

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

December 3, 2019

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, December 3, 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, December 3, 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, Ryan and Mayor Bobbitt.
Absent: Councilman Powers.

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

Special Proclamations, Recognitions and Presentations

Presentation of the Sustainable Jersey Plaque by the Green Team

Mayor Bobbitt advised that Lawrence Township was recertified as Silver through Sustainable Jersey this year and that Pamela Mount, Teresita-Bastides-Heron and Ed Frankel from the Environmental and Green Advisory Committee are present this evening to provide an update on the recertification.

Ms. Mount reported that they had a wonderful time at the Sustainable Jersey luncheon in Atlantic City where many towns were celebrated for the kinds of sustainable activities they accomplished and that Lawrence Township was recertified at the Silver level; one of only 54 towns in New Jersey to reach the Silver as it is a lot of work. She then acknowledged and thanked all the citizens, committees, groups, organizations and government officials who worked on all kinds of sustainable projects and things that have actually added up to the town receiving their Sustainable Jersey certification. They have accomplished 37 actions, under 13 categories, which got them 415 points and in order to be certified as Silver a town must have 350 points and based on the points they have Lawrence Township is well on its way of receiving more than the Silver Certification.

Ms. Mount commended all the municipalities on their sustainable achievement and all of the staff at Lawrence Township who assisted them in the recertification process. She further thanked Mr. Nerwinski for his leadership and Brenda Kraemer, Assistant Township Engineer, for obtaining the items needed for the recertification. She also thanked all the engineering groups, organizations and volunteers who worked on the bike trails, planting trees and public works for trying to lower the Township's carbon footprint and proceeded to highlight some of things Lawrence Township did that were counted towards their 415 point which included their Annual Green Fair, Buying Local Campaign, Diversity Day, Lawrence Nature Center and Community Gardens, Sustainable Educational Programs, Tree Protection Ordinance, Complete Streets Policy, Safe Routes to School, Bike and Pedestrian Plan, Open Space Plans, Health and Wellness Programs, Community and Municipal Energy Initiatives, etc., advised that if anyone is interested Sustainable Jersey has a map on their website that they can click on to see a summary of the points Lawrence Township received and that Ewing Township, Princeton and West Windsor Township also received their Sustainable silver level certification and Mercer County having a great track record with regards to municipalities being registered and certified in sustainability which they are very proud of.

Ms. Mount distributed Sustainable Jersey pins that the Council could wear on their lapel and a brochure relative to sustainable initiatives they received at the luncheon and reiterated again how proud they are of all the accomplishments that Lawrence Township has been able to achieve which is a very important part of who they are "Where Nature Smiles for 22 Miles" and is a part in what has made Lawrence Township a wonderful place to Live, Work and Play and thanked the Council for all of their support.

Mr. Frankel stated Sustainability is an ongoing mission and the Green Team is looking forward to reaching the Gold certification level although they are not 100-percent sure how or what is needed to achieve that status and a good venture to keep going. They should also transfer the information to the citizens of Lawrence on how well the town is doing and what is needed to maintain their sustainable status. Ms. Mount noted that their next challenge is climate change and what they need to do to combat the dilatory effects of climate change.

Ms. Bastides-Heron thanked the Township Council for their years of support and stated that the Committee will be focusing their energy on achieving the Gold Certification and that the Township is doing a lot of things to achieve the Gold level as Lawrence Township should be the number one town in the State of New Jersey. The Green Team then presented Mayor Bobbitt and Council with the Sustainable Jersey Plaque.

Mr. Nerwinski stated he would like to emphasize that there is a lot of work involved in the recertification process and thanked Jim Parvesse, Township Engineer, and Brenda Kraemer, Assistant Township Engineer, for the unbelievable job they have done in helping to keep the township at the Silver level which is a continuous process and that he posted the information on social media about the towns recertification and a lot of residents said "go for the gold" like it is an easy thing to do and advised that only one town in New Jersey is certified as gold but they are surely going to try to reach that goal. A general discussion ensued relative to Lawrence Township pledge to achieve the Gold Certification and the efforts it will take to reach that level.

Public Participation

Mr. Kenneth Kawalek, 127 Oaklyn Terrance, advised that he has been a resident of Lawrence for 48 years and that he was present a few months ago pleading the case about the Airbnb located across the street from his house at 124 Oaklyn Terrace that has been causing a disturbance in the neighborhood and two weeks ago he sent a letter to the Municipal Manager and Mayor Bobbitt relative to his concerns about the guest staying at Airbnb who had a major party with about 25 to 30 people with lots of drinking and loud music that they could feel the thumping through the windows of the house which caused his neighbor to call the police and that was not being the first time.

Mr. Kawalek further advised that his Ring doorbell showed three or four people coming out of the house around 2:00 or 3:00 a.m., presumably, drunk and getting into a car and before they were ready to pull away one of the gentlemen got out of the car walked across his lawn up to his bushes and relieved himself which is unacceptable behavior. And, when he woke up early in the morning he found beer cans on his front lawn and a half cup of beer in the middle of the street and when the police arrived and confronted the people the noise subsided. Also, when his neighbor spoke with the police officer regarding the noise and the 13 additional parked cars on the street the officer suggested he speak with the owner of the property concerning the noise problem. As for the car situation they have no way of determining whether the 13 cars belong to the people in that house so this incident along with a couple of other things in the last few weeks that has happened in that house has really caused concerned about the health and well-being of Lawrence Township which is why he sent a letter to Mr. Nerwinski and Mayor Bobbitt.

Mr. Kawalek went on to discuss a shooting that took place at a large party at an Airbnb in Orinda, California, where the party got out of control with weapons drawn and five people were killed which is one of the things everyone was talking about when he was in California over the past two weeks. Further, the San Francisco Chronicle reported that 42 people have been shot inside or outside of short term rental properties across the United States over the past 6 months and 17 of those individuals had died according to police reports. The tally now includes at least 23 shooting incidents in 12 states including California so a lot of violence has occurred at Airbnb's and the Article referenced is listed in the letter and email he sent to both Mayor Bobbitt and Mr. Nerwinski.

Mr. Kawalek proceeded to discuss a party that took place outside of Seton Hall Campus that he was personally involved with where a scuffle broke out with one of the party crashers who was injured and forcibly thrown out of party and went to his house walk back to the party and shot five people, killing one student. So, this is an enviable thing that could occur with the large parties taking place across from his house being they see this happening in California and other places around the country but he does not want to see this happen in his backyard. And, he knows that Mr. Nerwinski, Mr. Roskos and the members of Council are working on the matter but he thinks it is important for them to understand the situations occurring elsewhere and proceeded to discuss Jersey City who did a referendum defeating Airbnb's and now have control over how Airbnb's are being used, Robbinsville passed an ordinance banning Airbnb's and Collingswood near Cherry Hill limits Airbnb's.

In closing, Mr. Kawalek thanked the Municipal Manager and the Township Council for hearing his plea and indicated as a citizen of Lawrence it is his responsibility to point out the things he sees and is concerned about as Lawrence is a heck of a great town to live in with decent taxes, great services, sustainable practices and a town with residents who take pride in their community and he does not want to see something happen in Lawrence like it did in Orinda, California or at Seton Hall University. Mayor Bobbitt stated after being a resident for 40 plus years it is a shame that he had to come before Council regarding this matter and in speaking with him he sort of understands the Township's position and that they are on top of it.

Mr. Nerwinski advised that he met with the Police Chief today to further discuss the matter and that the Chief will be indicating to the Patrol to brief all the police officers about this particular house so that every officer is aware of the history there and sensitive to what the neighbors are dealing with. The case is also pending in the Lawrence Township Municipal Court to be heard on January 15 for a pre-trial conference with the Judge and the information will be shared with the Municipal Prosecutor so he is fully aware of the situation. Furthermore, this will give the Township an opportunity to try to enforce the "cease and desist" order being one of the Airbnb owners obtained a lawyer and is required fair treatment known as due process according to the law.

Mr. Kawalek noted that he was in law enforcement for 45 years working with the State Police and he understands when a police officer is called to a scene they have to make their best judgment when entering a situation. And, although, he wished the officers were a little more forceful in this situation he still appreciates the fact that they came out and showed some police presence.

Mr. Nicholas Sferra, 116 Oaklyn Terrace, stated he is not going to beat a dead horse as he knows the Township is on top of the matter but since August 20 the last time they were present he has done a little research into the Airbnb's in Lawrence and it seems that 95 to 98 percent of them are private rooms, guest suites and only saw one or two others that were entire houses. Mr. Nerwinski noted that Mr. Sferra made a good legal point as he believes there is a difference of an owner-occupied Airbnb and one that is left to be used as a hotel which is what the Township is fighting against.

Mr. Sferra further discussed him feeling defenseless when the officer was called out to the property regarding the loud party after speaking to him about his concerns with the property and the officer recommended that he speaks with the property owner who is non-existent and he knows the Township is working on it but sooner rather than later would be great and continued to discuss the recycling and waste receptacles being placed at the curb days before the scheduled pickup and left curbside days after pickup and the 198 people who have come through the property since June 2019. And advised in the last 93 days there has been 32 rentals with cars from Connecticut, New York, Massachusetts, Pennsylvania, South Carolina, Rhode Island, Texas, Virginia, etc. and whatever they decide to do they need to regulate the absentee landlords because short of reporting their concerns on Airbnb, the residents have no voice to go to when they have a problem or safety concerns as they have had people filming a reality show, renters unaware of the boil water advisory and with the kids who play in the park and his kid who walks home from school every day not knowing who is coming in or out from that property and it is a major concern. He then thanked Mr. Nerwinski for his explanation of the process as to how the matter becomes law.

Review and Revisions of Agenda

The Municipal Clerk requested that Resolution 18-H.4, Authorizing a Closed Session of Council Following the Regular Meeting, be amended to include discussion dealing with personnel matters.

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

Same was carried on the following roll call vote:

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

Adoption of Minutes

On a motion by Ms. Lewis, seconded by Mr. Kownacki, the Minutes of Regular Meeting of August 20, 2019 and September 17, 2019 were approved on the following roll call vote:

Same was carried on the following roll call vote:

Ayes: Councilmembers Kownacki, Lewis, Ryan and Mayor Bobbitt.
Absent: 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 October 15, 2019 were approved on the following roll call vote:

Same was carried on the following roll call vote:

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

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On a motion by Mr. Kownacki, seconded by Mr. Ryan, the Minutes of Closed Session Meeting of November 8, 2019 were approved on the following roll call vote:

Same was carried on the following roll call vote:

Ayes: Councilmembers Kownacki, Ryan and Mayor Bobbitt.
Absent: Councilman Powers.
Abstain: Councilwoman Lewis.
Nays: None.

Awarding or Rejecting of Bids

There was no award or rejection of bids.

Introduction of Ordinances

Mayor Bobbitt read by title, an ordinance entitled, "ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWNSHIP OF LAWRENCE PERTAINING TO ACCESSORY APARTMENTS, ADULT DAY CARE, ADULT MEDICAL DAY CARE, CHILD CARE CENTERS, RESIDENTIAL SHEDS, SHOPPING CONTAINERS SIGNS AND APPLICATION SUBMISSION REQUIREMENTS"

Mr. Nerwinski advised that the Ordinance amends the Land Use Ordinance relating to accessory apartments, adult day care, adult medical day care, residential sheds, shipping containers, signs and application submission requirements. The amendments and revisions address various issues that arose from findings over the past year by the Lawrence Township Planning Board and Zoning Board of Adjustment after deliberations and considerations of applications for review.

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	
Mr. Powers				X			
Mr. Ryan	X						X
Mayor Bobbitt	X						

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Mayor Bobbitt read by title, an ordinance entitled, "ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWNSHIP OF LAWRENCE TO REVISE SECTIONS 201,431 AND 530 TO ADDRESS SOLAR AND WIND ENERGY SYSTEMS AND ELECTRIC VEHICLE CHARGING STATIONS"

Mr. Nerwinski advised that the Ordinance amends the Land Use Ordinance to revise new issues that have come up in Sections 201, 431, and 530 to address solar and wind energy systems and electric vehicle charging stations. The amendments creates and set forth standards for the regulation of solar and wind energy systems, electric vehicle charging stations, supports use of renewable energy and reduces reliance on fossil fuels. In addition, the amendments are part of their sustainability efforts to meet the goals they set for the township.

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    |        |
| Mr. Powers    |     |     |         | X      |         |      |        |
| Mr. Ryan      | X   |     |         |        |         |      | X      |
| Mayor Bobbitt | X   |     |         |        |         |      |        |

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Mayor Bobbitt read by title, an ordinance entitled, “ORDINANCE ESTABLISHING PERMIT PARKING DURING CERTAIN HOURS AND DAYS ON CERTAIN MUNICIPAL STREETS” – Lawn Park Avenue

Mr. Nerwinski advised that the Ordinance establishes permit parking during certain hours and days on Lawn Park Avenue in an effort to provide traffic congestion relief to the residents who live close to Eldridge Park Elementary School which is one of the recommendations made by the Lieutenant in the Police Traffic Bureau.

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	
Mr. Powers				X			
Mr. Ryan	X						X
Mayor Bobbitt	X						

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Mayor Bobbitt read by title, an ordinance entitled, “AN ORDINANCE TO SUPPLEMENT CHAPTER 435 OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE ENTITLED “MOTOR VEHICLE AND TRAFFIC”

Mr. Nerwinski advised that the Ordinance is a complimentary ordinance that supplements Chapter 435 of the Administrative Code entitled “Motor Vehicles and Traffic” to include parking restrictions on Lawn Park 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   |     |         |        |         |      |        |
| Mr. Powers    |     |     |         | X      |         |      |        |
| Mr. Ryan      | X   |     |         |        |         |      |        |
| Mayor Bobbitt | X   |     |         |        |         |      |        |

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Mayor Bobbitt read by title, an ordinance entitled, “AN ORDINANCE FOR EMERGENCY CONSERVATION OF WATER”

Mr. Nerwinski advised that the Ordinance was created in response to a recommendation by the NJDEP to authorize limited powers to the municipality during water drought emergencies because during the review process it was discovered that there was no ability for a municipality to regulate water use during a time of water crisis or drought which does not happen very often; but, there is nothing of record so Trenton Water Works administrators have to meet with him to discuss whether or not they would be willing to pass legislation that would give the town the ability to enforce certain

regulations during times of drought which sounds reasonable and appropriate and is supported by NJDEP.

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	
Mr. Powers				X			
Mr. Ryan	X						X
Mayor Bobbitt	X						

Adoption of Ordinances

Mayor Bobbitt read by title, an ordinance entitled, "AN ORDINANCE OF THE TOWNSHIP, COUNTY OF MERCER, AUTHORIZING THE SALE OF CERTAIN PROPERTY (BLOCK 4103, LOT 9 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF LAWRENCE) OWNED BY THE TOWNSHIP OF LAWRENCE, NOT NEEDED FOR PUBLIC USE PURSUANT TO NJSA 40a:12-1, et seq.

Ordinance No. 2345-19

AN ORDINANCE OF THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER AUTHORIZING THE SALE OF CERTAIN PROPERTY (BLOCK 4103, LOT 9 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF LAWRENCE) OWNED BY THE TOWNSHIP OF LAWRENCE, NOT NEEDED FOR PUBLIC USE PURSUANT TO N.J.S.A. 40A:12-1, ET SEQ.

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, et seq., authorizes the sale by municipalities of any real property, capital improvements or personal property, or interests therein, not needed for public use by sale in the manner provided by law; and

WHEREAS, the Township of Laurence is the owner of certain real property as further set forth herein not needed for public use, and the Township Council has determined that it is in the best interest of the Township to sell the same at public auction to generate revenue, and reduce taxes and liabilities.

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

Section 1. Block 4103, Lot 9 as shown on the Tax Map of the Township of Lawrence shall be offered for sale, pursuant to N.J.S.A. 40A:12-13, at public auction to the highest bidder. The public auction shall be held at the Township of Lawrence Municipal Building, or such other place as shall be designated by the Township, at a date to be set by the Township Clerk and published in accordance with the law.

Section 2. Notice of the public auction be published twice in a newspaper approved for legal publications, circulating within the Township, at least once a week during two consecutive weeks, one such publication not less than seven (7) days prior to such sale.

Section 3. The property sale shall be subject to the following terms:

- A. No representations of any kind are made by the Township of Lawrence as to the condition of the property, said property being sold in its present condition "AS IS, WHERE IS". Additionally, the Township makes no representation as to the presence or absence of wetlands or any other environmental conditions on the property.
- B. The minimum bid for the property is \$200,000.00.
- C. The Township shall issue a Quitclaim Deed mutually acceptable in form and substance to both parties.
- D. The purchaser, at its sole discretion, shall have a right to conduct inspections of the property with satisfactory results within thirty (30) days of bid acceptance.
- E. The purchaser shall obtain a survey of the entire tract, which survey shall be at the purchaser's sole expense, in form and substance satisfactory to both parties; and said survey shall be certified to the Township.
- F. The purchaser's receipt of title commitment with respect to the property, which said title commitment shall be at the purchaser's sole expense, stating that the Township has good, indefeasible and insurable fee simple title to the property, free and clear of all liens and encumbrances, except such matters as may be acceptable to the purchaser.
- G. It is understood that the Township's sale of the property, and the purchaser's acquisition of the same, shall be subject to applicable New Jersey law concerning disposition of municipal real property.

Section 4. The sale is made subject to such state of facts as an accurate survey may disclose, existing tenancies, rights of persons in possession, easements, conditions, covenants and restrictions, and other encumbrances of title that the Township Council may impose on any parcel at the time of sale, including, but not limited to, restrictions on the use to be made of such real property, capital improvements, or personal property and any conditions of sale as to buildings or structures, or as to the type, size, or other specifications of buildings or structures, and the time within such conditions shall be operative, or any other conditions of sale in like manner to the same extent as by any other seller.

Section 5. The sale is made subject to all applicable laws, ordinances, resolutions, rules, and regulations of the State of New Jersey and the Township of Lawrence.

Section 6. Should the title to the property prove to be unmarketable for any reason, the liability of the Township shall be limited to the repayment to the purchaser of the deposit and any portion of the purchase price paid, and shall not extend to any further costs, expenses, damages, or claims. Notice of any alleged defect in title or claim must be served by the purchaser upon the Township Clerk, in writing, no later than thirty (30) days after the sale is approved by the Township Council, failure upon the part of the purchaser to give written notice within said time shall be deemed conclusive proof that the purchaser accepts the title in its present condition.

Section 7. In addition to the following terms and conditions, successful bidders agree that the Township may impose the following conditions:

- A. Bidders shall deposit, by way of cash, certified check, or money order, the amount of \$20,000.00 [ten percent (10%) of minimum bid pursuant to N.J.S.A. 40A:12-13(d)] at the time the bid is submitted.
- B. The purchaser shall pay the following at the time of closing: (i) the balance of the purchase price; (ii) the cost of preparation of all legal documents including any special property description; and (iii) the prorated real estate taxes, utilities, water, and sewer for the balance of the current year as of the date of closing.
- C. The purchaser shall abide by all appropriate zoning, subdivision, site plan, health, and building regulations and codes, and shall agree and accept a stipulation that this sale will not be used as grounds to support any variance from these regulations.
- D. In the event the purchaser fails to close title, the purchaser shall forfeit to the Township any and all money deposited with the Township.
- E. The purchase price shall not be used before any County Board of Taxation, Tax Court of New Jersey, or in any court of this State as grounds to support a challenge to the existing assessment of the property, nor shall the purchase price be used as a comparable sales to challenge assessments with regard to other properties.

Section 8. The Township reserves the right to withdraw the offer of sale, and reject any and all bids.

Section 9. All sales are subject to the final approval of the Township Council. Parties interested in submitting bids and who require additional information should contact:

James F. Parvesse, PE, CME
Township Engineer
Township of Lawrence
P.O. Box 6006
Lawrenceville, NJ 08648

Section 10. The Mayor, Township Manager, Township Clerk, and Township Attorney are hereby authorized to execute all documents necessary for the conduct of this public auction and for the conveyance of the property listed herein, including, but not limited to, executing all contracts, Deeds, and other conveyance documents.

Section 11. 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 12. 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 an applicable ordinances that may be in addition to the inspection provided for herein.

Section 13. Effect. This ordinance shall take effect twenty (20) days after adoption.

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	
Mr. Powers				X			
Mr. Ryan	X						X
Mayor Bobbitt	X						

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Mayor Bobbitt read by title, an ordinance entitled, "BOND ORDINANCE AMENDING BOND ORDINANCE 2258-17 BY THE TOWNSHIPOF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, IN ORDER TO REVISE THE DESCRIPTION OF THE IMPROVEMENT HEREIN"

Ordinance No. 2346-19

BOND ORDINANCE AMENDING BOND ORDINANCE 2258-17 BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, IN ORDER TO REVISE THE DESCRIPTION OF THE IMPROVEMENT HEREIN

BE IT ORDAINED, by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1:

- a. Section 3 (a) of Bond Ordinance 2258-17, finally adopted April 4, 2017, amended by Ordinance 2270-17, finally adopted July 18, 2017, amended by Ordinance 2271-17, finally adopted July 18, 2017, amended by Ordinance 2275-17, finally adopted September 19, 2017, amended by Ordinance 2290-18, finally adopted February 20, 2018, amended by Ordinance 2342-19, finally adopted October 1, 2019 be and are hereby amended to add the following purposes:

Acquisition of Fire / Rescue Equipment consisting of: "Slackwood Fire, Lawrence Road Fire and Lawrenceville Fire Turnout Gear; Self Contained Breathing Apparatus (SCBAs)"

Section 2:

The capital budget of the Township of Lawrence is hereby amended to conform with the provisions of this ordinance to the extent of inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of Local Government Services is on file with the Clerk and is available there for inspection.

Section 3:

This amending bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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    |        |
| Mr. Powers    |     |     |         | X      |         |      |        |
| Mr. Ryan      | X   |     |         |        |         |      | X      |
| Mayor Bobbitt | X   |     |         |        |         |      |        |

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Mayor Bobbitt read by title, an ordinance entitled, "ORDINANCE AMENDING ORDINANCE 2297-18 BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, IN ORDER TO REVISE THE DESCRIPTION OF THE IMPROVEMENT HEREIN"

Ordinance No. 2347-19

ORDINANCE AMENDING ORDINANCE 2297-18 BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, IN ORDER TO REVISE THE DESCRIPTION OF THE IMPROVEMENT HEREIN

BE IT ORDAINED, by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1:

- a. Section 1 (a) of Ordinance 2297-18, finally adopted May 1, 2018, Ordinance 2310-18, finally adopted September 25, 2018, and Ordinance 2314-18, finally adopted November 8, 2018 be and are hereby amended to add the following purposes:

Acquisition of Fire / Rescue Equipment consisting of: "Slackwood Fire, Lawrence Road Fire and Lawrenceville Fire Turnout Gear; Self Contained Breathing Apparatus (SCBAs)"

Section 2:

The capital budget of the Township of Lawrence is hereby amended to conform with the provisions of this ordinance to the extent of inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of Local Government Services is on file with the Clerk and is available there for inspection.

Section 3:

This amending ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by Law.

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    |        |
| Mr. Powers    |     |     |         | X      |         |      |        |
| Mr. Ryan      | X   |     |         |        |         |      | X      |
| Mayor Bobbitt | X   |     |         |        |         |      |        |

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Mayor Bobbitt read by title, an ordinance entitled, “ORDINANCE AMENDING ORDINANCE 2329-19 BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, IN ORDER TO REVISE THE DESCRIPTION OF THE IMPROVEMENT HEREIN”

Ordinance No. 2348-19

ORDINANCE AMENDING ORDINANCE 2329-19
BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER,
STATE OF NEW JERSEY, IN ORDER TO REVISE THE DESCRIPTION
OF THE IMPROVEMENT HEREIN

BE IT ORDAINED, by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1:

- a. Section 1 (a) of Ordinance 2329-19, finally adopted May 7, 2019, be and are hereby amended to add the following purposes:

Acquisition of Fire / Rescue Equipment: “Slackwood Fire, Lawrence Road Fire and Lawrenceville Fire Turnout Gear; Self Contained Breathing Apparatus (SCBAs)”

Section 2:

The capital budget of the Township of Lawrence is hereby amended to conform with the provisions of this ordinance to the extent of inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of Local Government Services is on file with the Clerk and is available there for inspection.

Section 3:

This amending ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by Law.

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	
Mr. Powers				X			
Mr. Ryan	X						X
Mayor Bobbitt	X						

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Mayor Bobbitt read by title, an ordinance entitled, "BOND ORDINANCE AMENDING BOND ORDINANCE NO. 2186-14 BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, IN ORDER TO REVISE THE DESCRIPTION OF THE IMPROVEMENT HEREIN"

Ordinance No. 2349-19

BOND ORDINANCE AMENDING BOND ORDINANCE 2186-14
BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER,
STATE OF NEW JERSEY, IN ORDER TO REVISE THE
DESCRIPTION OF THE IMPROVEMENT HEREIN

BE IT ORDAINED, by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1:

Section 3 of Bond Ordinance 2186-14, finally adopted May 20, 2014, amended by Ordinance 2200-14, finally adopted October 7, 2014 be and are hereby amended to add the following purposes:

Acquisition of Various Computer and Office Equipment consisting of: "Computer Upgrades, Software, Hardware and Licenses; Vital Statistics Printer; Asset Tracking Software and Compatible Handheld Device; Programmable Portable Radios and Pagers, and Programmable Variable Message Board";

Section 2:

The capital budget of the Township of Lawrence is hereby amended to conform with the provisions of this ordinance to the extent of inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of Local Government Services is on file with the Clerk and is available there for inspection.

Section 3:

This amending bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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	
Mr. Powers				X			
Mr. Ryan	X						X
Mayor Bobbitt	X						

Manager’s Report –

Mr. Nerwinski submitted invoice listings for the month of December 2019 in the amount of \$2,915,975.30.

Mr. Nerwinski reported that Trenton Water Works provided notification that it would be holding H2O Forums for residents, customers and public officials to attend to ask questions about their drinking water, water utility infrastructure and to get information directly from the Trenton Water Works team. There will be (5) five forums held in the various municipalities where TWW have customers and the Lawrence Township Forum is scheduled for January 22nd at the Senior Center from 7 to 9 p.m. The information will be posted on the Township’s social media sites and website.

Mr. Nerwinski stated that New Jersey Department of Transportation issued a notification that the Township received \$550,000 in 2020 Municipal Aid money for the Road Improvement Program Colonial Lakeland Project. The improvement will include the roadway that goes over top of the lake and in some respects that little area will be completely redone and will be part parcel to the Brunswick Pike Streetscapes.

Mr. Nerwinski stated that he previously informed the Council about the Property Tax Card Program which is something he came across at a recent conference and spoke to the principals about and explained that it is an incentive program for residents to shop in the Township and support their local merchants and the homeowners who participate in the Property Tax Card Program will obtain property tax credits provided by merchants on a percentage of the total sale amount. For the local merchants the benefits are higher sales, increase local exposure of captivating and motivating audiences, free advertising, free resources and partnering with the Township in a program that benefits both merchants and residents in a meaningful way. There is a minor cost to the merchants of \$10.00 a month and an upfront cost for the machine that is used, no cost to the residents, and there is a minimum cost to the town for the issuance of the credit cards through a lender which they would have to work out with the lender if the Council chose to move forward.

Mr. Nerwinski stated currently there are 18 municipalities using the program with very good results. The Program works by the Township issuing a Property Tax Card partnering with local lenders to its residents and when shopping at a local store the cardholders will present their card to a merchant at the point of sale and the merchant swipes the card into a dedicated processing machine provided by the Program Administrator (FinCredit, Inc.) and the swipe will result in a tax credit on percentage of the sale determined by the merchant when enrolled. The amount is credited to the shopper's property tax card account, credits are collected by the program manager and a yearly credit will be applied to the customer's property tax bill; annually 75-percent of the property tax credit is applied to the resident's tax bill and the other 25-percent goes to the program manager as an administrative fee. Mr. Nerwinski provided the Council with an example as to how the tax credit is calculated and applied at the end of the year.

A general question and answer period ensued relative to how the credit will be applied to all the participants; merchants funding the program and whether there will be revenue loss to the Township; the new Business Liaison soliciting merchants to buy into the program; the program being a win-win situation being the program offers the residents an opportunity to reduce their property tax obligation simply by supporting local businesses; the program being previously introduced by the Growth & Redevelopment Committee but faded due to lack of interest from merchants, municipal staffing concerns and it being a difficult program to be successful; the property tax program being perfectly legal and the Tax Collector apportioning the money between the county and other appropriate entities. The Municipal Manager provided the Council with a draft resolution that must be approved by the Council prior to enacting the program.

Mr. Nerwinski advised that he attended the Rutgers University Mini-Master of Public Administration Program over the past couple of months and he posed a question to one of the speakers about how to reach residents who call up and know nothing about what is happening in the town because they do not use the internet at all and do not receive any information from the town's social media sites, website or his blogs and the speaker simply answered – you have to go to them and get them the information they need. And, indicated in a short while those people will be gone but right now there is a large group of seniors who feel disconnected; but, yet they want the information. So he spoke with Nancy Bergen, Superintendent of Recreation, about doing this Senior-Connect Program and she thinks it can work and they have a staff member within the Recreation that can be the focal point. It would basically be an outreach to the seniors; so, if they are infirm and cannot drive, the Township will either mail or deliver a printed copy of anything of importance that was currently posted on the Township's website or social media sites - such as press releases and important notifications. The brochure will be a weekly thing that can be picked up or viewed at the Clerk's Office or at the Senior Center. The Administration will evaluate the program to see how it goes.

Mr. Nerwinski stated that the Economic Development Authority had a meeting on November 14th and formally approved the Township's grant request of \$239,524 from the Hazardous Discharge Site Remediation Fund which is the final step in a very long grant process that will allow the Township to demolish the Pit Stop building and complete the remediation study of the property. Further, the Township does not own the property but they are working with the owner's estate representatives to orchestrate this with his consent to take action and the goal of once the property is completely cleansed of all contamination and the liens and judgements are removed voluntarily the Township will take ownership of the property for \$1.00 and it has to be committed to a passive park use as part of the program.

Attorney's Report –

Mr. Roskos stated in regards to the Solar Panels that are being erected this month one of things that the solar power company has asked for is the town's License Agreements at the sites where they are doing solar work and he does not have a problem with that; but, he thinks their lender has asked for the licenses to be recorded against the Township's property and he does have a problem with that being that was never part of the Agreement between the parties and they have a provision in the agreement that states no liens will be placed on the properties.

Mr. Roskos explained that the solar company's request for a recorded license was initially rejected and their response back was they need it for their lender as it is part of the program that they run. So, in an attempt to be reasonable his partner (Vince) told them if they give the Township a Discharge they would let them record a Memorandum. And he advised his partner that he wanted it to be a Unilateral Discharge so if there is a dispute several years later they would not have to sit down with the company to try and get them to agree to execute the discharge being he wants whoever is the next Municipal Manager to already have those discharges in place so if a problem arises they can execute those discharges so that all of the properties are free of disagreements. And because the company has been bulking prior to him telling them what he will not put up with, he just wanted to make sure the Council is aware of the situation and to solicit their position as to whether his approach is appropriate because the idea of the Township putting a mortgage, lien or having a license in favor of a contractor who the Township no longer contracts with is a something they are not willing to do, and he did not want to make the decision on his own. There was no objection from members of the Council regarding Mr. Roskos' position relative to a Unilateral Discharge.

Clerk’s Report –

There was no Clerk’s report.

Unfinished Business –

There was no unfinished business.

New Business –

There was no new business.

Public Participation (3-minute limitation per speaker) –

There was no public participation.

Resolutions

Resolution Nos. 361-19 (18-B.1) through 378-19 (18-H.8) with the exception of Resolution 375-19 (18-D.2) and 368-19 (18-H.6) were approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVE	SECOND
Mr. Kownacki	X						
Ms. Lewis	X					X	
Mr. Powers	X						
Mr. Ryan	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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Mayor Bobbitt welcomed the Jammer family and extended the Township Council's appreciation for their almost 100 years of business in Lawrence Township. And indicated he is sorry they had to appear before the Council under these circumstances and thanked them for being present this evening.

Mr. Louis Jammer, III, indicated that he is the third generation of the Jammer Doors Company and he has been in business in Lawrence Township for 27 years and they are very proud to have a business in Lawrence and they have expanded their business to encompass more properties in Lawrence Township and they could not think of a more wonderful community to expand their business and to celebrate their 100 years. And indicated the Motion before them this evening they are very humbled by and he can honestly say it takes a lot to move his feelings but the Resolution tonight is something very dear to them and they are very proud of it. And, he told the Municipal Engineer that they would adopt the highway where that small parcel means a lot as it may as well be a "million mile highway" because in their hearts it is. He then thanked all of Council for their consideration which means everything to him and his family who is very proud of the road and will take good care of it.

Mr. Louis Jammer, IV, further thanked the Council for honoring his sister who happens to be his twin sister and indicated he is part owner with his father of Jammer Doors and it is an honor to be present this evening and for the Council to approve the naming of the access road on the southwestern side of Carnegie Road as "Nikki Jammer Lane". And, literally, as he drives into his business he sees the access road in remembrance of his twin sister and just imagining what they are going to do to enhance as well as maintain the road as they have done in the past with cleaning that section of road from debris and snow and advised that he is the fourth generation that is part of the Salvation Army in Trenton who try to enhance everything in the region as well as in their own backyards.

Mr. Jammer, III further noted that he loves the proposed Tax Card Program and that their company would be happy to participate or be sponsors for that program and advised when the Tax Rebate Program died and they became tax credits homeowners came out on the last day of month inquiring about how to get new doors and the credit for them no matter how small of a savings it was.

Resolution No. 368-19 (18-H.6), Authorizing the Naming of Access Road of Carnegie Road to "Nikki Jammer Lane", was approved by the following roll call vote:

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

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Resolution No. 375-19 (18-D.2) and 376-19 (18-D.3), Authorizing Construction Permit Refunds – (Vivint Solar, Inc. and GenRenew), was approved by the following roll call vote:

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

Council Initiatives/Liaison Reports –

Councilman Ryan reported that Lawrence Township Annual Senior Citizen’s Holiday Luncheon is taking place at Cobblestone Creek Country Club on Friday, December 6th from 12:00 noon to 3:00 p.m. and encourage all to attend.

Councilwoman Lewis reported that the Holiday Tree Lighting Ceremony is also taking place on December 6th at 6:00 p.m. in front of Town Hall. Also, the Recreation Department will be having a Holiday Lights Contest this year which the Recreation Advisory Committee will be judging next week.

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.

7:42 p.m.

Respectfully submitted by,

Kathleen S. Norcia, Municipal Clerk

Attest:

Christopher Bobbitt, Mayor