

TOWNSHIP OF MOORESTOWN
TOWNSHIP COUNCIL
OFFICIAL ACTION MEETING

July 22, 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 6:35 p.m. Attendance was as follows:

Lisa Petriello, Mayor	Thomas H. Neff, Township Manager
Nicole Gillespie, Deputy Mayor	Patricia L. Hunt, Township Clerk
Brian Donnelly, Councilmember	Kevin E. Aberant, Township Solicitor
Michael Locatell, Councilmember (left 7:40pm)	
Victoria Napolitano, Councilmember	

MAYOR'S STATEMENT: At 6:36 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 agenda on the bulletin board at the Municipal Complex.
3. Filing a copy of the amended meeting notice and agenda in the office of the Township Clerk at the Municipal Complex.
4. Forwarding a copy of the amended meeting notice and agenda to the Courier Post and the Philadelphia Inquirer.
5. Forwarding a copy of the amended meeting notice and 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 19th day of July, 2019.

CLOSED SESSION - Resolution No. CS 07 22 2019 - Matters Relating to Litigation, Negotiations and the Attorney-Client Privileges (*Affordable Housing*)

Mayor Petriello asked for a motion to adopt Resolution CS 07 22 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:	Ms. Napolitano
VOTE:	All in favor

**RESOLUTION NO. TCOA CS 07 22 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 6:36 p.m., Council entered into closed session.

At 7:39 p.m., Council returned to the public meeting. Due to the sensitivity of the matters, Council had nothing to report.

MOMENT OF SILENCE and FLAG SALUTE: At 7:39 p.m., the Official Action meeting began with a moment of silence and the flag salute.

DISCUSSION

Reports from Members of Council:

Mr. Locatell had to unexpectedly leave the meeting.

Ms. Napolitano advised that Council would be receiving a presentation from the Open Space Advisory Committee (OSAC) this evening.

Mr. Gillespie advised that the Telecommunications and Technology Committee met last week. The committee will be reviewing recommendations regarding the SCADA system and making a recommendation to Council.

Mr. Donnelly advised on the upcoming Economic Development Advisory Committee (EDAC) meeting.

Mayor Petriello read the upcoming meetings aloud:

1. Upcoming Meeting(s) Municipal Complex – 111 West Second Street
 - a. August 5, 2019 - 7:00 p.m. (Workshop) 7:30 p.m. (Official Action) (Council Chambers)
 - b. August 19, 2019 - 7:00 p.m. (Workshop) 7:30 p.m. (Official Action) (Council Chambers)
2. Agenda Updates, if necessary: None

Mayor Petriello requested that the presentation by OSAC be heard first.

PRESENTATIONS AND PROCLAMATIONS: Presentation by Representative of Open Space Advisory Committee.

Harry Mayer, Vice Chairman, advised that he was before Council to present two properties. He provided handouts concerning the property located at 864 Lenola Road and 406 Bridgeboro Road. He advised that the property at 864 Lenola Road is twenty-seven acres and is currently being farmed. There is a residence there, which will remain. OSAC is requesting consideration from Council to authorize an appraisal; purchase of the development rights; a deed restriction on the property in order to gain/provide access and install a trail to the creek. The property is zoned for commercial use right now. The second property, 406 Bridgeboro Road, is approximately four acres; adjoins the Wigmore Acres property; is adjacent to the high school; and the Benner farm is nearby. Mr. Mayer advised that the owner approached OSAC to sell the property outright to the Township. Mr. Mayer did not think the house was salvageable. He stated that the property could be turned back into open space and trails could be constructed on it. Ms. Gillespie asked if OSAC had a preference. Mr. Mayer said both properties, they are small purchases. He noted that the Township has not preserved any lands in eight years. All members of Council agreed to move forward with the appraisals.

3. Truck Weight Restrictions for Crider Avenue and Changes to Permitted Plantings Ordinance

Truck Weight on Crider Avenue: Mr. Neff advised that Crider Avenue is largely residential. The Chief of Police has recommended a ban on trucks on it. Mayor Petriello noted that the residents have also complained. Mayor Petriello, Ms. Gillespie and Ms. Napolitano expressed their support. Staff was directed to prepare the ordinance for the next meeting.

Permitted Plantings Ordinance: Mr. Neff advised that the ordinance needs to be amended. The ordinance would change the accepted list of plantings and specify a new manner in which the list can be updated instead of amending the ordinance every time. Mr. Neff advised that the attorney is drafting the ordinance so the Tree Planting and Preservation Committee will be charged with updating the list and he will have it prepared for the next meeting.

4. Adopting Consent Agenda Resolution No. CA 07 22 2019: Mayor Petriello asked for a motion to adopt the consent agenda resolution.

MOTIONED BY: Ms. Gillespie

SECONDED BY: Mr. Donnelly

VOTE: All in favor

**RESOLUTION APPROVING CONSENT AGENDA
CA 07 22 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.

AFFORDABLE HOUSING ITEMS (Presentation, Resolutions & Ordinances on Second Reading & Public Hearing)

1. Presentation concerning potential affordable housing at former Miles Technology Site

Joseph Del Duca, Walters Group, Partner and Director of Affordable Housing, advised that Walters Group has built many communities in this region. He advised that he is present to discuss the Miles site, why that site, their commitment and what they would implement on the site. He advised that he will answer questions tonight, as well as, make himself available next Monday from 4pm-6pm in Council Chambers to answer any questions from the public. Mr. Del Duca turned to a power point presentation. He advised that the company is a local developer and committed to building top level affordable communities; he showed a map where they have communities - about twenty in New Jersey (focused in South Jersey region).

Mr. Del Duca advised that it was a thoughtful process that had gone into selecting a suitable alternative site. He reviewed the benefits of the Miles site:

1. It is currently a vacant office building (people working from home and in smaller spaces; this office space needs to be repurposed and redeveloped (built in the 1970s);
2. The property is available and for sale;
3. Tax credits (funding) are available for this project;
4. It is near public transportation;
5. There is housing across Route 38;
6. Redevelopment of the site enables the developer to upgrade the property resulting in less of an environmental impact;
7. Water and sewer access is already there – no disturbance
8. There are no environmental constraints;
9. There is no negative impact like the Township would have with a virgin site;
10. The site will not remain vacant and will generate traffic;
11. The storm water rules have been improved and when the site is developed the storm water will be improved. Ninety percent of rainfall events will be captured and suspended solids will be stopped from entering into the lake.
12. LED lights will be used and will not shine as brightly or spill over like the current lights; and
13. Buildings are the biggest polluters. The proposed buildings will have a smaller carbon footprint impact.

Mr. Del Duca showed a concept plan:

1. four-acre site;
2. Seventy-five affordable units (each with its own front door);
3. Three each 3-story buildings and One each 3-story building with units and a community building;
4. Open greenspace, athletic court, gym, clubhouse and computers for kids; and
5. Enhanced landscaping

Mr. Del Duca felt it was what they build that makes the communities special. He showed various communities they have developed. He explained the features and amenities such as:

1. Upgraded siding and patios;
2. Everyone has their own front door;
3. Architectural work;
4. Upgraded kitchen;
5. Washer and dryer in every unit (not shared);
6. Sound attenuation (around each unit);
7. Playground (rubber flooring);
8. Gym;
9. Computer lab;
10. Clubhouse;
11. Social services;
12. No dumpsters; trash compacter (self-contained, no smell, only one, maintenance manages, full recycling, area is landscaped and compacter is unnoticeable);
13. All buildings are LEED certified;
14. All affordable communities have been at least gold standard.

Mr. Del Duca reviewed how Walters Group operates and what they do. He said they:

1. do their own development; they have their own general contracting;
2. are accountable and responsible for every brick and stick;
3. have their own management group;
4. have never sold a community.

Mr. Del Duca advised that he feels a personal stake; he is part owner of the company and if there is a problem, he personally receives the call.

In closing, Mr. Del Duca said that a community is only as good as its management. He advised that there will be someone on site 24/7 and staff is in during the day. All tenants are given a criminal background and credit check. Mr. Del Duca looked forward to working with Moorestown. He invited the public and Township staff and officials to call communities that they have built. He pledged his personal accountability to the Township.

Mayor Petriello asked Council for questions or comments. Ms. Gillespie asked for information concerning residents and traffic in the area. Mr. Del Duca said that commercial (office use) and residential (76 units) peak hours are roughly the same; weekends would be more for residential. If you develop as retail, the traffic count would be substantially higher. In response to Mr. Donnelly's comment, Mr. Del Duca explained how a site is selected and about tax credits. He noted that if the site does not generate tax credits, the funding will have to come from somewhere else.

Mayor Petriello opened the floor to the public.

Erin Novak 201 Haines Drive, asked why the Kmart or Acme sites, which are by public transportation, were not used. Mayor Petriello advised that Kmart is part of the Township's plan. Ms. Novak said free lunches will increase which will bring another host of issues. Mayor Petriello felt that is something the Board of Education will take into consideration. Ms. Gillespie advised that the Board will be reconfiguring in response to the entire housing plan. Mr. Del Duca advised that there is no perfect site; he was certain there will be a line and waiting list. He said .74 school-age child per unit is what they use, consistent with Rutgers' studies (around 56 children).

Kameron Rabenou, 161 Pheasant Fields Lane, asked questions concerning price and negotiations with the owner of the Miles site. Mr. Aberant advised that same is part of negotiations (confidential) at this point, but he assured him that Council is working diligently to protect the taxpayers. Mr. Rabenou asked how many developers Council has interviewed to ensure best pricing for the Township. Mr. Del Duca explained how the process works and how the developer makes a very limited percentage; every developer makes the same amount of money; the rents are fixed. Mr. Kameron asked if Walters Group was the only developer considered. He was advised that the Walters Group approached Council. The Miles site and Walters Group were not the only considerations, but were the best options. Mr. Del Duca said they saw what happened with Pennrose and approached the Township. Ms. Napolitano clarified that this was not an intervenor situation, Council chose this site. She said Council pursued this site; there was nothing to preclude Council from considering other developers. Mr. Rabenou said he wants to make sure we are doing this in a competitive way.

Gregory Lane, 232 Winding Way, said the egress from the site is very dangerous. Mr. Lane said the biggest problem is that Council is carving out a slice of commercially-zoned property and calling it residential; it will be separated from the residential community and rest of town. He asked how same was not discriminatory. Ms. Gillespie advised that there will be other developments along Route 38. She said public transportation has to be available (in order not to bankrupt the town). Discussion on same was held. Mr. Del Duca advised that New Jersey Transit will not change its route. Mr. Neff advised that he met with New Jersey Transit and got the same answer Mr. Del Duca just referred to.

Joe DeLorenzo, 224 Winding Way, asked several questions including what other properties were looked at. Mr. Aberant advised same could not be discussed. Mayor Petriello explained how the developer and Miles site were chosen. The Letter of Intent was discussed. Mr. Del Duca advised that same is non-binding. He said this is the property that is in the settlement agreement. Mr. DeLorenzo said he wanted to avoid the appearance that Council has considered other properties. He said the fact is that Council found this 3.7 acre site and changed the ordinance to meet the density. He said the Pennrose site was less dense and the setbacks were wider. He said, you are putting a square peg in a round hole. Mr. DeLorenzo continued to express his dismay. He suggested using the \$3 million to be used for the Miles site to negotiate with NJ Transit to stop at the Nagle site (put the housing there). He felt Council was selling the residents and the proposed residents out (segregating and putting them on the highway). He asked Council to just be honest. He said this is not an opportunity to hear what is being planned,

it is what Council is doing. Mayor Petriello advised that this site is in the plan Council has to work with. She said Council worked to identify an alternative site which was ordered by the judge. Ms. Gillespie clarified that this site is not optional; Council is not looking at other sites; the court did not provide that option.

Stan Merion, 300 Highland Avenue, expressed grave concern about the children's safety on Route 38 and asked Council to take same into consideration in its planning.

Jeff Jones, 203 Haines Drive, asked questions concerning the density, number of units and whether, if afforded more time, a better plan could be had. He advised that he supports affordable housing and near his area. He hoped Council will work in good faith and consider all stakeholders.

Sage Claydon, 163 Forest Road, thanked Mr. Del Duca for the presentation and Ms. Napolitano for her candor. She expressed her concern with the traffic in the area, finding it to be extremely dangerous for children. She felt a 55+ community would be better suited there or traffic mitigation. She provided suggestions.

Greg Roberts, 345 Springhouse Lane, said that you can see the site in the winter time. There is not a week that goes by without him hearing wheels locking up. He complained about the intersection and asked how the kids will walk to Roberts school. He felt the families should be integrated not isolated. He did not feel it was an appropriate site.

Pamela Richards, 304 Colonial Avenue, thanked Mr. Del Duca for the presentation. She said this is a sensitive issue and people will not be happy. She advised that there is a problem at that corner and traffic violations need to be enforced. Mayor Petriello agreed that there are issues at the intersection.

Michael D'Angelo, 239 Winding Way, asked if you get tax credits, who owns the property. Mr. Del Duca said they will own the property eventually. There is a forty-five year deed restriction placed on it. At the end of forty-five years, the town will reenroll the property; it will be affordable housing as long as it exists. Mr. D'Angelo asked if this had to be competitively bid; he was advised no; there are a different set of rules.

John Dionis, 305 Springhouse Lane, asked questions of Mr. Del Duca and Council; same were answered. Mr. Dionis felt the resolution should wait. He asked questions about the impact on the school. Mr. Aberant advised that this site is a substitute for the Pennrose site and it will put the same amount of children in Roberts school.

Tom Belfatto, 167 Haines Drive, said that this is the first he is hearing of this site. Mr. Aberant advised that the purpose of the meeting was a presentation on what might happen on the site. The site is a result of the judge's order and revised settlement agreement. To consider another site would require an amendment to the settlement agreement. Discussion was held. Mr. Belfatto expressed concern with increased activity at the lake and the ecosystem. He felt the lake and park will be an attractive nuisance to the children. He felt Council should perform an

environmental impact study on the lake (with the increased activity) noting it is very difficult to restore a collapsed ecosystem.

Greg Newcomer, 235 Fellowship Road, said thank you. He advised that he lives an eighth of a mile from the site. He asked questions about required approvals (types and agencies, including NJDOT), the type of people that will live there, where they work, etc. Same were answered by Mr. Del Duca. Mr. Newcomer expressed his support for the project. He raised questions with Ms. Napolitano concerning the Pennrose site and this site, noting there are big differences between the sites.

John Caporaso, 168 Forest Road, expressed his disappointment to find out this site has already been selected. He asked if the purchase would be contingent upon receiving tax credits. Mr. Aberant advised same could not be discussed (ongoing negotiations), but it is in everyone's best interest if the tax credit application is supported by the Township. It was noted that many towns have to foot the bill (no tax credits). He asked why a deal would not be conditioned upon the receipt of the tax credits. He expressed concern with the children crossing Route 38 and felt there is a fundamental lack of process.

Kathy Sutherland, 417 North Church Street, thanked Council noting all the work that goes into the process. She felt the land east of Westfield Road should have been used. She said Pennrose was deemed a good site, but twelve people fought that. She did not feel that the people were being segregated and said every time the Township goes to build (affordable housing), there will be a controversy.

Gregory Lane, 232 Winding Way, said he was appalled by the process and lack of community engagement. He expressed his dismay for the whole thing.

At 10:37 p.m., Mayor Petriello closed the floor and thanked Mr. Del Duca for his time.

The Township Manager read the resolution by title.

2. Resolution [127-2019](#) SUPPORTING THE WALTERS GROUP FINANCIAL APPLICATION TO THE NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY IN CONNECTION WITH A SEVENTY-SIX UNIT, ONE HUNDRED PERCENT AFFORDABLE, MULTI-FAMILY HOUSING PROJECT IN THE AMF-7 ZONING DISTRICT, MOORESTOWN, NEW JERSEY

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 resolution. Ms. Napolitano advised that she will vote no on this and the next resolution. She did not believe in the site, noting there were too many unanswered questions and she is concerned with the traffic. She stated the advantage to the Pennrose site was that the NJDOT was improving the intersection.

She also did not feel the Township would meet the deadline for the next tax credit round. Ms. Napolitano felt that there were more meetings and public involvement with the Pennrose site. She questioned transparency and the lack of public information and input; she wanted more. She noted that the meeting next Monday will not be taped and available for public information. Ms. Napolitano said her issue is not with Walters Group; it is with the site. Ms. Gillespie expressed her surprise to Ms. Napolitano stating there has been a lot of discussion; Ms. Napolitano has never raised these objections; nor has she heard her suggest other solutions; and to wait until this point to raise these objections is appalling and disingenuous. Ms. Napolitano advised that she voted no on the amended settlement agreement. Ms. Gillespie also did not feel that there was greater transparency in the Pennrose matter. She expressed her concern with the damage that will occur if Council cannot move forward pursuant to the settlement agreement. Mr. Donnelly expressed surprise and frustration with her comments also, noting the judge ordered the Township to find an alternate site; the previous Council took no action and she has not made suggestion for an alternate site. Mayor Petriello noted that the Route 38 improvements to be made work to the disadvantage of the Pennrose site (soft shoulder will be removed). Mayor Petriello advised that the Pennrose ordinance was heard on first reading on April 23, 2018 and passed after second reading at the next meeting of Council. The special meeting for the residents was held on June 13, 2018, after adoption of the amended zoning and the only people allowed to attend that meeting were the residents affected by Pennrose and Council tried to bar her from attending. She advised that she will vote in favor of the resolution.

MOTIONED BY: Ms. Gillespie

SECONDED BY: Mr. Donnelly

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

The Township Manager read the resolution by title.

3. Resolution [135-2019](#) AUTHORIZING MAYOR TO EXECUTE A LETTER OF INTENT WITH THE WALTERS GROUP IN CONNECTION WITH A SEVENTY-SIX UNIT, ONE HUNDRED PERCENT AFFORDABLE, MULTI-FAMILY HOUSING PROJECT IN THE AMF-7 ZONING DISTRICT, MOORESTOWN, NEW JERSEY

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: Ms. Gillespie

SECONDED BY: Mr. Donnelly

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

The Township Manager read Ordinance 14-2019 on second reading by title.

4. Ordinance on Second Reading and Public Hearing:

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

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

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

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

The Township Manager read Ordinance 15-2019 on second reading by title.

5. Ordinance on Second Reading and Public Hearing:

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

MOTIONED BY: Ms. Gillespie
SECONDED BY: Mr. Donnelly
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 SECOND READING: The Township Manager read Ordinance 17-2019 on second reading by title.

17-2019 AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN, COUNTY OF BURLINGTON, NEW JERSEY APPROPRIATING \$550,000 AND AUTHORIZING THE ISSUANCE OF \$285,000 IN BONDS OR NOTES OF THE TOWNSHIP TO BE USED FOR THE RESURFACING OF BORTON'S LANDING ROAD PHASE II TOGETHER WITH ALL RELATED EXPENSES

Mayor Petriello opened the public hearing. There being 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. Napolitano
SECONDED BY: Ms. Gillespie
ROLL CALL VOTE: All in favor

The Township Manager read Ordinance 19-2019 on second reading by title.

2. 19-2019 AMENDING CHAPTER 46 OF THE CODE OF THE TOWNSHIP OF MOORESTOWN ENTITLED ALCOHOLIC BEVERAGES

Mayor Petriello opened the public hearing.

Fred Sutherland, 417 North Church Street, indicated that the voters voted to allow alcohol at the mall, not on Main Street. He suggested that is where it be kept.

Kathy Sutherland, 417 North Church Street, preferred to see alcohol consumption left at the mall. She said she sees things creeping in and pretty soon there will be a packaged goods store and then she will go ballistic.

Greg Newcomer, 235 Fellowship Road, urged Council not to pass the resolution.

Mr. Aberant explained that this is not a matter of licensing and the regulation restricting licenses to the mall was overturned by the court. This is just a codification of past practice. He advised that Council has done this before; this is giving Council the authority to do what it has done before.

Mr. Donnelly expressed his support but asked that they be mindful to ensure it does not creep. Ms. Napolitano agreed. She advised that Council did this last year and it went well. She suggested that any future events be conditioned upon them using plastic cups instead of glass, as was used on Main Street last year.

There being no further comment, Mayor Petriello asked for a motion to close the public hearing.

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

Mayor Petriello asked for 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: None.

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

1. **123-2019** AUTHORIZING RENEWAL OF A PLENARY RETAIL CONSUMPTION LICENSE FOR 2019-2020
2. **125-2019** AUTHORIZING CONTRACT CHANGE ORDER NO. 1 IN THE TOTAL AMOUNT OF 103,213.62 IN CONNECTION WITH A PROJECT KNOWN AS HARTFORD ROAD WATER TREATMENT PLANT IMPROVEMENTS
3. **126-2019** AUTHORIZING CONTRACT CHANGE ORDER NO. 1 IN THE TOTAL AMOUNT OF \$43,906.46 IN CONNECTION WITH A PROJECT KNOWN AS NORTH CHURCH STREET WATER TREATMENT PLANT IMPROVEMENTS
4. **128-2019** AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE FOR SECOND BAPTIST CHURCH, 320 MILL STREET (BLOCK 4205, LOT 12) (PARKING LOT IMPROVEMENTS)
5. **129-2019** AWARDING A CONTRACT TO MSP CONSTRUCTION CORP. IN THE AMOUNT OF \$2,928,529 FOR NORTH CHURCH STREET, CENTRE STREET AND CEDAR STREET WATER MAIN REPLACEMENT
6. **130-2019** APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE SENTINEL ROAD AND FARMDALE ROAD IMPROVEMENTS
7. **131-2019** AUTHORIZING THE CANCELLATION OF CERTAIN WATER AND SEWER CHARGES

8. **132-2019** ADOPTING MEMORANDUM OF AGREEMENT BETWEEN THE TOWNSHIP OF MOORESTOWN AND THE MOORESTOWN FRATERNAL ORDER OF POLICE LODGE #109

9. **133-2019** ADOPTING MEMORANDUM OF AGREEMENT BETWEEN THE TOWNSHIP OF MOORESTOWN AND THE MOORESTOWN FRATERNAL ORDER OF POLICE LODGE #109 SUPERIOR OFFICERS ASSOCIATION

10. **134-2019** APPROVING PERMIT REQUEST PURSUANT TO CHAPTER 46-19 "SPECIAL PERMITS" TO ALLOW THE CONSUMPTION OF BEER AND WINE ON MAIN STREET DURING THE "AUTUMN IN MOORESTOWN" EVENT

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

OLD MATTERS PROPOSED TO EITHER BE TABLED OR CONTINUED: The Township Manager read Ordinance 9-2019 by title.

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

Mayor Petriello opened the public hearing. There being no comment and due to the fact that the ordinance is still under review by the professionals, Mayor Petriello asked for a motion to continue the public hearing until August 19, 2019 at 7:30 p.m.

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

MINUTES: None.

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

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

MANAGER’S REPORT: None.

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

Carol Radomski, 6 Meadow Drive, thanked Council for its thoughtful consideration in presenting the Miles site, noting it was on target, focused and informative, more than they were given with the previous Council (with Pennrose site). She said, due to Council’s undermindedness, the residents are still left fighting litigation to resolve an issue they did not ask for. She took exception to Ms. Napolitano’s comments noting that Ms. Napolitano was involved and responsible for approving the Pennrose site.

Ed Moore, Second Baptist Church, Mill Street, thanked Council for approving its bond release. Mr. Moore asked Council’s consideration on a couple other things: a light in the park on Beech Street (by the play area); due to speeding cars, a speed bump or raised crosswalk; and fill in the ditch on the southern side – it causes mosquitoes and does not seem functional.

Kathy Sutherland, 417 North Church Street, advised that she was present during the Pennrose meetings and she felt Council (then) did a wonderful job and this Council will do a good job too.

CLOSING COMMENTS BY COUNCIL:

All thanked everyone for attending and their input.

ADJOURNMENT: At 11:16 p.m., there being no further business, a motion was made to adjourn.

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

PATRICIA L. HUNT, RMC
Township Clerk