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the Open Public Meetings Act
July 3, 2019

**MOORESTOWN TOWNSHIP COUNCIL
MUNICIPAL COMPLEX (COUNCIL CHAMBERS)
111 West Second Street
Moorestown, New Jersey 08057**

AMENDED MEETING NOTICE and AGENDA

**July 8, 2019
6:30 P.M.**

MEETING NOTICE

NOTICE IS HEREBY GIVEN by the Moorestown Township Clerk that the regularly scheduled Workshop and Official Action Meeting of the Moorestown Township Council scheduled for Monday, July 8, 2019 at 7:00 p.m. in the Council Chambers, Town Hall, 111 West Second Street, Moorestown, has been changed.

PLEASE TAKE FURTHER NOTICE that the Workshop Meeting has been cancelled. A Closed Session Meeting will be held from 6:30 P.M. to 7:30 P.M. and the Official Action Meeting will begin at 7:30 P.M.

AGENDA

6:30 P.M. CLOSED SESSION

I. 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 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 3rd day of July, 2019.

II. CLOSED SESSION (Resolution No. CS 07 08 2019)

1. Matters Relating to Litigation, Negotiations and the Attorney-Client Privileges (**Affordable Housing**)

7:30 P.M. OFFICIAL ACTION

III. MOMENT OF SILENCE

IV. FLAG SALUTE

V. DISCUSSION

1. Reports from Members of Council
2. Upcoming Meeting(s) **Municipal Complex - 111 West Second Street**
 - a. July 22, 2019 - 7:00 p.m. (Workshop) 7:30 p.m. (Official Action) (Council Chambers)
 - b. August 5, 2019 - 7:00 p.m. (Workshop) 7:30 p.m. (Official Action) (Council Chambers)
3. Agenda Updates, if necessary
4. Adopting Consent Agenda Resolution No. CA 07 08 2019

VI. PRESENTATIONS AND PROCLAMATIONS

VII. BUDGET ITEMS

ORDINANCE ON SECOND READING

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)** *This ordinance is highly technical in nature and identical to ordinances that are commonly adopted by the overwhelming majority of municipalities that desire to either: (1) adopt a budget that contains an appropriation increase that exceeds the 2.5% appropriation cap (but only up to a maximum of 3.5%), or (2) "bank" for future use, the extent to which their actual budget*

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appropriation increases are less than 3.5%. In the case of Moorestown, the budget being considered for adoption this evening as Budget Resolution 122-2019 contains an appropriation increase of 2.38% (substantially less than the cap established by law) and this ordinance will allow the difference to be “banked” so it can be used if needed in future years. The practice is recognized by rating agencies as being a best practice and helps to preserve the bond rating.

RESOLUTIONS - 2019 BUDGET HEARING AND ADOPTION

1. **120-2019** A RESOLUTION AUTHORIZING THE READING OF THE 2019 BUDGET BY TITLE ONLY *This resolution is a technical requirement under state law and allows further consideration of the budget without reading the entire document into the record. It is not a vote on the budget itself. Virtually all municipalities adopt the budget in this manner.*
2. **121-2019** A RESOLUTION CERTIFYING THE YEAR 2019 BUDGET COMPLIES WITH STATUTORY REQUIREMENTS *Municipalities recognized by the State as being on sound financial footing are permitted to adopt their annual budgets without an examination/pre-approval of the State two of every three years. In the third year, these municipalities then must adhere to a State review of the introduced budget to ensure the municipalities have been complying with strict State requirements that ensure sound budgeting. In the years when State review/pre-approval is not required, the governing body must certify that the budget is in compliance with State laws. Moorestown is recognized by the State as being on sound financial footing and is adopting a budget this year without a State review and preapproval to adopt – hence the need to consider this resolution.*
3. **122-2019** A RESOLUTION ADOPTING 2019 BUDGET *This resolution adopts the 2019 budget. Additional information about the budget can be found by listening to recorded budget hearings and reviewing material posted on the municipal website under the Finance Department.*

VIII. ORDINANCES ON SECOND READING

1. **16-2019** AMENDING CHAPTER 132 OF THE CODE OF THE TOWNSHIP OF MOORESTOWN ENTITLED “PEDDLING, SOLICITING AND TRANSIENT VENDORS” *This ordinance will create a special permitting process for employees of transient vendors (food trucks and other vendors) working at recognized community events. The ordinance would change the current practice which requires the vendor to pay \$75 for each employee working the event and requires the Township Police Department to conduct a background check on each employee. Under this ordinance, the owner/operator of each vendor would still be required to file an application to receive a permit and obtain a background check conducted by the police department. However, owner/operator would, in turn, be required to conduct the background check (the same background check utilized by the police department) of employees working the event and certify that the background checks will be available on the day of the event for inspection. The owner/operator would also be required to certify that no employees with criminal backgrounds would be permitted to work the event without prior notification to the police department and its approval. Permits provided under this section would be good for a single event, but could be renewed within 365 days from the initial permit, for additional events for \$10 each.*

IX. ORDINANCES ON FIRST READING

1. **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. *This ordinance, for introduction only with a Public Hearing scheduled for July 22, 2019, would advance Phase II of the repaving of Borton’s Landing Road from Hartford Road to Creek Road. Of the amount appropriated above, \$250,000 has been awarded to the Township under a local road repaving State grant program administered by the New Jersey Department of Transportation. The grant notice was received earlier this year and is a second grant towards repaving the road.*
2. **18-2019** AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN AMENDING CHAPTER 180 ENTITLED “ZONING” OF THE TOWNSHIP OF MOORESTOWN BY CREATING THE AMF-7 DISTRICT IN FURTHERANCE OF THE FAIR HOUSING ACT *This ordinance, for introduction only with a public hearing scheduled for August 5, 2019, would establish new zoning for the site formerly housing Miles Technology located at the corner of State Highway 38 and Pleasant Valley Avenue. The zoning would be for 76 residential*

units – 75 of which would be restricted for affordable housing and one would be available for an on-sight manager. The zoning change would allow for constitutionally required affordable housing in conformance with a Settlement Agreement with the Fair Share Housing Center.

3. **19-2019** **AMENDING CHAPTER 46 OF THE CODE OF THE TOWNSHIP OF MOORESTOWN ENTITLED ALCOHOLIC BEVERAGES** *This ordinance, proposed for introduction only with a public hearing scheduled for July 22, 2019, makes it clear that the governing body can make exceptions by resolution to an existing ordinance that otherwise generally prohibits alcohol on township property. In the past, a resolution made such an exception for alcohol with respect to the Autumn in Moorestown event though the existing ordinance does not expressly allow for exceptions to be made by resolution. The ordinance is considered a codification and recognition of past practice.*

X. CONSENT AGENDA RESOLUTIONS *(These matters will be considered as a group.)*

1. **123-2019** **AUTHORIZING RENEWAL OF A PLENARY RETAIL CONSUMPTION LICENSE FOR 2019-2020** *This resolution renews a plenary retail consumption license as set forth in the resolution.*
2. **124-2019** **AWARDING A CONTRACT TO MEDIO CONSTRUCTION CO., INC. IN THE AMOUNT OF \$125,196 FOR THE INSTALLATION OF ADA COMPLIANT CURB RAMPS AT VARIOUS STREET INTERSECTIONS IN CONNECTION WITH THE 2018 COMMUNITY DEVELOPMENT BLOCK GRANT** *This resolution awards a contract to the low bidder to make improvements pursuant to the Americans with Disabilities Act. Specifically, improvements would be for curb cuts and improvements making sidewalks more useable for citizens with disabilities. The project is being advanced separately from other road work as there is a September deadline for completion of construction that must be met to receive Community Development Block Grant funding which partially funds the project. Competition for the project was significant with 6 bidders and a good price for the project was obtained.*

XI. OLD MATTERS PROPOSED TO EITHER BE TABLED OR CONTINUED UNTIL JULY 22

The matter below had appeared on prior agendas and appears on this agenda under this heading to let the public know that the substantive matters will be the subject of a future council meeting as noted in the summary explanation appearing below.

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** *This ordinance is listed on the agenda as a continuation item from a prior meeting, but is being proposed to be continued and heard at the July 22 Council meeting to allow time for additional review. It establishes general Township parameters for various affordable housing programs that track State law, affordable housing regulations, and other portions of the Township Code. It was reviewed by the Planning Board which determined it to be consistent with the Master Plan.*

XII. MINUTES

XIII. APPROVAL OF EXPENDITURES

XIV. MANAGER'S REPORT

XV. COMMENTS FROM THE PUBLIC

*Members of the public will be provided an opportunity to comment on matters on and off the agenda. *** Concise comments would be appreciated during the public comment period out of consideration for all in attendance and so everyone wishing to speak will have an opportunity to do so.*

XVI. CLOSING COMMENTS BY COUNCIL

- XVII. ADJOURNMENT** *(It shall be the practice of Council to adjourn all meetings no later than 10 p.m., unless Council shall agree otherwise. Any items on the agenda not addressed may be continued to the next meeting of Council.)*

FORMAL OFFICIAL ACTION MAY BE TAKEN ON ANY ITEM ON THE OFFICIAL ACTION AGENDA

If you require special accommodations, please contact the Municipal Clerk at (856) 235-0912 at least 24 business hours prior to the meeting so that appropriate accommodations may be made.