush collection program, tweaking the new ordinance to better serve residents and neighborhoods with compliance challenges, educating homeowners and landscapers on the new brush ordinance, failed attempt to enforce the original brush ordinance, hiring of an enforcement officer and issuance of tickets/warnings for enforcement of the new brush regulations, the proposed mulch sale being very popular and helpful in removing material and waste from the ecological center. (Please refer to Minutes of June 19, 2018 located on the Township's website for Mr. Whitehead's in-depth presentation regarding the proposed changes to the Brush Regulatory Ordinance.)

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#### Public Participation

### **PUBLIC COMMENTS RELATED THE NEWLY ENACTED BRUSH COLLECTION REGULATION**

The following individuals voiced their opinion and opposition regarding the newly enacted Brush Collection Ordinance as it relates to the size of the piles, brush timeline and limitation, change to the brush regulations creating a burden for taxpayers, restrictions having no cost-savings or economic benefits for the Township, the new brush regulations doing more harm than good to the Ecological Center with everyone dropping off debris, objection to fines and penalties imposed by the Enforcement Officer for non-compliance and the legality of having a Code Enforcement Officer and a request for certain neighborhoods with special characteristics (large size properties with lots of trees, leaves and debris, etc.) to be exempted when and where it is not feasible to comply with the new brush regulations.

- 1) Mr. Michael Gorski, 18 Pine Knoll Drive, Lawrence Township, New Jersey 08540, Resident of 25 years spoke against the new Brush Ordinance given it is hard to comply with for certain residents and neighborhoods, a burden to taxpayers, has no economic benefit and is harmful to the Ecological Center with all the material being brought there.
- 2) Mr. Jens Glysing-Jensen, 11 Tall Timbers Drive, Princeton, New Jersey 08540 – Resident for over 35 years spoke about a Notice he received from the police that his pile of leaves were too long as it exceeded the limited and needed t to be reduced to 12 feet and if he did not comply

he would be fined or worst case scenario possibly go to jail for noncompliance which he felt was rather harsh for just leaving leaves on the road and asked for clarification on leaf collection. Mr. Whitehead replied that it is the months of November and December residents can put out as many leaves as they want being that is the leaf season; but what he discussed during his presentation is that they have noticed a lot of leaves being put out during spring clean-up so there was some discussion about possibly amending that section of the brush ordinance to include leaf pick in the spring.

- 3) Ms. Deborah Moriah, 18 Balsam Court, Lawrence Township, New Jersey 08648 – Resident of the Pine Knoll area discussed the new Brush Ordinance creating more problems for the storm sewers as the brush used to be put across the street away from the storm sewers and the current Ordinance now requires the leaves to be put in front of the homeowners property right next to storm drains which is something the Council should think about as to whether it is appropriate change that should be added. Mr. Moriah also spoke about putting out brush for pickup and the burden the 48-hour rule causes property-owners with large properties and do their own landscaping and suggested they extend the timeframes by (1) one week to allow enough time to clean up after a storm the tons of debris. She further discussed her street being very narrow and the residents placing their leaves at the edge of the woods leaving the entire street available for people to walk by but when brush is placed at the curb it becomes a one lane street and unsafe at night and asked that they consider tweaking the ordinance.
- 4) Mr. Peter Sheridan, 12 Balsam Court, Lawrence Township, New Jersey 08648 – Resident of the Pine Knoll neighborhood for 29 years and complimented the Public Works Department for the good job they did after the July storms and indicated he is one of the residents who received a summons back in May or June for noncompliance of the Brush Ordinance and proceeded to echo Ms. Moriah's comments with regards to their street being narrow with no curbs and everyone placing their brush piles across the street near the park and their properties facing the golf course with 60 feet to 80 feet trees that produce lots of leaves and debris all winter long and making it even harder for them to comply with the new regulations. Mr. Sheridan stated the golf course does not clean up the leaves that fall onto their properties and suggested during the spring cleanup that the Township make an exception and allow the brush piles to be a little bit bigger to accommodate areas with special characteristics – such as their neighborhood.
- 5) Ms. Cindy Harrison, 107 Lakedale Drive, Lawrence Township, New Jersey 08648 – Resident advised that she has not had a problem with brush pickup but inquired about the decrease in the amount of brush pickup Mr. Whitehead reported on. She also questioned if the Code Enforcement Officer was a police officer. Mr. Whitehead replied with the new brush regulations landscapers are no longer dumping brush collected throughout their day from other towns for Public Works to collect; they are using alternative disposal options. Mr. Nerwinski further replied the Code Enforcement Officer is not a police officer; he is an enforcement officer sworn in by oath and empowered to issue summonses.
- 6) Dorothy Prudhomme, 31 W. Long Drive – Resident of 20 years of West Long Drive discussed each of their properties in her neighborhood being comprised of over an acre of land and to point of treating everyone alike they have more trees, more property and they pay higher taxes so she would like for the Council to consider giving them a little leeway from the rule they are talking about enforcing being it is a burden to try and do a month's worth of work in 48 hours and some of them choose to do their own work and not hire a landscaper. She spoke of her being over 70 years of age doing her own yardwork and her appreciation for the services provided by the Township but still in agreement with the residents who spoke about the new brush timeline and size limitations being burdensome to property owners.
- 7) Ms. Karen Gorski, 18 Pine Knoll Drive – Spoke about Lawrence Township motto "Where Nature Smiles for 22 Miles" and nature smiling a lot in her neighborhood and having no control over nature as every wind storm, rain storm or anything that comes through creates lots of debris and limbs to cleanup and requested some leniency or waiver for certain neighborhoods with more volume like Pine Knoll that does not fit the bill of every neighborhood. Ms. Gorski suggested the Code Enforcement Officer go after the landscapers or other violators of the ordinance not the residents which might help with the revenue issues.

- 8) Philip J. Vinch, A-19 Carver Place – Addressed several issues of concern one being the new Brush Ordinance providing no cost-savings to the Township as indicated given the extra amount of timber is always the same, they are just picking up less curbside. The second item of concern being Richard Kulak being hired as the Code Enforcement Officer by the Municipal Manager to enforce the newly enacted Brush Pickup Ordinance and Mr. Kulak working under the authority of the Lawrence Township Police Department and is required to wear a badge and authorized to carry a firearm as it pertains to him issuing tickets under his former Badge Number 171 and carrying a weapon while on duty. Mr. Nerwinski responded that the Code Enforcement Officer position requires the Officer to assist the police with gun permits and does not require the officer to carry a firearm...but he can if he has a permit to do so, and he does not know whether Mr. Kulak wears a badge or not and based on the Oath he took he does have the authority and power to enforce the brush ordinance. An exchange of dialogue took place between Mr. Nerwinski and Mr. Vinch relative to the (8) eight summonses issued by Mr. Kulak under his former police badge number as part of the Lawrence Township Police Department and whether Mr. Kulak has the authority to lawfully issue tickets.
- 9) Mr. Richard Siegel, 17 West Church Road – Added his sentiments to the list of residents who voiced their concerns and objection to the new Brush Ordinance as it relates to the brush timeline and discussed he and his wife not being physically able to do yardwork anymore and hiring a lawn service to do their regular lawn maintenance, tree and brush removal and two cleanups a year and how the zone pickup schedule affects his landscapers when the weather does not permit them to do the yardwork according to the schedule. Mr. Siegel asked for clarification on the leaf and debris pickup so that everyone is on the same page with regards to brush pickup. He then read a letter of concern sent to him from his landscapers Blue Chip Lawn Service regarding Lawrence Township new brush policy and the owners request for a review of the policy.
- 10) Ms. Susan Collins, 18 West Long Drive – Discussed the flashing sign regarding the new Brush Regulations really grasping her attention being she does not regularly attend the meetings or read all the mail sent from the Township an suggested the flashing signs be used more often to notice people given it works.

### **PUBLIC COMMENTS RELATED TO AIRBNB ON OAKLYN TERRACE**

Mr. Nicholas Sferra, 116 Oaklyn Terrace, spoke about the house next door to him that was foreclosed on and purchased by an investor who bought the property with the intention of selling the property which instead ended up renting. In June, some people moved in, everything seemed fine until they noticed a pattern of groups of people coming in and out, some for two days, three days, etc. from various states – Connecticut, New York, Virginia, and his wife made a comment that the property might be an Airbnb which is when he searched the web and found that the property next to him was an Airbnb and from June up until yesterday they have had (13) thirteen rentals with various size families from as far away as California and it is now becoming concerning as he has 10 year old that he tries to give a little independence and they are right near a park and elementary schools and kids are walking home and they do not know who is coming in and out of the neighborhood with the Airbnb next door.

Mr. Sferra advised that he is not against an Airbnb if a person is on vacation and he also does not mind if a person decides to rent out their place for a couple of days; but, what is happened at the property next door is it is becoming more like a hotel. So, he just wanted to bring it the attention of the Township Council to start the discussion and get it on record that he cannot have a hotel-like property next door to his house,

near the children and all the parks and schools where kids walk to and from. Mr. Nerwinski thanked Mr. Sferra for coming out and bringing the matter to their attention and responded after some research and based on their interpretation of the Ordinance an Airbnb in a residential zone would be a non-permitted use as it is deemed to be like a motel in the neighborhood and in his opinion a serious public safety concern; particularly, in that close-knit neighborhood with children running around playing with different renters every single week or weekend is just unacceptable. So, a Cease and Desist Notice was issued to the property owner and the owner hired an attorney threatening to sue the Township. So the next step will be an issuance of summons for violation that will be heard in the Lawrence Township Municipal Court. A general discussion ensued relative to Airbnb's becoming problematic and legal issues rising from Airbnb's in some areas of the New Jersey as well as around the country.

Mr. Kenneth Kawalek, 127 Oaklyn Terrace, stated he is a resident of Lawrence Township for 47 years and he thinks Lawrence is a great town and the staff does a great job and he is very glad to be here this evening and advised that they have 10 residents from Oaklyn Terrace and Birchwood Knoll present this evening that are also concerned about the same issue regarding the Airbnb at 124 Oaklyn Terrace and proceeded to discuss 124 Oaklyn Terrace having a special place in his heart because in 1946 the place was built by his father-in-law and his wife lived there until she was 9 years old. So, they have a special bond to the place and they do not want to see anything happen to it or their neighborhood in terms of the Airbnb being operated like a hotel which should be out on Route 1 not a residential neighborhood with kids and continued to discuss the residents in that area being very concerned as the place is not vetted, inspected, and overcrowded with lots of different people coming in on a daily basis - some drunk, provocative and very rowdy. Thereafter, Mr. Kawalek thanked the Council for listening to their concerns and asked that they take the matter under consideration.

Mr. Vano Chu, 134 Oaklyn Terrace, voiced his support for his neighbors who spoke against the Airbnb in their neighborhood and pointed out it is worse than having a hotel because hotels have managers, security and people on staff at all times whereas in the busy season the house is occupied with a turnover of all types of strange people but when the season slows down the house is empty for an indefinite amount of time which is a major concern for him as he has an 11 year old who walks to school; so, he just wanted to add that to the Council's things to think about in terms of why an Airbnb should not be in a residential neighborhood.

Mr. Walter Burch, 160 Oaklyn Terrace, spoke about the transient traffic on his street incurred from the Airbnb and their street having no sidewalks and him almost being hit by car with New York license plates speeding down his street while he was walking his dog and stressed the need for increased police presence due to the increased traffic from various states – California, Virginia, etc. and people speeding down his street. He advised of his complaints going unheard and requested that the Council take the matter under serious consideration.

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Mr. Jim Cleak, 7 East Darrah Lane, spoke about traffic/speed issues on Darrah Lane and Princeton Pike as it relates to drivers not obeying the 25 miles per hour speed limit and the new Speed Sign near Glenn Avenue always getting his attention as to how fast he is driving and a reminder to slow down; however, the placement of the sign he feels is pointless as it is located right before a driver enters into the nonresidential area on Darrah Lane and he was curious as to why as it makes more sense if the sign were placed at the intersection of Darrah Lane and Princeton Pike to slow down traffic before they pass the whole residential area. Mr. Nerwinski replied that there are four speed monitors that they are rotating around the community as everybody wants a sign in their neighborhood due to speeding and the four units are circulated throughout the community periodically to collect data and the sign just happened to be at that geographic location on Darrah Lane.

Review and Revisions of Agenda

The Municipal Manager requested that the Executive Session Resolution 18-H.4 be amended to include discussions dealing with the Mt. Laurel Settlement and land acquisition.

On a motion by Ms. Lewis, seconded by Mr. Powers, the Agenda was amended to include the above revisions.

Same was carried on the following roll call vote:

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

Adoption of Minutes

On a motion by Ms. Lewis, seconded by Mr. Powers, the Minutes of Regular Meeting of April 16, 2019 were approved on the following roll call vote:

Same was carried on the following roll call vote:

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

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On a motion by Ms. Lewis, seconded by Mr. Powers, the Minutes of Regular Meeting of **May 7, 2019** were approved on the following roll call vote:

Same was carried on the following roll call vote:

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

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On a motion by Ms. Lewis, seconded by Mr. Kownacki, the Minutes of Closed Session Meeting of **July 23, 2019** were approved on the following roll call vote:

Same was carried on the following roll call vote:

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

Awarding or Rejecting of Bids

On a motion by Ms. Lewis, seconded by Mr. Powers, Resolution (9-A), Authorizing Awarding Contract to TC Landscape Construction Group, Inc., for the 2019 Drainage Improvements – Phase 2, was presented for adoption.

Resolution No. 278–19

WHEREAS, on Thursday, August 8, 2019 bids were received and publicly opened for the project known as **2019 Drainage Improvements – Phase 2**; and

WHEREAS, one (1) bid was received and reviewed by the appropriate Township Officials; and

WHEREAS, the lowest responsible bidder was TC Landscape Construction Group, Inc. who submitted a bid in the amount of \$194,170.00, 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;

| Acct. | Ord. No. | Name | Amount |
|-----------------|----------|--------------------------------------|--------------|
| C-04-55-454-248 | 2328-19 | Bergen Street – LHT Crossing | \$4,141.12 |
| C-04-55-454-290 | 2328-19 | Road/Drainage Improvement | \$20,000.00 |
| C-04-55-454-291 | 2328-19 | Graf, Harmony, Hopewell, Slack, Carr | \$19,768.88 |
| C-04-55-454-292 | 2328-19 | Mayflower, Bunker Hill & President | \$30,000.00 |
| C-04-55-458-230 | 2328-19 | Village Parking Lighting Replacement | \$120,260.00 |

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that pursuant to the recommendations of the Municipal Engineer, the Mayor and Municipal Clerk are hereby authorized to execute a contract with TC Landscape Construction Group, Inc., 729 Marie Street, Toms River NJ 08753 in the amount of \$194,170.00; 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 Kownacki, Lewis, Maffei, Powers and Mayor Powers.
 Absent: None.

Introduction of Ordinances

Mayor Bobbitt read by title, an ordinance entitled, "AN ORDINANCE AMENDING CHAPTER 435 OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE ENTITLED 'VEHICLES AND TRAFFIC' – Handicapped Parking

Mr. Nerwinski advised that the Ordinance amendment includes handicapped parking restrictions on Greenfield Avenue and Rupert Street.

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

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

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

Mr. Nerwinski advised that the Ordinance amends the Land Use Ordinance for Lawrence Square Boulevard North by changing zoning from Professional Office to Neighborhood Center. The change is based on the recommendation from the Municipal Engineer and the Municipal Attorney which would provide the Township with more options in terms of marketing that property.

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

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

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Mayor Bobbitt read by title, an ordinance entitled, “AN ORDINANCE AMENDING ORDINANCE NO. 2331-19 SALARY ORDINANCE OF THE TOWNSHIP OF LAWRENCE-UNCLASSIFIED AND/OR EXEMPT, SEASONAL, EMERGENCY, (NON-UNION) EMPLOYEESS FOR 2018-2019”

Mr. Nerwinski advised that the Ordinance amendment provides for the Municipal Manager salary pursuant to the contractual review that was conducted in June 2019.

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

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

Adoption of Ordinances

Mayor Bobbitt read by title, an ordinance entitled, “AN ORDINANCE AMENDING CHAPTER 435 OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE ENTITLED ‘VEHICLES AND TRAFFIC’ – Federal City Road Speed Limit

Ordinance No. 2335–19

AN ORDINANCE AMENDING CHAPTER 435 OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE ENTITLED “VEHICLES AND TRAFFIC”

BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey that Chapter 435 of the Lawrence Township Administrative Code entitled “Vehicles and Traffic” is hereby amended as follows:

Section 1.

Section 435-58 “Speed Limits” is amended as follows:

Federal City Road, both directions

35 MPH

entire length

Section 2.

This ordinance shall take effect twenty (20) days after adoption and / or upon installation of proper signage.

Section 3.

All ordinances, rules and regulations which are inconsistent with this ordinance are hereby repealed.

Ordinance No. 2335-19 was introduced and approved on the following roll call vote:

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

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Mayor Bobbitt read by title, an ordinance entitled, “AN ORDINANCE AMENDING CHAPTER 435 OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE ENTITLED ‘VEHICLES AND TRAFFIC’ – Eggert Crossing Road

Mr. Nicholas Sferra, 116 Oaklyn Terrace, imparted he started this conversation regarding the intersection of Route 206 and Eggert Crossing Road a while ago with some Township Officers and the Municipal Manager regarding how dangerous that intersection is in terms of the history where they lost two crossing guards. And, he is extremely concerned now that his son who is becoming mature and wants to walk home the need for additional improvements at that intersection in addition to the ones that have been started by the Township. Mr. Nerwinski advised during this year’s “Walk This Way” presentation a representative from NJDOT spoke to them about that intersection being identified as needing improvements such as a crossing lights so it is on DOT’s radar to get it done. Additional discussion took place relative to other simpler safety improvements needed at the intersection such a lighted police car, intersection stops possibly being pulled back 25 feet so they are not right on the crosswalks and removal or trimming of shrub at the walkway coming into LIS.

Nicholas Sferra, Jr., 116 Oaklyn Terrace, indicated during his walks home from school he witnessed the crossing guard almost being hit by a car on numerous occasions and cars coming up near the crosswalks causing the kids to have to walk around them. He also discussed the crossing guard sometimes not being present and the need for an Electronic Walk on RED SIGN/Don’t Walk Hand Sign to increase safety.



On a motion by Ms. Lewis, seconded by Mr. Powers, Ordinance No. 2337-19 was moved for **DISCUSSION PURPOSES ONLY** on the following roll call vote:

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

Mr. Roskos indicated that he was contacted by Kevin McManimon who is the attorney for Trenton Water Works and while the Lead Service Replacement Program has been in the works for months just recently the Local Finance Board at the Department of Community Affairs has raised an issue of concern about the Special Assessment itself and explained that there is some concern about different property values between the City of Trenton, Hamilton Township and Lawrence Township as it relates to the \$1,000 cap seemingly being inappropriate as each of the towns have different underlining property values as well as how much the property will be worth after the lead service line is replaced with a standard drinking line. Mr. Roskos advised that they solicited different contractors for each town but the bid prices to replace the property owners laterals at \$1,000 is essentially the same and a good price and a benefit to the property owner and he is hoping that the Local Finance Board does not turn the proposed program on it heads and discussed the DEP wanting the work done for drinking water safety. In closing, Mr. Roskos recommended that no action be taken on the Ordinance until the issue is resolved.

Ordinance No. 2337-19 was moved for **TABLED** on the following roll call vote:

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

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Mayor Bobbitt read by title, an ordinance entitled, – “AN ORDINANCE OF THE TOWNSHIP OF LAWRENCE AUTHORIZING PURSUANT TO NJSA 40A:12-14A USE AND OCCUPANCY AGREEMENT FOR A PORTION OF THE GARAGE IN THE STORAGE BUILDING AT CENTRAL PARK TO YOUTH SPORTS CLUBS”

Ordinance No. 2338-19

AN ORDINANCE OF THE TOWNSHIP OF LAWRENCE AUTHORIZING PURSUANT TO N.J.S.A. 40A:12-14 A USE AND OCCUPANCY AGREEMENT FOR A PORTION OF THE GARAGE IN THE STORAGE BUILDING AT CENTRAL PARK TO YOUTH SPORTS CLUBS

WHEREAS, the Township of Lawrence owns, for recreation and conservation purposes, parkland known as Central Park identified as Block 2801, Lot 51 on the Lawrence Township Tax Maps, commonly known as 100 Pezzicola Way, Lawrence, NJ; and

WHEREAS, Central Park is comprised of parkland and a municipal building with a garage, which garage was previously used by the Township for the storage of maintenance equipment used in the care and upkeep of the park; and

WHEREAS, the garage is now vacant due to the relocation of such maintenance equipment by the Township; and

WHEREAS, the Lawrence Lacrosse Club, the Lawrence Township Junior Baseball Softball Association, the Lawrence Hamnett Soccer Association, and the Lawrence Junior Cardinals Football and Cheer Club are non-profit organizations having as their purposes the encouragement of youth recreation and athletics, and the furnishing of such other accommodations, refreshments, entertainment, and social diversion as may be required to facilitate the same; and

WHEREAS, the importance and desirability of providing a wide variety of programs, activities and opportunities for youth recreational athletics to Township residents and the public has long been recognized by Township officials and residents; and

WHEREAS, the Lawrence Lacrosse Club, the Lawrence Township Junior Baseball Softball Association, the Lawrence Hamnett Soccer Association, and the Lawrence Junior Cardinals Football and Cheer Club are locally-based, volunteer-run organizations that promote recreational opportunities for youth of varied ages and abilities, and enhance the quality of life in the Township and for the public; and

WHEREAS, the activities of these organizations will benefit a broad cross-section of Township residents and the public; and

WHEREAS, at least 300 persons presently benefit from the public purposes served by these organizations, and the number of persons served by these organizations is likely to increase as the programs offered by them continue to grow; and

WHEREAS, the activities of these organizations promote the health, safety, morals and general welfare of the community and the public; and

WHEREAS, the Lawrence Lacrosse Club, the Lawrence Township Junior Baseball Softball Association, the Lawrence Hamnett Soccer Association, and the Lawrence Junior Cardinals Football and Cheer Club regularly use Central Park for games and practices, and desire to lease a portion of the garage for the storage of their equipment, uniforms and supplies; and

WHEREAS, subject to approval by the New Jersey Department of Environmental Protection, Division of Green Acres, it is the intent of the Township Council to permit each organization to use and occupy a portion of the garage located at Central Park, in furtherance of the aforesaid public benefits provided by the Lawrence Lacrosse Club, the Lawrence Township Junior Baseball Softball Association, the Lawrence Hamnett Soccer Association, and the Lawrence Junior Cardinals Football and Cheer Club.

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

Section 1. Preamble. The preamble is incorporated as if fully set forth herein.

Section 2. Agreements Authorized. Pursuant to N.J.S.A. 40A:12-14, the Township Council hereby authorizes separate use and occupancy agreements with the Lawrence Lacrosse Club, the Lawrence Township Junior Baseball Softball Association, the Lawrence Hamnett Soccer Association, and the Lawrence Junior Cardinals Football and Cheer Club for a portion of the garage in the storage building located at Central Park for the purposes of supporting and enabling the recreational and athletics activities provided by these organizations. These use and occupancy agreements shall be subject to the following conditions:

- A. Term: The initial term shall be five (5) years, which may be renewed for one additional five (5) year term;
- B. Consideration: Consideration shall be five dollars (\$5.00) per term;
- C. Insurance: The organizations shall provide the Township Manager with a certificate of appropriate insurance; and
- D. Such other terms and conditions reasonably recommended by the Township Manager and approved by the Township Council.

Section 3. Enforcement. The Township Manager, or his/her designee, is hereby designated as the Township official responsible for enforcement of the lease.

Section 4. Annual Report. For each calendar year, or portion thereof, the lease herewith authorized is in effect, the Lawrence Lacrosse Club, the Lawrence Township Junior Baseball Softball Association, the Lawrence Hamnett Soccer Association, and the Lawrence Junior Cardinals Football and Cheer Club shall be required to submit to the Township Manager a report containing the following information:

- A. The activities to which the leasehold was put during that year;
- B. The activities undertaken by the organization in furtherance of the public purposes as identified above;
- C. The approximate value or cost, if any, of the activities undertaken by the organization in furtherance of such public purposes;
- D. An affirmation of the continued federal and tax exempt status of the organization.

Section 5. Use of Remaining Space. The remainder of the garage bay may be utilized by other persons and organizations permitted to use the park on a “first come, first serve basis,” subject to the execution of a temporary use and occupancy agreement and compliance with all of the terms and conditions thereof.

Section 6. Severability. If any article, section or part of this ordinance shall be declared to be unconstitutional, invalid or inoperative, in whole or in part, by a court of competent jurisdiction, no such determination shall be deemed to invalidate the remaining articles, sections or part of this ordinance.

Section 7. Repealer. All ordinances and all provisions thereof inconsistent with this ordinance or any part hereof are hereby repealed. Nothing in this ordinance is intended to limit inspections provided for by applicable ordinances that may be in addition to the inspection provided for herein.

Section 8. Effect. This ordinance shall take effect twenty (20) days after adoption.

Ordinance No. 2338-19 was introduced and approved on the following roll call vote:

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

Manager’s Report –

Mr. Nerwinski stated he has nothing to report.

Attorney’s Report –

Mr. Roskos reported that K. Hovnanian Company issued and signed the Quit Claim Deed that he prepared for them on the property the town rezoned tonight and that there was no need for litigation or protracted negotiations and he would like to give credit to K. Hovnanian when he explained the error that had apparently taken place in 1989 with improper language being put in that Deed of Dedication. He then shared the Resolution that Jim Parvesse, Township Engineer, helped him find and it resolved itself in a matter of weeks. So, hats off to K. Hovnanian who delivered the Deed to the County Clerk’s Office for recording so the Council should be able do whatever they decide to do with the property.

Clerk’s Report –

There was no Clerk’s report.

Unfinished Business –

There was no unfinished business.

New Business –

Ms. Lewis noted in the last couple of meetings they have had a lot of participants talking about the pedestrian and bike safety in a variety of ways and she thinks that is something that the Township should be looking at for the mobility of people moving forward. Mr. Nerwinski advised that the Planning Board just did a whole study on bike and pedestrian safety and he will make sure the Council gets a copy of that Plan.

Ms. Powers suggested the Township Council have a Sign-in Sheet during the public participation. Mayor Bobbitt agreed as it would help them keep track and not miss anyone when there is a multitude of participants wanting to speak.

Public Participation (3-minute limitation per speaker) –

There was no public participation.

Resolutions

Resolution Nos. 267-19 (18-A.1) through 286-19 (18-H.5) with the exception of Resolution Nos. 268-19 and 269-19 (18-G-1-a-b) were approved by the following roll call vote:

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

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

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Resolution No. 267-19 and 268-19 (18-G.1 a-b) was approved by the following roll call vote:

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

Mayor Bobbitt reported that the Growth & Redevelopment Annual Awards will take place in October at Cobblestone Creek and everyone is invited to attend.

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**Written Communications –**

There was no written communications.

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Prior to the Executive Session, Mr. Roskos noted for the record that Peter Kiriakatis, Director of Finance, is a licensed municipal finance officer, State License Number N-0696, will be joining them in executive session tonight to consult with the Council on labor negotiations.

There being no further business to come before this Council, the meeting adjourned at Council went into Closed Session.

8:21 p.m.

Respectfully submitted by,

\_\_\_\_\_  
Kathleen S. Norcia, Municipal Clerk

Attest:

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Christopher Bobbitt, Mayor