



ASSISTED LISTENING
AVAILABLE

Notice is being forwarded in accordance with
the Open Public Meetings Act
November 15, 2019

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

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, November 18, 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 has been cancelled. Official Action will begin at 6:30 p.m. with a Closed Session from 6:30 p.m. until 7:00 p.m.

AGENDA

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 15th day of November, 2019.

6:30 P.M. CLOSED SESSION

II. CLOSED SESSION (Resolution No. CS 11 18 2019)

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

7:00 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. November 22, 2019 - 8:00 a.m. (Closed Session) (Donut Room)
 - b. November 25, 2019 - 7:00 p.m. (Workshop) 7:30 p.m. (Official Action) (Council Chambers) (May be canceled)
 - c. December 2, 2019 - 7:00 p.m. (Workshop) 7:30 p.m. (Official Action) (Council Chambers)
 - d. December 4, 2019 - 6:00 p.m. (Boards & Committee Dinner) (The Venue at Lenola)
 - e. December 16, 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 11 18 2019
5. 2020 Reorganization Members (discussion concerning vendor selection and appointments process, among other matters with respect to reorganization.)

VI. PRESENTATIONS AND PROCLAMATIONS

1. Proclamation - Challenger Baseball Program
2. Proclamation - Historical Society of Moorestown 50th Anniversary

VII. ORDINANCES FOR SECOND READING

1. **30-2019 A BOND ORDINANCE OF THE TOWNSHIP OF MOORESTOWN, COUNTY OF BURLINGTON, NEW JERSEY APPROPRIATING \$310,000 AND AUTHORIZING THE ISSUANCE OF \$294,500 IN BONDS**

OR NOTES OF THE TOWNSHIP TO BE USED FOR THE PURCHASE OF PUBLIC WORKS VEHICLES AND EQUIPMENT TOGETHER WITH ALL RELATED EXPENSES *This bond ordinance effectuates the purchase of vehicles and equipment proposed and discussed during budget discussions and as set forth in the capital plan in the adopted 2019 budget. Descriptions for vehicles being purchased are included in the ordinance.*

2. **31-2019** A BOND ORDINANCE OF THE TOWNSHIP OF MOORESTOWN, COUNTY OF BURLINGTON, NEW JERSEY APPROPRIATING \$240,000 AND AUTHORIZING THE ISSUANCE OF \$228,000 IN BONDS OR NOTES OF THE TOWNSHIP TO BE USED FOR THE PURCHASE OF POLICE VEHICLES AND EQUIPMENT TOGETHER WITH ALL RELATED EXPENSES *This bond ordinance effectuates the purchase of fuel efficient vehicles; and a mobile traffic sign proposed and discussed during budget discussions and as set forth in the capital plan in the adopted 2019 budget. Descriptions of vehicles, equipment and mobile sign being purchased are included in the ordinance.*
3. **32-2019** AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN, COUNTY OF BURLINGTON, NEW JERSEY APPROPRIATING \$250,000 AND AUTHORIZING THE ISSUANCE OF \$51,500 IN BONDS OR NOTES OF THE TOWNSHIP TO BE USED FOR THE CONSTRUCTION OF A PEDESTRIAN PATH ALONG HAINES DRIVE, ADJACENT TO STRAWBRIDGE LAKE *This bond ordinance would authorize funding through a down payment and bond issuance in the total amount of \$280,000 to fund construction of a 6 foot wide pathway along Strawbridge Lake between Kings Highway and Pleasant Valley. The total construction cost of the pathway is pursuant to the lowest responsive bid among five respondents through competitive bidding. \$200,000 of the project would ultimately be reimbursed to the Township through a county grant.*

VIII. ORDINANCES ON FIRST READING

1. **35-2019** A BOND ORDINANCE OF THE TOWNSHIP OF MOORESTOWN, COUNTY OF BURLINGTON, NEW JERSEY APPROPRIATING \$100,000 AND AUTHORIZING THE ISSUANCE OF \$95,000 IN BONDS OR NOTES OF THE TOWNSHIP TO BE USED FOR PRELIMINARY EXPENSES FOR ENGINEERING AND DESIGN SERVICES TO IMPROVE STORM WATER DRAINAGE IN THE VICINITY OF KENILWORTH AVENUE, LOCUST STREET AND PARK BOULEVARD *This ordinance would provide for preliminary expenses for engineering, design, bidding and permitting services to improve storm water drainage in the vicinity of Kenilworth Avenue, Locust Street and Park Boulevard. The Township recently secured some assistance from Conrail in advancing improvements to the stormwater system. This engineering and design work will help advance a more comprehensive solution as discussed at the last council meeting and will assist in efforts to secure additional assistance from Conrail and other sources as appropriate. A public hearing would be held on December 2, 2019.*
2. **37-2019** AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN, COUNTY OF BURLINGTON, NEW JERSEY APPROPRIATING \$420,000 AND AUTHORIZING THE ISSUANCE OF \$399,000 IN BONDS OR NOTES OF THE TOWNSHIP TO BE USED FOR VARIOUS IMPROVEMENTS ALONG STRAWBRIDGE LAKE, TOGETHER WITH ALL RELATED EXPENSES *This ordinance covers the Dredging of the Children's Pond and Rehabilitation of Haines Drive Stormwater Features. The Children's Pond project would dredge a portion of the lake that captures sedimentation and the Haines Drive project would realign siltation in certain drainage areas into the lake to help prevent, and better control, sedimentation. At a previous council meeting, concerns were raised with respect to potential dredge disposal costs. The project has been bid in a manner that ensured disposal costs must be covered in the competitively procured base bid and costs beyond bid amounts cannot be passed along to the Township. Amounts necessary for construction are less than estimated at a previous council hearing and below engineer refined estimates that were prepared since the that meeting. A public hearing would be held on December 2, 2019.*

IX. ORDINANCES ON FIRST AND SECOND READING & RESOLUTIONS IMPLEMENTING AFFORDABLE HOUSING SETTLEMENT AGREEMENT

1. **25-2019** (2ND Reading) AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN RESCINDING ORDINANCE NO. 22-2018 *This ordinance would rescind a zoning change in 2018 that allowed for a 76-unit, 100% affordable housing community at a site on Highway 38 commonly referred to as "the Pennrose Site" (Block 4801, Lot 12). The zoning would revert to what was in place prior to affordable housing being permitted.*
2. **190-2019** RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MOORESTOWN SETTING FORTH REASONS FOR ADOPTING ORDINANCE 25-2019 NOTWITHSTANDING THE PLANNING BOARD'S FINDING OF INCONSISTENCY WITH THE MASTER PLAN

3. **33-2019** (2nd Reading) 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 zoning with respect to 17.8 acres of property located on Centerton Road (**Block 8801, Lot 3.01, the Diocese Site**) next to the Burlington County Agricultural Center. There is no assigned street address to the property. The zoning would allow construction of 83 town houses, 17 of which would be restricted affordable housing.*
4. **189-2019** RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MOORESTOWN SETTING FORTH REASONS FOR ADOPTING ORDINANCE 33-2019 NOTWITHSTANDING THE PLANNING BOARD’S FINDING OF INCONSISTENCY WITH THE MASTER PLAN
5. **34-2019** (2nd Reading) AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN AMENDING CHAPTER 180 ENTITLED “ZONING” OF THE TOWNSHIP OF MOORESTOWN BY RECREATING THE AMF-1 DISTRICT IN FURTHERANCE OF THE FAIR HOUSING ACT *This ordinance would establish zoning with respect to property located at the corner of Harper Drive and East Gate Drive (**307 Harper Drive, Block 3201, Lot 3, the Harper Site.**) The zoning would allow construction of 75 affordable housing units and a unit reserved for a manager of the property.*
6. **188-2019** RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MOORESTOWN SETTING FORTH REASONS FOR ADOPTING ORDINANCE 34-2019 NOTWITHSTANDING THE PLANNING BOARD’S FINDING OF INCONSISTENCY WITH THE MASTER PLAN
7. **38-2019** (1st Reading) AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN AMENDING CHAPTER 180 ENTITLED “ZONING” OF THE TOWNSHIP OF MOORESTOWN BY CREATING THE LTC-O DISTRICT IN FURTHERANCE OF THE FAIR HOUSING ACT *This ordinance would establish zoning with respect to property located at 200 W. Camden Avenue (**Block 1200, Lots 5 and 6, the Lenola Shopping Center Site.**) The zoning would allow construction of 60 housing units, 20% (12) of which would have to be restricted as affordable housing. The housing could not be in addition to existing structures and could only be constructed as part of an overall improvement and renovation of the entire site. A public hearing would be held on December 16, 2019.*
8. **36-2019** (1st Reading) AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN, COUNTY OF BURLINGTON, NEW JERSEY APPROPRIATING \$1,835,000 AND AUTHORIZING THE ISSUANCE OF \$1,743,000 IN BONDS OR NOTES OF THE TOWNSHIP TO BE USED FOR THE ACQUISITION OF REAL PROPERTY LOCATED ON BLOCK 3201, LOT 3; KNOWN AS 307 HARPER DRIVE, TO MEET THE TOWNSHIP’S CONSTITUTIONALLY REQUIRED AFFORDABLE HOUSING OBLIGATION *This ordinance would make available funding to support the acquisition of property necessary to advance the project set forth in Ordinance 34-2019 (above.) The purchase price is \$1.8 million and additional funding are necessary for various legal fees. Debt service on the bonds would first be charged to the Affordable Housing Trust which is supported by developer fees. A public hearing would be held on December 2, 2019.*
9. **39-2019** (1st Reading) AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN AUTHORIZING THE ACQUISITION OF REAL PROPERTY KNOWN AS BLOCK 3201, LOT 3 IN THE TOWNSHIP OF MOORESTOWN *This Ordinance would authorize the Township to purchase real property designated as Block 3201, Lot 3 on the official tax map of the Township, and commonly known as **307 Harper Drive, consisting of approximately 3.12 acres,** which has been identified as the intended location of the municipally sponsored 100% affordable community referred to in the Amended Settlement Agreement with Fair Share Housing Center. The ordinance is technically required, in addition to the funding ordinance separately considered above. A public hearing would be held on December 2, 2019.)*

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

1. **176-2019** A RESOLUTION OF THE TOWNSHIP OF MOORESTOWN AUTHORIZING THE EXECUTION OF AN ACCESS, USE RESTRICTION & PROPRIETARY CONTROLS AGREEMENT BETWEEN THE TOWNSHIP OF MOORESTOWN AND PPG INDUSTRIES INC. TO PERMIT ACTIVITIES WITHIN THE PUBLIC RIGHT OF WAY ALONG 356 CRIDER AVENUE IN ORDER TO PERMIT COMPLIANCE WITH CLEAN UP AT THE PULVERIZING SERVICES SITE *Responsible parties who clean up contamination under USEPA’s supervision (superfund sites) are required to obtain an access agreement to perform investigation activities on property owned by someone else. Consistent with this requirement, the responsible party for the Pulverizing Site requested consent of the township to establish additional testing capacity adjacent to, or on, Township rights of way. The additional testing is being directed by EPA to make certain that past*

remediation efforts have been successful as is anticipated. Under the agreement, Moorestown agrees to refrain from: preventing the testing from advancing; using the ROW in any manner EPA determines will pose an unacceptable risk to human health or environment; and using site-related contaminated groundwater.

2. **[177-2019](#) AUTHORIZING THE TAX COLLECTOR TO CANCEL PROPERTY TAXES FOR 2019** *This resolution allows for property tax exemption for a Totally Disabled Veteran pursuant to NJSA 54:4-3.30 et seq.*
3. **[178-2019](#) ACKNOWLEDGING TOWNSHIP COUNCIL'S REVIEW OF SALARIES FOR THE BOARD OF FIRE COMMISSIONERS OF FIRE DISTRICT NO. 1 FOR THE PERIOD JANUARY 1, 2020 THROUGH DECEMBER 31, 2020** *State law regarding compensation for members of boards of fire commissioners states that compensation for members of the board of fire commissioners must be reviewed by the governing body wherein the fire district is located. The Commissioners have approved compensation of \$2,700 annually for their services which is the same level of compensation as 2019, and this resolution indicates the compensation has been reviewed by the governing body.*
4. **[179-2019](#) AUTHORIZING CONTRACT CHANGE ORDER NO. 1 IN THE NET DECREASE AMOUNT OF \$4,015.12 IN CONNECTION WITH THE 2017 ROAD RECONSTRUCTION PROGRAM** *This Resolution accounts for adjusted cost increases/decreases of quantity adjustments per contract for a total contract decrease amount of \$4,015.12.*
5. **[180-2019](#) AUTHORIZING THE EXPENDITURE OF \$13,319.57 FROM THE AFFORDABLE HOUSING TRUST FUND FOR CONSULTING SERVICES RELATED TO THE DEVELOPMENT AND IMPLEMENTATION OF A HOUSING PLAN FOR MOORESTOWN TOWNSHIP, BURLINGTON COUNTY (JEFFREY R. SURENIAN & ASSOCIATES, LLC)** *This resolution authorizes payments related to Jeffrey R. Surenian & Associates, LLC, the Township's Affordable Housing Attorneys, to be paid by the Township. The bills were reviewed and approved by the Director of Community Development and by the Low and Moderate Income Housing Oversight Committee.*
6. **[182-2019](#) AUTHORIZING THE CANCELLATION OF CERTAIN WATER AND SEWER CHARGES** *This Resolution reflects utility adjustments due to either a leaking fixture or a misreading.*
7. **[183-2019](#) APPROVING CONTRACT CHANGE ORDER NO. 2 IN THE AMOUNT OF \$8,052.63 FOR THE 2016 AND 2017 MUNICIPAL AID PROGRAM – IMPROVEMENTS TO BORTON LANDING ROAD PROJECT** *This Resolution accounts for additional items to complete this project approved by the Director of Public Works for a total of \$8,052.63. Items include stormwater issues at the corner of Main Street and Borton Landing Road and additional line striping.*
8. **[184-2019](#) A RESOLUTION AUTHORIZING CHARGES FOR POLICE SERVICES REQUESTED BY THIRD PARTIES** *This Resolution establishes a \$2 per hour fee increase for third party (utility companies, etc) projects necessitating traffic services from the police department. The increase reflects the recent 1.75% pay increase for officers that was agreed to as part of the 2019 collective bargaining agreement and will ensure that third parties pay for the costs of their traffic control.*
9. **[185-2019](#) ACKNOWLEDGING TOWNSHIP COUNCIL'S REVIEW OF SALARIES FOR THE BOARD OF FIRE COMMISSIONERS OF FIRE DISTRICT NO. 2 FOR THE PERIOD JANUARY 1, 2020 THROUGH DECEMBER 31, 2020** *Similar to Resolution 178 above, this resolution indicates the compensation for Fire Commissioners in Fire District 1 will remain unchanged from the prior year.*
10. **[186-2019](#) AWARDING A CONTRACT TO SHORE TOP CONSTRUCTION CO. IN THE AMOUNT OF \$195,586 FOR STRAWBRIDGE LAKE PEDESTRIAN PATH – PHASE I** *This Resolution awards the contract for the Strawbridge Lake Pedestrian Path – Phase I to the lowest responsible bidder, Shore Top Construction Co., 207 Squankum Road, Farmingdale, New Jersey 07727 in the amount of \$195,586. These costs will be reimbursed through a County grant.*
11. **[187-2019](#) A RESOLUTION AUTHORIZING 2019 BUDGET APPROPRIATION TRANSFERS** *Consistent with State law allowing for end of year financial transfers, this Resolution transfers monies from accounts that have excess funds to accounts that are projected to have insufficient funds to cover projected expenses for the calendar year. Certain accounts have available funds available due to budget controls (management of legal spending) and available salary balances (a planned central reserve account and hiring for new positions that was slower than anticipated at the time the budget was adopted.) Funds are being transferred in minor amounts to appropriately allocate the central salary reserve to specific accounts and in a larger amount to the Accumulated Leave Trust which provides for budget certainty and stability. The Utility budget transfer is to provide monies above those anticipated necessary to purchase water from NJAWCO due to the*

North Church Street being under construction and Kings Highway plant meeting annual permitted capacity.

XI. MINUTES

XII. APPROVAL OF EXPENDITURES

XIII. MANAGER'S REPORT - Best Practices Discussion

XIV. COMMENTS FROM THE PUBLIC

*Members of the public will be provided an opportunity to comment on matters on 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.*

XV. CLOSING COMMENTS BY COUNCIL

XVI. CLOSED SESSION (Resolution CS 11 18 2019) (if necessary)

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.