



ASSISTED LISTENING
AVAILABLE

Notice is being forwarded in accordance with
the Open Public Meetings Act
September 6, 2019

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

AGENDA

September 9, 2019

7:00 P.M.

7:00 P.M. WORKSHOP

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 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 Courier Post and the Philadelphia Inquirer.
 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 6th day of September, 2019.

II. INFORMAL COUNCIL DISCUSSION:

- Presentation addressing Moorestown Field Club's request for a Class C, Club License to sell alcohol to club members and their guests. The club currently permits its members and guests to bring and consume alcohol on the premises.

III. RESIDENT REQUESTS, COMMENTS AND PRESENTATIONS

Members of the public will be provided an opportunity to comment on matters that are not otherwise listed as items to be considered during the "7:30 Official Action" section of the meeting. (See below.) Members of the public wishing to comment on items to be considered during the official action section of the meeting will have an opportunity to do so as those items are considered.

*** 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. At, or about, 7:30, the Council will postpone public comments and begin consideration of the agenda items listed under "7:30 Official Action." Members of the public who have not yet spoken during the public comment period, and who have a desire to do so, will be afforded an opportunity, time permitting, at the conclusion of the Official Action section of the meeting.

7:30 P.M. OFFICIAL ACTION

IV. MOMENT OF SILENCE

V. FLAG SALUTE

VI. DISCUSSION

1. Reports from Members of Council
2. Upcoming Meeting(s) **Municipal Complex - 111 West Second Street**
 - a. September 23, 2019 - 7:00 p.m. (Workshop) 7:30 p.m. (Official Action) (Council Chambers)
 - b. October 7, 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 09 09 2019

VII. PRESENTATIONS AND PROCLAMATIONS

1. Proclamation - Daughters of the American Revolution - Recognize National Constitution Week

VIII. MATTERS OF AFFORDABLE HOUSING

RESOLUTIONS

1. **152-2019 RESOLUTION OF THE TOWNSHIP OF MOORESTOWN AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT OF SALE FOR THE PURCHASE OF REAL PROPERTY KNOWN AS 307 HARPER DRIVE FROM SFA 312 ROUTE 38, LLC**
2. **153-2019 RESOLUTION OF THE TOWNSHIP OF MOORESTOWN APPROVING A SECOND AMENDMENT TO ITS SETTLEMENT AGREEMENT AND FIRST AMENDMENT WITH FAIR SHARE HOUSING CENTER** *The Township has been attempting to acquire property on the corner of Highway 38 and Pleasant Valley Avenue (the Miles Site) for construction of 75 affordable housing units. A comprehensive court-approved settlement requires, in part, the Township to gain site control of a suitable property for that purpose by mid-September. To date, the Township has been unable to come to a satisfactory agreement with the owner of the Miles Site and is now advancing the purchase of an alternative property located at the corner of Harper Drive and East Gate Drive (307 Harper Drive, Block 3201, Lot 3, the Harper Site.) Compared to the Miles Site, the Harper Site has certain advantages. It will likely save taxpayers in excess of \$1 million. The Harper Site has more public transportation options immediately adjacent to it and is closer to employers and amenities which will benefit future residents. The first resolution authorizes the execution of a purchase and sale agreement on terms set forth in a nonbinding letter of intent. The second resolution authorizes the Township to obtain an amendment to its court-approved settlement agreement. Both steps should enable the Township to maintain legal protections against exclusionary zoning lawsuits including builder's remedy litigation.*

ORDINANCE ON SECOND READING

1. **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, would establish new zoning for the site currently 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 onsite manager. Depending on Council action on the resolutions above, the new zoning change in this ordinance may no longer be necessary for the Township to meet its constitutionally required affordable housing opportunities.*

IX. MATTERS PERTAINING TO LENOLA STREETScape PROJECT

ORDINANCE ON SECOND READING

1. **21-2019 AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN, COUNTY OF BURLINGTON, NEW JERSEY APPROPRIATING \$1,500,000 AND AUTHORIZING THE ISSUANCE OF \$500,000 IN BONDS OR NOTES OF THE TOWNSHIP TO BE USED FOR THE LENOLA TOWN CENTER STREETScape IMPROVEMENT PROJECT TOGETHER WITH ALL RELATED EXPENSES** *This ordinance will provide the authorization to fund the costs of construction and engineering with respect to the Lenola Streetscape project. The project costs are fully reimbursable from the Federal Transportation Alternatives Program (TAP) as administered by the New Jersey Department of Transportation. The TAP grant will cover the construction costs as well as the design and engineering for the project. The Federal process for TAP grants is to break it down into three phases; preliminary design, final design, and construction. Each phase will be approved and authorized by Federal Highway. The first phase that was authorized is for design and engineering pursuant to a contract negotiated by NJ DOT and an engineer that is part of their TAP Design Assistance program. At a recent governing body meeting, it was requested that consideration of this ordinance be postponed until a formal approval of the engineering scope of work and extension of the deadline to receive Federal Authorization to proceed with construction have been received. The formal approval of the preliminary engineering phase was received several days after the last council meeting and it establishes a completion date of 2022. Notwithstanding the 2022 completion date authorized in the authorization, it is expected that immediately after enactment of this ordinance and a related resolution awarding a design and engineering contract to McCormick Taylor, design will be expedited and construction will commence in 2020 and be substantially completed by the end of 2020.*

RESOLUTION

1. [151-2019](#) **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** *As noted in the discussion of the ordinance above, this resolution will authorize the execution of an engineering contract necessary to advance the Lenola Towncenter Streetscape project with costs being refundable from the federal government.*

X. ORDINANCES ON FIRST READING

1. [23-2019](#) **AN ORDINANCE AMENDING ORDINANCE NO. 734 "THE MOORESTOWN TOWNSHIP SALARIES AND COMPENSATION ORDINANCE OF 1973," AS AMENDED AND SUPPLEMENTED, BY PROVIDING FOR THE SALARY FOR PATROL OFFICERS, DETECTIVES, CORPORALS, SERGEANTS AND LIEUTENANTS** *Salaries of employees are required to be set forth in ordinance. This ordinance updates the current ordinance for police to reflect a 1.75% salary increase that took effect as of January 1 under a collective bargaining agreement.*
2. [24-2019](#) **AN ORDINANCE AMENDING ORDINANCE NO. 734 "THE MOORESTOWN TOWNSHIP SALARIES AND COMPENSATION ORDINANCE OF 1973," AS AMENDED AND SUPPLEMENTED, BY ESTABLISHING THE TITLE AND SALARY RANGE FOR "CODE ENFORCEMENT OFFICER"** *As noted above, salaries of employees are required to be set forth in ordinance. This ordinance would establish salary parameters for two, part time (no benefits) code enforcement officers funded in the 2019 budget.*

XI. NON-CONSENT AGENDA RESOLUTIONS *(None)*

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

1. [146-2019](#) **APPROVING THE 2018 ANNUAL REPORT OF AUDIT** *The Township's audit covering CY 2018 was completed. Township Manager wishes to congratulate the CFO (Tom Merchel) and financial staff on another clean audit that does not require a corrective action plan. The Township Manager notes that it is very common for local government audits to include findings that require corrective action plans and Moorestown's audits have been free of such findings for a number of years. The audit is a testament to the professionalism and competence of Mr. Merchel and his staff.*
2. [147-2019](#) **AMENDING RESOLUTION NO. 97-2019 AUTHORIZING THE CLOSING OF ROADS IN MOORESTOWN FOR COMMUNITY EVENTS** *Consistent with the public discussion at the August 19 Township Council Meeting, this resolution would authorize a road closure to accommodate a Saturday morning High School Homecoming procession.*
3. [148-2019](#) **AUTHORIZING A ONE-YEAR EXTENSION OF A CONTRACT WITH SNF POLYDYNE INC. FOR DELIVERY AND FURNISHING OF LIQUID POLYMER TO THE WASTEWATER TREATMENT PLANT IN AN AMOUNT NOT TO EXCEED \$30,360 AND TO THE WATER TREATMENT PLANTS IN AN ESTIMATED AMOUNT OF \$21,473.15** *This resolution extends a current contract for the above-referenced product for an additional year at the same price.*
4. [149-2019](#) **AUTHORIZING THE TAX COLLECTOR TO CANCEL AND REFUND TAX AND WATER OVERPAYMENTS** *The tax overpayments are due to State Court Judgments for 2017 and 2018 and the water refund is due to an overpayment made in in error.*

XIII. OLD MATTERS PROPOSED TO EITHER BE TABLED OR CONTINUED UNTIL SEPTEMBER 23rd

The matters below had appeared on prior agendas and appear 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. 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.)*

XIV. MINUTES

1. August 19, 2019 Regular and Closed

XV. APPROVAL OF EXPENDITURES

XVI. MANAGER'S REPORT

XVII. 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.*

XVIII. CLOSING COMMENTS BY COUNCIL

XIX. CLOSED SESSION (Resolution CS 09 09 2019) (if necessary)

XX. 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.