

TOWNSHIP OF MOORESTOWN  
TOWNSHIP COUNCIL  
OFFICIAL ACTION MEETING

January 28, 2019

The Regular Meeting of the Moorestown Township Council was called to order by Mayor Petriello at Town Hall, Council Chamber, 111 West Second Street, Moorestown at 7:05 p.m. Attendance was as follows:

Lisa Petriello, Mayor  
Nicole Gillespie, Deputy Mayor  
Brian Donnelly, Councilmember  
Michael Locatell, Councilmember  
Victoria Napolitano, Councilmember

Thomas H. Neff, Township Manager  
Patricia L. Hunt, Township Clerk  
Kevin E. Aberant, Jr., Township Solicitor

**MAYOR'S STATEMENT:** At 7:05 p.m., Mayor Petriello read the Open Public Meetings Act statement in full, as printed on the agenda.

**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, 2018.
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 25<sup>th</sup> day of January, 2019.

**MOMENT OF SILENCE and FLAG SALUTE:** At 7:06 p.m., the Official Action meeting began with a moment of silence and the flag salute.

**CLOSED SESSION (Resolution No. CS 01 28 2019)**

1. **Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds** (*Potential Purchase*)
2. **Matters Relating to Litigation, Negotiations and the Attorney-Client Privileges** (*Affordable Housing*)

Mayor Petriello asked for a motion to adopt Resolution CS 01 28 2019 to enter into closed session for purposes of discussing matters relating to Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds (*Potential Purchase*) and Litigation, Negotiations and the Attorney-Client Privileges (*Affordable Housing*)

MOTIONED BY: Mr. Locatell  
SECONDED BY: Ms. Gillespie  
VOTE: All in favor

**RESOLUTION NO. TCOA CS 01 28 2019  
AUTHORIZING CLOSED SESSION**

WHEREAS, the Township Council of the Township of Moorestown is subject to certain requirements of the Open Public Meetings Act, N.J. S. A. 10:4-6, et seq., and

WHEREAS, the Open Public Meetings Act, N.J.S.A 10:4-12, provides that a Closed Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

WHEREAS, it is necessary for the Township Council of the Township of Moorestown to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

\_\_\_\_\_(1) *Matters Required by Law to be Confidential:* Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.

\_\_\_\_\_(2) *Matters Where the Release of Information Would Impair the Right to Receive Funds:* Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

\_\_\_\_\_(3) *Matters Involving Individual Privacy:* Any material, the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to, information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

\_\_\_\_\_(4) *Matters Relating to Collective Bargaining Agreements:* Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

\_\_\_\_x\_\_\_\_(5) *Matters Relating to the Purchase, Lease of Acquisition of Real Property or the Investment of Public Funds:* Any matter involving the purchase, lease or acquisition of real

property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

\_\_\_\_\_ (6) *Matters Relating to Public Safety and Property:* Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law.

\_\_\_x\_\_\_ (7) *Matters Relating to Litigation, Negotiations and the Attorney-Client Privileges:* Any pending or anticipated litigation or contract negotiation in which the public body is, or may become, a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

\_\_\_\_\_ (8) *Matters Relating to the Employment Relationship:* Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

\_\_\_\_\_ (9) *Matters Relating to Potential Imposition of a Penalty:* Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey, assembled in public session, that a Closed Session closed to the public shall be held in the Town Hall, 111 West Second Street, Moorestown, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Council that the public interest will no longer be served by such confidentiality.

At 7:05 p.m., Council entered into closed session.

At 7:38 p.m., Council returned to the public meeting. Due to the sensitivity of the matters, Council had nothing to report.

### **RESIDENT REQUESTS, COMMENTS AND PRESENTATIONS**

Edwin Begg, 209 Parry Drive, expressed his concern with 2019 taxes due to the closing of some big stores. Mr. Neff advised that there are other ratables that are climbing. Mr. Begg noted the \$1.6 million tax reduction being given tonight via Resolution No. 62. Mr. Donnelly advised that the CEO of the mall is working on a plan for the mall. He offered to set up a meeting with the CEO so that Council would be able to provide an update. Mr. Begg urged Council to consider

repurposing the mall and to not rely on private property owners. He asked if the mall area was a good idea for affordable housing. Mr. Locatell advised that PREIT is looking forward to Sears exiting as that will give the owner more control over the space. He said he does not believe there is anything to be fearful of; he believes the mall will be just fine.

Pat Condoluci, 124 Avon Terrace, advised that she was before Council in the Fall to discuss a sewer problem on her street and her neighbor had a lot of damage to his property. At that meeting, Council referred her to Mr. Neff. Mr. Neff advised her that the Township will be addressing the concerns via an education route and it sent out a letter in the area on how to maintain the pipes and advised of changes to be made new the sewer plant. Ms. Condoluci agreed with the education route but felt that an education letter should be sent to all households. She felt the matter was one of a health and safety concern. Ms. Condoluci advised of her conversation with an employee, noting she understands there is no maintenance schedule, and asked Council if there could be a regular maintenance schedule for the entire town. Mr. Neff advised that there is no standard sewer maintenance schedule for the entire town; the Department of Public Works focuses on known problem areas. The area Ms. Condoluci lives in was not a known problem area. He advised that the engineers are addressing improvements needed at the sewer plant. Ms. Condoluci expressed her disappointment with the fact that there is not a maintenance schedule and stated that the changes at the plant are not going to help her lines.

Mayor Petriello closed the floor for regular business to begin.

## **DISCUSSION**

Reports from Members of Council:

Mr. Napolitano advised that, yesterday, she attended the Special Needs Fair held by the Department of Recreation; she commended the event noting that its success has actually spurred a couple of similar events in the area. She advised that February 6, 2019 is the Citizen of the Year Dinner; tickets are still available; it is a great event; attend if you can. Finally, she advised that February 9, 2019 is the Interact Club Annual Soup for the Soul event at the First Presbyterian Church noting same is a great cause.

Ms. Gillespie echoed Ms. Napolitano's comments concerning the Special Needs Fair. She advised that the Recreation Advisory Committee (RAC) met and it is working on a five-year parks and recreation plan (focusing on facilities and needs). RAC will also be focusing on Strawbridge Lake (children's pond and play area). There will also be a cleanup. Ms. Gillespie advised that Contact of Burlington County will be holding a pocketbook bingo on February 7, 2019 (at Community House); noting same is a great event, organization and cause.

Mr. Locatell also commended the Special Needs Fair and gave background on what the fair is about; he found the people and their stories to be very inspiring. He also commended the MooreArts Gala that was held on Saturday. Mr. Locatell advised that the Environmental Advisory Committee (EAC) met; the committee has concerns with the sewage treatment plant and the flood plan and it will be working on a vulnerability study. He advised that the Low and Moderate Income Housing Oversight Committee also met.

Mr. Donnelly said it was great seeing everyone at the MooreArts Gala. He advised that the Economic Development Advisory Committee (EDAC) met and is generating a larger 10,000' level plan and embracing and incorporating the Moorestown Business Association. It was a good meeting.

Mayor Petriello also expressed her appreciation for the Special Needs Fair. She advised that she was able to visit the Police Department on January 21, 2019 while the department was going through its accreditation process. She advised that the State was very impressed with the preparedness of the department. She advised that being an accredited department will help to save the Township money; she thanked the department. Mayor Petriello reminded the public about the prescription drug drop box located at the Police Department. She advised of the importance of removing unneeded prescription drugs from the home and encouraged the residents to use the box. Finally, Mayor Petriello announced that April 26, 2019 is Arbor Day.

Mayor Petriello read the upcoming meetings aloud:

1. Upcoming Meeting(s) **Municipal Complex – 111 West Second Street**
  - a. February 11, 2019 - 7:00 p.m. (Workshop) 7:30 p.m. (Official Action) (Council Chambers)
  - b. February 25, 2019 - 7:00 p.m. (Workshop) 7:30 p.m. (Official Action) (Council Chambers)
2. Agenda Updates, if necessary: None
3. Adopting Consent Agenda Resolution No. CA 01 28 2019: Mayor Petriello asked for a motion to adopt the consent agenda resolution.

MOTIONED BY: Mr. Locatell  
SECONDED BY: Ms. Gillespie  
VOTE: All in favor

**RESOLUTION APPROVING CONSENT AGENDA  
CA 01 28 2019**

WHEREAS, Consent Agendas include routine items of business which are not controversial; do not require individual discussion; and are voted upon as one item by the Governing Body; and

WHEREAS, any item may be removed from the Consent Agenda by the request of any Council Member; and

WHEREAS, if so removed, said item(s) will be treated as a separate matter(s); and

WHEREAS, the Township Council has reviewed the Consent Agenda and determined that the matters listed are matters which require official action; but do not require further deliberation or discussion.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey, that it hereby:

- X   a. Approves the Consent Agenda as written on the agenda.
- b. Approves the Consent Agenda as written with the exception of the following item(s):  
\_\_\_\_\_
- c. Requests that all matters on the Consent Agenda be handled separately.

**PRESENTATIONS AND PROCLAMATIONS:** Mayor Petriello read the following proclamation aloud and presented same to Holly Meyers.

Kindness Proclamation - Holly Meyers

WHEREAS, *The Random Acts of Kindness Foundation recognizes February 17<sup>th</sup> as Kindness Day in 2019 and February 10<sup>th</sup> through 17<sup>th</sup> as Kindness Week; and*

WHEREAS, *this year marks the 24<sup>th</sup> year Moorestown as a community is acknowledging the profound, life enhancing role that kindness plays in our lives, including kindness to ourselves, each other and our Earth; and*

WHEREAS, *one of our highest goals in Moorestown is to build and maintain a welcoming, fair and just community for all who live, work in and visit our town; and*

WHEREAS, *kindness in the form of neighborliness and respect produces a peaceful community that is a desirable place to live and learn, meet and greet, shop and dine; and*

WHEREAS, *kindness supports an environment where people can respectfully collaborate, discuss differences and handle conflict with positive outcomes, strengthening unity throughout our town; and*

WHEREAS, *to foster this goal, our commitment to growing kindness will continue throughout the year with ongoing intention and attention, developing new ideas moving forward.*

NOW, THEREFORE, the Township Council of the Township of Moorestown in the County of Burlington, State of New Jersey, hereby proclaim the year 2019

***As a Year in Which We Continue to  
Deepen and Expand the Power of Kindness***

*and urge every citizen to perform daily acts of Kindness.*

*Given, under my hand and the Seal of the Township of Moorestown this 28<sup>th</sup> day of January in the Year of Our Lord Two Thousand Nineteen. Lisa Petriello, Mayor*

**ORDINANCES ON SECOND READING:** None.

**ORDINANCES ON FIRST READING:** The Township Manager read Ordinance 1-2019. He provided a brief explanation.

**1-2019 AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN  
AUTHORIZING THE ACQUISITION OF REAL PROPERTY KNOWN AS  
BLOCK 2300, LOT 7.4 IN THE TOWNSHIP OF MOORESTOWN**

Mayor Petriello asked for discussion or a motion to introduce the ordinance on first reading and set the public hearing date for February 11, 2019 at 7:30 p.m.

MOTIONED BY: Mr. Locatell  
SECONDED BY: Mr. Donnelly  
ROLL CALL VOTE: All in favor

The Township Manager read Ordinance No. 2-2019 on first reading by title.

**2-2019 AMENDING CHAPTER 125, SCHEDULE A, ENTITLED “PARKS AND  
RECREATIONAL FACILITIES” TO RENAME “LITTLE WOODS” AS  
“BARBARA RICH’S LITTLE WOODS”**

Mayor Petriello asked for discussion or a motion to introduce the ordinance on first reading and set the public hearing date for February 11, 2019 at 7:30 p.m.

MOTIONED BY: Mr. Locatell  
SECONDED BY: Ms. Gillespie  
ROLL CALL VOTE: All in favor

**RESOLUTIONS:** The Township Manager read the following resolutions by title:

1. **64-2019 APPOINTING MCCORMICK TAYLOR AS ENGINEER DESIGN  
CONSULTANTS FOR THE LENOLA TOWN CENTER  
IMPROVEMENTS PLAN**

Mr. Neff provided background. He advised that the federal grant the Township received does not pay for professional services. The New Jersey Department of Transportation (NJDOT) has a program where you can select one of their engineers and be reimbursed (for engineering and design). McCormick Taylor has agreed to incorporate Scott Taylor, Taylor Design Group, as part of the team (for continuity purposes). Judith Murphy, Principal Planner, Department of Community Development advised that a community meeting was held in October 2018; a meeting was held with County Engineer’s Office, who was amenable to the concept plan. She

advised that the Township will advise the NJDOT of its selection of McCormick Taylor and more community meetings will be held. Ms. Murphy advised that the official deadline is June, 2019; staff hopes to have full plans approved by then. Mr. Neff advised that the next step is to receive a proposal from McCormick Taylor; negotiate a contract; and award a contract at the next meeting. After that, a kick off meeting will be had and the work will begin. Mr. Neff commended Ms. Murphy for her persistence with the NJDOT in this matter.

Ms. Napolitano suggested holding another meeting with the Lenola Ad Hoc Committee, which consisted of residents, staff and two members of Council, soon to ensure everyone is on the same page. She noted that all members of the ad hoc committee were in the audience. Ms. Napolitano recommended that another member of Council be appointed and attend the meetings along Ms. Murphy and Mr. Neff.

Mayor Petriello opened the floor for public comment.

David Hess, 834 North Lenola Road, advised that all resident members of the ad hoc committee are present; they want to ensure that the project moves forward. He advised that this is just phase one; the vision of the group extends beyond the current scope, noting that the ballfields and gateway are important. Mayor Petriello indicated the project is long overdue and she felt it was something all of Council wants to see through. She noted that the community meeting that was held brought out residents from throughout the town.

Milt McFalls, 41 Redleaf Road, advised that he has been part of all the Lenola committees. He is happy to see how far it has come and wants to see it to the end.

There being no further comment, the floor was closed.

Mayor Petriello asked for discussion or a motion to adopt the resolution.

MOTIONED BY: Mr. Locatell  
SECONDED BY: Ms. Napolitano  
ROLL CALL VOTE: All in favor

2. [61-2019](#) A RESOLUTION OF THE TOWNSHIP OF MOORESTOWN  
SUPPORTING THE MAYORS WELLNESS CAMPAIGN

Mayor Petriello opened the floor for public comment.

David Hess, 834 North Lenola Road, commended employee, Karen Daily, for bringing this program to Sustainable Moorestown's attention. Mayor Petriello expressed her support for health and wellness.

There being no further comment, the floor was closed.

Mayor Petriello asked for discussion or a motion to adopt the resolution.

MOTIONED BY: Ms. Gillespie  
SECONDED BY: Mr. Donnelly  
ROLL CALL VOTE: All in favor

**CONSENT AGENDA RESOLUTIONS:** The Township Manager read the Consent Agenda Resolutions by title.

1. [58-2019](#) ACCEPTING THE RESIGNATION OF KEVIN ABERANT AND DANIEL POSTERNOCK AND APPOINTING MICHAEL SHAW AND JAYNE WILKINSON TO THE ETHICAL STANDARDS BOARD
2. [59-2019](#) AWARDING A CONTRACT FOR TREE REMOVAL (\$64,750), TRIMMING (\$250/HR) AND EMERGENCY (\$350/HR) SERVICES TO HYPERION TREE SERVICE
3. [60-2019](#) AUTHORIZING THE CLOSING OF ROADS IN MOORESTOWN FOR COMMUNITY EVENTS
4. [62-2019](#) AUTHORIZING THE TAX COLLECTOR TO CANCEL AND REFUND TAX OVERPAYMENTS
5. [63-2019](#) AUTHORIZING THE CANCELLATION OF CERTAIN WATER AND SEWER CHARGES
6. [65-2019](#) AUTHORIZING EXECUTION OF AMENDMENT NO. 6 TO LEASE AGREEMENT BETWEEN BIG NJ PORTFOLIO, LP, SUCCESSOR IN INTEREST TO M-C CHURCH REALTY LLC, AND THE TOWNSHIP OF MOORESTOWN FOR POLICE DEPARTMENT OFFICE SPACE LOCATED AT 1245 NORTH CHURCH STREET
7. [66-2019](#) AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE FOR BEVERLY TRANOVICH SUBDIVISION (BLOCK 5800, LOT 24.01)

Mayor Petriello opened the floor for public comment. There being none, the floor was closed.

Mayor Petriello asked for discussion or a motion to adopt the resolutions.

Discussion was held on how the appointees were selected; Mr. Locatell questioned the process. Mr. Locatell and Ms. Napolitano understood appointing Mr. Shaw as he is an attorney but questioned whether Ms. Wilkinson was the best-suited applicant considering there were applicants who are attorneys. Mayor Petriello pointed out Ms. Wilkinson's qualifications. After a discussion, Mr. Locatell asked that there be more dialogue amongst Council in the future prior to making appointments. Mayor Petriello agreed to same. Mr. Aberant noted how, unlike other boards, the selection of appointees is somewhat different in this case as same has to do with party affiliation.

MOTIONED BY: Mr. Locatell  
SECONDED BY: Ms. Gillespie  
ROLL CALL VOTE: All in favor

**MINUTES:** Mayor Petriello asked for discussion or a motion to adopt the minutes. Ms. Hunt called only for the vote of those members serving in 2018 (LP, VN, ML)

1. November 27, 2018 Boards and Committees Dinner

MOTIONED BY: Mr. Locatell  
SECONDED BY: Ms. Napolitano  
ROLL CALL VOTE: All in favor

**APPROVAL OF EXPENDITURES:** Mayor Petriello asked for discussion or a motion to approve the expenditures.

MOTIONED BY: Mr. Locatell  
SECONDED BY: Mr. Donnelly  
ROLL CALL VOTE: All in favor

**MANAGER'S REPORT:** Mr. Neff advised that the Director of Public Works sat for the Director Certification exam with the State and received a grade of 93. He commended Mr. Nims.

**COMMENTS FROM THE PUBLIC** (Items listed and not listed on the Agenda):

**COMMENTS FROM THE PUBLIC** (Items listed on the Agenda): Mayor Petriello opened the floor.

Greg Newcomer, 235 Fellowship Road, requested that Council place, on a future agenda, discussion on the idea of alternative energy and a committee for same. He also recommended the Township get a computerized maintenance and management system. Mr. Newcomer asked for clarification on who qualifies for low and moderate income housing; he was advised. Mr. Newcomer asked that the public be educated on who is eligible.

Carol Radomski, 6 Meadow Drive, advised Council that it has been ten months since the residents have been sued. The judge has postponed the matter (on the deed restriction) on several occasions and the residents still do not have a date on when the matter is to be resolved. She found same to be appalling and that Council was elected to represent the citizens. She advised how the matter is negatively affecting home sales in her neighborhood and asked if other sites are being considered. She said that the Township's new Affordable Housing Counsel has requested certain extensions in connection with the settlement agreement. She expressed her dismay with the inaction by Council on behalf of the residents and advised that same has cost the residents 100s of 1000s of dollars. Mr. Neff advised that the litigants in the matter did not contest the request for an extension. A brief discussion on the extension was had. Ms. Radomski expressed her opposition to the Township Attorney speaking with the residents' attorney concerning the covenant alleging same costs the residents money. Ms. Radomski asked again if Council has considered alternative sites. Mayor Petriello advised that the Township has a settlement agreement and it is moving forward with that plan; it has not identified an alternative site at this time – that does not mean the Township will not have an alternative site. However, the Township must continue working on the plan.

Kathy Sutherland, 417 North Church Street, welcomed the new Council members and Mr. Aberant (back). Ms. Sutherland said it will never be easy when it comes this subject; no matter where the housing is placed, someone will object. Ms. Sutherland advised that there is a lot of low and moderate incoming housing in her neighborhood. She expressed her support for affordable housing. She found that the entire community will absorb a lot of the affordable housing. She said, not that she likes it, but she does support it (the plan).

Marie Kern, 8 Meadow Drive, advised that there are forty-some homes in her neighborhood that are affected by the Pennrose site and about a half dozen fighting and paying the fees. She said no one wants to touch a house that is under litigation.

Monique Begg, 209 Parry Drive, expressed her support for affordable housing. She said that the Moorestown Mall and across the street from the mall are open areas where the Township can find space for affordable housing.

Jeff Herb, 20 Meadow Drive, advised that the four-story building will be right behind his house and same does not match the character of the neighborhood. He objected to the building being crammed into such a small area; he suggested a two-story building be approved or the project moved to a larger location; he suggested the K-Mart site. Mayor Petriello advised that the Township cannot just walk away from Pennrose. Mr. Herb felt the Township should have done more research and known about the covenant. Mr. Locatell advised that the site had received board approval for a 100-unit assisted living center and the covenant never came up; the covenant was a surprise to the Council. He said Pennrose was aware and filed with the court. Mr. Herb said the covenant is the only thing he has to fight the project with; he does not want a four-story building behind his house. Mr. Locatell said he wished things could be different and that the judge would make a decision. He noted that the Township does not have an alternate site and it would have to get all litigants to agree.

Mr. Donnelly advised that the Township cannot unilaterally settle; it is not part of the case. He said if Pennrose agreed to a two-story building and the Township found another site for the remaining units and the Fair Share Housing Center agreed, he would consider that option; but the Township is sitting on the sideline. He questioned why the residents were not in mediation and suggested they propose same to the judge. Mr. Locatell said that if that door is opened, the Township will have to get all entities to agree. Mr. Locatell expressed his dismay with the whole process; it is not fair. He empathized; but did not feel the situation would change. He said he is not being dismissive when he speaks; he is being honest. Mr. Herb reiterated that it is the four-story building he opposes, not the affordable housing. Mr. Donnelly said he would personally support it if agreed to reduce the footprint and the Fair Share Housing Center agreed.

Addressing Mr. Herb, Ms. Gillespie said that she has not heard him or his neighbors bring up issues about who might live there and she wanted to express her appreciation for that. She sympathized with the issue the residents are facing. Ms. Gillespie advised that Pennrose did not get approved for the tax credits it sought and same, especially if the project is downsized, will cost the Township money. Mr. Locatell noted that the subject site scored 100 points and if the scope is reduced the scoring will be reduced. Mr. Locatell said Council is willing to listen to any ideas, but he does not see this one happening. He felt the Township must move forward with the plan and if

the judge finds for the people, maybe he will let the Township amend the plan without opening all doors.

Carol Radomski, 6 Meadow Drive, objected to a four-story building finding it changes the character of the neighborhood. She said she would not object to a two-story building. Mr. Locatell advised that Council was unaware of the restrictive covenant, as was Pennrose, initially; Council was well down the road before it became aware of the covenant. Ms. Radomski said the Township could have tried to do something.

Greg Newcomer, 235 Fellowship Road, noted that Pennrose needs to submit a new application for site plan approval. He advised why the site is inappropriate (fire safety, circulation, traffic, wetlands). He felt that the people that live at the new site will be disenfranchised. He suggested that Council come up with an alternative site – asking why not the Nagle site. Ms. Napolitano advised that, due to the costs, the Township had to build inclusive. The Township actually fought the Fair Share Housing Center for a thirty-percent set aside. Mr. Locatell advised that during Pennrose's first site plan application before the Planning Board, it agreed to comply with all thirty-to-forty conditions set; it agreed to all the professional and department comments. He thought all those things would be included in Pennrose's next application. Mr. Newcomer said, what if they do not come back; Council ought to have an alternate plan. Mr. Donnelly said Council will be doing that.

Pamela Richards, 304 Colonial Avenue, felt that there has been very poor communication with the residents. She recommended, as she said she has in the past, that the power point presentation that was given months ago be widely shared with the residents so they have a better understanding. Ms. Richards sympathized with the residents that were involved in the Pennrose suit and felt that, until Mr. Donnelly's constructive feedback tonight, Council has not been listening, embracing or taking ownership. Ms. Richards also felt the Township needs a backup plan and better communication. She offered to help in any way she can.

Jeff Canfield, 183 Hooton Road, implored the community to look at other options like the Moorestown Mall and other available properties. Mr. Locatell advised that the Township does not own the mall or the Kmart shopping center. Mr. Locatell said that, short of the covenant stopping the plan, the plan is the plan; there are too many others that would have to agree to change the plan (that took years to get all to agree). Although he is sorry this is the case, to think otherwise is not practical. Mr. Locatell felt that that plan, although not good for Meadow Drive or Hooton Road's perspective, is good as part of the entire plan that was put together for the town overall and he stands by that. He blamed the legislature and the process; affordable housing and land planning should not be performed through litigation. Mr. Canfield thanked Council for listening and said the public will keep coming back. Mr. Locatell thanked the public for how it comes forward and voices its opinion and respectfully makes a point or a case.

Carol Radomski, 6 Meadow Drive, indicated that she has lived in her home for thirty-two years and she is not going to let some builder run her out of her home and neighborhood. Ms. Radomski said that she appreciates Mr. Donnelly's suggestion; however, they have been informed that the matter cannot be mediated. Mr. Donnelly suggested she speak with her attorney and see what he says.

**CLOSING COMMENTS BY COUNCIL:**

Mr. Donnelly advised that there was mention on Facebook of certain white supremacists distributing hate mail. He advised that the Chief of Police is looking into the matter. He expressed his anger over the situation and advised that the Township is looking into it.

Mr. Locatell agreed; however, noting he prefers not to give a lot of attention to people of that mindset because that is what they want. He said he thinks the Mayor will probably put a statement out, but again suggested that a lot of attention not be given to the people. He thanked the public for coming out and fighting for what they believe in. He thanked them for doing so respectfully and noted his respect for their fight.

Ms. Gillespie thanked the public for attending. She agreed with all comments concerning the hate mail and looked forward to the Mayor's statement about the flyers. Ms. Donnelly advised that she and the Mayor have met with the President and Vice President of the School Board. They are holding exploratory discussions regarding things that affect everyone, including upcoming affordable housing development and the impact on the schools. They are also exploring any opportunities for shared services (to save taxpayer money). She thanked all for the respectful discussion this evening, noting same is important.

Ms. Napolitano thanked Council for agreeing that it should put out a message letting the public know that kind of hatred is not welcomed in Moorestown. Ms. Napolitano briefly reviewed the history of affordable housing noting that everyone has been put in a bad situation due to the inaction of higher government. However, Moorestown has been in compliance with its affordable housing obligation all along. She advised of the time and effort by Council in developing the plan and acknowledged that the plan will not satisfy everyone, but it does satisfy the obligation of the Township. She apologized that the plan affects some more than others. She advised that if anything changes, Council will address it at that time. Ms. Napolitano appreciated how respectfully the public has dealt with this tough issue.

Mayor Petriello, with regard to the hate mail, said that Moorestown is an inclusive and kind community and she encouraged everyone to remain united in promoting that kind of community. She thanked all for attending and a productive discussion.

**ADJOURNMENT:** At 10:06 p.m., there being no further business, a motion was made to adjourn.

MOTIONED BY: Mr. Locatell  
SECONDED BY: Mr. Donnelly  
VOTE: All in favor

PATRICIA L. HUNT, RMC  
Township Clerk