

TOWNSHIP OF MOORESTOWN
TOWNSHIP COUNCIL
SPECIAL MEETING
April 1, 2019

The Special Meeting of the Moorestown Township Council was called to order by Mayor Petriello, Town Hall, Donut Room, 111 West Second Street, Moorestown, New Jersey at 8:34 a.m. Attendance was as follows:

Lisa Petriello, Mayor	Thomas Neff, Township Manager
Nicole Gillespie, Deputy Mayor	Patricia L. Hunt, Township Clerk
Brian Donnelly, Councilmember	Kevin E. Aberant, Township Solicitor
Michael Locatell, Councilmember	Thomas J. Merchel, Deputy Township Manager
Victoria Napolitano, Councilmember	

Mr. Edwards, Mr. Donnelly and Ms. Napolitano participated via teleconference. Mr. Donnelly excused himself from the meeting at 9:10 a.m. Mr. Locatell arrived at 8:40 a.m. and excused himself from the meeting at 9:50 a.m.

Also Present:

Anthony Zappasodi, Director, Community Development
Judith F. Murphy, Principal Planner
Brian Slaugh, Affordable Housing Consultant
Michael Edwards, Affordable Housing Counsel

MAYOR'S STATEMENT: At 8:34 a.m., Mayor Petriello read the Open Public Meetings Act statement in full, as printed on the agenda.

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

- a. Posting a copy of the meeting notice and agenda on the bulletin board at the Municipal Complex.
- b. Filing a copy of the meeting notice and agenda in the office of the Township Clerk at the Municipal Complex.
- c. Forwarding a copy of the meeting notice and agenda to the Courier Post and Philadelphia Inquirer.
- d. Forwarding written notice 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 28th day of March 2019.

Public Comments: Carol Radomski, 9 Meadow Drive, advised of Judge Bookbinder's finding and asked Council to consider those other alternative sites that have been vetted; she named various sites.

Marie Kern, 8 Meadow Drive, agreed with Ms. Radomski's comments. She said the judge found that the restrictive covenant should be upheld and the Township should look for another parcel. She advised that the residents, in their hearts, do not feel this is the proper site due to the covenant, as well as the other issues that confront the site.

Valerie Holmes, 217 Whittier Avenue, asked what was going on with the Penrose site; she was advised.

At 8:40 a.m., Mr. Locatell arrived.

Ms. Holmes noted the impact affordable housing is going to have on the traffic in the Lenola area. She said she was concerned with the Pennrose housing being sent to Lenola and she said the area cannot take any more traffic. Mr. Locatell advised that the judge ordered Council to come up with a Plan B and the meeting today is to hold that discussion. No decisions have been made.

There being no more comment, the public was advised that Council, when returning to the public meeting from Closed Session, would not be making comment.

CLOSED SESSION - Resolution No. CS 04 01 2019 Authorizing Closed Session - Matters Relating to Litigation, Negotiations and the Attorney-Client Privileges (Affordable Housing).

At 8:45 a.m., Mayor Petriello asked for a motion to adopt Resolution CS 04 01 2019 Authorizing Closed Session for purposes of discussing Matters Relating to 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 04 01 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.

_____(5) *Matters Relating to the Purchase, Lease or 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 8:45 a.m., Council entered into closed session.

At 10:05 a.m., Council returned to the public meeting. Due to the sensitivity of the matters, Council had nothing to report.

COUNCIL COMMENTS: None.

ADJOURNMENT: At 10:05 a.m., there being no further business, a motion was made to adjourn.

MOTIONED BY: Ms. Gillespie
SECONDED BY: Ms. Napolitano
VOTE: All in favor

PATRICIA L. HUNT, RMC
Township Clerk