

TOWNSHIP OF MOORESTOWN  
TOWNSHIP COUNCIL  
OFFICIAL ACTION MEETING

May 20, 2019

The Regular Meeting of the Moorestown Township Council was called to order by Mayor Petriello at Town Hall, Council Chamber, 111 West Second Street, Moorestown at 7:01 p.m. Attendance was as follows:

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

Thomas H. Neff, Township Manager  
Patricia L. Hunt, Township Clerk  
Kevin E. Aberant, Jr., Township Solicitor

**MAYOR'S STATEMENT:** At 7:01 p.m., Mayor Petriello 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 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 17<sup>th</sup> day of May, 2019.

**INFORMAL COUNCIL DISCUSSION:** Representatives from Bach Associates and Princeton Hydro will present an overview of ongoing, and proposed, Strawbridge Lake improvement projects.

Chris L. Mikolajczyk, Senior Aquatic Scientist and Certified Lake Manager, Princeton Hydro, provided a history on the environmental work that has taken place at Strawbridge Lake since 2014 (analysis, monitoring, submittal of a water shed management plan, Chinese knotweed treatment and removal of spatterdock). He advised that his firm has obtained the necessary permits from the New Jersey Department of Environmental Protection (NJDEP) to begin work at the Children's Pond (dredging and restoration) and Haines Drive (storm water improvements) and the bid specifications have been prepared. A proposal for spatterdock removal and herbicide treatment has been submitted. Discussion was held on the safety and environmental effects of herbicides. Mr. Mikolajczyk advised that all applications are approved by the NJDEP. Mayor Petriello asked if there was an alternative to the proposed herbicides; Mr. Mikolajczyk advised he would check. Mr. Locatell asked why there was such a wide spread in the (cost) range (\$100,000-\$300,000) for the dredging of the Children's Pond. Much discussion was held on this

matter. Mr. Mikolajczyk advised it was due to transportation costs, depending on the trucking company, costs could vary greatly. Mr. Locatell did not agree and strongly suggested that the cost estimate be tightened up prior to bidding.

Mr. Donnelly asked that Council be provided with the cost difference for the planned herbicide use, if same was replaced with removal of the plant instead of herbicide treatment.

Steven Bach, President, Bach Associates, addressed Council concerning the construction of the pedestrian path (Kings Highway to Pleasant Valley Avenue) to be installed at Strawbridge Lake (Phase I). He sought direction regarding the width of the path, i.e. a six-foot path at the cost of \$197,500 or an eight-foot path at the cost of \$235,800. Mr. Neff noted that the grant received is for \$200,000. Much discussion was held on the use of the path (pedestrian, not bicycles). Mr. Locatell noted that the eight-foot path is more costly, those costs will continue throughout the future phases and maintenance of the path. In closing, the majority was in favor of a six-foot path; Mayor Petriello and Ms. Gillespie favored an eight-foot path. No decision was made.

#### **RESIDENT REQUESTS, COMMENTS AND PRESENTATIONS:**

Mayor Petriello noted the time and advised that if anyone has comments concerning Strawbridge Lake they will have opportunity during the official action meeting during comment periods concerning items on the agenda and the lake respectively.

#### **7:30 P.M. OFFICIAL ACTION**

**MOMENT OF SILENCE and FLAG SALUTE:** At 7:33 p.m., the Official Action meeting began with a moment of silence and the flag salute.

#### **DISCUSSION**

Reports from Members of Council:

Mr. Locatell advised that the improvements at the water treatment plants are moving along nice and on schedule. He felt the projects would be delivered on time. He advised that the Environmental Advisory Committee met; they are doing good work.

Ms. Napolitano reported on the upcoming Open Space Advisory Committee and Sustainable Moorestown meetings. She advised on the upcoming annual Memorial Day Ceremony at Memorial Field and the Relay for Life event on June 7. She encouraged all to attend.

Ms. Gillespie advised that the Recreation Advisory Committee met; the Recreation Department has expanded its summer program; the Mission Voice 5K Run raised \$40,000 for the Special Needs Program; the Summer Concert Series begins June 3<sup>rd</sup>; and the SMASH program is being held at the middle school. Ms. Gillespie advised that the Telecommunications and Technology Committee met. It has been working with staff on how the web is used and how to better communicate with the residents. Training for web posting was held for the staff.

Mr. Donnelly advised that the Economic Development Advisory Committee would be submitting proposed amendments to the Township's vendor ordinance to make it less cumbersome. He also advised that the committee is examining how to improve the commercial zones to achieve one-hundred percent leasing.

Mayor Petriello advised that the Moorestown Business Association (MBA) has committed to matching funds (up to \$25,000) provided from the Township for visual improvements to Main Street. She advised that the Appearance Committee has been working to advance some suggestions regarding various sidewalk improvements. Mayor Petriello advised that the Tree Planting and Preservation Committee is seeking volunteers to assist with tree trimming.

Mayor Petriello read the upcoming meetings aloud:

1. Upcoming Meeting(s) Municipal Complex – 111 West Second Street
  - a. June 10, 2019 - 7:00 p.m. (Workshop) 7:30 p.m. (Official Action) (Council Chambers)
  - b. June 24, 2019 - 7:00 p.m. (Workshop) 7:30 p.m. (Official Action) (Council Chambers)
2. Agenda Updates, if necessary: None.
4. Adopting Consent Agenda Resolution No. CA 05 20 2019: Mayor Petriello asked for a motion to adopt the consent agenda resolution.

MOTIONED BY: Ms. Gillespie  
SECONDED BY: Ms. Napolitano  
VOTE: All in favor

**RESOLUTION APPROVING CONSENT AGENDA  
CA 05 20 2019**

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.

**PRESENTATIONS AND PROCLAMATIONS:** None.

### **STRAWBRIDGE LAKE MATTERS**

**ORDINANCES ON SECOND READING:** The Township Manager read Ordinance 5-2019 on second reading by title.

5-2019 AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN, COUNTY OF BURLINGTON, NEW JERSEY APPROPRIATING \$760,000 AND AUTHORIZING THE ISSUANCE OF \$532,000 IN BONDS OR NOTES OF THE TOWNSHIP TO BE USED FOR VARIOUS IMPROVEMENTS ALONG STRAWBRIDGE LAKE, TOGETHER WITH ALL RELATED EXPENSES

Mr. Locatell asked, in light of the fact that there are unanswered questions, if first reading could be held until the next meeting. Mr. Neff said there is no urgency and it was actually suggested that the ordinance be broken out into two separate ordinances (path being its own). There was discussion.

Mayor Petriello opened the public hearing.

Tom McDonald advised that he jogs the lake and Cooper River. He said Cooper River is much busier than the lake and suggested that Council go there and get a feel for the comfort level; he believes theirs is six-foot.

Valerie Holmes, 217 Whittier Avenue, felt that a six-foot wide path would be adequate. She inquired about the proposed herbicides to be used in the lake and how they will affect the fish life. Discussion was held. Mr. Mikolajczyk advised that the treatment was approved by the NJDEP.

Monique Begg, 209 Parry Drive, expressed concern with the use of herbicides and recommended plant removal instead.

Chet Dawson, 909 Heritage Road, felt that bidders for the Children's Pond will keep the cost of the transportation and disposal of the sediment at a minimum in order to submit a competitive bid. He advised that the spraying of herbicides was suggested as a way to minimize the costs (because the plants keep growing back).

Pamela Richards, 304 Colonial Avenue, expressed her opposition to the pedestrian path due to the impact on an already troubled storm water management system; the toxicities in asphalt

(runoff); and the maintenance required. She expressed her dismay with the fact that the cost estimates were so unclear and advised that visuals would be helpful. She thought Council should split the ordinances.

Kathy Samuels, 406 Park Boulevard, inquired about the grant received and the ability for environmental grants. Discussion was held. She felt Princeton Hydro needed to provide a tighter estimate on the cost of the dredging. Mr. Mikolajczyk advised that the estimate was a ball park number generated at the beginning stages. Mr. Locatell took exception to his comment noting he previously said it was due to the unknowns of transport costs. He said he wants the number drilled down. Mayor Petriello asked if there were time constraint concerns with regard to completing the project in line with the grant requirements. Mr. Neff did not think so, but said the Township could request an extension.

There were no further comments. Council held a brief discussion.

Ms. Napolitano made a motion to continue the public hearing until the June 10, 2019 meeting.

MOTIONED BY: Ms. Napolitano  
SECONDED BY: Ms. Gillespie  
VOTE: All in favor

**NON-CONSENT AGENDA RESOLUTIONS:** The Township Manager read the resolution by title.

1. PUBLIC HEARING - 95-2019 AUTHORIZING FUNDING IN THE AMOUNT OF \$35,000 FROM THE "MOORESTOWN OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION TRUST FUND" TO BE USED FOR ENVIRONMENTAL IMPROVEMENTS AT STRAWBRIDGE LAKE

Mayor Petriello opened the public hearing for Resolution 95-2019.

There being no comment, Mayor Petriello asked for a motion to close the public hearing.

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

Mayor Petriello asked for discussion or a motion to adopt the resolution.

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

The Township Manager read the resolution by title.

2. 96-2019 AWARDING A CONTRACT TO PRINCETON HYDRO, LLC IN THE AMOUNT OF \$35,000 FOR VEGETATION CONTROL SERVICES AT STRAWBRIDGE LAKE

Mayor Petriello opened the floor for public comment. There being none, the floor was closed.

Mayor Petriello asked for discussion or a motion to adopt the resolution.

MOTIONED BY: Ms. Gillespie

SECONDED BY: Mr. Locatell

Mr. Donnelly advised that he had asked for an estimate without herbicides. Ms. Napolitano noted same could delay the project and suggested they report back. Mr. Neff indicated that staff will check into an alternative.

ROLL CALL VOTE: All in favor

## **AFFORDABLE HOUSING MATTERS**

**ORDINANCES ON SECOND READING:** The Township Manager read Ordinance 7-2019 on second reading by title.

1. 7-2019 AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN AMENDING CHAPTER 180 ENTITLED "ZONING" BY REVISING DEFINITIONS, ARTICLE XIA, THE L-MR DISTRICT AND CREATING THE AMF-2 DISTRICT IN FURTHERANCE OF THE FAIR HOUSING ACT

Mayor Petriello opened the public hearing.

Kathy Samuels, 406 Park Boulevard, suggested that Council provide maps for the public when discussing affordable housing. She felt that the placement of affordable housing in town was skewed and was disappointed that the properties set aside for affordable housing years ago were not used. She felt that same was a disservice to the town and not in concert with the spirit of the law.

There being no further comment, Mayor Petriello asked for a motion to close the public hearing.

MOTIONED BY: Mr. Locatell

SECONDED BY: Ms. Gillespie

VOTE: All in favor

Mayor Petriello asked for discussion or a motion to adopt the ordinance on second reading.

Mayor Petriello advised that there were some recommendations from Michelle Taylor, Planning Board professional, which were not incorporated into the proposed ordinance. Mr. Neff advised that the Planning Board reviewed the ordinance for consistency with the Master Plan. Ms. Taylor made some ancillary suggestions. However, staff is not recommending the suggestions be incorporated; a developer can seek things outside of the ordinance, if they wish.

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

The Township Manager read Ordinance 8-2019 on second reading by title.

2. 8-2019 AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN AMENDING CHAPTER 180 ENTITLED "ZONING" OF THE TOWNSHIP OF MOORESTOWN BY CREATING THE AMF-5 DISTRICT IN FURTHERANCE OF THE FAIR HOUSING ACT

Mayor Petriello opened the public hearing.

Mary Porter, 332 East Central Avenue, inquired about the number of dwellings. Mr. Aberant answered her questions.

Michelle Jackson, 218 North Church Street, asked about the location of the site. She was advised. Mr. Locatell said Council will do a better job at informing the public on the site locations. Ms. Napolitano suggested including the street address in the description.

Valerie Holmes, 217 Whittier Avenue, felt affordable housing was dumped in one area of town and that the senior housing proposal was like a segregation camp. Discussion was held. Ms. Holmes felt there was segregation. Discussion was had on water, sewer and traffic. Mr. Locatell noted that the intervenors picked the sites, not the Township.

Marcia Samuels 407 Park Avenue, felt affordable housing is supposed to be spread throughout the town, not grouped in a section or building. Mr. Locatell noted there is only one development that is one-hundred percent affordable housing; the rest are inclusive. Ms. Gillespie agreed that most are inclusionary and a difference cannot be seen. She noted that there is not a lot of land left to develop and this was handed down through the court.

Edwin Begg, 209 Parry Drive, advised that a picture would have been helpful. He asked for clarification on the location of the AMF-2 and 5 zones. Same was given.

There being no further comment, Mayor Petriello asked for a motion to close the public hearing.

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

Mayor Petriello asked for discussion or a motion to adopt the ordinance on second reading.

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

**ORDINANCES ON FIRST READING:** The Township Manager read Ordinance No. 9-2019 on first reading by title.

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

Mayor Petriello asked for discussion or a motion to introduce the ordinance on first reading and set the public hearing date for June 10, 2019 at 7:30 p.m.

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

The Township Manager read Ordinance No. 10-2019 on first reading by title.

1. 10-2019 - AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN AMENDING CHAPTER 180 ENTITLED "ZONING" OF THE TOWNSHIP OF MOORESTOWN BY REVISING ARTICLE XIA TO CREATE THE AMF-4 DISTRICT IN FURTHERANCE OF THE FAIR HOUSING ACT

Mayor Petriello asked for discussion or a motion to introduce the ordinance on first reading and set the public hearing date for June 10, 2019 at 7:30 p.m.

Mr. Aberant advised that there were some minor corrections made this afternoon and the changes were forwarded to Council.

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

The Township Manager read Ordinance No. 11-2019 on first reading by title.

1. 11-2019 - AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN AMENDING CHAPTER 180 ENTITLED "ZONING" OF THE TOWNSHIP OF MOORESTOWN BY CREATING THE AMF-6 DISTRICT IN FURTHERANCE OF THE FAIR HOUSING ACT

Mayor Petriello asked for discussion or a motion to introduce the ordinance on first reading and set the public hearing date for June 10, 2019 at 7:30 p.m.

Mr. Aberant advised that there were some minor technical changes (non-substantive) made this afternoon. Council was familiar with those minor technical changes.

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

### ROUTINE MATTERS

**ORDINANCES ON SECOND READING:** The Township Manager read Ordinance 6-2019 on second reading by title.

1. 6-2019 AMENDING CHAPTER 56 (CONSTRUCTION CODES, UNIFORM), ARTICLE I (UNIFORM CONSTRUCTION CODES), SECTION 56-3 ENTITLED FEES; REPORTS

Mayor Petriello opened the public hearing. There being no comment, Mayor Petriello asked for a motion to close the public hearing.

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

Mayor Petriello asked for discussion or a motion to adopt the ordinance on second reading.

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

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

1. **94-2019** AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE FOR WALTON FARM (WF DELRAN, LLC) PRELIMINARY AND FINAL MAJOR SUBDIVISION APPROVAL HARTFORD ROAD (BLOCK 7500, LOT 1)
2. **97-2019** AMENDING RESOLUTION NO. 60-2019 AUTHORIZING THE CLOSING OF ROADS IN MOORESTOWN FOR COMMUNITY EVENTS
3. **98-2019** AUTHORIZING THE EXPENDITURE OF \$70,047.05 FROM THE AFFORDABLE HOUSING TRUST FUND FOR CONSULTING SERVICES RELATED TO THE DEVELOPMENT AND IMPLEMENTATION OF A HOUSING PLAN FOR MOORESTOWN TOWNSHIP, BURLINGTON COUNTY (CLARKE CATON HINTZ)

4. **99-2019** AUTHORIZING THE EXPENDITURE OF \$17,242.51 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)
5. **100-2019** AUTHORIZING THE EXPENDITURE OF \$1,187.50 FROM THE AFFORDABLE HOUSING TRUST FUND FOR SPECIAL COURT MASTER SERVICES RELATED TO THE DEVELOPMENT AND IMPLEMENTATION OF A HOUSING PLAN FOR MOORESTOWN TOWNSHIP, BURLINGTON COUNTY (JOHN MACZUGA, P.P. AICP OF JDM PLANNING ASSOCIATES, LLC)
6. **102-2019** AUTHORIZING THE TAX COLLECTOR TO REFUND TAXES
7. **103-2019** AUTHORIZING THE CANCELLATION OF CERTAIN WATER AND SEWER CHARGES
8. **104-2019** AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE FOR CANTON FAMILY PARTNERS EAST THIRD STREET AND BORTON LANDING ROAD (BLOCK 6001, LOT 22)
9. **105-2019** APPOINTING McMANIMON SCOTLAND & BAUMANN LLC AS UTILITY AND STORMWATER LEGAL COUNSEL AND AUTHORIZING AWARD OF A CONTRACT FOR 2019

Mayor Petriello opened the floor for public comment. There being no comment, the floor was closed.

Mayor Petriello commended Surenian concerning the detail provided in their bills. In connection with the performance bond releases, Mayor Petriello asked that the tree list provided by the Tree Planting and Preservation Committee be used on future projects; noting one of these projects had ash trees (problem tree) on the plan. Discussion on the road closing resolution was had. Mayor Petriello asked Council to consider adding the Halloween Parade. Mr. Neff advised of the dates (October 20, Rain date-October 27), times (3pm-6pm), and location (between Church Street and Chester Avenue). Mayor Petriello asked those present from the Newcomers Club to come forward. A brief discussion on candlelight night was had. Annette McGuire, 54 East Central Avenue, advised that some events will be combined, but they do not want the road to be closed. The President of the Moorestown Newcomers and Neighbors and Tinamarie Brigante, board member, 815 Fernwood Road, who is in charge of the Halloween parade, addressed Council. She advised that the route has been approved by Chief Lieber. She advised what has been done to date, including the creation of a website (HalloweenMoorestown.com); everything, at this point, is a work in progress. She advised that they are sponsoring the parade in partnership with the MBA. She advised of the activities that are planned.

Mr. Locatell asked if the bills from Clarke Caton Hintz in connection with affordable housing were approved by the committee. Mr. Zappasodi advised, they were, with reservation. Mr. Locatell said there were occasions when corrections to ordinances had to be made and he does not want to pay for corrections when the ordinance should have read what Council directed in the first place. Mr. Neff advised that staff shares his concerns and a meeting has been arranged and a credit will be sought. Mr. Locatell expected staff to drill down on this issue.

Mayor Petriello asked for a motion to adopt the resolutions, with the revision to Resolution No. 97-2019 (adding the Halloween Parade).

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

**MINUTES:** Mayor Petriello advised that the minutes were given to Council today and she had not had adequate time to review them. She asked for a motion to continue the minutes until the June 10, 2019 meeting.

1. May 6, 2019 Regular, Special and Closed Session
2. May 15, 2019 Special/Budget Workshop and Closed Session

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

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

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

**MANAGER'S REPORT:** Mr. Neff advised that the construction at the water treatment plants is on schedule. He commended Mr. Locatell and advised that Mr. Locatell's knowledge and involvement has been very helpful.

**COMMENTS FROM THE PUBLIC:** Greg Gravenstine, 7 Haines Drive, Strawbridge Beautification Committee, advised that the committee is engaging two officers this year for their event, which is about \$1,000. He advised that the committee is non-profit; the monies raised are used for lake improvements; and he asked that Council fund the officers, if possible.

Tom McDonald 301 Kenwood Drive, advised that he lives by Memorial Park. He provided a handout (cover letter, current petition (over 400 signatures), a petition from 1992, a draft ordinance and letter from the American Legion supporting their position). He read aloud from the petition. He advised that all residents that were asked signed the petition and all are completely against last year's proposal.

Roberta Scott, 303 Kenwood Drive, said the residents want Council to do whatever is necessary to prohibit last year's proposal and any further discussion on the topic. She asked that Council move the proposed ordinance (no high intensity lighting and preserve memorials and fields) forward. Mr. Aberant, upon questioning, advised that a future Council could change it. Discussion

was held. Ms. Scott acknowledged that nothing is foolproof and times change, but it would be a service to the veterans and the residents.

Monique Begg, 209 Parry Drive, agreed with moving forward with the ordinance as suggested by the residents. She spoke in favor of affordable housing, the opportunities it provides and the people that need the opportunity.

Fred Sutherland, 417 North Church Street, said he agrees with the people about the lights. He suggested putting that issue, as well as, the speed limit on North Church Street on the ballot.

Carol Radomsky, 6 Meadowview Drive, advised that there are conditions to the Township's alternative site (to the Pennrose site), i.e., if the Township cannot build on the Pennrose site. She said this condition leaves the innocent residents being sued and a four-story building being plopped in their neighborhood. She asked why the Township could not let Pennrose build on the Miles site. She wanted closure on this matter. Discussion was held. Mr. Aberant advised that he will be updating Council in closed session on the case management conference that was held.

Kathy Sutherland, 417 North Church Street, supported the proposed ordinance for Memorial Field submitted by the residents. She asked for a status update on the Maybury site. Mr. Aberant advised that Council cannot discuss specific sites; however, there has been no change to the prior plan. She was in favor of the Pennrose site, noting there are twelve houses involved and only four of them directly affected.

**CLOSING COMMENTS BY COUNCIL:**

All thanked everyone for coming out. All were wished a safe Memorial Day weekend.

**CLOSED SESSION** - Resolution No. CS 05 20 2019 (if necessary): Session - Matters Relating to Litigation, Negotiations and the Attorney-Client Privileges (Affordable Housing)

At 9:26 p.m., Mayor Petriello asked for a motion to adopt Resolution CS 05 20 2019 Authorizing Closed Session for purposes of discussing Matters Relating to Litigation, Negotiations and the Attorney-Client Privileges (Affordable Housing).

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

**RESOLUTION NO. TCOA CS 05 20 2019  
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 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.

\_\_\_\_\_(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.

  X  (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.

\_\_\_\_\_ (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 9:30 p.m., Council entered into closed session.

At 9:55 p.m., Council returned to the public meeting. Due to the sensitivity of the matters, Council had nothing to report.

**ADJOURNMENT:** At 9:55 p.m., there being no further business, a motion was made to adjourn.

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

PATRICIA L. HUNT, RMC  
Township Clerk