

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

July 18, 2017

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, July 18, 2017 at 6:30 P.M.

The meeting was opened with the Inspiration and Pledge of Allegiance, 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, July 18, 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, Kownacki, Lewis, Powers and Mayor Maffei.
Absent: None.

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

Special Proclamations, Recognitions and Presentations

Presentation of the 2018 Bonds and Bond Anticipation Notes
Peter A. Kiriakatis, Chief Financial Officer

Mr. Kiriakatis greeted the Township Council and indicated in an effort to comply with the Best Practices Questionnaire, a survey required by the State for the Township to complete annually, they recommend that the town have a discussion about the Budget, Bonds and Bond Anticipation Notes (BAN). The Township's last BAN sale was on July 11th for \$10 million comprised of an \$8,750,000 rollover from the prior year, a budget pay down of \$1,210,000 and a roll-in of the 2015 Ordinances for \$2.460,000 totaling \$10 million which is significant because it is considered right at the level of what is considered qualified. Qualified meaning municipal and government bonds are Federal

and State tax exempted which is what investors are looking for and he presented a three panel slideshow that defines the three different scenarios as to how the Township will move forward.

Mr. Kiriakatis advised that TD Securities was the winning bidder of the BAN with a bid of two-percent and they paid the Township a nominal premium of \$83,000 which brought the interest rate down to 1.163 percent. It is a very good rate that shows Lawrence Township has a very good credit rating something they should all be proud of and specified every time they have a BAN sale the Finance Officer receives calls from difference investment houses and security banks inquiring about the town's financials and without question most of them are very impressed by the way Lawrence Township is governed, the way the finances are handled and how it is managed which is really nice to hear. He then distributed handouts along with spreadsheets detailing each of the panels that corresponds with the slideshow presentation and indicated the spreadsheet is broken up into three sections. The top section describing how the Township's Bonds or BAN debt service looks and is projected out in future years (2017-2022); the middle box detailing the BAN Status #1 and #2 and bottom section is how the first two sections will affect the Township's Capital Cash for payments of whatever was ordered based on the ordinances that were adopted.

Mr. Kiriakatis proceeded to review the following schedules: Schedule A – Pay down of BAN #1, Partially Fund Ordinances & Issue BAN #2; Schedule B – Pay down of BAN #1, Issue BAN #2 Longer Pay down Period and Schedule C – Continue BAN #1 Pay down issue Permanent Financing for Additional Ordinance to include each of the Estimate Assumptions. A general comment, question and answer period took place relative to bonding thresholds and when a referendum is needed to approve bonding, the best bonds and BAN options moving forward and the balance, usage and regeneration of surplus.

Mr. Kiriakatis stated he would like to update the Council on two unrelated items. The first being the non-receipt of the Certified Tax Rate from the county and indicated after speaking with Marty Guhl, County Tax Administrator, and Ken Pacera, Lawrence Tax Assessor, they are waiting for the Board of Education to recertify their rate because when the State had their impasse they came back and changed some of the school funding that, in turn, affected all of the municipalities in the whole state meaning if Lawrence schools received more funding from the State they could then recertify their tax rate. And, in speaking with Tom Eldridge, School Board Administrator, he has to speak with his governing body to see how they would like to proceed then send an acknowledgement to Mr. Guhl as to whether or not they plan to change their rate. Nonetheless, the situation may impose a problem for the Township as they need time to print the tax bills and the letters that are included in the bills which take approximately two weeks to prepare and by law there has to be a 25 day break between when the tax bills are mailed and when they are due which is normally the day after Labor Day.

Mr. Kiriakatis noted it is not uncommon for the 3rd and 4th quarter tax bills to be mailed out later; but it is unprecedented to not have a certified tax rate from the school and county by now and in order for them to meet that September 5 deadline they would need to have the bills mailed out by August 11 which is possible if they receive the tax rate in time.

Mr. Nerwinski advised of another important date July 21 that is the date school districts are supposed to have their budgets recertified and there being a few districts in the County who have yet to recertify and the delay of the State budget affecting every school district in Mercer County except Hamilton Township.

Mr. Kiriakatis stated the last item to report on is in 2018 the State of New Jersey will be revamping the process in which all municipalities do their budgets. They are now in the testing phase and he has yet to see how the new budget document will look but it will not be the budget document that they all know and love as it will be more of a website type of a portal where the information is inputted and will include analytics, tracking of debt fund balances and the ability to send out warnings, if warranted. Additional items such as Chapter 159's, Annual Debt Statements, Supplemental Debt Statements, etc. will go through the web portal as well. His guess is they are going to require every municipality to use the web portal then compare and compile all the information. This is something that is tremendously important and he will be keeping a close eye on and keep Council updated on as well.

Ms. Lewis questioned if they were going to have to do any back data prior to 2017 and Mr. Kiriakatis advised "no" it will start for year 2017. Additional discussion took place relative to the Bond and BAN Schedules as it relates to debt pay downs, the downside of fully funded ordinances and creating a Best Practices List for bonding with regards to when, where and how the bonding should be used to avoid future usage of surplus and identifying when bonds are coming to fruition to see when the town will be debt free to proceed with big ticket projects going forward to prevent delays.

In closing, Mr. Nerwinski imparted he has been in the Manager's position for three months and Mr. Kiriakatis is a pleasure to work with, a consummate professional and is well placed as the CFO and he has every confidence in him moving forward.

Public Participation (5-minute limitation per speaker)

Ms. Rodica Perciali, Founder of the Romanian Folk Art Museum, spoke about being a former teacher as well as the founder along with her husband, Michael Perciali, of the Romanian Folk Art Museum, a non-profit organization established in 1983 in Chicago and the establishment of two additional locations; a branch in Princeton, New Jersey, 20 years ago, and one in Philadelphia, Pennsylvania, 18 years ago. She discussed the museum having the largest display of folk art/village artifacts collection outside of the Romania from Europe in the United States and the organization's

accomplishments over the last 34 years to include the Romanian-American League that was established to carry on programs for economy, media and civic programs, numerous awards, public grants, newspaper articles and the huge media coverage the museum has received from the American and Romanian press over the years.

Ms. Perciali stated in Chicago with the help of her family, Americans, Romanian-Americans and Romanians through festival, fairs and volunteers they were able to sustain the museum with many activities and events; but they do not have that same community participation on the East Coast so they plan to sell the building in Philadelphia and relocate their village artifacts collection in a country, garden, park-like setting and after focusing for some time on property in Lawrence they have found a 10 acre lot they are interested in purchasing to build the museum and display the collection and that she has spoken with Mayor Maffei regarding their plans. She noted that Lawrence has a lot of Eastern Europeans but no organizations promoting its culture in the area and that their organization has something very unique and important to offer to Lawrenceville which is presently lacking and inquired if the Township Council has any desire to donate part of the land to the non-profit organization that will be utilized as an educational resource and cultural center for the public, students in area and the entire East Coast. The plan is to start small and develop based on public interest.

Mayor Maffei advised Council that he had spoken with Ms. Perciali via telephone and in person regarding her interest in purchasing the 10 acres of property located on Denow Road, which they do not know how much are wetlands, and her desire to build an Eastern European Museum on that property and donate part of the land to the Township and based on his understanding she is now seeking approval of Council for the project. She also discussed some problems she had with the realtor showing her around.

Ms. Lewis questioned if she had spoken with the Township Engineer because, although her idea sounds good in theory, the Council makes their decision based on the recommendations that comes back from the Planning Board/Zoning Board as to whether a proposal is a good use or a bad use and that is where she should begin the process.

Ms. Perciali continued to discuss at length the importance and the need of the museum in the community and her lack of understanding regarding the approval process for the project and was kindly advised again by members of Council as well as the Municipal Manager of the procedures she would need to follow to obtain the approval to build in Lawrence Township. The Municipal Manager suggested that Ms. Perciali contact his office in the morning to set up a meeting to further discuss the matter.

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 Ms. Lewis, the Minutes of Regular Meeting of June 20, 2017 were approved on the following roll call vote:

Same was carried on the following roll call vote:

Ayes: Councilmembers, Bobbitt, Kownacki, Lewis, Power and Mayor Maffei.
Nays: None.

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On a motion by Mr. Powers, seconded by Ms. Lewis, the Minutes of Closed Session Meeting of June 20, 2017 were approved on the following roll call vote:

Same was carried on the following roll call vote:

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

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Awarding or Rejecting of Bids

Mayor Maffei asked for comments from the public. There being none, Mayor Maffei asked for comments from Council.

Mr. Bobbitt questioned the timeframe for the project. Mr. Nerwinski advised he spoke with Jim Parvesse, Township Engineer, the work will commence in mid-September based upon the timing issues involved with the permit process and once the work begins the contractor has 120 days to complete the work.

There being no additional comments, public participation was closed.

On a motion by Ms. Lewis, seconded by Mr. Powers, Resolution (9-A), Authorizing the Awarding of Bid for Senior Center HVAC Renovation Project, was presented for adoption.

Resolution No. 303-17

WHEREAS, on Thursday, June 22, 2017 bids were received and publicly opened for the project known as **Senior Center HVAC Renovation**; and

WHEREAS, seven (7) bids were received and reviewed by the appropriate Township Officials; and

WHEREAS, the lowest responsible bidder was Hanna's Mechanical Contractors, Inc., who submitted a bid in the amount of \$214,750.00, and

WHEREAS, in accordance with N.J.A.C. 5:50-14, a Certificate of Availability of Funds has been provided and the accounts to be charged are C-04-55-410-231 (Ordinance 2228-16 Various Capital Improvements/Municipal Building - \$26,079.03) and C-04-55-433-233 (Ordinance 2258-17 Improvements Municipal Building/Senior Center HVAC Projects - \$188,670.97); and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that pursuant to the recommendations of the Municipal Engineer, the Mayor and Municipal Clerk are hereby authorized to execute a contract with Hanna's Mechanical Contractors, Inc., 44 N. Main Street, Milltown NJ 08850 in the amount of \$214,750.00; and

BE IT FURTHER RESOLVED that the Municipal Manager is hereby authorized to draft the necessary agreement, subject to the approval of the Municipal Attorney as to form and content thereof.

Same was carried on the following roll call vote:

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

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Introduction 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"

Mr. Nerwinski advised that the Ordinance puts financing in place to continue with the Township’s road improvement projects that will include the mill, overlay and reconstruction of Fackler Road from Route 206 Princeton Pike; miscellaneous guide rail replacements, road stripping and addressing drainage issues and the installation of a Pedestrian Crossing at Province Line Road and Bannister Road. Approximately 25 roads across the Township will be improved from the funds.

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

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

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Adoption of Ordinances

Mayor Maffei read by title, an ordinance entitled, “AN ORDINANCE AMENDING CHAPTER 9 OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE ENTITLED ‘FOOD AND FOOD ESTABLISHMENTS’”

Ordinance No. 2267-17

AN ORDINANCE AMENDING CHAPTER 9 OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE ENTITLED “FOOD AND FOOD ESTABLISHMENTS”

BE IT ORDAINED by the Township of Lawrence, County of Mercer, State of New Jersey, that Chapter 9 of the Lawrence Township Administrative Code is amended as follows:

Section I. Chapter 9 – Food and Food Establishments

Section 9-4 Fees

- (b) The following shall be exempt from payment of the aforesaid license fees but shall otherwise comply with the provisions of this article:

Food establishments conducted by churches, veterans’ organizations[and], volunteer fire and first aid organizations, [and] Lawrence Township Parent Teachers Organizations,[and] charitable organizations operating food pantries, and Boy Scout and Girl Scout organizations with food sales limited to pre-packaged, non-potentially hazardous foods.

Section II. Repealer

All ordinances or parts of same inconsistent with any of the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section III.

If any section, paragraph, sentence, clause or phrase of this ordinance shall be declared invalid for any reason, the remaining portions of said ordinance shall not be affected thereby and shall remain in full force and effect.

Section IV.

This ordinance shall become effective twenty (20) days after adoption.

Deletions are in brackets [ ]  
 Additions are underlined \_\_\_\_\_

Ordinance No. 2267-17 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 ORDINANCE NO. 2208-15 BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, IN ORDER TO REVISE THE DESCRIPTION OF THE IMPROVEMENT HEREIN"

Ordinance No. 2268-17

BOND ORDINANCE AMENDING BOND ORDINANCE 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 2208-15, finally adopted March 3, 2015, be and is hereby amended to adds the following purpose:

“Various Local Road Improvements...”

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.

Ordinance No. 2268-17 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 ORDINANCE NO. 2229-16 BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, IN ORDER TO REVISE THE DESCRIPTION OF THE IMPROVEMENT HEREIN”

Ordinance No. 2269-17

BOND ORDINANCE AMENDING BOND ORDINANCE 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 2229-16, finally adopted March 3, 2015, be and is hereby amended to adds the following purpose:

“Various Local Road Improvements...”

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.

Ordinance No. 2269-17 was introduced and approved on the following roll call vote:

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

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Mayor Maffei read by title, an ordinance entitled, “BOND ORDINANCE AMENDING BOND ORDINANCE NO. 2258-17 BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, IN ORDER TO REVISE THE DESCRIPTION OF THE IMPROVEMENT HEREIN”

Ordinance No. 2270-17

BOND ORDINANCE AMENDING BOND ORDINANCE
 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, be and are hereby amended to add the following purposes:

Acquisition of Various Public Safety Equipment “Shotgun Sights and Steel Forend Supports...”

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.

Ordinance No. 2270-17 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 ORDINANCE NO. 2258-17 BY THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY, IN ORDER TO REVISE THE DESCRIPTION OF THE IMPROVEMENT HEREIN”

Ordinance No. 2271-17

BOND ORDINANCE AMENDING BOND ORDINANCE  
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, be and are hereby amended to add the following purposes:

Acquisition of Various Computer and Office Equipment consisting of “Court Attendants / Prosecutor Hallway and Property Room Hallway HD Surveillance Cameras...”

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.

Ordinance No. 2271-17 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, “ORDINANCE AUTHORIZING THE TOWNSHIP OF LAWRENCE TO ENTER INTO A FINANCIAL AGREEMENT UNDER THE LONG TERM TAX EXEMPTION LAW WITH THE SPONSOR OF LAWRENCE PLAZA SENIOR CITIZEN HOUSING PROJECT”

Ordinance No. 2272-17

ORDINANCE AUTHORIZING THE TOWNSHIP OF LAWRENCE TO ENTER INTO A FINANCIAL AGREEMENT UNDER THE LONG TERM TAX EXEMPTION LAW WITH THE SPONSOR OF LAWRENCE PLAZA SENIOR CITIZEN HOUSING PROJECT

WHEREAS, Lawrence Plaza is a 161 unit rental housing project dedicated to low income senior citizen tenants situated on that parcel of land designated as Lot 17, Block 2001 on the Township's Tax Map, more commonly known as 2350 Princeton Pike, Lawrenceville, New Jersey 08648 (the "**Project**"); and

WHEREAS, the Project was developed in 1978 pursuant to N.J.S.A. 55:16-1 et seq. (the Limited Dividend Housing Corporation Law) and N.J.S.A. 55:14J-1 et seq. (the New Jersey Housing Finance Agency Law of 1967), which statutes subsequently were superseded and replaced by the New Jersey Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. (the "**LTTE Law**"); and

WHEREAS, the Project receives rent subsidies from the U.S. Department of Housing and Urban Development, Section 8 Housing Assistance Payments Program, under a Housing Finance and Development Agencies Housing Assistance Payments Contract (Master Section 8 ACC No. NY-1106; Project No. NJ16-HO85-011), dated September 30, 1978, as amended December 18, 1979, for a term of forty (40) years into 2018, which is renewable for seven (7) additional terms of five (5) years each (the "**HAP Contract**"); and

WHEREAS, the Project also receives real estate tax abatement pursuant to a Tax Abatement Agreement dated [REDACTED], to which the Township is a party, which is due to expire in 2020; and

WHEREAS, That's a Lovely Accent You Have Urban Renewal, LLC, an urban renewal entity duly qualified under the LTTE Law (the "**Sponsor**") is a contract purchaser of the Project with a closing scheduled to occur on or about August [REDACTED], 2017 (the "**Closing**"); and

WHEREAS, upon and after the Closing, the Sponsor intends to preserve and continue to operate the Project as rental housing for low income senior citizens for a period of not less than twenty (20); and

WHEREAS, the Sponsor has applied for and anticipates approval of an extension of the HAP Contract and/or a new HAP Contract which will extend the federal subsidy of the Project for at least twenty (20) years from the Closing; and

WHEREAS, the LTTE Law (N.J.S.A. 40A:20-13.1) authorizes the Township to extend real estate tax abatement to the Project for a period of time co-terminus with federal subsidies for the Project, in order to secure a continuation of such federal subsidies and/or as a condition thereof, pursuant to a financial agreement complying with the provisions of the LTTE Law; and

WHEREAS, the Project fulfills a vital housing need within the Township, but is not financially feasible as a low income senior rental housing project without the extension of real estate tax abatement by the Township to supplement the aforesaid federal subsidy; and

WHEREAS, in furtherance of its commitment to preserve the Project as low income senior housing, the Sponsor has requested that the Township adopt an ordinance authorizing a new financial agreement under the LTTE Law, in the form appended hereto as Exhibit "A", providing for abatement of real estate taxes on the Project for a period of twenty (20) years commencing upon the Closing; and

WHEREAS, the LTTE Law (N.J.S.A. 40A:20-9) requires that financial agreements entered into pursuant to its terms be approved by a municipal ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LAWRENCE AS FOLLOWS:

1. **Recitals.** The foregoing recitals are incorporated herein by reference, as if fully set forth herein, and are hereby adopted as findings of fact.

2. **Approval of Financial Agreement.** The proposed financial agreement in the form appended hereto as Exhibit "A" (the "**Financial Agreement**"), is hereby approved. Upon execution and delivery of the Financial Agreement as provided herein, the Project will be exempt from real property taxation as provided in the LTTE Law and the Financial Agreement for a period of twenty (20) years from the Closing, provided that payments in lieu of taxes for municipal services supplied to the Project are made to the Township in such amounts, at such times and in such manner as is set forth in the Financial Agreement, and provided further that the Sponsor complies with all of its other obligations set forth in the Financial Agreement. Council acknowledges that the revenue projections and payments in lieu of taxes set forth in Schedule 1 to the Financial Agreement are only estimates, and that the actual service charges paid by the Sponsor to the Township from time to time and at any time during the term of the Financial Agreement shall be determined pursuant to the provisions of the Financial Agreement.

3. **Execution of Financial Agreement.** The Mayor of the Township of Lawrence is hereby authorized and directed, upon Closing of the purchase of the Project by the Sponsor and satisfaction of any other legal conditions precedent to the execution and delivery by the Township of the Financial Agreement, to date, execute and deliver the Financial Agreement in substantially the form appended hereto as Exhibit "A", together with such non-substantive changes, insertions and deletions thereto as the Mayor, after consultation with Township counsel, deems in the Mayor's sole discretion to be necessary or desirable, which execution and delivery thereof shall conclusively evidence the Mayor's consent to any such changes, insertions or deletions thereto.

4. **Attestation and Sealing of the Financial Agreement.** The Clerk of the Township of Lawrence is hereby authorized and directed, upon the execution of the Financial Agreement by the Mayor, to attest to the signature of the Mayor upon such document and thereupon to affix the corporate seal of the Township upon such document.

5. **Implementation of the Financial Agreement.** Upon execution and delivery of the Financial Agreement by the Township as provided herein, the Mayor and Township Administrator, together with necessary staff and professionals of the Township, are hereby authorized and directed to perform such actions as are necessary or desirable in relation to the implementation of the Financial Agreement, performance of the parties' respective obligations thereunder and/or enforcement of the Township's rights and remedies thereunder and under applicable laws.

6. **Severability.** If any paragraph or provision of this Ordinance shall be adjudicated to be invalid or unenforceable, such determination shall not, to the extent severable, affect any other paragraph or provision of this Ordinance, which shall otherwise remain in full force and effect.

7. **Repealer.** All ordinances and provisions thereof inconsistent or conflicting with the provisions of this Ordinance be and the same hereby are repealed to the extent of such conflict or inconsistency.

8. **Effective Date.** This Ordinance shall become effective twenty (20) days after final adoption and publication thereof in accordance with law.

Ordinance No. 2272-17 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						

Manager's Report –

Mr. Nerwinski advised of the change to the Agenda regarding a new layout in which Resolutions are displayed on the agenda. The new format will include a grouping of resolutions under subtitles instead of the chronological, numerical sequence they were compiled in and placed on the agenda in the order received by the Municipal Clerk. The change was prompted by the last agenda that had an extensive amount of resolutions that were not grouped in series and as the new Municipal Manager and in speaking with the Municipal Clerk they decided this new format of grouping things together with the major groups normally seen on the agenda would be a better way of presenting the resolutions to the Council and anyone who would be viewing it from the website. He then inquired as to the Council's opinion on the new format and indicated if they are not pleased with it they can certainly revert back to the old way or continue with the new way.

Mayor Maffei stated that the organization of the subtitles is fine and the categorization is a good idea for public view.

Mr. Powers asked when moving the Resolutions do they just skip over the subtitles with no resolutions. Mr. Nerwinski and Ms. Norcia replied 'yes'.

Mrs. Lewis stated that she likes the organization but when they are moving things in a block she thinks they should remove the subtitles if there are no resolutions to be adopted because it seems a little weird to move the subtitles that have no resolutions for adoption.

Ms. Norcia stated that the removal of the subtitles creates a problem in uniformity going forward meeting to meeting and if they needed to add a last minute item it might create a problem if that subtitle was removed and advised that the Council could move everything in a block under Resolutions as they have in the past without taking out the subtitles that have no resolutions for adoption and they do not need to adopt the resolutions separately under each of the subtitles.

Mr. Nerwinski reported on September 9th at Rider University there will be a soccer game played between Lawrence High School and Notre Dame Varsity teams and they will be playing for the Mayor's Cup which is an inter-town competition between two teams playing for the right to hold the Mayor's cup in their high school trophy case for the year leading up to the next game. The event is not sponsored by the Lawrence Township it is just the name of the trophy and the game. Mr. Nerwinski advised that he met with the President of Rider University to discuss some ideas he had on how Rider and the community could kind of engage each other in some type of positive way and it was initiated by the Rider's men's soccer coach who thought it would be a good idea to bring the community on the campus and have the kids play in a college soccer setting for a rivalry game for the town. Invitations will be extended to all former mayors of Lawrence Township and the present mayor to participate. The event is designed to raise money for what is called "Mooch soccer"; a soccer league for underprivileged children in the City of Trenton named after Glenn "Mooch" Myernick who was an all-time great soccer player from Lawrence High School who died at a very young age and the organization is doing wonderful things for the underprivileged kids and this an opportunity to support and raise money for the kids and he just wanted to bring the matter to the attention of Council as they will soon see stories about it in the newspapers.

Mayor Maffei stated it is an excellent idea; something he has liked ever since he saw the firemen play the police in a football game on a cold December night and questioned if it was going to be an annual event. Mr. Nerwinski advised that is the plan.

Attorney's Report –

There was no Attorney's report.

Clerk's Report –

Ms. Norcia reported that she received another OPRA Request from Jennifer Coombs who was previously arrested and found guilty by Judge Korngut after videotaping various parts of the municipal building and coming into the Clerk's Office and videotaping office equipment, credit card machine, etc. and her being questioned then taken into custody after being uncooperative when the police were called to investigate the incident and Ms. Coombs apparently being unhappy with the Judge's decision as she returned yesterday with a new request that will wind up being anywhere between 300 to 400 pages that will have to be scanned and emailed free of charge because under the OPRA law she cannot be charged for the emails which she is well aware of. In addition, Ms. Coombs videotaped her and the deputy clerk, Tonya Carter, and did a live feed on Facebook of her last encounter with the Clerk's Office flying under the name timetochangejerseystyle@outlook.com and refuses to supply her name and address on the request which is within her rights to do.

Ms. Norcia proceeded to review Ms. Coombs request of the following information: CAD reports for July 4, 2017 and all OPRA Request from April 1, 2017 to July 7, 2017, Payroll Records for individuals and departments within the Township and Use of Force Reports from June 1, 2016 to June 1, 2017, and indicated she just wanted to bring the matter to the attention of the Council in case there are any future problems. A general discussion took place relative to the submission of the OPRA request and the Township having no recourse under the OPRA law for frivolous requests such as this one.

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Ms. Norcia asked the desire of the Council with regards to canceling the September 5<sup>th</sup> meeting being it is the day after Labor Day and some Councilmembers are getting their children ready to go back to school the next day. Ms. Lewis imparted she often thought the summer schedule should extend into September because of the meeting being the day after the holiday so she has no objection to canceling the meeting. Mr. Nerwinski advised that there is nothing from a business standpoint that would prevent them from canceling the meeting and if something changes they can just add meeting, if necessary. Ms. Norcia stated she will bring a Resolution forward at the August meeting being there are no objections.

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**Unfinished Business –**

**Meeting with Board of Education**

Mayor Maffei advised that the July 18<sup>th</sup> date for the Special Joint Meeting with the Board of Education is not conducive to the Board’s schedule and inquired about alternative dates. After a brief discussion it was the consensus of the Council to have the meeting at Town Hall on September 19<sup>th</sup> prior to the regularly-scheduled meeting of Council with the joint meeting starting at 6.00 pm and the regular meeting starting at 7:00 pm. The Municipal Clerk advised that she would contact Mr. Eldridge with the new date to see if the Board is available and she will also inquire about a mutually convenient date in October as well.

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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. 284-17 through 304-17 with the exception of Resolution 303-17 (Bid Award) was approved by the following roll call vote:

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

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

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**Council Initiatives/Liaison Reports –**

Ms. Lewis reported that the Ribbon Cutting Ceremony of the new Captain James Lawrence Inclusionary Playground took place on July 11<sup>th</sup> at Central Park.

Mr. Powers advised that the 4<sup>th</sup> of July Fireworks were wonderful. Mr. Nerwinski further advised that the location of the fireworks might change in the future on the Rider campus which he will discuss at a later date.

Mayor Maffei inquired about National Night Out which the Municipal Clerk advised is Tuesday, August 1<sup>st</sup> from 5:30 – 8 p.m. in front of Town Hall.

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**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,

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Kathleen S. Norcia, Municipal Clerk

Attest:

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David C. Maffei, Mayor