

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

August 15, 2017

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, August 15, 2017 at 6:30 P.M.

The meeting was opened with the Inspiration, Pledge of Allegiance and a moment of silence for the victims of Charlottesville, Virginia, led by Municipal Clerk.

At the commencement of the meeting Mayor Maffei read the following statement of proper notice:

STATEMENT OF PROPER NOTICE: "Adequate notice of this meeting of the Lawrence Township Council being held on Tuesday, August 15, 2017, 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 22, 2016.

The roll was then called as follows:

Present: Councilmembers Bobbitt, Powers and Mayor Maffei.
Absent: Councilmembers Kownacki and Lewis.

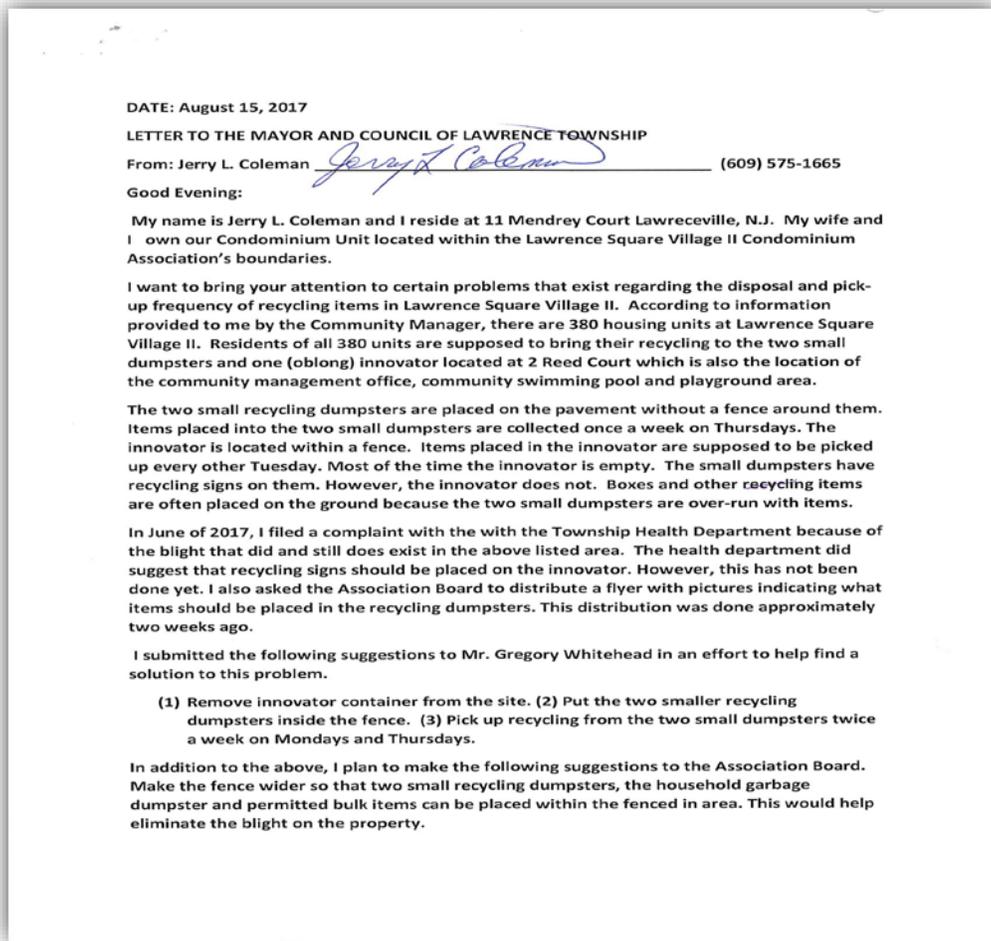
Also in attendance were Kevin Nerwinski, Municipal Manager and Township Attorney David Roskos.

Special Proclamations, Recognitions and Presentations

There were no proclamations or presentations.

Public Participation (5-minute limitation per speaker)

Mr. Jerry Coleman, 11 Mendrey Court, greeted the Township Council and read the following letter into record:



Mr. Coleman went on to explain that the second page of the document is correspondence between him and Mr. Whitehead to show that he has been communicating with Mr. Whitehead on a regular basis regarding the issue and the third page is pictures of the unsightly conditions outlined in his letter. He indicated Mr. Whitehead was out earlier in the day taking pictures of the area and that he drove around in the general area to various complexes and observed that almost all of them have a fenced in area for their dumpsters so when people are riding through the blighted areas are concealed and when he and his wife first moved to Lawrence Square Village they thought they were moving into a nice condominium association and for a while it was very nice. However, something changed and he does not know if it is the fact that the management does not have the same interest in maintaining the property as they have in the past or other factors or a shift in ethnicity in the area which he hopes is not the reason for the downturn. In addition, he went on the Taylor Management website and they claim to be a high quality management organization which he hopes is true because he has no plans of backing down from this issue and he will continue to fight to better their community.

Mr. Coleman continued to review the pictures of the area as well as what takes place during the pickup process and his suggestions relative to the innovator container being removed from the site, placing two smaller recycling dumpsters inside the fence and a twice a week pickup of the recycling from the two small dumpsters, the Association making the fence wider for the two small recycling dumpster and permitting the bulk items and household garbage to be placed within the fenced in area. All which would help eliminate the blight on the property. He then thanked the Council for their time and consideration.

Mr. Nerwinski advised Mr. Coleman that he would arrange for a meeting with Mr. Whitehead and the garbage/recycling company to address his concerns; but one of the things brought to his attention by Mr. Whitehead was the recycling boxes not being broken down which he knows is out of his control but still needs to be enforced to better manage the problem. So, it will have to be an all-around effort to alleviate the problems and suggested they place signs in the area directing people to do so. And, requested whatever correspondence he sends to the Association be sent to him as well so he can setup a meeting to address the problem and work towards a resolution given the matter is not just a quality of life issue...but a safety issue as well. A brief discussion took place relative to the three different waste companies that pick up bulk, household and recycling waste and enforcement that might need the endorsement of the Township Council.

Review and Revisions of Agenda

There was no review or revision of the agenda.

Adoption of Minutes

On a motion by Mr. Powers, seconded by Mr. Bobbitt, the Minutes of Regular Meeting of July 18, 2017 were approved on the following roll call vote:

Same was carried on the following roll call vote:

Ayes: Councilmembers, Bobbitt, Power and Mayor Maffei.
Absent: Councilmembers Kownacki and Lewis.

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On a motion by Mr. Powers, seconded by Mr. Bobbitt, the Minutes of Closed Session Meeting of July 18, 2017 were approved on the following roll call vote:

Same was carried on the following roll call vote:

Ayes: Councilmembers Bobbitt, Powers and Mayor Maffei.  
 Absent: Councilmembers Kownacki and Lewis.

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Awarding or Rejecting of Bids

There was no award or rejections of bids.

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Introduction of Ordinances

Mayor Maffei read by title, an ordinance entitled, "BOND ORDINANCE AMENDING BOND ORDINANCES 2208-15 AND 2268-17 BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, IN ORDER TO REVISE THE DESCRIPTION OF THE IMPROVEMENT HEREIN"

Mr. Nerwinski stated the Ordinance basically allows the Township to install some public safety devices, pedestrian activated crossing, at Eggert Crossing Road and in front of the Lawrence Neighborhood Center, St. Ann School and Varsity Pizza and that the lighted crossing assistance is just one of the things they are doing to improve pedestrian safety at those locations as there were concerns raised by the Neighborhood Center about the activity and pedestrian crossing into the Loveless Tract so they thought this would be a perfect opportunity to try and get funding for the projects.

Mr. Bobbitt thanked Mr. Nerwinski and Chief Ubry for following up on the speeding in the Eggert Crossing area as it has been noticed and is appreciated. The Municipal Manager noted the clearing out of the Loveless Tract and the whole section coming together very nicely and him receiving a nice letter from Mr. Vereen regarding the cleanup.

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

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

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

Mr. Nerwinski advised that the Ordinance amends Bond Ordinance 2258-17, 2270-17 and 2271-17 to include the purchase of a single axle dump truck with plow, sander, wing plow and other snow removal equipment.

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

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

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Mayor Maffei read by title, an ordinance entitled, "AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF LAWRENCE ADDING A NEW CHAPTER ENTITLED 'TRAFFIC CONTROL STANDARDS, REQUIREMENTS FOR CONSTRUCTION AND MAINTENANCE"

Mr. Nerwinski advised that the proposed Ordinance will establish guidelines to safely manage traffic conditions arising from street construction, maintenance operations, utility work and other events. The ordinance stems from the first meeting he as the new Municipal Manager had with the Police Chief to discuss concerns he had with traffic control and ways to better manage public safety in the Township. Further discussion took place regarding the Traffic Bureau that exist within the police department but is not manned by a full-time police officer and the Chief assigning Lieutenant Drew to man that position; a job that will require him to work in conjunction with the DOT and other contractors when traffic related issues arise that may impact the flow of traffic or the safety of the area to ensure everything is systematically in place and regulated to ensure Lawrence has the safest roadways.

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

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

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Adoption of Ordinances

Mayor Maffei read by title, an ordinance entitled, "BOND ORDINANCE PROVIDING FOR VARIOUS ROAD IMPROVEMENTS IN AND BY THE TOWNSHIP OF LAWRENCE, IN THE COUNTY OF MERCER NEW JERSEY, APPROPRIATING \$1,425,000, WHEREAS ANY TRANSPORTATION TRUST GRANT FUNDING TO BE USED TO OFFSET BONDS OR NOTES AND AUTHORIZING THE ISSUANCE OF \$1,325,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF"

Ordinance No. 2273-17 was opened for discussion and due to lack of required votes for adoption was postponed until the Council meeting of September 19, 2017 for the required Public Hearing prior to approval and adoption:

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

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**Manager’s Report –**

Mr. Nerwinski submitted invoice listings for the month of July 2017 in the amount of \$2,069,982.37.

Mr. Nerwinski reported that the Administration has made some progress with regards to the DiMarco property, a lot adjacent to Eldridge Park, which was donated the Township. They have executed a Letter of Understanding with the property owner and secured a company to do the Phase 1 Environmental Study. Paperwork has been exchanged and they hope to have the study done within the next 30 to 45 days. Once the report comes back, hopefully clean, they will order the title work and seek Council’s assistance in completing the transaction.

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Mr. Nerwinski advised Council of a proposed First Responder’s Memorial that would be located on Pilla Avenue in the lot across the street from the present EMS Station and that when the matter was last discussed one of the concerns that arose was how the adjacent property owner felt about the proposal. Since then, both he and Marie Tagliaferri, who proposed the idea, have spoken with the owner and his main concern is how the Memorial will draw activity on the both sides of his property. After carefully explaining to the owner the concept of the Memorial with regards to it being an inactive park with no plans to install a parking lot and the property being donated by the Lawrence Township First Aid Squad to the Township as a way of giving back to the community, it seemed to alleviate his concerns.

Mr. Nerwinski indicated he also explained to the property owner that the First Responder's Memorial would basically consist of a 911 Beam being installed covered by a Gazebo and a Plaque and that the reality of situation is there are two adjacent lots owned by the First Aid that could be sold or potentially developed but they could ensure its present condition with the Memorial and his response back was he wanted nothing done with the property and was advised that is not the reality they live in at this point and time but he could come before the Council and voice his concerns on the matter. In his opinion they should move forward with the proposed Memorial as it is a way of paying homage to the Lawrence Township First Aid for providing services for more than a half a century and it is a passive situation that will not disrupt the adjoining property owners. He then asked the opinion of the Council. A general discussion ensued relative to the site for the First Responder's Memorial being a passive site similar to a grave site with minimum disruption to adjacent property owners, the environmental study and title work being done prior to any decision-making and the Township Engineer possibly drawing up a schematic plan for the Memorial that the Council could review and discuss with the property owner.

Ms. Marie Tagliaferri, 18 Featherbed Court, advised that her last email to Mr. Nerwinski was in regards to the First Aid property possibly being deeded over to the Township to avoid the route of going before the Planning Board for the approval process.

Mr. Nerwinski pointed out at the present time Lawrence First Aid owns the property and for them to do what they proposed for the property would require administrative approvals from the Township. So, the best way for them to reach their ultimate goal is have the donation happen first so that the land becomes Township owned property then the ideas can freely flow and be realized in a less administrative way.

Ms. Tagliaferri stated her last email to Mr. Nerwinski was concerning the transfer of ownership to Lawrence Township without having to go through the entire Planning Board process and her wanting to do the First Responder's Memorial and gift it to Lawrence Township and questioned if she Deed the property over to the Township would her design and concept for the Memorial be taken away because she does not want to deed the property over then it is taken away which is her biggest fear.

Mr. Nerwinski assured Ms. Tagliaferri if the land was deeded over to Lawrence Township the Town Council has no intention of changing the plan she envisioned for the land as they are very appreciative of her idea for the site and suggested to the Council that an Agreement could be put in place to give her the confidence needed to proceed with the transfer and that the recording of the Deed would not take place until everything is set.

Ms. Tagliaferri further advised she would be more than happy to take the Pavilion (Gazebo) off the table to alleviate the adjacent property owner's fears of unwanted activity and disturbing his peace and quiet. A brief discussion took place relative to the size of the beam and the design concept regarding the Memorial that would make it more visible and less intrusive to the neighbors.

Attorney's Report –

Mr. Roskos reported that they are still working on the Brandywine Agreement and that Phil Caton, Planning Board Consultant, raised an issue as to the true size of the property which they are trying to resolve and is part of a condominium scheme. So, they are working out the details which will require some input from Mr. Caton who has been travelling literally all over the New Jersey for the last two years dealing with the Mt. Laurel litigation.

Mr. Roskos advised of a bankruptcy issue that was brought to his attention by the Tax Collector in which they were not noticed on the reorganization of debtor so they then received payments that were pre-petition, post-petition and so forth and as of today the matter has been resolved. He sent an email to the Municipal Manager advising that they contacted the debtor's counsel who recognizes the rights of the Township in this matter.

Clerk's Report –

Ms. Norcia stated at the last Council Meeting she reported on a very large OPRA Request received by the Clerk's Office from Jennifer Coombs requesting various information that ended up being over 300 pages along with another huge OPRA Request that came in several days later from the Star Ledger requesting copies of the Township's Use of Force Forms that ended up being 881 pages; but, is understandable because the reporter was probably doing an article on the subject and the information was needed for his piece. However, the other request, in her opinion, was just a way of getting back at the Township because she was found guilty in a decision made by Judge Korngut. So, she just wanted the Council to have a visual view of what the Clerk's Office has to deal with at times. A brief discussion took place relative to the nominal fee that can be charge statutorily for such large time-consuming projects or that no fee at all is allowed to be charged if the requestor wants the documents sent electronically or faxed.

Mr. Norcia reported that she received a "thank you" card from Councilman Kownacki thanking the Township Council for the plant that was sent on behalf of the Council during his brief illness.

Unfinished Business –

There was no unfinished business.

New Business –

Mayor Maffei advised on Thursday, September 14 at 6:00 p.m. the Mercer County Freeholders will have their monthly meeting at Town Hall in the Council Chambers and urged everyone to attend, and indicated every so often the Freeholders go around to each municipality to try to stimulate conversation and questions from their constituents that could be answered relative to their jobs.

Public Participation (3-minute limitation per speaker) –

There was no public participation.

Resolutions

Resolution Nos. 305-17 through 324-17 was approved by the following roll call vote:

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

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

Council Initiatives/Liaison Reports –

There were no Liaison reports.

Written Communications –

There was no written communication.

There being no further business to come before this Council, the meeting adjourned at 7.35 p.m.

Respectfully submitted by,

Kathleen S. Norcia, Municipal Clerk

Attest:

David C. Maffei, Mayor