

TOWNSHIP OF MOORESTOWN
TOWNSHIP COUNCIL
OFFICIAL ACTION MEETING

December 12, 2022

(This meeting was held in-person and virtually/telephonically)

The Regular Meeting of the Moorestown Township Council was called to order by Mayor Gillespie at 7:00 p.m. at Town Hall, Council Chamber, 111 West Second Street, Moorestown. Attendance was as follows:

Nicole Gillespie, Councilmember
Sue Mammarella, Councilmember
Quinton Law, Councilmember
Jake Van Dyken, Councilmember
David Zipin, Councilmember

Kevin E. Aberant, Township Manager
Patricia L. Hunt, Township Clerk
Douglas Heinold, Township Solicitor

CALL TO ORDER: At 7:00 p.m., Mayor Gillespie read the Open Public Meetings Act statement in full, as printed on the agenda.

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 agenda on the bulletin board at the Municipal Complex.
 2. Filing a copy of the agenda in the office of the Township Clerk at the Municipal Complex.
 3. Emailing a copy of the 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 December 9, 2022.

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

ROLL CALL: Mayor Gillespie took roll call; all were present.

PROCLAMATIONS & PRESENTATIONS:

1. Proclamation presented to Charles Robinson, III who turned 103 years old. Mayor Gillespie advised she presented the following proclamation to Mr. Robinson prior to the meeting which was requested by his family to reduce exposure to the public.

PROCLAMATION

WHEREAS, Charles Nash Robinson, III is being honored by friends and family on the occasion of his 103rd birthday on December 15, 2022; and

WHEREAS, Charles grew up in Camden where his family had been living since 1868; Charles' grandfather had purchased the home following his service in the Civil War; Charles'

grandfather was a 33rd degree Mason, an honorary award bestowed upon Scottish Rite Freemasons who have made major contributions to society or Freemasonry; and

WHEREAS, Charles attended Whittier Elementary, Hatch Junior High and Camden High School all located in Camden New Jersey; and

WHEREAS, coming from a long line of teachers, Charles proceeded to graduate from Glassboro University with a Bachelor of Science Degree as a certified teacher; and

WHEREAS, Charles served during World War II with the 578th Field Artillery Battery overseas and participated in the Battle of the Bulge and was honorably discharged in October of 1945; and

WHEREAS, once Charles returned from the war, teaching jobs were scarce so Charles continued to work for the U.S. Post Office where he worked while attending college; he continued to work there for over 20 years; and

WHEREAS, Charles' wife, Cora, as well as close friends, encouraged Charles to seek employment as a teacher; before doing so, he completed his Master's Degree at Temple University in Philadelphia and after being a school counselor for 22 years, finally retired; and

WHEREAS, Charles, even though retired, served as Chairman of the Membership Committee and as a member of the Board of Directors for the Philadelphia Public School Retired Employees Association.

THEREFORE, BE IT PROCLAIMED that the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey, does hereby deem it an honor and pleasure to extend this Proclamation of Recognition to Charles Nash Robinson, III on the occasion of his 103rd birthday, with sincere congratulations and best wishes for many more happy years.

Given, under my hand and the Seal of the Township of Moorestown this 12th day of December 2022. Nicole Gillespie, Mayor

2. Proclamation presented to Scott McCleery in appreciation of Township volunteerism.

Mayor Gillespie commended Mr. McCleery noting that he is always the man behind the scene. Mr. McCleery does an amazing job in providing sound system equipment and control at Township events; he is a true volunteer, she said. Mayor Gillespie read the proclamation aloud and presented same to Mr. McCleery with much gratitude for all he does. Mr. McCleery said he does it because he can. He spoke proudly of his great aunt, Annie Harrington, who was a resident of and teacher in Moorestown and principal of Mary E. Roberts School. She did a lot of volunteer work and he is proud to walk in her footsteps.

PROCLAMATION

WHEREAS, Scott McCleery is a dedicated volunteer to the Department of Parks and Recreation as well as a Board Member of MoorArts; and

WHEREAS, Scott handles all sound and lighting for numerous township events donating hundreds of hours of his time every year; and

WHEREAS, Scott's time and energy is utilized in helping with events including the Memorial Day Service, Summer and Fall Concert Series, Rotary food truck fundraising events, the Children's Summer Theatre, as well as several Teen Cafes; and

WHEREAS, Scott doesn't stop with his time, he also donates monetarily by purchasing all new microphones for the Children's Summer Theatre; and

WHEREAS, Scott has had a very significant role in affecting the quality of events in town and creating memories for many Moorestown families.

NOW, THEREFORE, BE IT PROCLAIMED, that the Township Council recognizes Scott McCleery and encourages all citizens to celebrate this day by following in Scott's footsteps in service to their community.

Given under my hand and seal of the Township of Moorestown this 12th day of December, 2022. Nicole Gillespie, Mayor

3. Proclamation- Board and Committee Members Appreciation Week:

Mayor Gillespie announced that Council held its annual dinner to honor board and committee members. She read the proclamation into the record. Those members present came up to receive their proclamation and said a few words. She thanked all those that have served and that continue to serve.

PROCLAMATION

WHEREAS, the Township of Moorestown has a renowned reputation for its community spirit, safe neighborhoods and abundance of beauty and history; and

WHEREAS, the Township of Moorestown is an exceptional community in which many aspire to live and raise a family; and

WHEREAS, such an acknowledgment does not come by chance, but rather, it is achieved by way of time and dedication from its residents, who continuously volunteer their time serving on Boards and Committees, in an endless effort, to improve the quality of life for their children and to maintain the community's distinct character; and

WHEREAS, it is through these volunteer members that Moorestown is able to preserve its stature and improve the way of living for its citizens and businesses; and

WHEREAS, the Township Council of the Township of Moorestown wishes to honor, thank and publicly recognize those who have served, and those who continue to serve on the various Boards and Committees.

NOW, THEREFORE, I hereby proclaim,

the Week of December 12, 2022
Moorestown Board and Committee Members Appreciation Week

and we call upon the people of Moorestown to take heart to the words of Sir Winston Churchill, *“We make a living by what we get, but we make a life by what we give”* and, in your travels, thank those Board and Committee Members who serve our community so diligently and unselfishly.

Given under my hand and seal of the Township of Moorestown this 12th day of December in the Year of our Lord, Two Thousand Twenty Two. Nicole Gillespie, Mayor

DISCUSSION

Reports from Members of Council:

Mr. Law echoed Mayor Gillespie’s comments concerning the volunteers noting their work is a testament to what Moorestown is. He reported that he attended the Community House Tree Lighting Ceremony and a celebration held by the Moorestown Jewish Association.

Mr. Zipin also echoed Mayor Gillespie’s comments concerning the volunteers noting that it is their tremendous dedication and work that helps to keep this town moving forward. He thanked all and wished all Happy Holidays.

Mr. Van Dyken said it was a pleasure participating in the Holiday Parade; it was a great time. He thanked all for attending. He also commented on the wonderful tree lighting event. He wished all a safe and healthy holiday season.

Ms. Mammarella commented on the holiday parade, saying it was a lot of fun. She thanked all who make it happen each year. She noted what a joyous event the tree lighting ceremony was. She thanked all those who volunteer. Ms. Mammarella announced that the Appearance Committee meeting for December was cancelled. She thanked everyone for the work they do on behalf of the town.

Mayor Gillespie reported that the Economic Development Advisory Committee has its final meeting of the year, tomorrow. She thanked the Lyons Club and Pete Thorndike for the Holiday parade festivities noting although the weather was poor, all had a great time. Mayor Gillespie announced that a parking space for disabled veterans has been designated at Memorial Field and at Town Hall. She noted that Ms. Mammarella lead the charge this past year on getting the Township named as a veterans’ friendly town.

Upcoming Meeting(s): Mayor Gillespie read the upcoming meetings aloud.
January 9, 2023 – 7:00 p.m. (Reorganization)
January 23, 2023 – 7:00 p.m. (Official Action)

Agenda Updates: None.

Adopting Consent Agenda Resolution No. CA 12 12 2022: Mayor Gillespie asked for a motion to adopt the Consent Agenda.

MOTIONED BY: Mr. Law
SECONDED BY: Mr. Zipin
ABSENT: None
VOTE: All in favor

RESOLUTION APPROVING CONSENT AGENDA CA 12 12 2022

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:
_____ c. Requests that all matters on the Consent Agenda be handled separately.

MANAGER'S REPORT: Mr. Aberant reported:

- Mr. Merchel, Chief Finance Officer, has provided Council with the 2022 Refunding Bond Report. He noted that despite what is currently happening with interest rates, Mr. Merchel was able to save the Township \$695,000 over the next ten years. Mayor Gillespie expressed her gratitude for his work.

- The Township will be receiving a \$113,000 watershed restoration grant that will allow Princeton Hydro to perform spatterdock removal at Strawbridge Lake.
- Leaf removal is on schedule and the street sweepers will be coming through very soon.
- All departments are budget planning for next year. A Faulkner Act Budget Hearing was held.
- A preconstruction meeting for the Lenola Town Center Improvements project will be held next Monday.
- Retrofitting lights with LED lighting is ongoing.

ORDINANCES ON SECOND READING: The Township Manager read Ordinance 24-2022 by title.

24-2022 AUTHORIZING AMENDMENT TO CHAPTER 175 OF THE CODE OF THE TOWNSHIP OF MOORESTOWN TO REVISE CERTAIN WATER AND SEWER RATES

Mayor Gillespie opened the public hearing; there were no comments.

Mayor Gillespie asked for a motion to close the public hearing.

MOTIONED BY: Ms. Mammarella
SECONDED BY: Mr. Zipin
ABSENT: None
VOTE: All in favor

Mayor Gillespie asked for discussion by Council. In response to Mr. Van Dyken's question, Mr. Aberant advised that rates were last adjusted beginning with the second quarter of 2020. Mr. Van Dyken indicated that, while he understands the purpose behind increasing the rates, he also recognizes the economic climate all are in right now and he has a concern with the figures that he sees.

Mayor Gillespie asked for a motion to adopt the ordinance on second reading.

MOTIONED BY: Mr. Zipin
SECONDED BY: Ms. Mammarella
ABSENT: None
ROLL CALL VOTE: All in favor, with exception of Mr. Van Dyken, who voted no

The Township Manager read Ordinance 25-2022 by title.

25-2022 AMENDING CHAPTER 6 OF THE CODE OF THE TOWNSHIP OF MOORESTOWN ENTITLED "ADMINISTRATION OF GOVERNMENT" TO MODIFY VARIOUS BOARDS AND COMMITTEES

Mayor Gillespie opened the public hearing.

Fred Sutherland, 417 North Church Street, asked that the ordinance be held until the committee he chairs has an opportunity to discuss it. Mayor Gillespie advised that they did discuss it on at least three occasions. Mr. Sutherland expressed concern with oversight of the trust fund noting the committee processes expenditures over \$10,000. Mayor Gillespie did not foresee any expenditures over \$10,000 and noted there is no law that requires the oversight committee. Mr. Aberant advised that all expenditures are presented to Council for approval. Mayor Gillespie reminded Mr. Sutherland that Council does not feel there is a need for monthly meetings and, if and when an issue arises which Council seeks input, it will convene a committee in connection with same.

Kathy Sutherland, 417 North Church Street, expressed concern with filling the boards and committees with just professionals, noting a mixture of experience is necessary. She urged Council to be more inclusive.

Mayor Gillespie asked for a motion to close the public hearing.

MOTIONED BY: Mr. Law
SECONDED BY: Ms. Mammarella
ABSENT: None
VOTE: All in favor

Mayor Gillespie asked for discussion by Council; there was none.

Mayor Gillespie asked for a motion to adopt the ordinance on second reading.

MOTIONED BY: Ms. Mammarella
SECONDED BY: Mr. Law
ABSENT: None
ROLL CALL VOTE: All in favor

The Township Manager read Ordinance 26-2022 by title.

26-2022 AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN, COUNTY OF BURLINGTON, NEW JERSEY APPROPRIATING \$1,820,000 AND AUTHORIZING THE ISSUANCE OF \$1,729,000 IN BONDS OR NOTES OF THE TOWNSHIP TO BE USED FOR THE 2023 ROADS RESURFACING PROGRAM

Mayor Gillespie opened the public hearing; there were no comments.

Mayor Gillespie asked for a motion to close the public hearing.

MOTIONED BY: Mr. Zipin
SECONDED BY: Mr. Van Dyken
ABSENT: None
VOTE: All in favor

Mayor Gillespie asked for discussion by Council. Mr. Law asked how the roads are selected. Mr. Aberant advised that the Engineer performs an assessment; creates a hierarchy; and discusses same with the Director Public Works. Mr. Law noted that it seems that most of the roads are in the same neighborhood.

Mayor Gillespie asked for a motion to adopt the ordinance on second reading.

MOTIONED BY: Mr. Zipin
SECONDED BY: Ms. Mammarella
ABSENT: None
ROLL CALL VOTE: All in favor

The Township Manager read Ordinance 27-2022 by title. This includes utility work in addition to road resurfacing work.

27-2022 AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN, COUNTY OF BURLINGTON, NEW JERSEY APPROPRIATING \$1,360,000 AND AUTHORIZING THE ISSUANCE OF \$1,292,000 IN BONDS OR NOTES OF THE TOWNSHIP TO BE USED FOR THE RECONSTRUCTION OF A PORTION OF WEST CENTRAL AVENUE, TOGETHER WITH ALL RELATED EXPENSES

Mayor Gillespie opened the public hearing.

Fred Sutherland, 417 North Church Street, asked for a description of the location. He was advised Mill Street to Dawson Street. Mr. Sutherland asked why the other side of West Central was not being done. Mr. Aberant advised that he will look into it.

Mayor Gillespie asked for a motion to close the public hearing.

MOTIONED BY: Mr. Zipin
SECONDED BY: Ms. Mammarella
ABSENT: None
VOTE: All in favor

Mayor Gillespie asked for discussion by Council. Mr. Law requested that traffic calming be worked into the design (this was previously brought up in a listening session on speeding). Mr. Aberant said he would look into it. Mr. Law asked if the street behind Locust Street is West Central, it is worth a discussion to see what can be done; there are tons of potholes. Ms. Mammarella agreed.

Mayor Gillespie asked for a motion to adopt the ordinance on second reading.

MOTIONED BY: Mr. Zipin
SECONDED BY: Mr. Law
ABSENT: None
ROLL CALL VOTE: All in favor

The Township Manager read Ordinance 28-2022 by title.

28-2022 AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN, COUNTY OF BURLINGTON, NEW JERSEY APPROPRIATING \$340,000 AND AUTHORIZING THE ISSUANCE OF \$323,000 IN BONDS OR NOTES OF THE TOWNSHIP TO BE USED FOR THE RECONSTRUCTION OF PANCOAST AVENUE, TOGETHER WITH ALL RELATED EXPENSES

Mayor Gillespie opened the public hearing; there were no comments.

Mayor Gillespie asked for a motion to close the public hearing.

MOTIONED BY: Mr. Zipin
SECONDED BY: Mr. Law
ABSENT: None
VOTE: All in favor

Mayor Gillespie asked for discussion by Council; there was none.

Mayor Gillespie asked for a motion to adopt the ordinance on second reading.

MOTIONED BY: Ms. Mammarella
SECONDED BY: Mr. Zipin
ABSENT: None
ROLL CALL VOTE: All in favor

ORDINANCES ON FIRST READING: None.

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

250-2022 AWARDING A CONTRACT FOR TREE REMOVAL PRIORITY 1 (\$82,950) AND PRIORITY 2 (\$11,800), TRIMMING (\$325/HR) AND EMERGENCY (\$450/HR) SERVICES TO HYPERION TREE SERVICE

251-2022 AWARDING A CONTRACT TO ALS GROUP USA CORP D/B/A ALS ENVIRONMENTAL FOR LABORATORY TESTING FROM JANUARY 1, 2023 THROUGH DECEMBER 31, 2024 IN THE AMOUNT OF \$66,040.50 PER YEAR

252-2022 AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE AFFORDABLE HOUSING TRUST FUND FOR SERVICES RECEIVED IN CONNECTION WITH THE DEVELOPMENT AND IMPLEMENTATION OF A HOUSING PLAN FOR MOORESTOWN TOWNSHIP, BURLINGTON COUNTY (SURENIAN, JDM PLANNING ASSOCIATES LLC)

253-2022 RESOLUTION OF THE TOWNSHIP OF MOORESTOWN AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH COMMUNITY FOUNDATION OF SOUTH JERSEY ON BEHALF OF THE JACK HANNON FULL THROTTLE FUND AND MOORESTOWN YOUTH BASEBALL FEDERATION, INC.

254-2022 AUTHORIZING THE TOWNSHIP OF MOORESTOWN TO ENTER INTO A GRANT AGREEMENT WITH THE STATE OF NEW JERSEY, DEPARTMENT OF ENVIRONMENTAL PROTECTION, FOR THE 2022 NJUCF STEWARDSHIP GRANT– REFORESTATION AND TREE PLANTING GRANT IDENTIFIER – UCF– 2022-012

255-2022 AUTHORIZING THE CANCELLATION OF 2022 UTILITY BUDGET UNEXPENDED APPROPRIATION BALANCE

256-2022 A RESOLUTION TO CANCEL PRIOR YEARS OUTSTANDING CHECKS

257-2022 AUTHORIZING THE TRANSFER OF \$100,000 FROM THE 2022 CURRENT BUDGET APPROPRIATION FOR SNOW REMOVAL TO THE SNOW REMOVAL RESERVE TRUST FUND

258-2022 AUTHORIZING THE TAX COLLECTOR TO REFUND 4th (PARTIAL) QUARTER PROPERTY TAXES (726 N STANWICK ROAD)

259-2022 AUTHORIZING THE TAX COLLECTOR TO REFUND 4th (PARTIAL) QUARTER PROPERTY TAXES (245 SPRINGHOUSE LANE)

260- 2022 AUTHORIZING THE CANCELLATION OF WATER CHARGES

261-2022 AUTHORIZING THE TAX COLLECTOR TO REFUND TAXES

262-2022 AUTHORIZING THE CANCELLATION OF CERTAIN UNEXPENDED IMPROVEMENT AUTHORIZATION BALANCES IN THE GENERAL AND UTILITY CAPITAL FUNDS

Mayor Gillespie opened the floor to the public.

Will Creeley, 15 Somers Avenue, acknowledged he has two young children and full respect for the Hannon Family noting their hurt and loss. Mr. Creeley advised that his property backs up to the field. He raised several concerns with the potential lack of use, proposed design, location, signage, artificial turf, maintenance, ultimate responsibility for the park and associated costs, etc. Discussion was held. In closing, Council appreciated his comments.

Mayor Gillespie asked for discussion by Council. Ms. Mammarella asked for clarification on Resolution 251-2022; Mr. Aberant advised testing is required by law on utilities.

Mayor Gillespie asked for a motion to adopt the resolutions.

MOTIONED BY: Ms. Mammarella
SECONDED BY: Ms. Zipin
ABSENT: None
ROLL CALL VOTE: All in favor

MINUTES: October 24, 2022 Official Action and Closed Session; November 28, 2022 Official Action; and December 5, 2022 Boards and Committee Dinner Meeting: Mayor Gillespie asked for comment or a motion to approve the minutes.

MOTIONED BY: Mr. Zipin
SECONDED BY: Mr. Law
ABSENT: None
ABSTENTION: Mr. Van Dyken on November 28, 2022 and December 5, 2022
ROLL CALL VOTE: All in favor

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

MOTIONED BY: Mr. Zipin
SECONDED BY: Mr. Van Dyken
ABSENT: None
ROLL CALL VOTE: All in favor

COMMENTS FROM THE PUBLIC (Items listed on and/or off the Agenda):

Roberta Scott, 303 Kenwood Drive, (with regard to the whiffle ball field) felt that Council was not taking public input; it seemed to be a decided matter. She said it is a wonderful memorial but there are concerns. She noted that the residents went through this about five years and the concern at that time was that there was no public input sought out before decisions were made. She felt the design was out of character with the environment. She asked who picked the location. Mr. Aberant advised that the family met with the Recreation Advisory Committee (RAC); the Director of Recreation scouted locations; and based upon the committee and director's recommendation, the site was selected. Ms. Scott expressed her concerns with lack of

communication with the surrounding neighbors and the design. She was advised that the matter has been discussed at several Council meetings and RAC meetings. Discussion was held. In closing, Ms. Scott asked that the signage be reevaluated; she indicated that it looks like Disney World in a natural space.

Craig Scott, 303 Kenwood Drive, felt the residents in the area should have been notified and given more information. He felt the proposal was out of character for the area. Discussion was held. Mr. Scott asked for the process to stop and that Council seek public input.

There being no further comment, the floor was closed.

CLOSING COMMENTS BY COUNCIL:

Mr. Law advised that he voted yes from the beginning and he has spoken with the Moorestown Youth Baseball Federation. He noted that the costs are covered; lighting is not proposed; it is a public and private partnership at no cost to the taxpayers; and he trusts that the family is invested in the field. However, he does feel that that the Township can do better on the community input aspect, like it did with the surrounding residents of Yancy Adams park, where there was community outreach. With regard to the amount of usage of the fields, he said that other leagues may want to rent the field.

Mr. Zipin wished all happy holidays.

Mr. Van Dyken advised that he too voted in favor of the field; he thought it was a good addition. He said, however, that in hearing from the residents, and having lived in town, across from the park, for the past seventeen years, the picture he sees is out of sorts for the park and perhaps it could be toned down. He said he is not second guessing his decision, he feels it is a good addition and a unique opportunity; a destination-type place; but, he does recognize the residents' concerns and that it is a little out of character. He advised that he will reach out to Director Miller to determine the status of the leagues and get clarification on the signage. He wished all happy holidays.

Although she felt it will be a successful project, Ms. Mammarella agreed with Mr. Law in that Council could have a bit more discussion with the residents, especially in light of the fact that it is not urgent. She noted there is a landscape architect on the Appearance Committee. She wished all happy holidays.

Mayor Gillespie thanked the Hannon Family for the generous donation noting it is a huge gift to the town. She felt it will be a good addition and use of public space. She suggested that Mr. Aberant see if the family is open to discussion. She wished all happy holidays and hoped to see all at the reorganization meeting.

CLOSED SESSION (IF NECESSARY) (RESOLUTION NO. CS 12 12 2022): Mayor Gillespie asked for a motion to adopt Resolution CS 12 12 2022 Authorizing Closed Session for purposes of discussing Matters Relating to Litigation, Negotiations and the Attorney-Client Privileges (Township v. Pulverizing Services, Inc.).

MOTIONED BY: Mr. Van Dyken
SECONDED BY: Mr. Law
ABSENT: None
ROLL CALL VOTE: All in favor

**RESOLUTION NO. TCOA CS 12 12 2022
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.

Mayor Gillespie advised that there will be no formal action when Council returns to the public; noting, however, all are welcomed to stay.

At 8:24 p.m., Council entered into closed session.

At 8:55 p.m., Council returned to the public meeting. Due to the sensitivity of the matters, Council had nothing to report.

ADJOURNMENT: At 8:55 p.m., there being no further business, a motion was made to adjourn.

MOTIONED BY: Mr. Van Dyken
SECONDED BY: Mr. Law
ABSENT: None
VOTE: All in favor

PATRICIA L. HUNT, RMC
Township Clerk