

TOWNSHIP OF MOORESTOWN
TOWNSHIP COUNCIL
OFFICIAL ACTION MEETING

June 10, 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 7:04 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, Township Solicitor

MAYOR'S STATEMENT: At 7:04 p.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:

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 7th day of June, 2019.

Mayor Petriello advised that there are technical problems with the video recording (not available).

MOMENT OF SILENCE and FLAG SALUTE: At 7:05 p.m., the Official Action meeting began with a moment of silence and the flag salute.

CLOSED SESSION - Resolution No. CS 06 10 2019 - Matters Relating to Litigation, Negotiations and the Attorney-Client Privileges (*Affordable Housing*)

Mayor Petriello asked for a motion to adopt Resolution CS 06 10 2019 Authorizing Closed Session for purposes of discussing Matters Relating to Litigation, Negotiations and the Attorney-Client Privileges (Affordable Housing).

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

**RESOLUTION NO. TCOA CS 06 10 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 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 7:06 p.m., Council entered into closed session.

At 8:14 p.m., Council returned to the public meeting. Due to the sensitivity of the matters, Council had nothing to report.

DISCUSSION

Reports from Members of Council:

Mr. Locatell commended Moorestown Day and the Relay for Life events. He said it was a great honor to speak at the Relay for Life event. Mr. Locatell said there was a facebook posting on Ms. Gillespie's page about a Council meeting at the Community House regard the rain tax. He did not recall any such meeting. Ms. Gillespie advised that it does not say Council. She advised that it is with her, the Mayor and the League of Conservation Voters on storm water management and

what individuals can do. It is set up as a meet and greet with the Mayor and her. Mr. Locatell said some people think it is a Council meeting; Ms. Gillespie said she will take a look at it. Ms. Napolitano said that Council had previously talked about holding discussion on the rain tax issue and she had suggested that Council adopt a resolution indicating that Council would not assess a rain tax. Mayor Petriello said she thought Council should adopt the budget first; this is not a priority. Ms. Napolitano did not see why discussion had to wait. Mr. Locatell also felt it time to have the discussion. Mayor Petriello said Council can discuss the matter on a later agenda.

Ms. Napolitano echoed Mr. Locatell's comments regarding the Relay for Life event. She advised of the highlights. She congratulated the Strawbridge Lake Beautification Committee on its kayak race, noting that funds raised go back to improving the lake. She advised on the upcoming Open Space Advisory Committee and Sustainable Moorestown meetings.

Ms. Gillespie advised that the Recreation Advisory Committee did not meet and the Telecommunications and Technology Committee meets tomorrow.

Mr. Donnelly advised that the Economic Development Advisory Committee (EDAC) meets this month. He advised that he has had conversations with members of the committee regarding vendor permits and food truck events.

Mayor Petriello advised that the Tree Planting and Preservation Committee meets tomorrow. She noted Mr. Donnelly's comment regarding food truck events and advised that organizing the upcoming event is moving forward. She advised that Chief Lieber has suggested a method that would expedite the processing of the permits and help save time processing them. The code would be amended provide that the food truck operators would certify that all employees on the truck meets the background check requirements. She advised that the Moorestown Business Association agrees. Mayor Petriello asked if Council feels that is something worth moving forward with. Mr. Donnelly said this would only be for mass food truck events, not single vendors driving around. He said the conception regarding the safety concern is that same would be mitigated by the sheer mass of food trucks and people on the trucks (as opposed to one truck away on its own). Ms. Gillespie thought this was a step in the right direction noting that the process is burdensome and expensive. She and the people she has spoken with feel that a background check does not really make things safer. Mr. Locatell agreed that the peddler's ordinance needs to be addressed (not just for food trucks). He said Moorestown Day just passed at which there are over two hundred vendors, none of which got a permit. He said he was the Chairman of the EDAC last year for the first food truck event. He agreed that the process is arduous, but, there were two applicants that had serious criminal issues that were excluded from the process; and he was glad they were not on our streets. He felt that although tedious, the process is important. He offered to provide his notes from last year EDAC discussions to Mr. Donnelly. He expressed his concern with the ice cream truck parking its truck in front of the brick and mortar taxpaying businesses (including the ice cream store) at events on Main Street. He said towns control that with an ordinance that says you cannot stop anywhere for more than three minutes; the truck has to keep traveling through town. He suggested issuing a permit to the organization who would be responsible for performing background checks, rather than each individual that is involved being required to have a permit. He suggested that the ordinance amendments not be rushed this time; address all issues in one ordinance. Ms. Napolitano agreed that it needs to be done correctly this time. She felt all want changes, but it is a

matter of how it is going to be changed. Mr. Donnelly suggested a presentation by the EDAC to Council; Mr. Locatell thought same was a good idea. Ms. Gillespie felt something needs to change for the upcoming food truck event – a stopgap measure. She said the Chief said the present requirements are too burdensome on the vendors. The second issue is to amend the ordinance, but not in conjunction with the upcoming event. Mr. Locatell suggested the Chief address Council. Mayor Petriello advised that there are more vendors this year and the Chief has been clear that it is a lot of resources on his staff. Ms. Napolitano felt the matter needed to be vetted before making any quick changes. She did not understand the need to rush noting last year's event had the same issues and it was tremendously successful. Mayor Petriello felt Council needed to move forward with the immediate situation (upcoming food truck event). Ms. Gillespie felt it was appropriate noting the Chief of Police and MBA want this. Mayor Petriello advised that a vendor will certify the background of the people on the truck. Mr. Neff said the question tonight is, is there a consensus that it would be likely that the ordinance would move forward so staff can give an indication to the food truck vendors that the new policy would be that which Council discussed. The ordinance needs to be amended to change the policy. Ms. Napolitano said that if the ordinance is going to be on the next meeting, she has a lot of questions and therefore, she does not know if she will be able to support it on first reading. Mayor Petriello said her questions can be addressed at that time. But if there is a majority of Council that feels Council is headed in the right direction, she is comfortable with giving the Chief direction to move forward. Ms. Napolitano asked for clarification on the next meeting, whether there would be discussion or will an ordinance be presented for first reading. She asked who is going to be background checked; what is the process going to be; what is the process the vendors are going to go through to get the background checks; and how does that differ from what we would have them go through? Mr. Locatell warned against rushing the ordinance for one event, noting there are a lot of different layers to this. He said the process is tedious but not impossible. He questioned the proposed background check. Mayor Petriello said she believes there are three voices that agree on moving forward with the interim step. No one disagrees that the ordinance needs to be examined further. Ms. Napolitano questioned the need to rush when there are legitimate questions on the table. Mayor Petriello said the Chief and MBA can be given the direction they need; and that Mr. Locatell's and Ms. Napolitano's objections are well noted.

Mayor Petriello read the upcoming meetings aloud:

1. 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)
2. Agenda Updates, if necessary: Mayor Petriello advised that staff has recommended that Resolution 112-2019 be tabled as the bid submissions are still under review. Mr. Neff advised two bids were received; there is a question as to whether the low bidder's submission is acceptable.
3. Outstanding appointments: Mayor Petriello noted that all student member appointments for the Recreation Advisory Committee are expiring on June 30th and asked Council forward any recommendations for appointment to her.

Mayor Petriello asked for discussion or a motion to table Resolution No. 112-2019.

PROCLAMATION

Strawbridge Lake Paddle Board / Kayak Race and Festival

Whereas, the Strawbridge Lake Beautification Committee was established as a 501c3 nonprofit in January 2018 by a group of Moorestown residents with the goal of restoring Strawbridge Lake to the beautiful town treasure it once was

Whereas, the Committee founded the Moorestown Paddle Board/Kayak Race and Festival as a day of family fun on Strawbridge Lake and annual fundraiser;

Whereas the Moorestown Paddle Board/Kayak Race and Festival gives us a unique opportunity to enjoy Strawbridge Lake together as a community;

Whereas, all proceeds from the event support the Committee's mission of increasing awareness of Strawbridge Lake and funding its improvement;

Whereas the Strawbridge Lake Beautification Committee has raised over \$25,000 For the improvement of Strawbridge Lake and has already funded a Haines Drive lake edge cleanup in addition to organizing multiple volunteer efforts;

NOW, THEREFORE, BE IT PROCLAIMED by Township Council that the Strawbridge Lake Beautification Committee is recognized as a benefit to the residents of the Township of Moorestown and call upon residents to take advantage of the opportunities to join them in their work, care, and enjoyment of Strawbridge Lake.

Given under my hand and seal of the Township of Moorestown this 8th day of June, 2019. Lisa Petriello, Mayor

2. Proclamation - July 4th Celebration: Mr. Donnelly presented the proclamation to David Schill.

Whereas, the wail of a mother's cry, reminds us of those who have fought and died; the sound of a flag flying high; the drums of the school band and cheering in the stands; the street adorned with children, bikes and streamers, and decorations by local storekeepers, the military, fire trucks and boy scouts too, let us not forget the brilliant colors of the **RED, WHITE and BLUE**; and

Whereas, without a cloud in the sky and the smell of American pie, it is these things that remind us, it is the 4th of July; and

Whereas, it is known as Independence Day and celebrated by Americans across the USA; and

Whereas, Moorestown is no exception and is proud to announce its connection; and

Whereas, the Moorestown 4th of July Parade Committee has planned a day of festivity and the Township Council wishes to proclaim it to the city.

Now, Therefore, Be It Proclaimed, by the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey, that

*July 4, 2019 be a Day of Celebration in
Honor of our Freedom and Independence*

and we ask that all people of Moorestown join in the fun, march in the parade and show your American colors, so true, **RED, WHITE and BLUE.**

Given under my hand and seal of the Township of Moorestown this 10th day of June, in the Year of our Lord, Two Thousand Nineteen. Lisa Petriello, Mayor

Mr. Schill invited all to attend and participate in the parade. He also advised that twenty percent of all proceeds from monies spent at Iron Hill on June 12th will go to help pay for the parade.

2019 BUDGET

ORDINANCE ON FIRST READING

The Township Manager read Ordinance No. 12-2019 on first reading by title. He provided a brief explanation.

- 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)**

Mayor Petriello asked for discussion or a motion to introduce the ordinance on first reading and set the public hearing date for June 24, 2019 at 7:30 p.m.

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

RESOLUTIONS

The Township Manager read Resolution 110-2019 on first reading by title.

- 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**

Mayor Petriello asked for discussion or a motion to approve the budget on first reading and set the public hearing date for July 8, 2019 at 7:30 p.m.

MOTIONED BY: Ms. Gillespie
SECONDED BY: Mr. Donnelly

Upon a roll call, Ms. Napolitano advised that she is not happy with the budget. She felt more surplus could have been used and expressed a concern with the cost of the new hires; noting not all seem necessary and the greater impact it will have on next year's budget. Mr. Locatell agreed and indicated that the cost associated with the new hires will be \$502,000 next year. He noted the mall tax appeal will be moot in 2022 and 2023; in the interim, surplus could be used. He did not feel a tax increase was necessary.

Mr. Donnelly indicated there is a motion on the floor. Ms. Gillespie noted that the CFO recommended against using the surplus and response to new hires was not a blanket yes, some requests were denied. Ms. Gillespie agreed that a tax increase is not desired but felt that people are not getting what they paid for and there are things that have been neglected. She did not feel the budget was irresponsible. Mr. Locatell disagreed. He asked why the Township was adopting the ordinance to exceed the cap; same was explained and Mr. Neff advised that this budget does not exceed the cap. Mr. Locatell and Ms. Napolitano argued against the budget.

ROLL CALL VOTE: All in favor, with the exception of Mr. Locatell and Ms. Napolitano, who voted no.

The Township Manager read Resolution No. 111-2019 by title.

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)

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 resolution.

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

ORDINANCES ON FIRST READING: The Township Manager read Ordinance 13-2019 on first reading by title. Mr. Neff and Mr. Merchel gave a brief explanation. Discussion was held on whether Planning Board review and recommendation was needed and the timing. Mr. Merchel noted that the Planning Board already reviewed and made recommendation on the project in 2018; this is supplemental funding.

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

Mayor Petriello asked for discussion or a motion to introduce the ordinance on first reading and set the public hearing date for June 24, 2019 at 7:30 p.m.

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

AFFORDABLE HOUSING MATTERS

RESOLUTIONS: The Township Manager read Resolution No. 108-2019 by title. Mr. Neff advised that this amendment was published and posted on the website.

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

Mayor Petriello opened the floor for public comment.

Manny Delgado, 6 Walnut Court, asked Council to explain the changes and the financial impact, as he found them to be significant. Mr. Neff advised: 1) an alternative site (Miles site) to the Pennrose site (in the event the Pennrose site becomes unavailable) was named; 2) a net increase in the Realistic Development Potential (RDP) due to changed circumstances over the last six months (1. Diocese of Trenton informing the Township that their property would be made available for affordable housing – net increase of 17 units; 2. Approvals for development on Cottage Lane – net increase of 4 units; 3. Miles site (being available) – net increase of 6 units); an additional change in the RDP with respect to what was required to be built in the prior round, which went down by 15, so the net increase was the difference between those numbers; and the market-to-affordable went from 30 to 12. He confirmed the amount of units has increased; but did not believe the unmet net increased. Mr. Delgado thought the unmet need went from 300 to 526.

Mr. Delgado asked if a financial impact report has been done on the impact from the Miles site and the CCRC site changes. Mr. Delgado estimated the Miles site will cost the Township an additional \$6 million and he hoped Council would require a financial impact report. He noted that the cost to the Township for either site will be approximately \$3 million; however, with the Miles site there is acquisition cost, demolition costs and the loss of a ratable, all which you do not incur with the Pennrose site.

Mr. Locatell asked if the potential of a tributary running through the property was ever investigated. Mr. Neff advised that it was reviewed by the prospective developer and it was determined that it was not a concern; the lot could be built upon, notwithstanding that issue. Mr. Locatell noted that if there is a tributary, there will be a substantial buffer constricting the buildable lot size. Mr. Neff said it is his understanding that the tributary is on the corner of the lot and would not be an impediment to moving forward. Mr. Locatell thought it ran diagonally from one corner to another. Mr. Locatell suggested having the Township Engineer look at the matter.

A brief discussion on Miles' willingness to sell was had. Mr. Neff advised that the Township is in communication with Miles and he hopes that all can come to a fair and amicable agreement for purchase of the property.

Mr. Delgado advised that the Township will now end up paying approximately \$2.8 million on the CCRC site. He advised that the last deal did not have that large of a contribution and it allowed for one hundred percent low-income tax credits, which the current agreement does not provide for, which does not seem to be beneficial to the town. Mr. Neff advised that the Township received legal advice that delinking the Township property from the market rate units was a necessity by way of applying for credits. The developer has agreed to increase its contribution to the municipality towards that project. There was discussion. Mr. Neff advised that the agreement with the intervenor would be before Council at a future public meeting; it is still under negotiation and difficult to discuss at this time. However, the developer will donate the land to the Township and the contribution will increase from \$1.5 million to \$2 million. Mr. Delgado indicated that limiting the ability of the Township to go for tax credits to actually pay and fund the development of those 23 units is an additional \$2.8 million that was never conceived of in any of the previous iterations of the agreement. He felt nearly \$3 million was a significant increase for one development. Mr. Neff advised that it was a change at the HMFA level that has caused the Township to decouple and apply for credits. Mr. Delgado provided advice and expressed his dismay with the end results which have a negative impact. Mr. Delgado again questioned the increase in the unmet need from 300 to 520. Council agreed that clarification was needed on the unmet need. Mr. Donnelly invited Mr. Delgado to email any suggestions to Council.

Fred Sutherland, 417 North Church Street, advised that the Township bought the Nagle site on December 21, 1987 for \$420,000. It bought the Maybury site on February 25, 1988 for \$576,385. He said the Maybury tract (10.5 acres) has water, sewer and storm water and can house 34 units. He questioned why this tract was not utilized in meeting the Township's obligation, instead of other sites that will cost the Township money.

Greg Newcomer, 235 Fellowship Road, asked several questions regarding the existing site conditions at the Miles site and the proposed development. In closing, he found the Miles site to be the better solution.

Michelle Jackson, 218 North Church Street, noted the cost to the Township in developing certain sites and then stated that the Township already paid for the Maybury tract but there is no planned affordable housing on that site.

Pamela Richards, 304 Colonial Avenue, thanked Council for all of its hard work in this regard. She hoped Council would consider Mr. Delgado's help. She expressed her dismay with the sloppy work of the professionals and the hard work put in by the staff, without the same pay. She encouraged Council to be hard on the professionals and to ensure that the assumptions are correct and to realize the financial impact.

Hugh O'Donnell, 208 St. Anthony's Drive, expressed his concern with how much the rainfall has increased over the years and potential flooding on his lot as a result of the MRD development. Mr. Aberant advised that those types of issues will be addressed by the Planning Board during site plan review and there will be storm water management requirements that will have to be met. Mr. O'Donnell asked that they take into consideration the amount of increased rainfall over the past years.

Greg Newcomer, 235 Fellowship Road, asked who was the Township's legal consultant. Mr. Aberant advised Mr. Edwards drafted the settlement agreement and the resolution was a joined effort. Mr. Newcomer noted that the Township professionals advised Council on these things tonight.

There being no further comment, the floor was closed.

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

MOTIONED BY:	Mr. Donnelly
SECONDED BY:	Ms. Gillespie
ROLL CALL VOTE:	All in favor, with the exception of Mr. Locatell and Ms. Napolitano, who voted no.

Mayor Petriello advised the order of the agenda needs to be temporarily changed in order to hear from Rhonda Abbott of the public as there are sign language interpreters present.

Rhonda Abbott, PO Box 4644, Cherry Hill, advised Council that she was disappointed with her interactions with the Police Department. She advised that when she moved back here in 2009, she had a service dog and it was not a smooth accommodation. She found that people do not take the time to learn the anti-discrimination laws. She said a police officer is most likely going to be the one a person with disabilities is going to count on in a situation; however, the Police Department does not know about the laws. She advised that a small police department in Burlington County received training and business cards from an interpreting company and now the officers carry the card and ask "do you need an interpreter for this situation." They also give the person with disabilities primary consideration of their interpreting choice. She expressed her disappointment in Moorestown's police report that made her, a person with disabilities, look like she was one-hundred percent at fault. She found the report to be very negative and demoralizing. She advised that when there is no training, the officers think you can just write notes back and forth in the situation; note writing was meant for a very small situation. The length and complexity of the matter need to be taken into consideration when considering effective communication needs. She felt training is just a state of preparedness so that when a situation presents itself, officers are more professionally

prepared to deal with the situation. She provided the Township Manager with the business card of the interpreting company and said training resulted in a positive effect for the Maple Shade Police Department. She thanked Council.

ORDINANCES ON SECOND: The Township Manager read Ordinance 9-2019 on second reading by title.

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**

Mr. Aberant suggested that Council open the public hearing and then continue it until the next meeting. He suggested the continuation as he has some questions regarding some of the language.

Mayor Petriello opened the public hearing. There was no comment.

A motion was made to continue the public hearing until June 24, 2019 at 7:30 p.m.

MOTIONED BY: Mr. Locatell
SECONDED BY: Ms. Gillespie
VOTE: All in favor, with the exception of Ms. Napolitano, who stepped out of the room and did not vote.

The Township Manager read Ordinance 10-2019 on second reading by title.

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)**

Mayor Petriello opened the public hearing. There was no comment. Mayor Petriello asked for a motion to close the public hearing.

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

Mayor Petriello asked for discussion or a motion to adopt the ordinance on second reading.

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

The Township Manager read Ordinance 11-2019 on second reading by title.

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)**

Mayor Petriello opened the public hearing. There was no comment. Mayor Petriello asked for a motion to close the public hearing.

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

Mayor Petriello asked for discussion or a motion to adopt the ordinance on second reading.

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

ORDINANCES ON FIRST READING: The Township Manager read Ordinance No. 14-2019 on first reading by title.

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**

Mayor Petriello asked for discussion or a motion to introduce the ordinance on first reading and set the public hearing date for July 22, 2019 at 7:30 p.m.

Mr. Locatell raised question with regard to the lot size and floor area noting that in the ordinance both are bigger than what was discussed/intended. Mr. Aberant advised that he was not aware of the things Mr. Locatell was saying. Mayor Petriello said she also had questions. He advised that the ordinance is supposed to be introduced prior to the fairness hearing on June 19th and suggested that Council introduce tonight and set the public hearing, noting that the ordinance can be amended prior to the Compliance Hearing.

MOTIONED BY: Ms. Gillespie
SECONDED BY: Ms. Petriello
ROLL CALL VOTE: All in favor, with the exception of Mr. Locatell, who abstained, and Mr. Donnelly who stepped out of the room and did not vote.

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**

Mayor Petriello asked for discussion or a motion to introduce the ordinance on first reading and set the public hearing date for July 22, 2019 at 7:30 p.m.

Mr. Locatell raised concern with the fact that there was little review time afforded to Council and the complete lack of standards in the ordinance. Much discussion was held. He felt the ordinance needed to be rewritten. Discussion on how to move forward was held. Mr. Locatell and Ms. Napolitano felt there were too many changes needed to introduce and amend at second reading. After discussion, Council agreed to set a special meeting on June 17, 2019 at 8 a.m. at Town Hall, Council Chamber to introduce the ordinance.

Mayor Petriello asked for a motion to defer action on Ordinance 15-2019 to a later date.

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

ROUTINE MATTERS

CONSENT AGENDA RESOLUTIONS: The Township Manager read the consent agenda resolutions by title.

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)**
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**
3. **109-2019 A RESOLUTION AMENDING AND SUPPLEMENTING THE 2019 TEMPORARY BUDGET**
4. **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**

Mayor Petriello opened the floor for public comment. There being no comment, the floor was closed.

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

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

MINUTES: Mayor asked for discussion or a motion to adopt the 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

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

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

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

MANAGER'S REPORT: Mr. Neff advised that the public hearing for Ordinance 5-2019 was originally continued until this evening; however, it was (inadvertently) not listed on the agenda. Mayor Petriello asked for a motion to continue the public hearing until the June 24, 2019 meeting at 7:30 p.m.

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

COMMENTS FROM THE PUBLIC (Items on and off the agenda):

Greg Newcomer, 235 Fellowship Road, advised that Cherry Hill received grants for alternative energy and the municipality is \$400,000 to the plus as a result. He advised of what types of alternative grants are available.

Pamela Richards, 304 Colonial Avenue, referred to the vendors' ordinance and said that it is important to do things comprehensively, but, there are times when something is needed sooner. She noted the Mayor is trying to prioritize and suggested using a flow chart in the future. With regard to the 2019 budget, Ms. Richards noted two important meetings where additional staff was discussed and the fact that Mr. Locatell was absent. She found that the town is suffering; things are falling through the cracks; and Mooretown needs to make an investment. A brief discussion was held on the Department of Public Works.

Victoria Britton, 235 South Church Street, thanked Council for its work on affordable housing issues. She thought civility, amongst Council, staff and the residents, is needed.

CLOSING COMMENTS BY COUNCIL:

All thanked everyone for attending. Mr. Donnelly thanked staff for the overhead maps.

ADJOURNMENT: At 10:52 p.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