

TOWNSHIP OF MOORESTOWN
TOWNSHIP COUNCIL
OFFICIAL ACTION MEETING

January 27, 2020

Mayor Gillespie advised that the video equipment is not working.

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

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

Thomas J. Merchel, Township Manager/CFO
Patricia L. Hunt, Township Clerk
Kevin E. Aberant, Township Solicitor

MAYOR'S STATEMENT: At 7:05 p.m., Mayor Gillespie 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 Burlington County Times, Courier Post and all those requesting copies on January 7, 2020.
2. Posting a copy of the agenda on the bulletin board at the Municipal Complex.
3. Filing a copy of the agenda in the office of the Township Clerk at the Municipal Complex.
4. Forwarding a copy of the agenda to the Burlington County Times and the Courier Post.
5. Forwarding a copy of 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 24th day of January, 2020.

WORKSHOP (INFORMAL DISCUSSION)

a) Lease of Township Property for Farming

Mr. Merchel sought direction from Council on renewing the farm lease. Ms. Napolitano advised that this has been a topic of discussion at the Open Space Advisory Committee (OSAC) meeting. OSAC has questioned whether it is supposed to be farmed continuously since it is Green Acres. If it is not farmed, Council must address the use and maintenance of the property; noting a meadow would be nice with little maintenance. Mr. Merchel advised that Green Acres does not like farming, they prefer open space, but they allowed the use. He advised that it has become more difficult because the Township has invited people to the property with the installation of walking trails and the dog park. A farmer uses/sprays chemicals and there are people walking with children

babies. Mr. Merchel advised that the lease brings in very little revenue. He advised Council of its options. Much discussion was held. It was ultimately decided not to renew the farm lease and to let the property return to its natural state. Over the next year, the various committees (OSAC, Environmental Advisory Committee and Sustainable Moorestown) can review possible uses. Mr. Merchel advised that Public Works will maintain the walking path; and he will inform the farmer. Council asked Mr. Merchel to obtain a cost to mow the field.

b) Extending Tenant lease that expires in March/April 2020

Mr. Merchel advised that the tenant lease of one of the two tenants at 1245 North Church Street will expire in February and the tenant has requested a two-month extension. There were no objections. Mr. Merchel advised that he will prepare the resolution and agreement for the next meeting.

c) Attendance Policy

Mayor Gillespie advised that the resolution setting forth an attendance policy was postponed at the reorganization meeting. Ms. Petriello said there was a recommendation that all minutes reflect attendance. Mr. Locatell said that even then, he feels that the attendance records are inaccurate. A sign-in sheet at meetings was suggested. Ms. Napolitano felt it was a matter of proper recordkeeping and that there should be an official policy, for all boards and committees, for preparing minutes and the posting of minutes on the website. Discussion was held on setting policies and standardizing what is placed in the minutes. Mr. Locatell advised that a member had family illness last year and he did not feel same should be a disqualifier; Mayor Gillespie advised that the resolution recognizes special circumstances. Discussion was held on members participating by phone. Mayor Gillespie suggested the Chairman of the meeting make that decision. Mr. Locatell asked what the delay in making appointments to the Ethics Board was. Mayor Gillespie advised that there were two members of the fire department on the board and there is a question of balance with an unaffiliated member being appointed. She said the matter can be discussed at the next workshop meeting.

Mayor Gillespie advised that an issue was raised at the reorganization meeting concerning the appointment of McManimon Bauman & Scotland in light of a large donation that was made by them. Mr. Merchel provided a background noting that the firm was not aware that one of the partners made the donation. The partner, Mr. Baumann, made the donation to a non-profit, but he did not know it was not disclosed by the nonprofit entity. Discussion was held. Mr. Locatell expressed concern indicating that he will support the appointment as bond counsel, in light of the fact that Mr. Merchel has ongoing work with them. Mr. Merchel advised that he has begun conversation with New Jersey American Water Company about renewal. Affordable housing will be an issue. Neither are immediate needs. He said Council could seek requests for proposals. Mayor Gillespie noted that a lot of large firms are big contributors. She did not feel anything unethical occurred. Much discussion was had. In closing, Council agreed to pull the resolution off of the agenda.

RESIDENTS REQUESTS & PRESENTATIONS (Items not listed on the Agenda):

Monique Begg, 209 Parry Drive, made suggestion on how to enhance Main Street with music on Friday night during the warm months.

Roberta Scott, 303 Kenwood Drive, asked for clarification on political donations. Same was given. Ms. Scott felt to enter into a realm of deciding who one can and cannot donate to is a slippery slope.

Amanda Skoumbourdis, 4 Deer Rest Road, advised that she has reached out to several staff persons. She advised that her neighborhood needs relief when it comes to students parking on her street; there are forty students who park on her street and there is no room for service providers to park or pull over when arriving at residences. Mayor Gillespie advised that staff is aware of the issue and is looking at it. She advised that the Township will look for an immediate short-term solution. She suggested that the neighbors also bring the matter before the Board of Education.

MOMENT OF SILENCE and FLAG SALUTE: The Mayor called for a moment of silence and the flag salute. She asked all to note that today is the 75th Anniversary of the Libertarian of Auschwitz-Birkenau and International Holocaust Remembrance Day.

PRESENTATIONS AND PROCLAMATIONS: Mayor Gillespie recognized two local efforts that are working against human trafficking, Senator Singleton's office and the NAACP. She asked their representative to come forward. She read aloud and presented the proclamation.

January National Human Trafficking Awareness and Prevention Month

WHEREAS, human trafficking is a nationwide public health and civil rights crisis. Its victims and survivors are everywhere, with Moorestown being no exception; and

WHEREAS, human trafficking includes both labor and sex trafficking, with both international and domestic victims; and

WHEREAS, while women and girls are the primary victims, anyone can become a victim of trafficking. Young people are particularly vulnerable to trafficking and exploitation but face many barriers in reporting what has happened to them; and

WHEREAS, victims/survivors come from every background, race, gender, sexual orientation, and economic status, but of the estimated 613,000 people reported missing last year, 60% were people of color. Black women make up about 10% of all missing persons cases in the U.S. even though they are only 7% of the U.S. population; and

WHEREAS, all communities must seek to prevent human trafficking before it can occur, by promoting safe, healthy and supportive environments; and

WHEREAS, Senator Troy Singleton led an effort in partnership with the South Jersey Abolitionists and New Jersey Coalition Against Human Trafficking to post signs in public restrooms in English and Spanish to help victims identify that they are being trafficked and listing the national trafficking hotline numbers so they can call for help; and

WHEREAS, the Southern Burlington County NAACP is fighting back with their “Saving our Sisters” Campaign #SOS and providing 50 personal alarm systems (per month) to women and girls to activate in an emergency situation; and

WHEREAS, the Township of Moorestown is striving to become a place where human trafficking does not exist; where people have opportunities available to them; and where all people are treated as fully human and worthy of a supportive community and freedom.

NOW, THEREFORE, BE IT PROCLAIMED that the Township of Moorestown declares January as Human Trafficking Awareness and Prevention month.

Given under my hand and the Seal of the Township of Moorestown this 27th day of January in the Year of Our Lord Two Thousand Twenty. Nicole Gillespie, Mayor

Both representatives thanked Council for lending awareness to the issue.

DISCUSSION

Reports from Members of Council:

Mr. Locatell advised that the Low and Moderate Income Housing Oversight Committee met and he looks forward to working with them.

Ms. Napolitano advised that OSAC and Sustainable Moorestown have been working on the idea of a solar project at the Pulverizing site (brownfield) on New Albany Road. She advised that the matter was discussed several years ago; but, circumstances have changed. She suggested they be placed on the February 10 agenda.

Ms. Napolitano asked if OSAC could be placed on the February 24 agenda to make a presentation concerning the renaming of Water Works Woods in honor of Kay Smith. She advised that members of the committee also attended the last County Freeholder meeting to ask them about acquiring the Truckess property. She explained that it makes sense as it next to Boundary Creek. She felt they should take the lead on it.

Mr. Donnelly invited the public to attend Planning Board meetings.

Ms. Petriello advised that the Environmental Advisory Committee, Tree Planting and Preservation Committee and Appearance Committee met/reorganized and discussed their goals. She advised on same. Ms. Petriello advised that several members of Council attended the MLK celebration at Converge Church. She learned there that MLK was involved in an incident in Maple

Shade which propelled him to become involved in the civil rights movement. Ms. Petriello advised on the upcoming STEM joint meeting and Soup for the Soul. She congratulated Ali Collins, Moorestown High School Field Hockey Coach, for being named New Jersey Field Hockey Coach of the Year 2018-2019 by the MFHS. She announced that the Moorestown Robotics Club is doing terrific in their competitions.

Mayor Gillespie read the upcoming meetings aloud:

1. Upcoming Meeting(s) Municipal Complex – 111 West Second Street
 - a. February 10, 2020 – 7:00 p.m. (Workshop) 7:30 p.m. (Official Action) (Council Chambers)
 - b. February 24, 2020 – 7:00 p.m. (Workshop) 7:30 p.m. (Official Action) (Council Chambers)
2. Agenda Updates, if necessary: Mayor Gillespie advised that Resolution 35-2020 will be removed from the agenda and that (per Mr. Locatell's request) Resolution 62-2020 will be removed from the Consent Agenda and heard separately.
3. Adopting Consent Agenda Resolution No. CA 01 27 2020: Mayor Gillespie asked for a motion to adopt the consent agenda resolution as amended.

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

**RESOLUTION APPROVING CONSENT AGENDA
CA 01 27 2020**

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:

a. Approves the Consent Agenda as written on the agenda.

 X b. Approves the Consent Agenda as written with the exception of the following item(s):

Remove Resolution 35-2020 from Agenda and Remove Resolution 62-2020 from the Consent Agenda and vote on it separately

c. Requests that all matters on the Consent Agenda be handled separately.

ORDINANCES ON SECOND READING: None.

ORDINANCES ON FIRST READING: The Township Manager read Ordinance 1-2020 by title.

1-2020 Amending Chapter 168-52 Of The Code Of The Township Of Moorestown Entitled “Vehicles And Traffic, Schedule II: Speed Limits” (Borton Landing Road Zone (C))

Mayor Gillespie asked for discussion by Council. Mr. Donnelly expressed his support for the resolution. Mr. Merchel advised that the area is between Hartford and Creek Roads.

Mayor Gillespie asked for a motion to introduce the ordinance on first reading and set the public hearing date for February 10, 2020 at 7:30 p.m.

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

The Township Manager read Ordinance 2-2020 by title.

2-2020 An Ordinance Of The Township Of Moorestown Amending Chapter 180 Entitled “Zoning” Of The Township Of Moorestown By Creating The MX-1 And MX-2 Districts In Furtherance Of The Fair Housing Act

Mayor Gillespie asked for discussion by Council. Mr. Locatell advised that this ordinance is most likely a placeholder as discussions are continuing with the stakeholders. Mr. Aberant advised that a few grammatical and typographical errors were found and corrected.

Mayor Gillespie asked for a motion to introduce the ordinance (corrected version) on first reading and set the public hearing date for February 10, 2020 at 7:30 p.m.

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

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

1. [27-2020](#) Appointing McManimon Scotland & Baumann, LLC As Bond Counsel And Authorizing Award Of Contract For 2020
2. [50-2020](#) Setting Forth An Attendance Policy For Boards And Committees
3. [60-2020](#) Authorizing The Closing Of Roads In Moorestown For Township Events
4. [61-2020](#) Resolution Adopting The Burlington County Multi-Jurisdictional Hazard Mitigation Plan
5. [63-2020](#) Authorizing Contract Change Orders No. 1 & No. 2 In The Net Increase Amount Of \$40,332.00 In Connection With A Project Known As 2018 Municipal Aid Project – Garwood Road Improvements
6. [64-2020](#) Authorizing Contract Change Order No. 1 In The Amount Of \$121,160 In Connection With A Project Known As The North Church Street, Centre Street And Cedar Street Watermain Replacement
7. [65-2020](#) Waiving The Provision Set Forth At Chapter 46-18B In The Code Of The Township Of Moorestown To Allow The Consumption Of Beer At Strawbridge Lake On The Corner Of Haines Drive And Kings Highway During The “Moorestown Paddleboard Kayak Race” Event
8. [66-2020](#) Authorizing A Thirty Day Extension Of A Contract To Central Jersey Waste & Recycling, Inc. For Solid Waste Collection Services In The Amount Of \$7,928.78
9. [67-2020](#) Authorizing The Cancellation Of Certain Water And Sewer Charges
10. [68-2020](#) Authorizing The Tax Collector To Cancel Taxes
11. [69-2020](#) Authorizing The Tax Collector To Cancel And Refund Tax Overpayments
12. [70-2020](#) A Resolution Authorizing The Cancellation Of Certain Unexpended Improvement Authorization Balances In The General And Utility Capital Funds
13. [71-2020](#) Authorizing The Execution Of An Intermunicipal Services Agreement With The County Of Burlington For The Disposal Of Dewatered Sludge Generated At The Township Of Moorestown Wastewater Treatment Plant
14. [72-2020](#) Authorizing The Tax Collector To Cancel & Refund Property Taxes For 2019 - 2020 And Bill A Portion Of 2019 Taxes
15. [73-2020](#) Amending Resolution 151-2019 Entitled “Awarding A Contract In The Amount Of \$366,774.62 To McCormick Taylor, Inc. For Preliminary And Final Design & Construction Engineering Services In Connection With The Lenola Town Center Improvements Plan And Transportation Alternatives Design Assistance Program”
16. [74-2020](#) Authorizing Execution Of A Memorandum Of Understanding Between The Township Of Moorestown And Community Investment Strategies, Inc. For The Development Of A Senior Affordable Housing Community At Property Known As The Centerton Tract

Mayor Gillespie opened the floor for public comment.

Edwin Begg, 209 Parry Drive, asked for clarification on Resolution Nos. 64 and 66-2020. Mr. Merchel provided same.

Kathy Sutherland, 417 North Church Street, asked if the improvements under Resolution 64-2020 will help the water pressure. Mr. Merchel said that it may because the diameter of the old pipes was smaller due to the buildup in them. In addition, once the North Church Street plant is finished, the pressure should improve. Ms. Sutherland expressed her concern with allowing alcohol at Strawbridge Lake noting that she hopes alcohol permissions would not become routine, nor permanent. She was concerned with the clarity of the wording in the resolution. Mr. Aberant advised that it says local breweries may display and sell their own beer (not that the public can bring beer).

Greg Scott, 303 Kenwood Drive, suggested that the words governing body on the second page of Resolution 50-2020 be changed to Township Council to eliminate confusion.

Mayor Gillespie asked for discussion by Council. Ms. Petriello advised that the Halloween parade will be held on October 25 rain or shine, so, the 18th should be removed from Resolution 68-2020. She advised that she will vote yes on Resolution 72-2020 but that the sludge goes to the County recycling facility and they compost it. She noted there are all sorts of chemicals and heavy metals in the compost which is sold and winds up in our yards and water. She questioned what the options were, if any. She suggested considering an alternative next year. Mr. Donnelly agreed it was worth looking into. Mr. Merchel advised that staff will look into it.

Mayor Gillespie asked for a motion to adopt the resolutions.

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

Resolution [35-2020](#) Appointing McManimon Scotland & Baumann LLC As Utility And Storm Water Legal Counsel And Authorizing Award Of A Contract For 2020

Mayor Gillespie asked for a motion to table Resolution 35-2020

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

NON CONSENT AGENDA: (this was pulled from Consent Agenda)

The Township Manager read Resolution 62-2020 by title.

1. [62-2020](#) Awarding A Contract For Tree Removal (\$46,025), Trimming (\$249/hr) And Emergency (\$345/hr) Services To Rich Tree Service, Inc.

Mayor opened floor to the public. None.

Mayor asked for council discussion. Mr. Locatell asked why the Township was changing vendors. Mr. Merchel advised that the resolution reflects the low bidder. Mr. Locatell expressed his concern with the bidding process (in that only the lowest price can be considered and not things such as the current vendor is from town). Ms. Napolitano expressed a concern with the location of the vendor and his ability to respond in a timely manner to emergencies.

Mayor Gillespie asked for a motion to adopt the resolution.

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

MINUTES: Mayor Gillespie asked for comment or a motion to approve the minutes.

November 22, 2019 Special and Closed Session
December 11, 2019 Special and Closed Session
December 23, 2019 Special and Closed Session
January 16, 2020 Special and Closed Session

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

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

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

MANAGER'S REPORT: Mr. Merchel reviewed his typewritten Manager's report.

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

Emily and Catherine Wallace, 135 Route 38, asked Council how it will address climate control. Mayor Gillespie said that she does not have an immediate answer but that Council is moving in that direction. She advised that the Township is looking at: solar; the effects of farming (chemicals); the impact as subdivision applications come in; storm water improvements; hiring a storm water manager.

Dan Herman, PREIT, asked when second reading of Ordinance 2-2020 will be and if it will go to the Planning Board for consistency purposes beforehand. He was advised February 10 and that it will go to the Planning Board; Council does not expect the Board to find it inconsistent. Mr. Locatell advised that adoption is necessary for the compliance hearing. Mayor Gillespie recognized

that changes will need to be made. Mr. Herman indicated that the Moorestown Mall is very important to PREIT. There has been a dramatic change in the industry in the past five to ten years. He said that he believes the mall has opportunity but he felt that the mall and Council need to work more cohesively in order to reach their common goal. He also announced that the mall has interested parties for a hotel and residential development. He urged Council to meet with them as soon as possible before the window of opportunity closes.

CLOSING COMMENTS BY COUNCIL:

All members of Council thanked the public for attending and their input. Mr. Donnelly felt Council was making good strides with the softball fields, water treatment plants and the mall.

Mayor Gillespie advised that Council was going into closed session and it did not anticipate any action being taken when they return to the public meeting.

CLOSED SESSION - Resolution No. CS 01 27 2020

1. Matters Relating to Matters Relating to the Employment Relationship (Township Manager)

At 8:50 p.m., Mayor Gillespie asked for a motion to adopt Resolution CS 01 27 2020 Authorizing Closed Session for purposes of discussing Matters Relating to Matters Relating to the Employment Relationship (Township Manager)

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

**RESOLUTION NO. TCOA CS 01 27 2020
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.

_____ (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.

___X___ (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 8:52 p.m., Council entered into closed session.

At 9:21 p.m., Council returned to the public meeting. Due to the sensitivity of the matters, Council had nothing to report.

ADJOURNMENT: At 9:21 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