

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

March 15, 2022

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, March 15, 2022, at 6:30 p.m.

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

Mayor Ryan asked for a moment silence in honor of former Fire Chief Rudolph 'Rudy' Fuessel who passed away.

At the commencement of the meeting Mayor Ryan 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 15, 2022, 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 Ledger on December 22, 2021.

The roll was then called as follows:

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

Also, in attendance were Kevin Nerwinski, Municipal Manager, Esq., David Roskos, Esq., Municipal Attorney, Peter Kiriakatis, Chief Financial Officer.

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Special Proclamations, Recognitions and Presentations

Mayor Ryan advised that they had a Presentation of Black History Month Art and Essay Contest Certificates by the Recreation Department. He then turned the floor over to Nancy Bergen, Superintendent of Recreation.

Ms. Bergen stated this is their second Art and Essay Contest and Lawrence residents were asked to submit a piece of writing such as an essay, poem or letter; or a piece of art including but not limited to a painting, drawing, poster or sculpture based on a black leader that inspired them.

Ms. Bergen imparted that two of three honorees are missing; but, they did want to acknowledge the residents who participated and submitted their beautiful and inspiring Artwork – Aylana and Noelle Garrett who made a poster board for the K-Z category, Frank Haggerty who displayed beautiful Art for the Adult category, and Elena Dyer who received a Certificate of Appreciation for the beautiful Art she displayed for the 3<sup>rd</sup> and 4<sup>th</sup> Grade categories. The Township Council congratulated and thanked Elena and all the other participates, after which pictures were taken with the honoree.

Mayor Ryan advised that Ms. Bergen has left for the evening, but he would like to acknowledge the presence of Aylana and Noelle for the beautiful and inspiring poster board they made for the K-2<sup>nd</sup> Grade category. The Council complimented the girls who advised that they are homeschooled but heard about the Art and Essay Contest and decided to participate. They also complimented the girls on the beautiful dresses they were wearing, after which pictures were taken with the two honorees.

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Mayor Ryan stated he would also like to acknowledge ‘International Women’s Day’ that took place on March 8<sup>th</sup> honoring the achievements and contributions of women and girls globally around the world. He advised that they have three strong women present with them this evening whose contributions they really appreciate.

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#### Public Participation

There was no public participation.

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#### Review and Revisions of Agenda

There was no review or revisions to the agenda.

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#### Adoption of Minutes

On a motion by Ms. Lewis, seconded by Mr. Powers, the Minutes of Regular Meeting of January 18, 2022 were approved without corrections on the following roll call vote:

Same was carried on the following roll call vote:

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

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### Awarding or Rejecting of Bids

On a motion by Ms. Lewis, seconded by Mr. Powers, Resolution (9-A), Authorizing Awarding Rehabilitation Bid for 96 Quince Court, was presented for adoption.

### Resolution No. 124–22

WHEREAS, on Thursday, February 17, 2022 bids were received and publicly opened for the project known as **Bid 22-01: Lawrence Home Improvement Program 96 Quince Court**; and

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

WHEREAS, the lowest responsible bidder was Silviu Nedelcu Painting & Remodeling who submitted a bid in the amount of \$24,600.00, 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:

| Acct.           | Ord. No. | Name                          | Amount      |
|-----------------|----------|-------------------------------|-------------|
| 2-19-56-853-299 | ----     | Affordable Housing Trust Fund | \$24,600.00 |

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 Silviu Nedelcu Painting & Remodeling, 4475 Route 27, Princeton NJ 08540 in the amount of \$24,600.00; 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.

Adopted: March 15, 2022

Same was carried on the following roll call vote:

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

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### Introduction of Ordinances

Mayor Ryan read by title, an ordinance entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 2372-20 AMENDING THE CODE OF THE TOWNSHIP OF LAWRENCE TO PROVIDE FOR THE ADDITION OF A DESIGNATED HANDICAPPED PARKING SPACE"

Mr. Nerwinski advised that the Ordinance amends Ordinance No. 2370-20 to provide for the addition of a designated handicapped parking space at 37 Myrtle Avenue.

The Ordinance No. 2419-22 was 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 Ryan   | X   |     |         |        |         |      |        |

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Mayor Ryan read by title, an ordinance entitled, "CALENDAR YEAR 2022 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER (NJSA 40A:4-45.14)"

Mr. Nerwinski advised that the Ordinance approves the final appropriations for Budget Year 2022 be increased by 3.5%, as required by New Jersey State law, which he will further explain during his Manager's Report.

The Ordinance No. 2420-22 was 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 Ryan   | X   |     |         |        |         |      |        |

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Mayor Ryan read by title, an ordinance entitled, "AN ORDINANCE OF THE TOWNSHIP OF LAWRENCE AMENDING AND SUPPLEMENTING ORDINANCE NO. 2415-22 AND THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE, CHAPTER 405, "TAXATION", IN ORDER TO ESTABLISH ARTICLE II, "CANNABIS TAX"

Mr. Nerwinski stated in anticipation of Recreational Cannabis and the other cannabis businesses that will be allowed to operate in New Jersey and in Lawrence Township they are allowed to implement a local tax. So, in light of them possibly having two retail cannabis establishments and potentially one manufacturer who has taken an interest in locating to Lawrence, this ordinance will be amending Ordinance No. 2415-22, and the Lawrence Township Administrative Code, Chapter 405, to establish a "Cannabis Tax" in Article II.

The Ordinance No. 2421-22 was 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 Ryan   | X   |     |         |        |         |      |        |

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### Adoption of Ordinances

Mayor Ryan read by title, an ordinance entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 2393-21 ESTABLISHING RATES FOR SEWER SERVICE"

Ordinance No. 2418-22

### AN ORDINANCE AMENDING ORDINANCE NO. 2393-21 ESTABLISHING RATES FOR SEWER SERVICE

BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey that Section 20-1A of the Lawrence Township Administrative Code entitled 'Sewers and Sewage Disposal' is hereby amended as follows:

#### Section 20-1A Sewer Connection – Schedule of Rates for Sewer Services

##### A. Fixed Charge

1. Single family residential, multi-family residential, hotel/motel, and commercial. There will be a charge of [\$55.00] \$65.00 dollars annually for each residence (including individual apartments in apartment complexes) and each individual non-residential unit.

B. Fees Attributable to Operation and Maintenance Charges

1. All users shall be subject to an additional fee attributable to Operation and Maintenance charges of [~~\$4.80~~] \$5.25 per hundred cubic feet of water...

D. Rate Charges for Unmetered Premises

1. Charges for residential sewer service for premises without metered sewer or water connections shall be based on an estimated annual water consumption of fourteen thousand two hundred (14,200) cubic feet. Applying the Operation and Maintenance charges of [~~\$4.80~~] \$5.25 per hundred...
  - a. Each unmetered residential use [~~\$681.60~~] \$745.50
  - b. Each residential use shall be charged the fee for Debt Service, Billing and Administration [~~\$55.00~~] \$65.00
2. Charges for sewer service for hotels and motels without metered sewer or water connections shall be based on an estimated annual water consumption of six thousand four hundred and fifty (6,450) cubic feet. Applying the Operation and Maintenance charges of [~~\$4.80~~] \$5.25 per hundred...
  - a. Each unmetered room [~~\$309.60~~] \$338.63
  - b. Each room shall be charged the fee for Debt Service, Billing and Administration [~~\$55.00~~] \$65.00
3. Charges for sewer service for all other uses without metered sewer or water connections shall be based on an estimated annual water consumption of fourteen thousand two hundred (14,200) cubic feet for up to ten fixtures. Each additional fixture shall be estimated at one thousand four hundred and twenty (1,420) cubic feet. Applying the Operation and Maintenance charges of [~~\$4.80~~] \$5.25 per hundred...
  - a. Each use up to ten fixtures [~~\$681.60~~] \$745.50
  - b. Each additional fixture [~~\$68.16~~] \$74.55
  - c. Each use shall be charged the fee for Debt Service, Billing and Administration [~~\$55.00~~] \$65.00

Deletions are in brackets [ ]

Additions are underlined \_\_\_\_

Adopted: March 15, 2022

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

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

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### Manager's Report –

Mr. Nerwinski submitted invoice listings for the month March 2022 in the amount of \$1,349,310.45.

Mr. Nerwinski reported that they are introducing the 2022 Municipal Budget in accordance to the New Jersey Budget Law and all applicable state requirements and that he will be reviewing some quick facts relative to the budget. He advised after scrubbing through the initially proposed budget that they are proposing a 3-cent increase and expect the amount to be raised by taxes to be \$29,427,103.63 which represents an increase of \$85.20, up from 2021, to homeowners with an average home value of \$264,000. They are banking \$424,196.63 in future appropriations, \$894,056.41 in tax levies and \$4,359,632.76 in reserve for uncollected taxes. And, he is conveying this information to Council being those are the deviations from his original Recommended Municipal Budget presented to Council and he wanted to provide some clarity for the record.

Mr. Nerwinski further reported that the Council received three (3) handouts to review, and he and Mr. Kiriakatis will be available to answer any questions prior to the next meeting. He indicated given the feedback they received from members of Council they felt the decrease from 3.5 to 3 cents made the most sense without doing harm to the Municipal Budget for 2022. And, it also sends an important message that they are still in the "pandemic mode". They see light at the end of the tunnel...but, they are going to be a little bit smarter than they were in November when they felt they had the light at the end of tunnel that time. So, they will proceed with caution, and he thinks the 3-cents increase makes the most sense for the Township at this time.

There was a question and answer period between Mr. Nerwinski and members of Council. Discussions included projected state aid and cuts to the budget to reach the 3-cents. Mayor Ryan thanked Mr. Nerwinski for his diligent work in making those budget cuts and asked if anyone would like to make a motion to approve the following:

A. Authorizing Anticipation of Sewer-ELSA Revenues to 3-Year Average

Resolution No.119-22 (12-A) was approved by 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 Ryan   | X   |     |         |        |         |      |        |

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

B. Authorizing Open Space Tax Rate

Resolution No.120-22 (12-B) was approved by 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 Ryan   | X   |     |         |        |         |      |        |

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

C. Authorizing Self-Examination of the 2022 Municipal Budget

Resolution No.121-22 (18-C) was approved by 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 Ryan   | X   |     |         |        |         |      |        |

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

D. Introduction of the 2022 Municipal Budget

Resolution No.138-22 (18-D) was approved by 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 Ryan   | X   |     |         |        |         |      |        |

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

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### **Attorney's Report –**

Mr. Roskos reported on the lawsuit between JAS and PSE&G where there was a Case Management Conference and they explained to the Judge that Lawrence Township does not have a place in the fight; essentially, the dispute is between the Utility and the Builder. And, they have gone on record that this is part of their Third Round Housing Plan, and the Court agreed that the taxpayers should not have to bear the cost of participating in that litigation. Therefore, the Township is on the sidelines.

Mr. Roskos reported regarding the Trenton Water Works lawsuit that they had a Case Management Conference and the Discovery period is being extended, so he is asking for the Council and the Municipal Manager to set aside some time at the next Council Meeting for a little discussion regarding the TWW case. He might want to put it off one additional meeting being things need to crystalize a bit; but, they are at a point where they need an expert and he needs to discuss a few things, so he can get Council's direction in the matter.

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### **Clerk's Report –**

There was no Clerk's report.

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### **Unfinished Business –**

There was no unfinished business.

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### **New Business –**

Mayor Ryan advised that Lawrence Township was recognized as an "Up and Coming" Healthy Town by the Mayors Wellness Campaign for 2021, which the town is well deserving of for the great physical and mental health programs they offer to the community.

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

Joe Forte, 14 Quince Court, advised that he was recently appointed as the Chair of the Lawrence Diversity, Equity and Inclusion Committee and that they had their first meeting last month in February and everything is going well. The Committees next meeting will take place on Thursday, March 17<sup>th</sup> at 6:30 p.m. in the Lower Level Conference Room at Town Hall. He would also like to wish everyone a “Happy Women’s History Month” and stated how very excited they are, as a committee, about priming to do something quarterly throughout the town in addition to being really focused on educational aspects of the Committee. So, they are excited to see what they can do, and they just want to thank the Mayor and Council again for appointing them.

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**Resolutions**

Resolution Nos. 122-22 (18-B.1) through 137-22 (18-H.5) were 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>  | <b>X</b>   |            |                |               |                |             |               |
| <b>Mr. Kownacki</b> | <b>X</b>   |            |                |               |                |             |               |
| <b>Ms. Lewis</b>    | <b>X</b>   |            |                |               |                | <b>X</b>    |               |
| <b>Mr. Powers</b>   | <b>X</b>   |            |                |               |                |             | <b>X</b>      |
| <b>Mayor Ryan</b>   | <b>X</b>   |            |                |               |                |             |               |

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

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**Council Initiatives/Liaison Reports –**

There were no liaison reports.

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**Written Communications –**

There was no written communication.

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There being no further business to come before this Council, the meeting adjourned.

6:56 p.m.

Respectfully submitted by,

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Kathleen S. Norcia, Municipal Clerk

Attest:

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John T. Ryan, Mayor