

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

October 15, 2019

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, October 15, 2019, at 6:30 p.m.

The meeting was then opened with the Inspiration and Pledge of Allegiance, led by the 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, October 15, 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, and David Roskos, Esq., Municipal Attorney.

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Special Proclamations, Recognitions and Presentations

Mayor Bobbitt provided a brief background history for each of the firefighters. He then administered the Oaths of Office to the following Firefighters:

Justice Colucci  
Todd Lenarski  
Jamie Orochena

Mayor Bobbitt then congratulated each of the new Firefighters and wished them all success in their new endeavor.

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“Beautification Award Presented by the Garden Gate Garden Club”

Ms. Pam Mills, President of Garden Gate Garden Club, greeted and thanked the Council for giving her an opportunity to present the Garden Gate Garden Club Beautification Award to this year’s recipient, Mercer Mall, for the Federal Realty Properties and the good job they have done environmentally with the plantings of helpful plants that are pretty, have texture and color but require less chemicals and do not need to be fertilized or irrigated. So, the Garden Gate Garden Club would like to thank Mercer Mall for brightening up the Mall area with their ecological practices.

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Mayor Bobbitt thanked Mr. Brummel for his many years of volunteerism on the Health Advisory Board, after which members of the Health Advisory Board presented him with the following Tribute as a thank you for his many years of voluntary service to Lawrence Township.

*Tribute*

*Leo S. Brummel*

The Health Advisory Board is here this evening to join the Township Council in honoring Leo Brummel, in memoriam, for his many years of voluntary service to his beloved community; having moved to Lawrence Township 53 years ago with his wife Honey where they raised their four sons.

As a Registered Pharmacist he owned and operated the local Del-Val Pharmacy and when he retired, decided that he would volunteer his expertise on the Health Advisory Board, beginning his tenure in 2000 and served continually until his passing in August. When driving became a bit of a challenge he still attended every meeting with the assistance of his wife; and for that Honey, we will be eternally grateful.

Through the years Leo made significant contributions to the Board such as the development of its Mission Statement; review of the Lawrence Township Pandemic Flu Plan including the H1N1 Vaccination Program; assisted in the completion of the National Performance Standards/Governance Tool - a self-assessment of advisory boards; the successful revision of the Township’s Leash Law; Vision Zero Policy by the Board for improving traffic safety for our Township and total support of the Mayor’s Wellness Campaign in Lawrence - just to name a few.

Leo’s dedication, caring volunteerism and willingness to share his vast knowledge and expertise to the benefit of his fellow Lawrence residents was greatly appreciated and will be deeply missed by those who have had the privilege to know him and work with him over the years.

He most certainly has provided us a much safer and healthier community for having lived here and served here.

October 15, 2019

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### Public Participation

Prior to the public comment period, Mr. Roskos, Township Attorney, advised the Municipal Manager and the Township Council that Lawrence Township is currently involved in litigation and that he would appreciate all of them making no comments about that litigation tonight. And, they will aggressively defend that action; but, it does not help the town's defense to engage in a debate during a public meeting so he is asking all of them to sustain from comments on the litigation.

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Ms. Lisa Burke, 278 Fountayne Lane, greeted the Council and stated she would like to speak about Community and Stability as it relates to the two places she has lived in her life. One being Jersey City for 32 years which taught her a lot about politics and other aspects of life and since then Lawrence Township and the sense of home and community is why she is present tonight and she hopes that her words will be received with the sincerity of heart in which it is intended. Mr. Burke imparted they can all agree on the divisiveness that exist in today's society as it relates to Lawrence Township model of "Where Nature Smiles for 22 Miles" and her thoughts of Lawrence being insulated from that type of discord; but, recently not so much. And indicated she was shocked at the tone, tenor and substance of the Township's statements in response to the announcement of the lawsuit and advised that social media can be a marvelous tool but it can also be an unintended ricochet as it is too easy for emotions to drive the content of what a person writes. And, while is it humanly understandable, it goes like wildfire so in her opinion the Statement that she thinks was intended to standup for the Police Chief's career, representation and integrity unintentionally provided people who hide behind the veil of anonymity the stage to say whatever they wish being they do not have to substantiate it.

Ms. Burke went on to explain that Civil cases are meant for the Courts to decide not the court of public opinions and Lawrence is a tight knit community and the men and women in the police department involved in the litigation who serve Lawrence are not people who live out of town they are their neighbors, people who attend church with them and people who stand with them for all kinds of causes in the Township and an attack on them should not be happening in Lawrence and suggested for the next several months as more stories are written about the case she would like for Lawrence to be the community that understands people have disputes but the Courts have a process for working them out so they do not need to personalize the process and in the process unintentionally contribute to the divisiveness which is not what Lawrence is about. And, going forward she would like the Council to seriously consider how they speak about the litigation as suggested by Mr. Roskos because at the end of the day all of those police officers have to work together and have each other's backs being the residents of Lawrence depends on them and they need to be standing by those men and women all as a Body because they stand by this community.

Mr. Philip Vinch, A-19 Carver Place, advised that he is present tonight to speak about the purchase of the Sheft's property and asked for clarification as to whether the Township Council voted to adopt the contract with the Sheft family. Mr. Roskos replied the Council not only voted for it when they adopted the budget and knew what the cost would be they also authorized the Mayor to execute the contract and he believes there is a Resolution on file in the Municipal Clerk's Office.

Mr. Vinch proceeded to discuss the Sheft's property possibly having heavy metal contamination as alluded to many years ago by some of his elders involved in historical Phase I environmental work performed at the site and his opposition to the Sheft property remaining as open space because the properties along Route 1 are commercial ratable properties. He further discussed Mayor Bobbitt and Councilwoman Lewis voting on the Sheft's properties contract being a conflict of interest given Mayor Bobbitt lives in the Lakelands and Councilwoman Lewis' husband sits at the County level and she voted on the matter at Lawrence Township Planning Board and suggested before the Council move forward with the purchase of the property that they make sure the site is not contaminated because under New Jersey State law any contamination found at the site will be the responsibility of the Township once the contract is executed. Mayor Bobbitt asked Mr. Nerwinski if there was an environmental study done at the site and Mr. Nerwinski replied "yes" and proceeded to review the findings.

Mr. James Hooker, 713 Bunker Hill Avenue, spoke in support of the purchase of the Sheft property and why the purchase of the property was the right decision as it relates to preserving the Lakelands for recreational purposes and the vast amount of wildlife including the symbol of our Nation, the Bald Eagle that inhabits the area and proceeded to reiterate a few things written by him and Friends of Colonial Lake that is now 3,000 members strong on their Facebook page as part of a continuing effort to preserve Colonial Lake Park as open space. He then thanked the Township Council for their foresight and vision in saving Colonial Lake.

Ms. Andrea Williams, 82 Pointe Court, advised that she is present this evening speaking for most of her community at Lawrenceville Point about Hopewell Township's plans to build 300 Affordable Housing Units on Federal City Road and the devastating impact the new development will have on the traffic and safety in that area and questioned where will the entrance be to the complex because if it is going onto Federal City they have Traditions going there and they also have Bull Run Road where they have enough accidents. They also have the people from Stewards Crossing and Lawrenceville Point on that road and where the children will be attending school - Lawrence or Hopewell – being they are trying to preserve their taxes. She also inquired if the deal was a done deal or is it anything the Township can do to preserve the land. Mayor Bobbitt advised that children will be attending school in Hopewell Township not Lawrence Township.

Mayor Bobbitt explained that the deal is occurring in Hopewell Township and the proposed development has been passed by the Planning Board but there is still a long way to go. But, he will defer the matter over the Township Manager for further details concerning the ongoing conversations between Ewing Township, Hopewell Township and Lawrence Township in terms of the traffic impact that is going to happen. In addition, the matter was mentioned to the County and New Jersey Department of Transportation so the appropriate officials are aware of the problem but the details are still being discussed.

Mr. Nerwinski reiterated that it is a Hopewell Township project not a Lawrence Township project; however, the project will have an impact on Lawrence residents and there is no Planning or Zoning authority from Lawrence Township that can block something implemented in another municipality. But, what they can do is participate in a process to make sure that the traffic consequences are minimized. And, on that end they have Lawrence Township Municipal Engineer working with the engineers from Hopewell and Ewing Townships and the three municipalities will have a meeting to discuss traffic concerns and the cost of installing a traffic light at Bull Run Road located in Ewing Township to help alleviate some of the traffic issues in that area.

Mr. Roskos noted that the project stems from the Mount Laurel case where every town has a constitutional obligation to provide low and moderate income housing for low to moderate income families and that site is one of Hopewell Township's low to moderate sites to meet that obligation which have been a subject of litigation since 2015. So, as part of the settlement the development will be built and the site will be given priority for sewer and water services so the developer, in addition to putting up market apartments, will be putting up units for low and moderate income families in the County. But, there are issues still to be resolved in terms of sewer service to the location and traffic issues that have to be worked out. And, each municipality determines what can be built on their land and that property belongs to Hopewell Township because during the creation of I-295 that property became an orphan piece from Lawrence Township...so that together with a few other sites in Hopewell will be fulfilling the town's Mount Laurel obligation and the only thing Lawrence Township can do is address the traffic issues as best they can being they have no jurisdiction over that project.

Ms. Mary Baird, 92 Traditions Way, advised that she has had an honest discussion with Hopewell's Municipal Manager and she understands that the development is going in but she still having concerns with health and safety which is presenting difficulties as Ewing is having problems with the creek on the other side of the property and a backflow of traffic on Bunker Hill and Federal City Road and proceeded to discuss at length the major impact the additional traffic will have on the residents that live in the area of Bunker Hill Road and Federal City Road with the new project coming in and the lack of seriousness she feels the Administration is taking with regards to how the plan will adversely affect the the residents of Ewing and Lawrence and the importance of finding a resolution to the safety and traffic issues prior to the development being constructed.

In closing, Ms. Braid asked if the Township Council could provide the residents with a progress report as talks begin. Mr. Nerwinski suggested to the Mayor that he get in contact with Charles Lavine to form a group to spread information to residents as information is received. Ms. Williams also requested that communication be forwarded to the HOA Board Presidents of Lawrenceville Point and Traditions at Federal Point (Pat Hatch) as the matter progresses.

Mr. Peter Boughton, 133 West Farrell Avenue, Ewing Township, New Jersey, advised that he is a third-term appointee of the Ewing Township Planning Board and he was at the Hopewell Township Planning Board Meeting when they unanimously let the plan go through, and indicated he came to the Mercer County area 40+ years ago when I-95 was just going in and they were able to go down one of the partial clover leafs and it became clear to him over the years that in order to go on a four way to Philadelphia from Federal City Road or Federal Point they would have to go down the Bull Run Road and there is a very short traffic light so Route 31 is almost always green in the north south direction whereas Bull Run is mostly a red light and traffic does build. And, he is also a bicycle advocate and during Ewing's 5<sup>th</sup> Annual Bike Tour the people would not take their bikes on Federal City Road or Bull Run Road unless there was a police escort even though a portion of Federal City Road speed limit was recently downgraded and restriped it was still much too narrow for any kind of safety lanes. So, he is well aware of the problems exist in that area as he has been an advocate for 12 years to get a sign put in at Bull Run Road and Federal City Road and proceeded to discuss the Mercer County Technical Schools Sypek Center on Bull Run Road that have school buses running morning and afternoon and him personally having to wait for them one day to come in and out and a friend that he knows that lives along the creek in Ewing as it relates to the 100 year old floodplain and creek encroachment that is temporarily holding up the project.

Mr. Boughton continued to discuss the three Townships – Ewing, Hopewell and Lawrence – comprised of a village like it is on the program Google Earth and him wanting to see more cross communicate between the three towns when there are big projects such as Mount Laurel because it is apparent that Hopewell Township seems to have developed arrears and is now trying to jam all 18-percent of their core obligation into this one project with very little notice unlike Ewing who over the years has done about 10-percent of each new development and has kept up very nicely with their numbers. And, he was very glad to hear that the three Township Engineers are getting together and he hopes the conversation includes at least one signal light and timing on the other end of Bull Run Road. He briefly discussed the traffic issues on Bunker Hill Avenue near the Loveless Tract and the matter being a collaborative effort and invited members of Council to reach out to him because if he can do anything to advance this issue he is comfortable speaking with the Business Administrator Jim McManimon and Mayor Steinmann.

Mr. Amy Blair, 19 Lopatcong Drive, Ewing, New Jersey, advised that she wrote to Mayor Bobbitt earlier this month about the traffic concerns at Bull Run Road and Federal City Road and her plans to visit all the Councils in Ewing, Hopewell and Lawrence Township to discuss this matter as a Mercer County Community member not just a Ewing resident and proceeded to discuss the traffic delays she experiences on Federal City Road and Bull Run Roads while driving and Lawrence residents facing the same angst as Ewing residents trying to make a left onto Federal City Road from Federal Point Drive and the desperate need for a traffic light there with the extraordinary traffic issues from the 300 affordable and moderate units Woodmont Properties plans to build that could be disastrous from a safety standpoint. She then inquired as to when the Township Engineers from the three towns are going to meet and if the officials could hold a meeting at one location such as a firehouse for the residents can attend to discuss the matter. And, if the Mercer County Planning Board could hold a night meeting for them to voice their concerns being the new development will affect three townships in Mercer County and their meetings seem to be held during business hours.

Mayor Bobbitt advised that there is no set meeting date as of yet and that the Township Council hears the Ewing and Lawrence residents loud and clear and they will pass their concerns on the Lawrence Township Engineer but suggested they voice their concerns with Hopewell Township officials being the units are being constructed in their town. Mr. Nerwinski stated that he will contact both business administrators from Ewing and Hopewell to ask them if they can get together at a location in Ewing Township and they will make sure it is publicly noticed and that they all can attend and participate. Mr. Boughton noted that Hopewell Township Council Meeting for those who want to attend is taking place on October 21<sup>st</sup> at 6:30 p.m.

Ms. Catherine Ferdetta, 29 Farm Road, Ewing, New Jersey, reiterated the same concerns with traffic problem at Bull Run Road and Federal City Road and the 300 affordable and moderate units to be built creating more of a traffic congestions problem and spoke about possibly being inventive by creating another access road to come out on that would help alleviate the traffic concerns.

Mr. Martin Norton, 292 Federal Point Boulevard, stated he lives at Traditions at Federal Point and his background is in engineering (retired) and he has lived in Lawrence Township for 11 years after living in England, France, Germany, Holland and three states in the United States working and he feels he is at least semi-qualified to make one comment and his comment is that the Traffic Study performed is flawed and his bases for saying that is if they look at the input and say out of the 300 to 400 cars only 80 will be used during the rush hour when their kids to school and people going to work; therefore; on the basis of garbage in garbage out they have the wrong conclusion and the know that the solution is traffic management with the two opposing entrances with one of the solutions being a traffic light and he is glad they are getting together with the other governing bodies to discuss the matter.

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### Review and Revisions of Agenda

The Municipal Manager requested that the Executive Session Resolution (18-H.2) be amended to remove discussion dealing with labor negotiations and include discussion for pending litigation.

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.

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### Adoption of Minutes

On a motion by Ms. Lewis, seconded by Mr. Powers, the Minutes of Regular Meeting of June 18, 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 Closed Session Meeting of October 1, 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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Awarding or Rejecting of Bids

On a motion by Ms. Lewis, seconded by Mr. Powers, Resolution (9-A), Authorizing Awarding of Bid No. 19-14, 2019 Snow Plowing Services, was presented for adoption.

Resolution No. 329-19

WHEREAS, on September 26, 2019, bids were received for Bid No. 19-14, 2019 Snow Plowing Services; and

WHEREAS, two bid were received and reviewed by the Municipal Manager and Director of Public Works and Marrazzos Manor Lane, 1301 Yardley Road, Yardley, PA 19067 who submitted a bid in the amount of \$175.00 per hour per truck is being awarded the contract; 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 is 9-16-56-849-299 (Reserve for Snow Removal);

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that the Township is hereby authorized to award Bid No. 19-14, 2019 Snow Plowing Services, to Marrazzos Manor Lane for the period of November 1, 2019 through April 15, 2020 with a contract amount not to exceed \$17,000.

Same was carried on the following roll call vote:

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

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Introduction of Ordinances

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

Mr. Nerwinski advised that the Ordinance creates a handicapped space in front of 961 Lanning Avenue.

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

There was no adoption of ordinances.

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**Manager’s Report –**

There was no Manager’s report.

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**Attorney’s Report –**

There was no Attorney’s report.

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**Clerk’s Report –**

There was no Clerk’s report.

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**Unfinished Business –**

There was no unfinished business.

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**New Business –**

There was no new business.

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

Ms. Stacy Antler, 47 Fairfield Avenue, greeted the Council and inquired as to who Richard Kulak is with the Township. Mr. Nerwinski advised that Mr. Kulak is an employee of the Township of Lawrence who works as the Code Enforcement Officer managing the Brush Program and he is also a Court Security Officer. Ms. Antler also questioned if Mr. Kulak is a Lawrence Township Police Officer and whether he is allowed to carry a gun; because she witnessed him having a vehicle pulled over one morning (whether he did the stop or not she does not know) and during that stop he was standing there in khakis and a polo shirt with a gun strapped to his waist talking to the person in the car. Mr. Nerwinski replied “no” he is not a Lawrence Township Police Officer, Mr. Kulak, is a former police officer licensed to carry a firearm who does the administrative work for the Gun Permits in the Police Department and he also manages the Brush Program. And indicated his reason for having a civilian instead of a police officer is because he personally thinks a police officer making over \$100,000 should not be managing the Brush Program and with Mr. Kulak handling the Gun Permits it puts the Detective who was handling that task back on the road and continued to elaborate on other aspects for hiring Mr. Kulak.

Mr. Nerwinski inquired as to the date of the incident which Ms. Antler indicated she does not have offhand but would provide to him via email. An exchange of dialogue ensued between Ms. Antler and Mr. Nerwinski relative to what she witnessed Mr. Kulak doing that morning during traffic hour near Notre Dame H.S. and why the incident seemed out of character and caught her attention; especially, when she saw comments on social media of this not being the first incident. Mayor Bobbitt noted if she saw something out of the ordinary she should have reported it to the police department not wait until tonight’s public forum. Furthermore, the Township Council has nothing to do with personnel or the day-to-day operations; that is the Municipal Manager’s job and she should follow up with him regarding the matter.

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**Resolutions**

Resolution Nos. 324-19 (18-B.1) through 334-19 (18-H.4) with the exception of Resolution No. 329-19 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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**Council Initiatives/Liaison Reports –**

Councilwoman Lewis stated she would like to recognize and thank the Recreation Committee, the Public Works Department and the other volunteers for putting on a great Community Day and indicated this year it was in Central Park and they received lots of great feedback that Central Park was a great location.

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**Written Communications –**

There was no written communications.

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

7:43 p.m.

Respectfully submitted by,

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Kathleen S. Norcia, Municipal Clerk

Attest:

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Christopher Bobbitt, Mayor