

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

March 7, 2017

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, March 7, 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, March 7, 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 Richard Krawczun 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)

*Ms. Pam Mount, 330 Cold Soil Road,* advised that she is the Chair of the Environmental Resources and Sustainability Green Advisory Committee and over the last several years the Committee has collaborated with all the Green Teams in Mercer County and formed a group known as the Mercer County Sustainability Coalition.

Ms. Mount imparted that the Green Teams from all municipalities have worked together on various projects and this year they have come up with a Green Fair instead of the Living Local Expo that primarily promoted buying locally. The event will take place on March 18<sup>th</sup> from 11am-4pm at Rider University Student Recreation Center. She then distributed copies to the Council and indicated this year they decided to jazz it up by calling it the Green Fest that sounds fun and hopefully will inspire more families to participate. They will have school kids doing science projects and the following entertainment: Sustainable Businesses, Energy Speakers on Efficiency, Solar and Incentives, Miss Amy/Eyes of the Wild /Green Planet Band, Arts and Crafts Corner, a Zoo, Health and Wellness, Electric Car Display, Recycling Show, Farmer's Market and locally prepared food for lunch. She extended an invitation to the Council and indicated their attendance would be appreciated.

Ms. Mount distributed copies of the 2016 Annual Report of the Mercer County Sustainability Coalition and advised that the Coalition decided this year they would like to have an annual report summarizing their goals and accomplishments including Lawrence Township achieving its Silver Certification through Sustainable Jersey. The Report summarizes actions and plans that the towns in Mercer County have been working on, upcoming plans for this year and future plans. They are hoping to do the report on an annual basis to keep everybody in the loop of what the Green Teams and Coalitions are working on and they hope the Township Council will enjoy reading the information and using it as a reference when they want to laud the accomplishments of Lawrence Township.

*Mr. Ed Frankel, 7 Pine Oak Drive*, advised that the Environmental Resources Inventory Report that is currently being held by the Delaware Valley Regional Planning Commission (DVRPC) will be out in a few months and that it is a really good reference document of all the natural things in Lawrence Township; and, hopefully, it will be posted online so people can see all the different areas, parks, trails and a resources offered in the Township.

Ms. Mount further advised that the Green Team and Environmental Resources Committee will be back recommending that the Report be approved by the Township Council and Planning Board to be included in the Master Plan so that anyone who wants to develop something or change the Land Use Ordinance would have some understanding of the environmental impact and what things are important to preserve such as the stream corridors, wetlands, etc. They hope that the document will be useful not only to residents but for people coming into town and for people who would like to make upgrades, develop and redevelop areas within the township and proceeded to discuss the document not being done in its entirety since 1996 and changes to the document fitting into with the Open Space Plan they are presently working on with the Open Space Committee regarding statistics and overlapping information.

*Ms. Teresita Bastides-Heron, 78 Meriline Avenue,* thanked the Public Works Department for keeping the Lawrence Township Nature Center, jewel of the Township, in such pristine condition. She then invited everyone to attend the GEPNA Women Excellence Award honoring Carol Nicholas at the Nature Center tomorrow at 5:30 p.m. and snacks will be served.

*Mr. John Rounds, 156 Eldridge Avenue,* spoke about the Lawrence Township Police Department doing random license plates searches and coming up with outstanding warrants and questioned if that was a policy set through the Township Council. He then shared two stories related to the matter. The first regarding a lawyer from Central Jersey who had client who was pulled over on a random search and upon questioning his client found that his client did not know why he/she was stopped and the search possibly is a violation of his client's Fourth Amendment Rights that protects citizens from illegal search and seizure. The second regarding a northern New York State lawyer who disagrees with the search and seize procedure being a violation of a person's rights because driving is a privilege and not a right so in their region they routinely pull people over at any given time. Thereafter, he questioned if such a policy exists in Lawrence Township and was advised by Mr. Krawczun that Lawrence Township does have technology in some of the police vehicles to read license plates and if those license plates come back as the vehicle being unregistered, stolen or the driver has a warrant then the police officer can take action.

Mr. Rounds then questioned if the random search and seize is a violation of a person's right in Lawrence and Mr. Krawczun advised that he does not know the particular details surrounding the cases he spoke of. But, the process for Lawrence Township is if the license tags come back with a clear-cut violation then that driver can be pulled over and cited for that violation.

Mr. Rounds further questioned if the Township Council has any set policies of any kind regarding random searches for the Police Department and discussed an article he read in the newspaper about Princeton setting policy for their police department but reading nothing relative to the Township Council setting policy for the Lawrence Township Police Department.

Mr. Krawczun advised that the policies and procedures for Lawrence Township Police Department are authorized to be created by the Chief of Police by way of Lawrence Township Municipal Charter and that much of the Police Department's policies and procedures are dictated by a host of laws and regulations; particularly, by what is referred to as the Attorney General Guidelines for Law Enforcement that talks about certain procedures, excessive force, discipline of police officers, bail reform, etc. So, a lot of police procedures are dictated by entities that are beyond the purview of the Township Council; but, administratively, as far as how the Township runs as an organization by way of the Municipal Charter, the Chief does have the power to create Standard Operating Procedures (SOP) for the Police Department.

Mr. Krawczun additionally noted that the Lawrence Township Police Department has recently been reviewed for Accreditation and on Thursday he and the Mayor will be attending a public hearing in South Brunswick for that final accreditation. If the public hearing goes favorably then the Lawrence Township Police Department will have achieved their accreditation which stipulates that a police department's operating procedures, personnel files, equipment, holding cells, police building, security and other items are updated in accordance with accepted standards.

In closing, Mr. Rounds stated there is a lot of information out there in the news about police departments and he has not seen anything adverse concerning Lawrence Township Police Department but he was just curious if the Township had a policy regarding that matter and commended the police on the great job they continue to do.

---

#### 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 Closed Session Meetings of January 17, 2017, February 7, 2017 and February 21, 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.

~~~

On a motion by Mr. Powers, seconded by Ms. Lewis, the Minutes of Regular Meeting of January 17, 2017 and February 7, 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.

---

Awarding or Rejecting of Bids

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

Mr. Krawczun advised that the project will require some removal of trees along Province Line Road behind the residences in that area and that only the trees in the right-of-way will be removed, not the ones on public property, and a limited amount of the trees will be replaced. He then reviewed the Plan for the tree removal. Additional discussion took place relative to the replacement of tree on private property.

On a motion by Mr. Powers, seconded by Mr. Bobbitt, Resolution (9-A), Authorizing Awarding Bid for Province Line Road Bike Trail to Top Line, was presented for adoption.

Resolution No. 126-17

WHEREAS, on Thursday, December 8, 2016 bids were received and publicly opened for the project known as **Province Line Road Bike Trail**; and

WHEREAS, nine (9) bids were received and reviewed by the appropriate Township Officials; and

WHEREAS, the lowest responsible bidder was Top Line Construction Corporation who submitted a bid in the amount of \$493,816.40, 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 G-02-41-086-299 (DVRPC Province Line Bike Trail \$391,000.00) and 7-16-56-843-299 (Open Space \$102,816.40); 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 Top Line Construction Corporation, 22 Fifth Street, Somerville NJ 08876 in the amount of \$493,816.40; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that this contract is awarded pursuant to a fair and open process and is subject to New Jersey Department of Transportation approval;

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.

~~~

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

On a motion by Mr. Powers, seconded by Mr. Bobbitt, Resolution (9-B), Authorizing Awarding Bid to Top Line Construction Corporation for Fackler Road Improvement Program, was presented for adoption.

Resolution No. 127-17

WHEREAS, on Thursday, February 23, 2017 bids were received and publicly opened for the project known as **Road Improvement Program – Fackler Road**; and

WHEREAS, ten (10) bids were received and reviewed by the appropriate Township Officials; and

WHEREAS, the lowest responsible bidder was Top Line Construction Corporation who submitted a bid in the amount of \$234,253.75, 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-04-55-418-240 – Ordinance 2229-16 Various Road Improvements – Fackler Construction (\$234,253.75); 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 Top Line Construction Corporation, 22 Fifth Street, Somerville NJ 08876 in the amount of \$234,253.75; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that this contract is awarded pursuant to a fair and open process and is subject to New Jersey Department of Transportation approval;

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.

---

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 \$1,567,000 WHEREAS ANY TRANSPORTATION TRUST GRANT FUNDING TO BE USED TO OFFSET BONDS OR NOTES AND AUTHORIZING THE ISSUANCE OF \$1,440,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF"

Mr. Krawczun advised that the Ordinance is a capital ordinance authorizing road improvements, concrete work, road striping and guide rail replacements for the following locations in Lawrence Township:1) Princeton Pike, Overlay and Reconstruction (Lewisville Road to Fackler Road); including construction, design and inspection; (2) road improvement program: Brandon Road, Spring Beauty Drive, Larkspur Lane, Chopin Lane, Merion Place, Penlaw Road, Keefe Road (Yeger Drive to Cold Soil Road), Ohio Avenue (Pilgram Avenue to Plum Street), Helen Avenue, Johnson Road, Mabel Avenue, Texas Avenue, Wenczel Drive, Eldridge Avenue; (3) Miscellaneous Guide Rail Replacement; (4) Road Striping; (5) Concrete Improvements incidental to overlay for roads under construction.

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						

---

Adoption of Ordinances

There was no adoption of ordinances.

---

**Manager's Report –**

Mr. Krawczun submitted invoice listings for the month of March 2017 in the amount of \$893,129.41.

Mr. Krawczun advised that there is a house on Eldridge Avenue that is currently for sale. The property caught fire approximately eight years ago and has since been vacant and deemed uninhabitable by the Construction Official. The property was willed to a relative and there were tax liens on the property by an outside lienholder who was going to initiate foreclosure. But, once the action began the property owner was slated to gather funds and pay off the outside liens. However, there is still a municipal lien held against the property and as of the end of February the amount due for redemption of that lien is \$13,500 and the property is currently for sale at \$82,500. The previous individual who had the outside liens approached him about Council's interest in assigning those Tax Sale Certificates to someone who wants to buy the liens from the Township, and advised that the Township would be paid all the outstanding balances and that individual would basically step into the Township's place in line on the foreclosure. He further advised if the house was not for sale he probably would have recommended the assignment of the certificates to Council given the very bad condition of the property, property owner residing out of state and not locally and the number of complaints received on occasions about the condition of the site.

Mr. Krawczun stated that the property owner is still trying to sell the property for \$82,500 and if they assign the Tax Sale Certificates to the interested party that person would pay the Township the \$13,500 but could initiate foreclosure action most likely immediately; because, although, the Tax Certificates are dated 2013 the municipal liens date back to 1989. He then asked the wishes of the Council with regards to assigning the certificates. After a brief discussion it was consensus of the Council to take the offer.

Mr. Krawczun reported that he had previously forwarded to the Council the Jurisdiction Agreement, a sample used by another community, for the bridge over I-295 connecting the Johnson Trolley Line which would be a pedestrian bridge, and indicated prior to going into any further discussion with DOT and request to pursue funding for this project, he would like to be sure that all of Council is clear and willing to enter into such an agreement if the Agreement can be replicated for the same type of bridge in Lawrence Township and proceeded to highlight the Township's responsibilities with regards to maintenance of the pedestrian bridge once it is built as well as the DOT's responsibility. After some discussion relative to the location of the bridge, safety concerns and who would be responsible for the structural integrity versus structural maintenance of the bridge it was the consensus of the Council for Mr. Krawczun to move forward with the Agreement.

Mr. Krawczun advised that Governor spoke last Tuesday about his proposed budget for fiscal year 2018 and that State aid will remain the same which is already anticipated in the Township's 2017 municipal budget. The Department Directors have given their budget reports for 2017 and if the Council concurs the Administration will proceed to develop the State and User-Friendly Budget Document. The budget will be brought forward for introduction at the March 21<sup>st</sup> meeting and adoption of the budget will take place at the second meeting in April to meet the 28 days required between the public hearing and adoption of the budget.

Mr. Krawczun reported that the Administration has had little to no progress in labor negotiations with both the Blue Collar and White Collar unions as he cannot get the representatives from the unions to meet which might lead to attrition which he explained to the them might be bad strategy because his successor coming in might be harsher in the method of negotiations.

---

**Attorney's Report –**

There was no Attorney's report.

---

**Clerk's Report –**

There was no Clerk's report.

---

**Unfinished Business –**

There was no unfinished business.

---

**New Business –**

**A. Discussion Relative to Joint Meeting with the Lawrence Township School Board**

Mr. Kownacki suggested the Council hold off a few months with the Joint School Board Meeting due to everything they have going on with the search and appointment of a new Municipal Manager.

Mr. Powers imparted it would also be a good introduction for the new Municipal Manager.

Ms. Lewis noted that the School Board reached out to the Township which she feels is a very positive step and that she has had conversations with some of the new Board Members and they are really interested in working with the Township and she is really interested in meeting with the Board. The meeting dates they spoke about would be sometime in the summer – July or August before school starts.

Mayor Maffei stated that the Council should definitely meet with the School Board before the next school year and briefly discussed School Board member, Michelle King and Dr. Crystal Edwards, Superintendent of Schools, meeting with local Real Estate Agents showing them exactly how the school is operated and what it has to offer for children who attend Lawrence Township Public Schools.

Mr. Bobbitt stated he agrees they should have an exchange of dialogue and with Councilman Kownacki that the joint meeting should be scheduled after the appointment of the new manager.

Afterwards, it was the consensus of the Council to hold off on the Joint Meeting with the School Board and for the Municipal Clerk to reach out to Ms. King regarding the matter.

---

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

There was no public participation.

---

Resolutions

Resolution Nos. 122-17 (18-A) through 138-17(18-O) with the exception of (Resolutions 126-17 and 127-17 - Bid Awards) were 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					X	
Mr. Powers	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 was Liaison reports.

---

**Written Communications –**

There was no written communication.

---

There being no further business to come before this Council, the meeting adjourned at 7:21 p.m.

Respectfully submitted by,

\_\_\_\_\_  
Kathleen S. Norcia, Municipal Clerk

Attest:

\_\_\_\_\_  
David C. Maffei, Mayor