The Regular Meeting of the Moorestown Township Council was called to order by Mayor Gillespie at 5:02 p.m. The location of this meeting was held via all members’ homes in Moorestown, New Jersey. Attendance was as follows:

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

Also Present: Martin Pratt, Utilities Superintendent

**MAYOR'S STATEMENT:** At 5:02 p.m., Mayor Gillespie 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 amended meeting notice and agenda on the bulletin board at the Municipal Complex.
2. Filing a copy of the amended meeting notice and agenda in the office of the Township Clerk at the Municipal Complex.
3. Forwarding a copy of the amended meeting notice and agenda to the Burlington County Times and Courier Post.
4. Forwarding written notice to each person who has requested copies of the regular meeting schedule.

All of the above posting, filing and mailing have taken place on the 5th day of June, 2020.

**MOMENT OF SILENCE and FLAG SALUTE:** The Official Action meeting began with a moment of silence and flag salute.

Mayor Gillespie took roll call; all present.

**BUDGET WORKSHOP – Water/Sewer Utilities:** Each page of the proposed budget for this department was reviewed by Council. Questions were answered by Mr. Pratt and/or Mr. Merchel. Some cuts in line items were made. A brief discussion on the hours of the employees was held. Mr. Merchel advised that the staff is working twelve-hour shifts; which they like. However, he is still reviewing the ten-hour shifts in order to reduce the amount of overtime. Discussion was held on the increased budget effects due to the new water treatment plants coming online. Under the capital budget, Mr. Merchel advised that the goal will be to take a slowdown in order to absorb some of the big expenses incurred from the water improvements. However, Mr. Pratt is recommending the purchase of a replacement backhoe and three pickup trucks. Mr. Pratt advised
that there is also the emergency response plan for the new water treatment plants; ERI provided an estimate of $30,000. Discussion was held on the painting and cleaning of the North Church Street water tower. A review continued.

**DISCUSSION:**

Comments from Council: All members of Council commented on the peaceful protest that took place in town on June 2, 2020. All commended those that participated, as well as, the Police Department. Ms. Petriello advised that the Tree Planting and Preservation Committee handed out tree seedlings on Saturday - all were taken; it was a great event.

Mayor Gillespie read the upcoming meetings aloud:

Upcoming Meeting(s) Municipal Complex – 111 West Second Street
a. June 22, 2020 – 5:00 p.m. (Official Action) (Council Chambers)
b. July 13, 2020 – 5:00 p.m. (Official Action) (Council Chambers)

Agenda Updates: None

Sale of Packaged Goods: Mr. Aberant advised that he forwarded a memorandum to Council on the matter. He advised that the Township may issue retail distribution licenses; two can be issued in association with the Township’s population. He advised that if Council is interested in moving forward, Chapter 46 must be amended and direction in connection with which zoning district(s) would licenses be permissible; and what the hours of operation would be.

Mayor Gillespie asked if there were any members that did not feel the licenses should be issued. Mr. Locatell questioned whether Council should consider holding off on the sale of the licenses due to COVID-19 and the financial hardships it has caused; perhaps, it should wait until the spring. Mr. Aberant advised that bidding and authorizing the sale of alcoholic beverages, via a distribution license, are two different things. Council must authorize the sale; authorizing the auction and issuance of a license are separate matters. In response to Mr. Aberant’s questions, Mayor Gillespie indicated that she felt all Council members were in favor of authorizing the sale; the hours do not seem to be an issue; zoning would need to be discussed. Mr. Locatell asked whether Council would like to give preference to the two overlay/redevelopment zone(s) and if so, would it be better to wait until it sees what that zone might look like built out. He suggested sending it to the Economic Development Advisory Committee (EDAC) and the Planning Board for use (package goods store or an accessory use like at Wegmans) and hours. Mr. Donnelly felt opening the issue up to the public in the form of an in-person meeting, rather than virtually, might be better.

Mr. Locatell recommended Mr. Donnelly bring the matter to the Planning Board and the Board refer it to EDAC concerning the type of use and hours (let those two boards work it out first). Mayor Gillespie said okay. Mr. Aberant advised of the protocol and timing. Mr. Locatell expressed support and the importance of vetting everything out before moving ahead.
Expanding Outdoor Seating for Restaurants: Mayor Gillespie advised that on June 15, 2020, under the Governor’s order, food establishments may offer outdoor dining, with conditions. The EDAC has been discussing what the Township can do to support the businesses (by allowing outdoor dining). Kate Wilson, Chairperson, EDAC, advised of the five options presented by the EDAC. Much discussion was held. Mr. Aberant advised that any deviation from the zoning code would require an ordinance amendment. It was decided to set a special meeting to introduce an ordinance authorizing food establishments to expand their footprint for outdoor dining during the COVID-19 state of emergency, as authorized by Governor Murphy’s Executive Order 150, as well as, adopt a resolution for the same, which would take effect immediately. After the introduction, the ordinance should be sent to the Planning Board for consistency with the Master Plan. It was suggested that a permit be issued for 60 days with the option to renew. John Logue, Planning Board Chairman, advised that the Planning Board will do what it can to help facilitate this.

Adopting Consent Agenda Resolution No. CA 06 08 2020: Mayor Gillespie asked for a motion to adopt the consent agenda resolution.

MOTIONED BY: Mr. Locatell
SECONDED BY: Ms. Petriello
ABSENT: None
VOTE: All in favor

RESOLUTION APPROVING CONSENT AGENDA
CA 06 08 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:

___ 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.
ORDINANCES ON SECOND READING: None.

ORDINANCES ON FIRST READING: The Township Manager read Ordinance 14-2020 by title. Mr. Aberant explained that there are two versions; he explained the differences and advised that only one version should be adopted. Version A adheres to the requirements of the County concerning no left turn from Cottage Avenue onto Camden Avenue. Version B restricts movement at the same location, as well as, two additional locations on the site which were conditions of Zoning Board approval (when exiting parking lots). A brief discussion was held. Mr. Aberant answered any questions.

1. 14-2020 A&B Amending Chapter 168-8 Of The Code Of The Township Of Moorestown Regarding Traffic Regulations

Mayor Gillespie asked for a motion to introduce the ordinance (Version “B”) on first reading and set the public hearing date for June 22, 2020 at 5:00 p.m.

MOTIONED BY: Ms. Petriello
SECONDED BY: Mr. Locatelli
ABSENT: None
ABSTAIN: None
ROLL CALL: All in favor

The Township Manager read Ordinance 15-2020 by title.

2. 15-2020 An Ordinance Of The Township Of Moorestown Authorizing The Minor Subdivision/Lot Line Adjustment Of Block 400, Lots 14 & 17

Mayor Gillespie asked for a motion to introduce the ordinance on first reading and set the public hearing date for June 22, 2020 at 5:00 p.m.

MOTIONED BY: Ms. Napolitano
SECONDED BY: Ms. Petriello
ABSENT: None
ABSTAIN: None
ROLL CALL: All in favor

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

1. 125-2020 Authorizing The Tax Collector To Refund Sewer Overpayment
2. 126-2020 Awarding A Contract To Core And Main LP For Purchase And Delivery Of Water Meters In An Amount Not To Exceed $60,000
3. 127-2020 Appointing William Barker To The Zoning Board Of Adjustment
4. 128-2020 Appointing Michael A. Bernardin To The Position Of Tax Assessor
5. 129-2020 Resolution Of Need In Support Of The Application Of Community Investment Strategies, Inc. To The New Jersey Housing And Mortgage Finance Agency In Connection With The Development Of An Affordable Housing Project In The Township Of Moorestown

Mayor Gillespie opened the floor for public comment. There was no comment.

Mayor Gillespie asked for discussion by Council. There was none.

Mayor Gillespie asked for a motion to adopt the resolutions.

MOTIONED BY: Ms. Petriello
SECONDED BY: Mr. Locatell
ABSENT: None
ABSTAIN: None
ROLL CALL VOTE: All in favor

MINUTES: None.

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

MOTIONED BY: Ms. Petriello
SECONDED BY: Mr. Donnelly
ABSENT: None
ABSTAIN: None
ROLL CALL VOTE: All in favor

MANAGER’S REPORT: Mr. Merchel advised that he provided Council with a report on the recent 2020 Refunding Bond Issue; refunded 2010 bond issue (general and utility; saving $850,000 over eleven years).

Mr. Merchel provided an update on the water treatment plants and advised that COVID-10 and PSE&G’s COVID policies has had a negative impact on the completion of the plants; however, everything is underway and it is expected that the plants will be up and running by the end of June. He advised that the SCADA is being installed; he has been in communication with the New Jersey Department of Environmental Protection (NJDEP).

Mr. Merchel gave an update on Percheron Park. He advised that a preliminary plan will be ready for comment by June 28, 2020. He is following up with the NJDEP concerning a “no further action” letter which the Township is waiting for. Mr. Locatell said he recalled the space was to be made bigger for community events. He requested a cost estimate and that Council approve the plan before it is finalized.
Mr. Donnelly asked for an update on the softball fields. Mr. Merchel advised that Ms. Miller has been working with a contractor. The cost estimate for improvements and to fix the drainage issue is $40,000. He advised that the grant monies could be used for improvements to the dugouts and ancillary field items. Discussion on providing a field(s) for sole use by girls’ softball was held. Mr. Merchel advised that he needs to follow up with Ms. Miller on the details. Ms. Petriello asked if the dredging at Strawbridge Lake helped with the drainage issues on the fields. Mr. Merchel advised that he would follow up.

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

John Logue, 27 Harding Avenue, Chairman, Planning Board, advised of the Planning Board’s schedule in June. He advised he will work the Township Attorney on getting the ordinance done.

Roger Boyell, 416 Parry Drive, advised that the repaving of North Church Street is excellent. He asked if there is a prohibition on digging up the roadway. Mr. Merchel advised that there is a five-year moratorium, unless there is an emergency.

Mayor Gillespie asked for Closing Comments from Council noting that Council will be entering into Closed Session and it does not anticipate any formal action being taken when it returns to the public meeting. She advised that the public may stay of the call for adjournment when it returns, should it wish. Mayor Gillespie further advised that since Council will be simply adjourning when it returns to the public meeting the live streaming will be stopped at this time.

CLOSING COMMENTS BY COUNCIL:

All thanked the public for their participation.

Mr. Donnelly thanked the Police Department in overseeing a peaceful protest and all that participated in the peaceful protest.

Ms. Napolitano expressed her appreciation to see the boards, committees and staff working together to help the local businesses in these unprecedented times.

Ms. Petriello advised that June 5, 2020 was National Gun Violence Awareness Day. She provided statistics and information on where to learn more.

Mayor Gillespie advised Council does not anticipate taking formal action when it returns to the public meeting; all are welcome to stay on the line.

CLOSED SESSION: At 7:21 p.m., Mayor Gillespie asked for a motion to adopt Resolution CS 06 08 2020 Authorizing Closed Session for purposes of discussing Matters Relating to Litigation, Negotiations and the Attorney-Client Privileges: (Affordable Housing) and Employment Relationship (Personnel).
MOTIONED BY: Mr. Locatell
SECONDED BY: Ms. Petriello
ABSENT: None (Mr. Donnelly did not respond)
VOTE: All in favor

RESOLUTION NO. TCOA CS 06 08 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.
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.

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.

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.

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.

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.

Mayor Gillespie advised that Council shall return to the Official Action portion of the meeting.

At 7:25 p.m., Council entered into closed session.

At 8:42 p.m., Council returned to the public meeting. Due to the sensitivity of the matters, Council had nothing to report.
ADJOURNMENT: At 8:42 p.m., there being no further business, a motion was made to adjourn.

MOTIONED BY: Mr. Locatell
SECONDED BY: Ms. Petriello
ABSENT: None
VOTE: All in favor

PATRICIA L. HUNT, RMC
Township Clerk