

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

March 19, 2019

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, March 19, 2019, at 6:30 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, March 19, 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 Lewis, Powers and Mayor Bobbitt.
Absent: Councilman Kownacki and Maffei.

Also in attendance were Kevin Nerwinski, Esq., Municipal Manager and David Roskos, Esq., Municipal Attorney.

Special Proclamations, Recognitions and Presentations

Mayor Bobbitt invited representatives from Temple Micah up to the podium and stated it is an honor and privilege to present them with the following Proclamation in celebration of their 50th Anniversary taking place on Saturday, March 23rd. He then read the following Proclamation on behalf of the Council into record:

Proclamation

WHEREAS, Temple Micah was created fifty years ago to provide a congregation open and comfortable to all individuals wishing to realize their own personal connection to Judaism;

WHEREAS, those first congregants decided to name the congregation after the prophet Micah (737-690 BCE) who preached we should all be just, kind and humble;

WHEREAS, the first service for Temple Micah was held at the Rider College Chapel on July 11, 1969 and was open to the public;

WHEREAS, soon thereafter, Temple Micah approached the Reverend H. Dan Fearon, pastor of the historic and beautiful Presbyterian Church of Lawrenceville, and requested permission to use the church's sanctuary for their first High Holy Days services in the fall of 1969;

WHEREAS, Dr. Fearon was enthusiastic about establishing an interfaith relationship and presented the idea to the Church Trustees who agreed to a one-year trial which was successful;

WHEREAS, the Presbyterian Church of Lawrenceville has been the welcome home for Temple Micah for fifty years and the two institutions share a strong, supportive and inspiring interfaith relationship;

WHEREAS, Temple Micah has experienced leadership of five rabbis: Rabbi Albert Ginsburgh from 1970 through 1992; Rabbi Ellen Greenspan from 1992 through 2012; Rabbi Vicki Seren Tuckman from 2012 to 2015; Rabbi Roni Handler from 2015 through 2017; and currently by Rabbi Elisa Goldberg;

WHEREAS, Temple Micah further has been fortunate to have Cantorial Soloists Alfred Beck and currently Adrienne Rubin;

WHEREAS, in 1970, Dorothy Koppelman founded Temple Micah's religious school, named after a Temple Micah founder and former president, Irving Seligman. Currently the religious school instructs over one hundred students, K-12, and is energetically headed by Director Sue Weiner and served by its devoted teachers;

WHEREAS, Temple Micah is governed by a dedicated volunteer Board of Directors, to wit: President Ivy Cohen, Vice President Holly Kotler, Treasurer Charlie Wight, and Recording Secretary Traci Smith; Board Members Jack Cohen, Graham Tebb, Nancy Ballard, Lonnie Krenrich, Charlie Lavine, Lisa Hardt, Sara Miller, and Marion Gelber; Former Officers Mike Sandler and Ray Wolkind; and Presidents Emeritus Bob Pollack, Mary Kuller and Larry Leder;

WHEREAS, on Saturday, March 23, 2019, Temple Micah will celebrate its Golden 50th Anniversary;

NOW, THEREFORE, BE IT PROCLAIMED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that it hereby joins in celebrating the 50th anniversary of Temple Micah, its board and religious school leadership, its congregation and its interfaith partner and home, the Presbyterian Church of Lawrenceville.

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Chief Caloiaro greeted the Council and proceeded with a brief background history on Sergeant Kevin Reading and the two new police officers. He then congratulated Sergeant Reading on his promotion and welcomed the new officers to the Lawrence Township Police Department. Mayor Bobbitt administered the Oaths of Office to the following Police Officers:

Sergeant Kevin Reading
Officer Liubove Bjorklund
Officer David Kraszewski

Sergeant Reading, Officer Bjorklund and Officer Kraszewski thanked their respective parents, friends/family and fellow officers for all of their guidance, love and support throughout their life and career. Each officer further thanked the Municipal Manager and Township Council for all of their support as well. Sergeant Reading gave special recognition to his father, Kevin Reading, Sr., who served as a Lawrence Township Police Officer for 26 years, after which he congratulated both new police officers.

Public Participation

Mr. Marvin Van Hise, 118 Federal City Road, voiced his concern with the State of New Jersey being on the verge of legalizing recreational use of marijuana and him not wanting to see Lawrence Township adopt with open arms the sale of marijuana which he considers to be detriment to the citizens of New Jersey. Mr. Van Hise went on to state he did not like the use of marijuana when he served in the Vietnam in 1968, he did not like it when he served as the Municipal Judge for 12 years in various municipalities in Burlington and Mercer County and he does not like it now. However, he is not opposed to the use of medical marijuana with controls, monitoring and distribution but he is vehemently opposed to the violation of Federal Statute and the adoption of State law that decriminalizes marijuana in the State of New Jersey and he is further opposed to the sale of marijuana in Lawrence Township should the proposed Statute be signed into law by the Governor and come to fruition and proceeded to elaborate on his time serving as a judge and the drug offenses he had to review with almost every criminal case dealing with possession of marijuana and him having a major concern with infants, young children and adult subjected to the use of drugs.

Review and Revisions of Agenda

There was no review or revision of the agenda.

Adoption of Minutes

On a motion by Ms. Lewis, seconded by Mr. Powers, the Minutes of Regular Meeting of December 18, 2018, January 2, 2019 and January 15, 2019 were approved on the following roll call vote:

Same was carried on the following roll call vote:

Ayes: Councilmember Lewis, Power and Mayor Bobbitt.
Nays: None.
Absent: Councilman Kownacki and Maffei.

Awarding or Rejecting of Bids

There was no award or rejection of bids.

Introduction of Ordinances

Mayor Bobbitt read by title, an ordinance entitled, “AN ORDINANCE AMENDING CHAPTER 13 OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE ENTITLED ‘MOTOR VEHICLES AND TRAFFIC’ – Handicapped Parking

Mr. Nerwinski advised the Ordinance amends the Administrative Code to add a portion of Pear Street and Michigan Avenue to the list of restricted parking areas designated for handicapped credentialed persons.

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, “ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER”

Mr. Nerwinski advised as part of the budgeting process the Ordinance establishes a Cap Bank as required by New Jersey Budgetary Law and they are capping monies that are above the 2.5%. The total amount is \$627,365.24. It is money that they are not using this year but are able to apply to future budgets, if necessary. Mr. Nerwinski further advised that the proposed 2019 Municipal Budget does not exceed the 2.5% cap limit.

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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Adoption of Ordinances

Mayor Bobbitt read by title, an ordinance entitled, "AN ORDINANCE AMENDING ORDINANCES NOS. 1479-96 AND 1617-00 CREATING AND AMENDING THE SHADE TREE ADVISORY COMMITTEE"

Ordinance No. 2322 -19

AN ORDINANCE AMENDING ORDINANCES NO. 1479-96 AND 1617-00  
CREATING AND AMENDING THE SHADE TREE ADVISORY COMMITTEE

BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that Ordinances No. 1479-96 and 1617-00 are hereby amended as follows:

1. SECTION II

Creation; membership; terms; organization

A. Replace as follows:

- (1) One (1) member of the Planning Board to be appointed for a one-year term.
  - (2) [Five (5)] Four (4) citizen members to be appointed for terms of three (3) years. Said terms shall commence on January 1<sup>st</sup> and be overlapping with two members appointed annually. Where possible, citizen members shall be chosen based on experience or expertise in the area of shade tree planting and maintenance.
  - (3) Two (2) Alternate members to be appointed for terms of three (3) years. Said terms shall commence on January 1<sup>st</sup> and be overlapping with 1 member appointed annually.
  - (4) One (1) member of the Township Council shall act as liaison to the Committee.
2. Repealer. All ordinances or parts of same inconsistent with any of the provisions of this ordinance are hereby repealed to the extent of such inconsistency.
  3. Severability. If any section, paragraph, sentence, clause or phrase of this ordinance shall be declared invalid for any reason, the remaining portions of said ordinance shall not be affected thereby and shall remain in full force and effect.

- 4. Effective Date. This ordinance shall become effective twenty (20) days after adoption thereof.

Ordinance No. 2322-19 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 OF THE TOWNSHIP OF LAWRENCE AUTHORIZING PURSUANT TO N.J.S.A. 40A:12-14 – A LEASE FOR A PORTION OF THE STORAGE BUILDING AT CENTRAL PARK TO YOUTH SPORTS CLUB"

Ordinance No. 2323-19

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

WHEREAS, the Township of Lawrence owns, for recreation and conservation purposes, park land known as Central Park; 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 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

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

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 storage building located at the park 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 lease to each organization a portion of the storage building 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. Lease Authorized. Pursuant to N.J.S.A. 40A:12-14, the Township Council hereby authorizes separate leases 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 storage building located at Central Park for the purposes of supporting and enabling the recreational and athletics activities provided by these organizations. The lease shall be subject to the following conditions:

- A. Term: The initial term shall be 3 years, which may be renewed in intervals of 3 years;
- B. Consideration: Consideration shall be one dollar (\$1.00) per year;
- 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 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. 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 6. 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 all applicable ordinances that may be in addition to the inspection provided for herein.

Section 7. Effect. This ordinance shall take effect twenty (20) days after adoption.

Ordinance No. 2323-19 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 submitted invoice listings for the month of March 2019 in the amount of \$1,337,999.70.

Mr. Nerwinski distributed copies of the 2019 Municipal Budget Introduction and imparted that they have had a series of hearings and departmental budget presentations and the 2019 Budget includes a 2-cent tax increase in the proposed \$49.1 million municipal budget for contractual reasons, increase of staff to continue quality services and reasons out of their control. Mr. Nerwinski then asked for comments from the Council.

Mr. Powers stated in terms of the budget the Township did go through some difficult times where they had to cut municipal services to the bone and now that they are through the grayness and bad times they now have an opportunity to make sure that the quality of services for the residence are how they expected them to be and the proposed 2019 Budget will help accomplish that goal.

Ms. Lewis echoed the same sentiments as Mr. Powers with regards to the 2019 Budget allowing them to get back to the same level of services Lawrence residents have come to expect and indicated they had lots of conversations and some very good hearings with the Department Heads on what their needs were moving forward and she thinks the proposed budget will help them keep taxes stable while allowing the get back services and prepare the Council for the future.

Mayor Bobbitt stated the Council appreciates having the open hearings from the Department Heads which is always informative to them to understand their staffing needs and he knows they cannot give them everything they want but they can afford to give them a little bit more to address their needs and he appreciates the hard work that everyone puts in. On behalf of the Township Council, he thanked and extended their appreciation to Mr. Nerwinski and Mr. Kiriakatis for their thorough work on the proposed 2019 Budget.

Mr. Nerwinski advised of the hiring of Class III Officers for the Public Schools in Lawrence which they started in 2018 and the Township's plans to hire an additional Class III Officer this year with matching funds from the schools and that they have not officially heard back from the school but if they receive the funding they will have (4) four Class III Officers with two officers rotating among the lower schools. The goal in the following years is to eventually have a Class III Officer in each school. And, they just hired another Class III Officer for Notre Dame High School that is completely funded through a grant the school received but the officer will come under the jurisdiction of the Lawrence Township Police Department. Further, they have provided for a civilian employee to assist the Police Department with administrative duties as well as support the Public Works Department in terms of enforcement and education with regards to the Brush Pickup Policy and that he has received positive feedback with regards to the officer's engagement with the citizens and providing information.

Mr. Nerwinski further advised that the part-time Clerk in the Recreation Department is now full-time in an effort to be proactive and to engage the community better and proceeded to discuss the proposed tax increase as it relates to him and Mr. Kiriakatis wanting to be consistent and fiscally responsible in terms of municipal operations while providing the proper support to the Township employees and the right services to the community in steps without large tax increases in the budget.

Authorizing the Open Space Tax Rate for 2019

Resolution No. 123-19 (12-A) was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVE	SECOND
Mr. Kownacki				X			
Mr. 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.

Authorizing Self-Examination of the 2019 Municipal Budget

Resolution No. 124-19 (12-B) was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVE	SECOND
Mr. Kownacki				X			
Mr. 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.

Introduction of the 2019 Municipal Budget

Resolution No. 125-19 (12-C) was approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVE	SECOND
Mr. Kownacki				X			
Mr. 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.

Attorney's Report –

Mr. Roskos stated he was going to mention the Cannabis legislation tonight and in light of Judge Van Hise (retired) comments regarding the proposed legalization of cannabis he wants everyone to know that the attempts to prohibit cannabis that have been enacted are ineffective and the statement that accompanies the Bill reads *“Any ordinance enacted prior to the Bills effective date addressing the issue of prohibition within the jurisdiction of a local governmentality would be null and void”* So, while it might be an exercise to voice an opinion it is still an ineffective ordinance and the Township has to be mindful of several provisions in the Bill and once he sees what is finally adopted he will bring forward a bullet outline of the ordinance.

Mr. Roskos went on to discuss the different levels of cannabis activities that the Township Council would have to be mindful of if the Bill is passed as it relates to the context and provisions that would have to be enacted with regards to permits to grow, consume, sell, process, wholesale, etc. He then explained failure of a local government entity to enact an ordinance prohibiting such operations within 180 days following the Commissions initial adoption of regulations would result in any class of cannabis establishment that is not prohibited from operating within a local jurisdiction as being permitted to operate for the next 5 years which includes growing, cultivating, processing and selling and reselling.

Mr. Roskos advised that the growing, processing and wholesaling would be permitted in all industrial zones and selling would be allowed from a retail store would be a conditional use in all commercial zones or retail zones. And, at the end of the 5 year period following a failure to enact a local ordinance, the local government entity can revisit the issue of prohibition but any ordinance would be perspective only, not applied to any cannabis establishment that was already operating within the jurisdiction. There are issues involving the use of cannabis in public places and should the Township act to permit there are control issues about how the activity would take place and where it would be prohibited. In addition, there are tax questions in which the Township has to set with the amount not exceeding 2% percent so no matter what the Council ultimately decides there is work to done which he has been waiting to crystalized and is literally happening right now. So, he thinks it would be useful for him to prepare a bullet outline although action is not necessary right now, and he wanted the Council to understand the implications of doing nothing.

Mr. Roskos reported that his office has been diligently working on the Collections Contract for the Municipal Court which involves the Administrative Office of the Courts and has become more involved than anticipated. They are also working on the Solar Energy Contract that was sent to them which was not a public entity contract and needed a whole lot of work.

Mr. Roskos further reported that the Sheft's inspection will take place tomorrow and he hopes to report something positive in the next week or two. The Brandywine Settlement is now being the subject of some discussions with a contract purchaser from Brandywine who is asking the Township to enter into a Pilot Agreement and it was explained to the Contract Purchaser that when they settled the case there was no pilot agreement provisions. So, the discussions are ongoing and he will keep them apprised as to the outcome. They are also working on other things to include the sale of public properties such as the Substation and properties at Lawrence Square Village.

Clerk's Report –

There was no Clerk's report.

Unfinished Business –

There was no unfinished business.

New Business –

Mr. Van Hise inquired if the bullet report Mr. Roskos prepares for the Council could be made public to the citizens given he certainly plans to take a position on the Cannabis matter and he would like to read it. Mr. Roskos advised that it would be his own synopsis of the proposed Cannabis legislation but he does not have a problem with Judge Van Hise receiving a copy once the Council reviews it.

Public Participation (3-minute limitation per speaker) –

There is no public participation.

Resolutions

Resolution Nos. 126-19 (18-D.1) through 131-19 (18-H.4) 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.

Council Initiatives/Liaison Reports –

Councilman Powers reported that Growth & Redevelopment meets tomorrow.

Mayor Bobbitt informed Council that the Growth & Redevelopment Committee advised that they would be providing him with a Report on the proposed changes to the signage ordinance and when he receives the information he will pass it on to the Council and appropriate people in the Township.

Councilwoman Lewis reported that the Health Advisory Committee is looking at a Vision Zero Recommendation and the goal is to get to zero traffic deaths and there is a resolution that other towns have adopted that was just sent over to her which she will look at and share with the Council after the Committee’s review.

Written Communications –

There was no written communications.

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

7.34 p.m.

Respectfully submitted by,

Kathleen S. Norcia, Municipal Clerk

Attest:

Christopher Bobbitt, Mayor