



ASSISTED LISTENING  
AVAILABLE

Notice is being forwarded in accordance with  
the Open Public Meetings Act  
May 17, 2019

**MOORESTOWN TOWNSHIP COUNCIL  
MUNICIPAL COMPLEX (COUNCIL CHAMBERS)  
111 West Second Street  
Moorestown, New Jersey 08057**

**AGENDA**  
**May 20, 2019**  
**7:00 P.M.**

**7:00 P.M. WORKSHOP**

**I. MAYOR'S STATEMENT:**

***"Notice of this meeting has been provided in accordance with the Open Public Meetings Act" by:***

1. Posting a copy of the Annual Meeting Schedule on the bulletin board in the Municipal Complex and emailing a copy to the Courier Post, Philadelphia Inquirer and all those requesting copies on January 8, 2019.
  2. Posting a copy of the agenda on the bulletin board at the Municipal Complex.
  3. Filing a copy of the agenda in the office of the Township Clerk at the Municipal Complex.
  4. Forwarding a copy of the agenda to the Courier Post and the Philadelphia Inquirer.
  5. Forwarding a copy of the agenda to each person who has requested copies of the regular meeting schedule.
- All of the above posting, filing and mailing have taken place on the 17<sup>th</sup> day of May, 2019.

**II. INFORMAL COUNCIL DISCUSSION**

Representatives from Bach Associates and Princeton Hydro will present an overview of ongoing, and proposed, Strawbridge Lake improvement projects

**III. RESIDENT REQUESTS, COMMENTS AND PRESENTATIONS**

Members of the public will be provided an opportunity to comment on matters that are not otherwise listed as items to be considered during the "7:30 Official Action" section of the meeting. (See below.) Members of the public wishing to comment on items to be considered during the official action section of the meeting will have an opportunity to do so as those items are considered.)

\*\*\* Concise comments would be appreciated during the public comment period out of consideration for all in attendance and so everyone wishing to speak will have an opportunity to do so. At, or about, 7:30, the Council will postpone public comments and begin consideration of the agenda items listed under "7:30 Official Action." Members of the public who have not yet spoken during the public comment period, and who have a desire to do so, will be afforded an opportunity, time permitting, at the conclusion of the Official Action section of the meeting.

**7:30 P.M. OFFICIAL ACTION**

**IV. MOMENT OF SILENCE**

**V. FLAG SALUTE**

**VI. DISCUSSION**

1. Reports from Members of Council
2. Upcoming Meeting(s) **Municipal Complex - 111 West Second Street**
  - a. June 10, 2019 - 7:00 p.m. (Workshop) 7:30 p.m. (Official Action) (Council Chambers)
  - b. June 24, 2019 - 7:00 p.m. (Workshop) 7:30 p.m. (Official Action) (Council Chambers)
3. Agenda Updates, if necessary
4. Adopting Consent Agenda Resolution No. CA 05 20 2019

**VII. PRESENTATIONS AND PROCLAMATIONS**

**VIII. STRAWBRIDGE LAKE MATTERS**

**ORDINANCES ON SECOND READING**

1. **5-2019 AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN, COUNTY OF BURLINGTON, NEW JERSEY APPROPRIATING \$760,000 AND AUTHORIZING THE ISSUANCE OF \$532,000 IN BONDS OR NOTES OF THE TOWNSHIP TO BE USED FOR VARIOUS IMPROVEMENTS ALONG STRAWBRIDGE LAKE, TOGETHER WITH ALL RELATED EXPENSES** *In prior years, council authorized funding through the issuance of bonds and for the application of a county grant to advance*

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certain improvements in, and around, Strawbridge Lake. The improvements are: a pathway along the Lake, restoration of "Children's Pond," and stormwater improvements around Haines Drive. Preliminary engineering and design of these three projects are concluding and the projects will soon go out to bid. This bond ordinance will allow the Township to borrow \$532,000 as well utilize \$200,000 from a county grant to cover the work remaining to be done on these projects. All projects will be bid and awards of contracts to the lowest responsible bidders will be subject to future council review and approval. To the extent that bid project amounts are less than authorized, funding authorizations can be canceled. An additional project concerning the lake is removal of the invasive plant, spatterdock. A proposal has been received costing approximately \$35,000 that would treat certain areas of spatterdock in the upper lake region to control it, as well as harvesting of the plant in all three regions of the lake with an emphasis on the upper region. The amount of the contract and source of payment (open space funds) is substantially similar to the amount and source provided for in the 2018 budget. This project would be facilitated through the passage of two resolutions.

#### **NON-CONSENT AGENDA RESOLUTIONS**

2. **PUBLIC HEARING - 95-2019 AUTHORIZING FUNDING IN THE AMOUNT OF \$35,000 FROM THE "MOORESTOWN OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION TRUST FUND" TO BE USED FOR ENVIRONMENTAL IMPROVEMENTS AT STRAWBRIDGE LAKE**  
*See discussion above.*
3. **96-2019 AWARDING A CONTRACT TO PRINCETON HYDRO, LLC IN THE AMOUNT OF \$35,000 FOR VEGETATION CONTROL SERVICES AT STRAWBRIDGE LAKE** *See discussion above.*

#### **IX. AFFORDABLE HOUSING MATTERS ORDINANCES ON SECOND READING**

1. **7-2019 AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN AMENDING CHAPTER 180 ENTITLED "ZONING" BY REVISING DEFINITIONS, ARTICLE XIA, THE L-MR DISTRICT AND CREATING THE AMF-2 DISTRICT IN FURTHERANCE OF THE FAIR HOUSING ACT** *This ordinance establishes zoning consistent with a plan to allow senior housing on Centerton Road as a component of the Township's affordable housing settlement agreement. It should be noted that the proposed introductory ordinance has been modified from one proposed for introduction at the April 29 meeting by making it clear the affordable housing is age-restricted and by establishing a maximum density of no more units than provided for in the Township's affordable housing settlement agreement. The Planning Board found the ordinance is consistent with the Master Plan.*
2. **8-2019 AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN AMENDING CHAPTER 180 ENTITLED "ZONING" OF THE TOWNSHIP OF MOORESTOWN BY CREATING THE AMF-5 DISTRICT IN FURTHERANCE OF THE FAIR HOUSING ACT** *This ordinance establishes zoning consistent with a plan to allow senior income restricted housing on Centerton Road as a component of the affordable housing settlement agreement. This new zone affects one and a half lots that are contiguous and contemplated to allow "Continuing Care Retirement Community" or "Senior Congregant Care Community" uses in proximity to affordable housing units within the adjacent AMF-2 Zone. Further, any market-rate age-restricted development will trigger a required income restriction component, or a set aside for affordable housing pursuant to the Township's Housing Element and Fair Share Plan. The Planning Board found the ordinance is consistent with the Master Plan.*

#### **ORDINANCES ON FIRST READING**

1. **9-2019 ORDINANCE REPEALING AND REPLACING CHAPTER 97, ENTITLED, "AFFORDABLE HOUSING," OF THE TOWNSHIP OF MOORESTOWN WITH "AFFORDABLE HOUSING PROCEDURAL AND ELIGIBILITY REQUIREMENTS," TO IMPLEMENT THE THIRD ROUND OF AFFORDABLE HOUSING IN ACCORDANCE WITH THE FAIR HOUSING ACT OF 1985**  
*This ordinance is intended to establish general parameters for various affordable housing program participation that track State law, affordable housing regulations, and other portions of Township Code. It has been recommended by the Township Affordable Housing Consultant.*
2. **10-2019 AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN AMENDING CHAPTER 180 ENTITLED "ZONING" OF THE TOWNSHIP OF MOORESTOWN BY REVISING ARTICLE XIA TO**

**CREATE THE AMF-4 DISTRICT IN FURTHERANCE OF THE FAIR HOUSING ACT** *This ordinance would establish zoning with respect to the MRD site (situated on State Highway 38) consistent with the affordable housing settlement agreement. There would be 175 units total with 35 of these units being affordable housing. It would be introduced only. A full hearing with an opportunity for public comment would be held on June 10, 2019.*

- 3. 11-2019 AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN AMENDING CHAPTER 180 ENTITLED "ZONING" OF THE TOWNSHIP OF MOORESTOWN BY CREATING THE AMF-6 DISTRICT IN FURTHERANCE OF THE FAIR HOUSING ACT** *This ordinance would establish zoning with respect to the Nagle Site (corner of Hartford and Centerton Road) consistent with the affordable housing settlement agreement. There would be 150 units total with 45 of them being affordable housing. It would be introduced only. A full hearing with an opportunity for public comment would be held on June 10, 2019.*

**X. ROUTINE MATTERS**

**ORDINANCES ON SECOND READING**

- 1. 6-2019 AMENDING CHAPTER 56 (CONSTRUCTION CODES, UNIFORM), ARTICLE I (UNIFORM CONSTRUCTION CODES), SECTION 56-3 ENTITLED FEES; REPORTS** *This ordinance would change the fee schedule for inspections related to various construction projects. On balance, the proposal is intended to allow for reasonable increases in revenue that will help defray the costs of: enhancing software to allow a "public portal" to make the application and inspection process more efficient and user friendly; and allowing for staffing initiatives that will expedite permit reviews and allow more convenient scheduling for residents with respect to inspections. Without these modest fee changes, either property taxes would have to be increased to pay for improvements benefiting the regulated community, or the improvements could not advance.*

**CONSENT AGENDA RESOLUTIONS** *(These matters will be considered as a group.)*

- 1. 94-2019 AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE FOR WALTON FARM (WF DELRAN, LLC) PRELIMINARY AND FINAL MAJOR SUBDIVISION APPROVAL HARTFORD ROAD (BLOCK 7500, LOT 1)** *This resolution releases a performance guarantee posted by the developer of a 17-lot residential subdivision on property located on Hartford Road. Developer performance has been certified by the Alaimo Group, Alternate Engineer, which has overseen the project. A maintenance guarantee will be in place prior to release.*
- 2. 97-2019 AMENDING RESOLUTION NO. 60-2019 AUTHORIZING THE CLOSING OF ROADS IN MOORESTOWN FOR COMMUNITY EVENTS** *This resolution would eliminate the road closure for the Candlelight Night Event as MBA does not intend to continue it. It would add a closure for a Food Truck event.*
- 3. 98-2019 AUTHORIZING THE EXPENDITURE OF \$70,047.05 FROM THE AFFORDABLE HOUSING TRUST FUND FOR CONSULTING SERVICES RELATED TO THE DEVELOPMENT AND IMPLEMENTATION OF A HOUSING PLAN FOR MOORESTOWN TOWNSHIP, BURLINGTON COUNTY (CLARKE CATON HINTZ)** *This resolution would allow for the payment of 6 months of services of the Affordable Housing Planner provided from November 2018 through April 2019.*
- 4. 99-2019 AUTHORIZING THE EXPENDITURE OF \$17,242.51 FROM THE AFFORDABLE HOUSING TRUST FUND FOR CONSULTING SERVICES RELATED TO THE DEVELOPMENT AND IMPLEMENTATION OF A HOUSING PLAN FOR MOORESTOWN TOWNSHIP, BURLINGTON COUNTY (JEFFREY R. SURENIAN & ASSOCIATES, LLC)** *This resolution would allow for the payment of 3 months of services of the Affordable Housing Attorney provided from January 2019 through end of March, 2019.*
- 5. 100-2019 AUTHORIZING THE EXPENDITURE OF \$1,187.50 FROM THE AFFORDABLE HOUSING TRUST FUND FOR SPECIAL COURT MASTER SERVICES RELATED TO THE DEVELOPMENT AND IMPLEMENTATION OF A HOUSING PLAN FOR MOORESTOWN TOWNSHIP, BURLINGTON COUNTY (JOHN MACZUGA, P.P. AICP OF JDM PLANNING ASSOCIATES, LLC)** *This resolution would allow for the payment of the most recent month of services of the Court-appointed Special Master.*
- 6. 102-2019 AUTHORIZING THE TAX COLLECTOR TO REFUND TAXES** *This resolution refunds property taxes with respect to three properties due to overpayments by Mortgage Companies.*

7. **103-2019 AUTHORIZING THE CANCELLATION OF CERTAIN WATER AND SEWER CHARGES** *This resolution cancels water/sewer charges for five properties due to: misreads, overestimates, or repaired leaks.*
8. **104-2019 AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE FOR CANTON FAMILY PARTNERS EAST THIRD STREET AND BORTON LANDING ROAD (BLOCK 6001, LOT 22)** *This resolution releases a performance guarantee posted by the developer of a 13-lot residential subdivision on property located on Borton Landing Road. Developer performance has been certified by the Alaimo Group, Alternate Engineer, which has overseen the project. A maintenance guarantee will be in place prior to release.*
9. **105-2019 APPOINTING McMANIMON SCOTLAND & BAUMANN LLC AS UTILITY AND STORMWATER LEGAL COUNSEL AND AUTHORIZING AWARD OF A CONTRACT FOR 2019** *This resolution appoints McManimon Scotland & Baumann as the attorney responsible for water and sewer utility matters. Appointment of a counsel with special expertise will assist the township in efforts to: renegotiate water purchase contracts; secure State assistance with the costs of infrastructure improvement; and comply with environmental compliance matters. The contract is being awarded after seeking bids though a Fair and Open Process on three separate occasions to maximize competition, but the contract is technically not being awarded pursuant to the "fair and open" process despite the process for seeking bids to be far more open, transparent, and competitive than the legal definition of a "Fair and Open" process. This technical award classification is solely because McManimon Scotland & Baumann indicated via email before bidding deadline on the third opportunity that they wanted their bid submission in response to the first opportunity to be considered as their submission for the third opportunity. However, to be considered "Fair and Open," McManimon would technically have had to resubmit paper copies of the bid previously provided. The firm has extensive experience in the related subject matter and is recognized throughout the State as a pre-eminent firm in this field.*

**XI. MINUTES**

1. May 6, 2019 Regular, Special and Closed Session
2. May 15, 2019 Special/Budget Workshop and Closed Session

**XII. APPROVAL OF EXPENDITURES**

**XIII. MANAGER'S REPORT**

**XIV. COMMENTS FROM THE PUBLIC** - *Members of the public will be provided an opportunity to comment on matters on the agenda. \*\*\* Concise comments would be appreciated during the public comment period out of consideration for all in attendance and so everyone wishing to speak will have an opportunity to do so.*

**XV. CLOSING COMMENTS BY COUNCIL**

**XVI. CLOSED SESSION- Resolution No. CS 05 20 2019 (if necessary)**

**XVII. ADJOURNMENT** *(It shall be the practice of Council to adjourn all meetings no later than 10 p.m., unless Council shall agree otherwise. Any items on the agenda not addressed may be continued to the next meeting of Council.)*

**FORMAL OFFICIAL ACTION MAY BE TAKEN ON ANY ITEM ON THE OFFICIAL ACTION AGENDA**

*If you require special accommodations, please contact the Municipal Clerk at (856) 235-0912 at least 24 business hours prior to the meeting so that appropriate accommodations may be made.*