

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

October 17, 2017

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, October 17, 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, October 17, 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

Oaths of Office Administered for Police Department Promotions

Police Chief Ubry greeted and thanked the Mayor and Council for allowing them to be present on a very rewarding night and indicated tonight's promotions would not be possible without the leadership of the Council and Municipal Manager because when he requested a Traffic Lieutenant for the Police Department they considered his request pertinent enough to act on as they have never had a police-staffed traffic bureau even though the roads are busy as they are in Lawrence. So, Lieutenant Tim Drew was appointed to take over that section at the end of August which led to the opening of his position...so, again, he would like to thank the Council for their action as Lieutenant

Drew's presence has already made an major impact on the roadways in the Township by making them safer and they are looking forward to reducing the number accidents that have been up by 15-percent in the last several years.

Chief Ubry then proceeded with a brief background history on each of the Officers being sworn in. Mayor Maffei then administered the Oath of Office to each of the following:

Lt. Joseph S. Lech, IV
Sgt. Scott A. Caloiaro

Each thanked their friends and family and gave a brief speech after their Oaths of Office was administered. In addition, Lieutenant Lech's father, Joseph S. Lech, III, presented him with retired Police Chief John Prettyman's, (who was unable to attend), gold plated badge when he was honored and sworn in as a lieutenant.

Public Participation (5-minute limitation per speaker)

Mr. Paul Larson, Chair of Lawrence Township Trails, Open Space and Stewardship Advisory Committee, distributed a handout to the Council relative to the Committee's 2017-2018 Focus "Making Connections to Our History and Trails" and proceeded to discuss in detail plans and concerns regarding the following projects: Colonel Hand Historical Park, Aldo Leopold's Big Woods, Colonial Lake Park and Trail, Maidenhead Meadows Park/Lawrence Hopewell Trail, Armory Woods Trail, Shabakunk Trail and Drexel Woods Trails & New North Entrance and a few of the projects focus priorities being impacted by existing or anticipated development/redevelopment plans. Cooperative effort with NJ Conservation Foundation (project driver) for The Assunpink Missing Link, East Coast Greenway, Capitol to Coast Trail (proposed segment in LT utilizing D&R Canal towpath from Trenton Border to Whitehead Road) and The Circuit Trail. He further discussed the Colonial Lake Park & Trail as it relates to the proposed Extended Stay Hotel Site Plan Application; Maidenhead Meadows Park/Lawrence Hopewell Trail as it relates the anticipated Brandywine residential development on property adjacent to Maidenhead Park/1761 Brearley House/Meadow Road/ Hopewell Trail and concerns over adequate buffer for the Brearley House and the Shabakunk Trail as it relates to the expected Lawrence Shopping Center Redevelopment Plan in 2018.

Mr. Larson advised that the World War I Centennial is taking place now and that the Veterans Memorial in Veterans Park which is over 20 years old needs a bit of work done and pointed some of the things in need of attention in the park. And, next November will be the 100th Anniversary of Armistice and he thinks it will be a big celebration which allows them time to make the necessary changes. He further discussed some nice detailed maps from the mid-60s he found while searching through the archives regarding proposals of parks and amphitheatres and a lot of the maps proposing multiuse open play fields to service ice skating surfaces in the winter which was mentioned on more than one of the maps showing that winters are a lot warmer now and proceeded to discuss the County having a ski place in the early 50s and 60s along the Delaware River.

An exchange of dialogue took place between Mr. Larson and the Municipal Manager regarding their request for the township owned lots at Drexel Woods' north entrance to be added to the Open Space catalog and the utilization of open space funds for trails that are on the parks property.

Additional dialogue ensued relative to Mr. Larson suggestion that the Town Council consider earmarking a portion of the \$130,000 budget line item from the hotel tax to promote history in the township parks open spaces since the township is getting two new hotels that will hopefully increase that mark as well as the increase number of people interested in history and checking out the area and dedicated funds to aid with applications, developing materials, website information, etc. to accommodate those soliciting help.

Councilwoman Lewis commended Mr. Larson on all the great work he has done for the Township and the concrete plans he has presented that gives the Council something to work with in terms of long-term planning. Mr. Larson thanked Ms. Lewis for the compliment and advised that the Committee's attributes of projects are part of a larger plan with a group of community activist who are committed, professional and exciting people to work with.

Review and Revisions of Agenda

There was review or revision of the agenda.

Adoption of Minutes

There was no adoption of minutes.

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.

On a motion by Mr. Powers, seconded by Mr. Bobbitt, Resolution (9-A), Authorizing Awarding Bid to Bryan Electric for Central Park Tennis Court, was presented for adoption.

Resolution No. 381-17

WHEREAS, on Thursday, October 5, 2017 bids were received and publicly opened for the project known as **Central Park Tennis Court Lighting**; and

WHEREAS, four (4) bids were received and reviewed by the appropriate Township Officials; and

WHEREAS, the lowest responsible bidder was Bryan Electric who submitted a bid in the amount of \$173,900.00, and

WHEREAS, in accordance with N.J.A.C. 5:50-14, a Certificate of Availability of Funds has been provided and the account to be charged is 7-16-56-843-299; 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 Bryan Electric, 1926 Chestnut Avenue, Trenton NJ 08611 in the amount of \$173,900.00; 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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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 Techna-Pro Electric, LLC for Eggert Crossing Road Pedestrian Activated Crosswalk Lighting System, was presented for adoption.

Resolution No. 376-17

WHEREAS, on Thursday, September 7, 2017 bids were received and publicly opened for the project known as **Eggert Crossing Road Pedestrian Activated Crosswalk Lighting System**; and

WHEREAS, two (2) bids were received and reviewed by the appropriate Township Officials; and

WHEREAS, the lowest responsible bidder was Techna-Pro Electric, LLC who submitted a bid in the amount of \$17,900.00, and

WHEREAS, in accordance with N.J.A.C. 5:50-14, a Certificate of Availability of Funds has been provided and the account to be charged is C-04-55-419-242 (Ordinance 2229-16 – Various Roads); 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 Techna-Pro Electric, LLC, 100 Pike Road, Building B, Mount Laurel NJ 08054 in the amount of \$17,900.00; 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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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-C), Authorizing Amending Contract with Richard T. Barrett Paving Company, Inc. for the 2017 Road Repair Program, was presented for adoption.

Resolution No. 383-17

WHEREAS, a contract was awarded to Richard T. Barrett Paving Company, Inc. for a project known as the **2017 Road Repair Program** in the amount of \$64,875.00, as outlined in Resolution No. 362-17 and

WHEREAS, the Township wishes to amend this contract in the amount of \$7,183.75 (Change Order No. 1), resulting in a new contract amount of \$72,058.75, said increase allowed by statute without re-bid; and

WHEREAS, Change Order No. 1 reflects final quantity adjustment and supplemental items required during construction; and

WHEREAS, in accordance with N.J.A.C. 5:30-14, a Certificate of Availability of Funds has been provided and the account to be charged for the additional increase is C-04-55-395-243 (Ordinance 2208-15 – Various Roads) \$7,183.75;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, as follows:

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute an amended agreement with Richard T. Barrett Paving Company, Inc., 400 Prospect Street, Trenton NJ 08618 represented by Richard T. Barrett, Jr. for a revised amount not to exceed \$72,058.75 and availability of funds has been certified for said amount.
2. Notice of this resolution shall be published in The Trentonian as required by law within ten (10) days of its passage as required by law.

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-D), Authorizing Awarding Bid #17-17, 2017 Snow Plowing Services, was presented for adoption.

Resolution No. 388-17

WHEREAS, on October 17, 2017, bids were received for Bid No. 17-17, 2017 Snow Plowing Services; and

WHEREAS, one bid was received and reviewed by the Municipal Manager and Director of Public Works and the bidder was Marrazzos Manor Lane, 1301 Yardley Road, Yardley, PA 19067 who submitted a bid in the amount of \$170.00 per hour per truck; and

WHEREAS, in accordance with N.J.A.C. 5:30-14, a Certificate of Availability of Funds has been provided and the account to be charged is 7-16-56-849-299 (Reserve for Snow Removal);

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that the Township is hereby authorized to award Bid No. 17-17, 2017 Snow Plowing Services, to Marrazzos Manor Lane for the period of November 15, 2017 through April 15, 2018 with a contract amount not to exceed \$17,000.

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, "AN ORDINANCE AMENDING ORDINANCE 2134-12 AMENDING THE CONSOLIDATED LICENSE, PERMIT AND FEE CHAPTER OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE

Mr. Nerwinski advised that the Ordinance amends the Lawrence Township Administrative Code applicable fees related to the Division of Fire Safety, Uniform Fire Code to be consistent with the adjustment of the state fee schedule.

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						

Mayor Maffei read by title, an ordinance entitled, “AN ORDINANCE AMENDING ORDINANCE NO. 2201-14 AMENDING THE CODE OF THE TOWNSHIP OF LAWRENCE TO PROVIDE FOR LICENSING AND REGULATION OF TOWING AND STORAGE SERVICES”

Mr. Nerwinski advised that the 3-year contract with the towing companies expires at the end of 2017 and Chief Ubry worked on some revisions designed to clarify the rate structure and making the towing companies more accountable for their actions which includes the following amendments: 1) eliminates day and night rates for a flat rate; 2) provides a penalty for repeated late responses in a 30-day period; 3) eliminates a grandfather clause which allowed a 6-month period for a company to obtain a 21ft. flatbed to its fleet servicing the Township; 4) requires towing operators to comply with Title 39 statutes; 5) requires towing company to be certified by a nationally recognized towing association; and 6) adjustment to the fee schedule.

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						

Adoption of Ordinances

Mayor Maffei read by title, an ordinance entitled, “AN ORDINANCE AMENDING CHAPTER 13 OF THE LAWRENCE TOWNSHIP ADMINSTRATIVE CODE ENTITLED ‘MOTOR VEHICLES AND TRAFFIC’” – Handicapped Parking

Ordinance No. 2278-17

AN ORDINANCE AMENDING CHAPTER 13 OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE ENTITLED 'MOTOR VEHICLES AND TRAFFIC'

BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that Chapter 13 of The Lawrence Township Administrative Code entitled 'Motor Vehicles and Traffic' be and is hereby amended as follows:

Section 1. Article II – Stopping, Standing and Parking

Sec. 13-4 – Parking prohibited – At any time, except by vehicles bearing special identification for handicapped persons.

(5) Special Vehicle Parking (Handicapped)

Restricted parking spaces shall be established as set forth below and only those persons who are handicapped and who possess a special vehicle identification shall park in such designated parking space. Such designated parking spaces and applicable signs shall conform to the current standards prescribed by the Manual on Uniform Traffic Control Devices (MUTCD) as determined by the Municipal Engineer.

- a. 64 feet eastbound from the prolonged curb line of Brunswick Pike and Valley Forge Avenue (S/E corner) for a distance of 22 feet on Valley Forge Avenue on the south side of 1894 Brunswick Pike.
- b. 138 feet eastbound from the prolonged curb line of Brunswick Pike and PearStreet (N/E corner) for a distance of 22 feet in front of 766 Pear Street.
- c. 340 feet eastbound from the prolonged curb line of Rt. 206 (Lawrence Road) and Fairfield Avenue (S/E corner) for a distance of 22 feet in front of 81 Fairfield Avenue.
- d. 285 feet eastbound from the prolonged curb line of Princeton Avenue and Myrtle Avenue (S/E corner) for a distance of 22 feet in front of 55 Myrtle Avenue.
- e. 180 feet westbound from the prolonged curb line of Hopewell Avenue and Slack Avenue (S/W corner) for a distance of 22 feet in front of 115 Slack Avenue.

- f. 155 feet southbound from the prolonged curb line of the driveway belonging to West Gate apartments (S/W corner) on Princeton Pike for a distance of 22 feet in front of 2099 Princeton Pike.
- g. 263 feet eastbound from the prolonged curb line of Princeton Avenue and Myrtle Avenue (S/E corner) for a distance of 22 feet, in front of 57 Myrtle Avenue
- h. 570 feet eastbound from the prolonged curb line of Lanning Avenue and Princeton Avenue for a distance of 22 feet in front of 933 Lanning Avenue.
- i. 335 feet eastbound from the prolonged curb line of Slack Avenue and Princeton Pike (S/E corner) for a distance of 22 feet in front of 135 Slack Avenue.
- j. 370 feet westbound from the prolonged curb line of Lawrence Road and Titus Avenue (N/W corner) for a distance of 22 feet in front of 14 Titus Avenue.
- k. 204 feet westbound from the prolonged curb line of Ohio Avenue and Puritan Avenue (N/W corner) for a distance of 22 feet in front of 716 Puritan Avenue
- l. 324 feet eastbound from the prolonged curb line of Princeton Avenue and Myrtle Avenue (S/E corner) for a distance of 22 feet in front of 51 Myrtle Avenue
- m. 141 feet eastbound from the prolonged curb line of Slack Avenue and Princeton Pike (S/E corner) for a distance of 22 feet, in front of 143 Slack Avenue
- n. 54 feet eastbound from the prolonged curb line of Puritan Avenue and Brunswick Pike, for a distance of 22 feet
- o. 518 feet westbound from the prolonged curb line of Brunswick Avenue and Lanning Avenue (N/W corner) for a distance of 22 feet, in front of 944 Lanning Avenue
- p. 548 feet westbound from the prolonged curb line of Brunswick Avenue and Lanning Avenue (N/W corner) for a distance of 22 feet in front of 950 Lanning Avenue

- g. 70 feet westbound from the prolonged curb line of Brunswick Avenue and Lanning Avenue (S/E corner) for a distance of 22 feet on the side of 1279 Brunswick Avenue
- r. 90 feet northbound from the prolonged curb line of Brunswick Avenue and Pine Street (N/W corner) for a distance of 22 feet in front of 1117 Brunswick Avenue

Section 2. This ordinance supercedes all previous ordinances that relate to the designation of handicapped parking on streets and roadways within the Township of Lawrence.

Section 3. Severability.

If any provisions of this ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining provisions, which shall be deemed severable therefrom.

Section 4. Repealer.

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

Section 5. Effective Date.

This ordinance shall become effective twenty (20) days following the adoption thereof in accordance with law.

Additions Underlined _____

Ordinance No. 2278-17 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 submitted invoice listings for the month of October 2017 in the amount of \$ 350,356.44.

Mr. Nerwinski reported that he sent members of Council an email regarding the status of a Study that had been conducted on the cell tower at the Lawrence Township Police Department and he, Police Chief Ubry, Jim Parvesse, Township Engineer, and Verizon Wireless met several times to discuss the possibility of utilizing the tower that is underused at this point in time and making two cell users at that site. Verizon has done their due diligence by producing a site plan along with other additional plans that have been provided to the Council and all the plans meet the Chief's satisfaction in terms of it not affecting the operations of Police Department in the back area, and they are now prepared to move forward with putting it out to bid for two users with a minimum bid price of \$30,000 per unit. The added benefit would be the creation of a new stream of revenue and enhanced coverage and efficiency to what they already have with regards to the police utilization of laptops and cell phones in the area. And, if Verizon is one of the successful bidders they have indicated they would work with the town in improving the cell usage inside the building which is non-existent at the present time and not good from a public safety standpoint. Presently, he cannot find a negative with regards to moving forward because currently the cell tower is only used as a backup so the police department will not be affected by the other two cell users. He then asked the Council to review the proposal and let him know their wishes with regards to moving forward.

A general discussion ensued relative to the call volume the cell tower can handle, bid price/lease agreement, maintenance/ improvements and how the size of the cell tower will affect neighbors. Mr. Roskos advised that he has some Intel and cell tower information that he will share with the Municipal Manager, and Mr. Nerwinski assured the Council that their concerns will be brought the attention of the Police Chief and Verizon and addressed prior to any final decisions.

Attorney's Report –

Mr. Roskos reported that Lawrence Township Construction Board of Appeals lacks a quorum as they are now down to two members and they have an Appeal that was just filed, and advised they have the option of Obtaining some new members and have a hearing or do away with the Board all together. But, they cannot maintain the existence of a Board and not have a functioning board and that a lot of towns send their appeals to the County which he does not necessarily think they want to do, so he has spoken with Municipal Manager about filling the spots, with the hardest being an electrical inspector who has worked in the electrical field; preferably, licensed but not required. He then asked if the Council had anyone in mind to please let them know.

Mr. Nerwinski advised when he was the Municipal Attorney the Construction Board of Appeal was very active with long meetings and due to the amount of permits presently coming through the Construction Department he feels they should try to re-panel the Board, as that could reactivate the filing of appeals.

Clerk’s Report –

There was no Clerks report.

Unfinished Business –

There was no unfinished business.

New Business –

There was no new business.

Public Participation (3-minute limitation per speaker) –

Mr. Larson advised a week ago he spoke with the State concerning the Williams property and it would qualify for Green Acres funds; but, in raising the issue they reviewed the town files and found that Lawrence Township has Green Acres funds in the sum of \$211,000 that have not been utilized from 2009. So, there might be a letter forthcoming to the Mayor or Municipal Manager relative the town being at risk of losing the funds or putting together a plan to utilize the money within a certain timeframe.

Resolutions

Resolution Nos. 377-17 (18 –A.1) through 389-17 (18-H.1) with the exception of Bid Nos. 381-17, 383-17 and 388-17 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 –

Mr. Bobbitt advised that the Growth & Redevelopment Committee’s Annual Awards meeting was well attended and he thanked the Council for their attendance and the Municipal Manager for being a keynote speaker.

There were no additional Liaison Reports.

Written Communications –

There was no written communication.

There being no further business to come before this Council, the meeting adjourned at 8:19 p.m.

Respectfully submitted by,

Kathleen S. Norcia, Municipal Clerk

Attest:

David C. Maffei, Mayor