

REGULAR MEETING  
LAWRENCE TOWNSHIP COUNCIL  
LAWRENCE TOWNSHIP MUNICIPAL BUILDING  
COUNCIL MEETING BY TELE-CONFERENCE IN ACCORDANCE WITH  
N.J.S.A. 10:4-6, ET SEQ. AND EXECUTIVE ORDER 107

May 5, 2020

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, May 5, 2020, at 6.30 p.m.

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

Mayor Kownacki asked for a moment of silence for the residents of Lawrence Township and everyone from around the world who have passed away from the Coronavirus during this extremely dangerous time.

At the commencement of the meeting Mayor Kownacki 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, May 5, 2020, 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, 2019.

The roll was then called as follows:

Present: Councilmembers Bobbitt, Lewis, Powers, Ryan and Mayor Kownacki.  
Absent: None.

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

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Special Proclamations, Recognitions and Presentations

There were no proclamations or presentations.

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Public Participation

There was no public participation.

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Review and Revisions of Agenda

The Municipal Clerk requested that the Agenda be amended to include introduction of Ordinance No. 2362-20 – An Ordinance Amending Ordinance No. 2327-19 Entitled an Ordinance Amending Chapter 6A, “Fees: The Consolidated License, Permit and Fee Chapter” of the Lawrence Township Administrative Code, and remove Resolution No. 155-20 (18-H.6), Authorizing a Closed Session of Council Immediately Following the Regular Meeting to Discuss Mt. Laurel Litigation.

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

Same was carried on the following roll call vote:

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

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Adoption of Minutes

On a motion by Ms. Lewis, seconded by Mr. Powers, the Minutes of Regular Meeting of January 21, 2020 were approved without corrections on the following roll call vote:

Same was carried on the following roll call vote:

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

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Awarding or Rejecting of Bids

There was no awarding or rejection of bids.

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Introduction of Ordinances

Mayor Kownacki read by title, an ordinance entitled, “AN ORDINANCE AMENDING ORDINANCE NO. 2327-19 ENTITLED AN ORDINANCE AMENDING CHAPTER 6A: “FEES: THE CONSOLIDATED LICENSE, PERMIT AND FEE CHAPTER” OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE”

Mr. Nerwinski advised that the Ordinance is necessary to provide for the current pandemic situation as to how the Recreation Department is addressing the programs that they are providing and they felt it was necessary for them to modify the fees for miscellaneous programs and activities which are reflected in the ordinance.

The Ordinance No. 2362-20 was introduced and approved on the following roll call vote:

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

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Adoption of Ordinances

Mayor Kownacki read by title, an ordinance entitled, “BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS IN AND BY THE TOWNSHIP OF LAWRENCE IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$2,535,000, INCLUDING ANY TRANSPORTATION TRUST GRANT FUNDING TO BE USED TO OFFSET BONDS OR NOTES, AND AUTHORIZING THE ISSUANCE OF \$2,375,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF”

Ordinance No. 2360-20

BOND ORDINANCE PROVIDING FOR VARIOUS ROAD IMPROVEMENTS  
 IN AND BY THE TOWNSHIP OF LAWRENCE IN THE  
 COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$2,525,000,  
 INCLUDING ANY TRANSPORTATION TRUST GRANT FUNDING  
 TO BE USED TO OFFSET BONDS OR NOTES, AND AUTHORIZING  
 THE ISSUANCE OF \$2,375,000 BONDS OR NOTES  
 TO FINANCE PART OF THE COST THEREOF

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

**Section 1.** The improvement described in Section 2 of this bond ordinance is hereby authorized to be undertaken by the Township of Lawrence, in the County of Mercer, New Jersey as a general improvement. For the improvement or purpose described in Section 2, there is hereby appropriated the sum of \$2,525,000, including the sum of \$150,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

**Section 2.** In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,375,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

**Section 3.** (a) The improvement hereby authorized and the purpose for the financing of which the bonds to be issued is the improvement of roads involving: (1) Road improvement program consisting of mill and overlay: Denow Road (Federal City to Lawrence/Pennington Road), Drainage and Safety Improvements Phase 2 (Keefe, Cold Soil, Carson and Van Kirk Road), Ashwood Court, Pheasant Drive, Brookdale Drive and Laurel Wood Drive (Portion), Holly Lane, Ivy Glen Lane, Woodbury Lane and Laurel Wood Drive (Portion), Lawrencina Drive (Portion), Road and Drainage Improvements & Repairs, Princeton Pike (Rt 295 to Franklin Corner Road & Province Line Road to Township Border), including Road Striping and other streets identified in the Lawrence Township Road Improvement Program, maintained by Township Engineers, to the extent of available funds. (2) Miscellaneous Guide Rail Replacement/Traffic Signal Improvements; (3) Concrete Improvements incidental to overlay and all work and materials therefore or incidental thereto; (4) Veterans Park Drainage.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is \$2,375,000.

**Section 4.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the

governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

**Section 5.** The capital budget of the Township of Lawrence is hereby amended to conform with the provisions of this ordinance to the extent of any 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 the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

**Section 6.** The following additional matters are hereby determined, declared, recited and stated: (a) The purposes described in Section 2 of this bond ordinance are not current expenses. They are all improvements that may be lawfully undertaken as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness, and the reasonable life thereof, within the limitations of the Local Bond Law is 20.00 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$2,375,000 and the obligations authorized herein will be within all debt limitations prescribed by the Law.

(d) An aggregate amount not exceeding \$30,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purpose of improvements. (Is this enough? Section 20 includes design work. )

**Section 7.** . Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

**Section 8.** The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide

secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the “Rule”) for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, the in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

**Section 9.** The full faith and credit of the Township are hereby pledged to the punctual payment of the principal and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

**Section 10.** The Town hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. The Town hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the “Code”), in order to preserve the exemption from taxation of interest on the obligations, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the obligations. The Chief Financial Officer is hereby authorized to act on behalf of the Town to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The Town hereby declares the intent of the Town to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

**Section 11.** This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Adopted: May 5, 2020

The Ordinance was adopted after the public hearing thereon, on the following roll call vote:

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

Mayor Kownacki read by title, an ordinance entitled, “ORDINANCE APPROPRIATING \$1,625,000 FROM THE CAPITAL IMPROVEMENT FUND FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF LAWRENCE, IN THE COUNTY OF MERCER, NEW JERSEY”

Ordinance No. 2361-20

ORDINANCE APPROPRIATING \$1,625,000 FROM THE CAPITAL IMPROVEMENT FUND FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF LAWRENCE, IN THE COUNTY OF MERCER, NEW JERSEY

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LAWRENCE, IN THE COUNTY OF MERCER, NEW JERSEY AS FOLLOWS:

Section 1. \$1,625,000 is hereby appropriated from the Capital Improvement Fund for various capital improvements in and by the Township of Lawrence, in the County of Mercer, New Jersey (the “Township”) as set forth below:

<b>Purpose</b>	<b>Appropriation and Estimated Cost</b>
A. Acquisition of Various Computer and Office Equipment consisting of but not limited to: Finance: Computer Upgrades Software, Hardware, Licenses; Finance: Email Software, Backup and Archive; Police: Mobile Computers; Council Meeting Tablets	\$99,500
B. Improvements to Municipal Buildings consisting of but not limited to: Buildings and Grounds: Town Hall Roof Replacement (1 of 2); Police/Court Facility Painting, Vehicle Maintenance Garage Floor Rehabilitation, Miscellaneous Township Building Repairs including HVAC Replacements, Municipal Building Vehicle Charging Station, Senior Center Improvements; Meeting Room Improvements	\$412,000
C. Acquisition of Fire / Rescue Equipment consisting of but not limited to: Emergency Management: Response Vehicle; EMS: All Terrain Response Vehicle; Fire Services: Vehicle Extrication Equipment, SCBA's; EMS: Ambulance	\$212,500

D. Various Equipment consisting of but not limited to: Streets & Roads: Garbage Truck with Plow and Snow Removing Equipment, Heavy Equipment including Garbage Truck and Snow Removing Equipment; Park Maintenance: Pick-up Truck with Plow and Power Tailgate; Tax Assessor/Health: (2) Electric Vehicle Chevrolet Volts (for use with Solar Charging Station)	\$700,000
E. Various Park and Recreational Facility Improvements consisting of but not limited to: Recreation: Township Wide Park Improvements, Ohio Avenue Park Improvement	\$201,000
<b>TOTAL</b>	<b>\$1,625,000</b>

Section 2. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by law.

Adopted: May 5, 2020

The Ordinance was adopted after the public hearing thereon, on the following roll call vote:

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

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**Manager's Report –**

Mr. Nerwinski submitted invoice listings for the month of May 2020 in the amount of \$487,504.84.

Mr. Nerwinski stated that Carol Chamberlain, Health Officer, reported to him today that Lawrence Township had six (6) new positive cases of the Coronavirus in the community for a total of 280 cases and there are also 35 deaths reported of record to date. Municipal offices are completely operational under the town's modified scheduling which keeps the buildings and departments essentially at 50- percent occupancy so that they can maintain social distancing to provide Township employees with the safest environment as possible. The Municipal Building remains closed to the public as this has not hampered services to the community or persons who have businesses with the departments. Further, they have a drop box for delivery of documents and payments outside the north entrance of the building and the building is secured with the presence of a police officer who also provides guidance to those visitors who have questions at the door. The process is working well to date and he does not foresee the situation changing in the near future.

Mr. Nerwinski reported that they have finally been able to include the option of online e-Check payments for sewer and tax and there is a \$2.00 service for this that is assessed to cover the administrative cost for the service which has been in place for the last couple of days and people are using it significantly. Mr. Kiriakatis advised that the service has been in place for the last three days and people are tremendously using the service given they have received over \$140,000 in just a few days. Mr. Nerwinski indicated given the circumstance they are in it is a good option and less expensive than the online credit card payment option which people seem to be happy about.

Mr. Nerwinski advised that bulk trash pickup is resuming on Fridays Township-wide at this time in response to needs expressed by the residents and they limiting the bulk pickup to (3) three items per household which will continue through the pandemic period. They will eventually get back on the regular schedule; but, for now they are making Fridays the designated day Township-wide.

Mr. Nerwinski further reported that the Township received its second grant of \$4,000 for a total of \$8,000 to be used for the purchase of two electric vehicles to be used by the Tax Assessor's Office and the Health Office and will be moving on those transactions rather soon. Mr. Kiriakatis noted that the Resolution is on tonight's meeting to purchase the vehicles and the two grants are approved, one through the budget and one through a Chapter 159, and they both will be charged off for the purchase of the vehicles.

Mr. Nerwinski reported that they are completing the funding process for the remediation investigation work at the Pit Stop, 1175 Lawrenceville Road, as they received word yesterday, by email, that all of the required documentation is in place and that the issuance of the grant money should be processed shortly and once received

they should be able to start the study of the property that will include the demolition of the structure of the site.

Mr. Nerwinski advised although they got sidelined, the work for the new website has been picked back up and they are working diligently to get the new website design out and live and the Township's Recreation Department has really stepped up and is really helping with the populating process for the site. And, he does not want to put a deadline on it but they are working hard to get it all out as soon as possible.

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### **Attorney's Report –**

Mr. Roskos reported that the Government Records Council issued a decision in an Open Public Record Act (OPRA) matter last week and he would like to point out that they agreed with 59 out of the 61 responses and he does not think they understood the other two. They are in the process of making a Motion for reconsideration which was an issue that was reviewed in court by the police department and he spoke with the Municipal Manager about it. Hopefully, the GRC will reconsider their decision once they submit their motion. If not, he believes they will have to go to the Appellate Division simply to get a Stay regarding the domestic violence case and that Motion will be submitted tomorrow.

Mr. Roskos stated in terms of their Fair Share Plan they are in the process of having the Township's plan reviewed by the Court Master who does not know the history of Lawrence Township and they are providing information regarding the 2017 Settlement which he thought they might need to discuss in a closed session; but, he thinks certain issues were explained and are now resolved. However, they still have more to resolve.

Mr. Roskos reported that Resolution for the renewal of the Municipal Manager's employment contract is on the Agenda and is something that the Council needs to focus on by June 30<sup>th</sup> and more information will be provided on that.

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### **Clerk's Report –**

Ms. Norcia asked the wishes of the Council with regards to cancelling the second meeting in May due the virus. After a brief discussion, it was the consensus of the Council to cancel the May 19<sup>th</sup> meeting. Mayor Kownacki advised that the next meeting will be June 16<sup>th</sup>.

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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) –**

There was no public participation.

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**Resolutions**

Resolution Nos. 146-20 (18-A.1) through 156-20 (18-H.7) with exception of Resolutions 18-H.5 (Electric Vehicles) and the removal of 18-H.6 (Closed Session) was approved by the following roll call vote:

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

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

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Resolution No. 154-20 (18-H.5) – Authorizing Purchase of Two Chevrolet Bolt Electric Vehicle from State Vendor) was approved by the following roll call vote:

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

Cited Resolution is spread in its entirety in the Resolution Books of the Township of Lawrence.

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**Council Initiatives/Liaison Reports –**

There were no liaison reports.

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**Written Communications –**

There was no written communications.

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Adjourned: 6:47 p.m.

Respectfully submitted by,

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Kathleen S. Norcia, Municipal Clerk

Attest:

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James S. Kownacki, Mayor