

Special Meeting
Lawrence Township Council
Lawrence Township Municipal Building
Council Meeting Room – Upper Level

Wednesday, April 9, 2025 – 2:00 p.m.

The following are the Minutes of a Special Meeting of the Lawrence Township Council held on Wednesday, April 9, 2025, at 2:00 p.m.

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

At the commencement of the meeting Councilwoman Perry read the following statement of proper notice:

STATEMENT OF PROPER NOTICE: "Adequate notice of this Special Meeting of the Lawrence Township Council being held on Wednesday, April 9, 2025, was forwarded to The Trentonian, The Times and The Princeton Packet on April 6, 2025 by the Municipal Clerk."

The roll was then called as follows:

Present: Councilmembers Bobbitt, Kownacki, and Councilwoman Perry.
Absent: Councilman Ryan and Mayor Farmer.

Also in attendance were Kevin Nerwinski, Esq., Municipal Manager, and Arthur Sypek, Esq., Municipal Attorney.

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Councilwoman Perry asked Council if they prefer voting on Resolution Nos. 161-25 (A-1) through 165-25 (A-5) in a block. Councilman Bobbitt responded that he would prefer to vote for each Resolution individually.

Mr. Nerwinski explained that the first Resolution is for appointing Henry Nonnenberg, Jr. as Municipal Tax Assessor. He explained that Mr. Nonnenberg will complete the remaining appointment of retiring Tax Assessor, Ken Pacera, and will begin employment with Lawrence Township on April 14, 2025. In summary, Mr. Nerwinski explained that Mr. Nonnenberg will complete Mr. Pacera's term and begin his own four-year term effective July 1, 2025.

On a motion by Ms. Perry, seconded by Mr. Bobbitt, Resolution No. 161-25 (A-1) was approved by the following roll call vote:

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

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

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Mr. Nerwinski explained that the second Resolution is regarding a professional service contract, which enables Mason Griffin & Pierson to act as a conflict Tax Attorney for pending and future tax appeals. He clarified that they are not Tax Attorney's working for the Township regarding 3131 Princeton Pike, as was mistakenly written on the agenda. He further explained that the Township has a tax attorney firm who handles their tax appeals; however, in the event of a conflict of interest with the present firm, it is necessary to have a conflict firm available to represent the Township in tax appeals, should the need arise.

Mr. Bobbitt requested that Council modify the Resolution to reflect that this is not the tax attorney firm for 3131 Princeton Pike. Mr. Nerwinski agreed that in the *Purpose/Comments* section of Resolution 162-25, the statement "...for 3131 Princeton Pike" should be stricken from the Resolution.

A motion to amend Resolution 162-25 (A-2) to now read, "Authorizing Professional Services Agreement with Mason Griffin & Pierson as Tax Appeal Attorney in the amount of \$5,000.00", while striking reference to 3131 Princeton Pike within the Resolution was moved by Mr. Bobbitt, seconded by Mr. Kownacki by the following roll call vote:

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

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On a motion by Mr. Bobbitt, seconded by Mr. Kownacki, Resolution No. 162-25 (A-2) was approved, by the following roll call vote:

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

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Mr. Nerwinski explained that BRB Valuation & Consulting Services is an expert that must be retained to assist the Township in tax appeals. He relayed that the Township has not had to do this in the past because our Tax Assessor has acted as our own expert due to his years of experience; however, with the current Tax Assessor appointment, and through discussion with the County Tax Board, it was decided that this is necessary in order to provide the proper support for the Tax Assessor to ensure that the Township is adequately represented in tax appeals.

Mr. Bobbitt asked Mr. Nerwinski if the allotted \$10,000.00 will cover this year, as it is a "retainer." Mr. Nerwinski described this as a forecasting of what the Township may need through this year, although it is possible that more money may be needed, as there are more than 20 tax pending tax appeals at this time.

Mr. Bobbitt next asked Mr. Nerwinski if he surmised that the Township will need to retain the services of BRB Valuation & Consulting Services as an expert Tax Evaluation Consultant in future years as well. Mr. Nerwinski responded yes, they will need to do this for a while. Mr. Sypek shared that nine out of ten tax appeals settle, so it is rare that an appeal will go to a full hearing, but noted that one must still be prepared for this eventuality.

On a motion by Ms. Perry, seconded by Mr. Bobbitt, Resolution No. 163-25 (A-3) was approved, by the following roll call vote:

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

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Mr. Bobbitt asked Mr. Nerwinski to clarify why the Township would need Mr. David J. Levy as a Tax Assessor Consultant when the Township has the Tax Evaluation Consultant for tax appeals to act as an expert. Mr. Nerwinski responded that this is to provide the appointed Tax Assessor with the ability to have someone to assist, when necessary, to get through commercial appraisals and other issues that may arise. Mr. Nerwinski shared that Mr. Levy is an extremely well-respected and seasoned Tax Assessor, and came at the recommendation of the Mercer County Board of Tax Assessors, and the Township is fortunate to have his presence on an "as needed" basis. He also noted that Mr. Levy worked for Lawrence Township for seventeen years prior to working for East Windsor, so he is very familiar with Lawrence Township.

Ms. Perry asked Mr. Sypek if there was a conflict of interest due to the fact that Mr. Levy previously worked for Lawrence Township, to which Mr. Sypek responded that it is not.

On a motion by Mr. Bobbitt, seconded by Mr. Kownacki, Resolution No. 164-25 (A-4) was approved, by the following roll call vote:

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

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Mr. Nerwinski explained that this Resolution pertains to authorizing Jennifer Carabelli to act as a Tax Assessor Consultant for the Township in the event that Mr. Levy becomes unavailable, takes vacation, or is otherwise not able to be of assistance to the Township. In addition, Mr. Nerwinski noted that Ms. Carabelli is also a former Lawrence Township Deputy Tax Assessor, and the Township is lucky to have her.

On a motion by Mr. Bobbitt, seconded by Mr. Kownacki, Resolution No. 165-25 (A-5) was approved, by the following roll call vote:

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

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### Public Participation

Mr. Ken Kiernan stated that he was trying to understand what transpired last month versus today, as Councilman Ryan recommended Mr. Nonnenberg for a position that was seconded and voted upon, followed by a question from Manager Nerwinski stating that there should be further communication regarding this matter. Mr. Kiernan then quoted Mr. Nerwinski explaining to Council at a previous meeting that he wanted to make sure they knew the nature of what a Tax Assessor does, and offer his experience to Council. Mr. Kiernan recounted that three Councilmembers shook their head in understanding, and then Mr. Levy was recommended by a Councilmember, which did not pass. So now, he mused, the Township is hiring a Real Estate Assessor for the next four years, with no experience on appeals, and the Township must pay more to cover him due to his lack of

experience. Mr. Kiernan concluded that he fails to understand the logic of why this was not discussed, and why the Township hired someone with no experience over someone who is very experienced in this area.

Ms. Perry stated that the person they chose to hire is related to a personnel issue which they will not discuss further. Hiring for backup and support is not an uncommon practice, Ms. Perry explained, and going forward, based on Mr. Nonnenberg's experience and how he develops in this position, the Township may not need to continue with hiring backup. She stated that this is not at any additional cost to the Township, as they are "net-neutral."

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There being no further business to come before this Council, the meeting adjourned at 2:24 p.m.

Respectfully submitted by,

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Tonya D. Carter, Municipal Clerk

Attest:

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Patricia Farmer, Mayor