



ASSISTED LISTENING  
AVAILABLE

Notice is being forwarded in accordance with  
the Open Public Meetings Act  
June 7, 2019

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

**AMENDED MEETING NOTICE**

**NOTICE IS HEREBY GIVEN** by the Moorestown Township Clerk that the regularly scheduled Workshop Meeting of the Moorestown Township Council scheduled for Monday, June 10, 2019 at 7:00 p.m. in the Council Chambers, Town Hall, 111 West Second Street, Moorestown, has been cancelled. The Official Action Meeting will begin at **7:00 P.M.**

**AGENDA**

**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 amended meeting notice and the agenda on the bulletin board at the Municipal Complex.
3. Filing a copy of the amended meeting notice and the agenda in the office of the Township Clerk at the Municipal Complex.
4. Forwarding a copy of the amended meeting notice and the agenda to the Courier Post and the Philadelphia Inquirer.
5. Forwarding a copy of the amended meeting notice and 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 7<sup>th</sup> day of June, 2019.

**II. MOMENT OF SILENCE**

**III. FLAG SALUTE**

**IV. CLOSED SESSION - Resolution No. CS 06 10 2019**

1. Matters Relating to Litigation, Negotiations and the Attorney-Client Privileges (***Affordable Housing***)

**V. DISCUSSION**

1. Reports from Members of Council
2. Upcoming Meeting(s) **Municipal Complex - 111 West Second Street**
  - a. June 24, 2019 - 7:00 p.m. (Workshop) 7:30 p.m. (Official Action) (Council Chambers)
  - b. July 8, 2019 - 7:00 p.m. (Workshop) 7:30 p.m. (Official Action) (Council Chambers)
3. Agenda Updates, if necessary
4. Outstanding appointments
5. Adopting Consent Agenda Resolution No. CA 06 10 2019

**VI. PRESENTATIONS AND PROCLAMATIONS**

1. **Proclamation** - Strawbridge Lake Paddle Board / Kayak Race
2. **Proclamation** - July 4<sup>th</sup> Celebration

**VII. 2019 BUDGET ORDINANCE AND RESOLUTIONS**

**ORDINANCE ON FIRST READING: Public Hearing Scheduled for July 8, 2019**

1. **12-2019 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)** *This ordinance is highly technical in nature and identical to ordinances that are commonly adopted by the overwhelming majority of municipalities that desire to either: (1) adopt a budget that contains an appropriation increase that exceeds the 2.5% appropriation cap (but only up to a maximum of 3.5%), or (2) "bank" for future use, the extent to which their actual budget appropriation increases are less than 3.5%. In the case of Moorestown, the budget being separately introduced this evening as Budget Resolution 110-2019 contains an appropriation increase of 1.95% (approximately \$1.4 million less than if the increase was 3.5%) and this ordinance will allow the approximately \$1.4 million difference to be "banked" so it can be used if needed in future years. The practice is recognized by rating agencies as being a best practice and helps to preserve the bond rating. A hearing on this ordinance is scheduled for July 8.*

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## **RESOLUTIONS**

2. **110-2019** FOR INTRODUCTION AND APPROVAL ON FIRST READING OF THE 2019 BUDGET, AUTHORIZING PUBLICATION OF BUDGET, AND PROVIDING FOR A PUBLIC HEARING ON THE BUDGET ON JULY 8, 2019 AT 7:30 P.M. IN THE COUNCIL CHAMBER AT TOWN HALL, 111 WEST SECOND STREET *This resolution introduces the 2019 budget with a public hearing scheduled for July 8. Appropriations are proposed to increase by approximately 2.38% and the tax is proposed to increase by approximately 2.48%. The introduced budget and accompanying information will be made available on the township web site, library, and the clerk's office upon introduction.*
3. **111-2019** A RESOLUTION ESTABLISHING THE TAX LEVY FOR YEAR XXI OF THE MOORESTOWN OPEN SPACE, RECREATION AND FARMLAND AND HISTORIC PRESERVATION TRUST FUND PROGRAM *This resolution continues the 2018 tax rate of one cent per \$100 of assessed property valuation for 2019 in support of the above-referenced Trust.*

## **VIII. AFFORDABLE HOUSING**

### **RESOLUTIONS**

1. **108-2019** RESOLUTION OF THE TOWNSHIP OF MOORESTOWN APPROVING AN AMENDMENT TO THE SETTLEMENT AGREEMENT WITH FAIR SHARE HOUSING CENTER

### **ORDINANCES ON SECOND 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 establishes general Township parameters for various affordable housing programs that track State law, affordable housing regulations, and other portions of the Township Code. It was reviewed by the Planning Board which determined it to be consistent with the Master Plan.*
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 (MRD) *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 was reviewed by the Planning Board which determined it to be consistent with the Master Plan. The location of the site is in the packet related to this agenda.*
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 (NAGLE) *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 was reviewed by the Planning Board which determined it to be consistent with the Master Plan. The location of the site is in the packet related to this agenda.*

### **ORDINANCES ON FIRST READING: Public Hearing Scheduled for July 8, 2019.**

1. **14-2019** AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN AMENDING CHAPTER 180 ENTITLED "ZONING" OF THE TOWNSHIP OF MOORESTOWN FOR ACCESSORY APARTMENTS IN FURTHERANCE OF THE FAIR HOUSING ACT *This ordinance establishes parameters consistent with the affordable housing settlement agreement, with respect to the creation of up to 15 accessory apartments.*
2. **15-2019** AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN AMENDING CHAPTER 180 ENTITLED "ZONING" OF THE TOWNSHIP OF MOORESTOWN BY CREATING THE AMF-3 DISTRICT IN FURTHERANCE OF THE FAIR HOUSING ACT *This ordinance would establish zoning with respect to the Sbar Site (properties on North and South sides of Sbar Boulevard off North Lenola Road) consistent with the affordable housing settlement agreement. There would be 184 units total with 36 of them being affordable housing. The location of the site is in the packet related to this agenda.*

## **IX. OTHER ORDINANCES ON FIRST READING: Public Hearing Scheduled for June 24, 2019**

1. **13-2019** AN ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NO. 6-2018 AS AMENDED AND SUPPLEMENTED BY APPROPRIATING AN ADDITIONAL \$200,000 AND AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$190,000 IN BONDS OR NOTES OF THE

**TOWNSHIP TO BE USED FOR THE RESURFACING OF GARWOOD ROAD, TOGETHER WITH ALL RELATED EXPENSES** *Garwood Road has long been recognized as a road in need of improvements that exceed ordinary milling and repaving. Road improvements were previously authorized through a bond ordinance. Design was completed in the Spring. Bids were received on May 15 and came in higher than the funding authorization. Without additional funding authorization, the road would have to be done in two phases over two years which would result in additional delays, lost economies of scale, and potentially increased costs to complete the road. It is recommended that funding be increased to allow for a contract award that will allow the entire road to be completed under a single contract.*

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

1. **106-2019 AUTHORIZING REDUCTION NO. 1 OF PERFORMANCE GUARANTEE FOR VIRTUA-MEMORIAL HOSPITAL BURLINGTON COUNTY, INC. 350 YOUNG AVENUE (BLOCK 6600, LOT 9) PRELIMINARY AND FINAL SITE PLAN (CANCER TREATMENT CENTER)** *This resolution reduces a performance guarantee posted by the developer of the Virtua Cancer Center located at 350 Young Avenue. Developer performance has been certified by Pennoni Associates, Township Engineer. A maintenance guarantee will be in place prior to release.*
2. **107-2019 AUTHORIZING REDUCTION NO. 1 OF PERFORMANCE GUARANTEE FOR REPUBLIC FIRST BANK, 230 MARTER AVENUE (BLOCK 6505, LOT 5) PRELIMINARY AND FINAL SITE PLAN** *This resolution reduces a performance guarantee posted by the developer of the Republic Bank located at 230 Marter Avenue. Developer performance has been certified by Pennoni Associates, Township Engineer. A maintenance guarantee will be in place prior to release.*
3. **109-2019 A RESOLUTION AMENDING AND SUPPLEMENTING THE 2019 TEMPORARY BUDGET** *The township's capital budget will be a part of the 2019 budget which will be adopted June 24th. State law provides that until such time as a budget (or temporary capital budget) is in place, bond authorizations cannot advance. This resolution establishes a temporary budget for 2019 so projects -- otherwise funded by ordinances listed on this agenda -- can advance. The temporary budget also funds basic necessities as part of the budget consideration which is ongoing.*
4. **112-2019 AWARDED A CONTRACT TO BLACK ROCK ENTERPRISES, LLC IN THE AMOUNT OF \$2,175,921.50 FOR PROJECT KNOWN AS 2018 LOCAL ROAD PROGRAM** *Bids were received and opened on June 5<sup>th</sup>. Black Rock Enterprises was found the low bidder at \$2,175,921.50. Alaimo Group, Township Engineer for this project is recommending award of this contract to the lowest responsible bidder.*
5. **113-2019 AUTHORIZING THE MUNICIPAL ATTORNEY, TOWNSHIP CLERK, AND MAYOR TO PREPARE AND EXECUTE THE NECESSARY DOCUMENTS TO DISCHARGE THE SECOND MORTGAGE GRANTED TO THE TOWNSHIP OF MOORESTOWN AGAINST THE PROPERTY COMMONLY KNOWN AS 306 EVERGREEN DRIVE** *This resolution is necessary to properly document that there is no current mortgage granted to the Township so that the property owner can complete County application for rehabilitation funding.*

**XI. MINUTES**

1. May 6, 2019 Regular, Special and Closed Session
2. May 15, 2019 Special/Budget Workshop and Closed Session
3. May 20, 2019 Budget Workshop, Regular 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 and off 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. 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.*