

TOWNSHIP OF MOORESTOWN
TOWNSHIP COUNCIL
OFFICIAL ACTION MEETING

April 25, 2022

(This meeting was held in-person and virtually/telephonically due to COVID-19)

The Regular Meeting of the Moorestown Township Council was called to order by Mayor Gillespie at 7:03 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 7:03 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 April 22, 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. Unified Basketball Team Proclamation: The team members and coach joined the Mayor as she read the proclamation aloud. Mayor Gillespie expressed everyone's pride for the team and what they accomplished. The Coach thanked Council and community for their support noting how very special the team is. He congratulated the team.

PROCLAMATION

Whereas, Unified Sports was founded in 2008 as a part of the Special Olympics Unified Champion Schools, which was dedicated to promoting social inclusion through shared sports training and competition experiences; and

Whereas, about 1.4 million people worldwide take part in Unified Sports, breaking down stereotypes about people with intellectual disabilities in a positive and fun way. Unified Sports are now in more than 4500 elementary, middle, and high schools in the United States; and

Whereas, Unified Sports serve as one of the strongest global youth leadership networks in bringing inclusive programming to communities across the world; and

Whereas, Unified Sports has truly changed the game for students who might never have the opportunity to play on a competitive team. This school year has had the most Unified players in the history of Special Olympics; and

Whereas, the Moorestown Unified Varsity Basketball team finished their undefeated season with a state championship by beating Hunterdon Central with a final score of 38-15.

NOW, THEREFORE BE IT PROCLAIMED that the Township Council celebrates Moorestown's Unified Varsity Basketball team as New Jersey state champions, and recognizes them as role models for teamwork, dedication, and inclusion in our community.

Given, under my hand and the Seal of the Township of Moorestown this 25th day of April in the Year of Our Lord Two Thousand Twenty Two. Nicole Gillespie, Mayor

2. Ramadan Eid Al Fitr Proclamation: Mayor Gillespie complimented the Muslim community noting its continual support. She read the proclamation aloud. A woman representative read a statement into the record. In closing, she thanked Council for its support; provided a thorough explanation of Ramadan and wished all peace and blessings.

PROCLAMATION

Whereas, Ramadan is the holiest month of the Islamic calendar, during which families and communities come together for prayers and spiritual reflection; and

Whereas, Ramadan follows the lunar cycle, it lasts 29-30 days, depending on when the next crescent moon is seen; and

Whereas, the month is observed by fasting each day from sunrise to sunset, including the pre-fast meal, Suhoor, and the breaking of the fast, Iftar. The Iftar is celebrated in festive gatherings, with different cultures having their own rich practices and traditions; and

Whereas, Eid al-Fitr commemorates the end of the fasting month of Ramadan. An occasion for special prayers, family visits, gift-giving and charity, it takes place over one to three days, beginning on the first day of Shawwal, the tenth month in the Islamic calendar; and

Whereas, the Muslim Federation of South Jersey has led multiple community service efforts here in Moorestown and throughout South Jersey. This past year, they have led countless clothing and supply donation drives to help hundreds of Afghan refugees located in New Jersey; and

Whereas, the Township of Moorestown hereby stands together with Muslims in our community and beyond in celebrating Ramadan and Eid al-Fitr this year.

NOW, THEREFORE BE IT PROCLAIMED that the Township Council recognizes Saima Bhutta and the Muslim Federation of South Jersey for their service to our community, and hereby commemorates the holidays of Ramadan and Eid al-Fitr in Moorestown, and recognizes them as role models for teamwork, dedication, and inclusion in our community.

Given, under my hand and the Seal of the Township of Moorestown this 25th day of April in the Year of Our Lord Two Thousand Twenty Two. Nicole Gillespie, Mayor

DISCUSSION

Reports from Members of Council: Mr. Law thanked all for coming out tonight in support of the proclamations being presented. Mr. Law expressed his appreciation to the County for the installation of the crosswalks that is occurring on Camden Avenue noting what a difference in appearance the improvement makes. Mr. Law advised that he attended Daffodil Day on Main Street. He expressed his appreciation for the great turnout, the vendors and the fact that it appears that things may be returning to normal (people out and about shopping and attending community events).

Mr. Zipin echoed Mr. Law's comments. He expressed his appreciation for the ordinance on the agenda, which provides funding for the purchase of a portion of the Flying Feather Farm (outside of the farm stand area). He noted that it has been several years since there has been an addition to the township's open space inventory; he hoped it would remain preserved for many years to come.

Mr. Van Dyken expressed his appreciation for the progress being made at Percheron Park noting the contractor is working diligently. He too complimented Daffodil Day.

Ms. Mammarella reported that the Appearance Committee reviewed a very preliminary plan of an apartment complex that is going up on the east end of town. She congratulated and complimented the basketball team and Muslim community. She was also excited about the open space acquisition.

Mayor Gillespie expressed her enthusiasm about the open space acquisition noting it has been talked about for approximately ten years. Mayor Gillespie announced that Republic Bank will be giving out free shopping bags in furtherance of the plastic bag ban that is to begin in New Jersey on May 4. She also advised that in light of the Year of the Environment there will be a plastic bag collection. If the Township hits its benchmark and enough bags are collected, the bags

will be recycled and used to make a bench to be placed in town. The Economic Development Advisory Committee meets tomorrow. The committee is working on its charter and finalizing the business section of its website. The Low and Moderate Income Oversight Committee meets on May 3.

Upcoming Meeting(s): Mayor Gillespie read the upcoming meetings aloud.
May 9, 2022 – 7:00 p.m. (Official Action)
May 23, 2022 – 7:00 p.m. (Official Action)

Agenda Updates: None.

Adopting Consent Agenda Resolution No. CA 04 25 2022: Mayor Gillespie asked for a motion to adopt the Consent Agenda.

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

RESOLUTION APPROVING CONSENT AGENDA CA 04 25 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:

- Personnel
 - Robert Walker, a 20-year employee, who works at the sewage treatment plan will be retiring; someone will be replacing him.
 - Walt Walczak has been appointed, by him, as Provisional Chief of Police. Chief Walczak has been with the Police Department for over twenty years, most recently as Lieutenant. Mr. Aberant expressed his confidence in Chief Walczak noting he is very capable and well qualified. Mr. Aberant advised that with the appointment of Chief, others in the department will be promoted in the near future.
- The Township and Police Department are aware of an ongoing noise issue that is happening and that has been reported on by residents. He advised that the noise (loud bass/thumping music/sound) is coming from Philadelphia. The Police Department, along with surrounding police departments have been working with the Philadelphia Police Department. The Township's abilities are limited; the police are working to see how the matter can be addressed.
- Council held a budget workshop last week at which time it requested that the Director of Parks and Recreation attend the next budget workshop. He advised that the May 9 agenda is light and suggested adding a budget workshop under discussion as part of the regular meeting. Council had no objections.

ORDINANCES ON SECOND READING: The Township Manager read Ordinance 3-2022 by title.

3-2022 AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN, COUNTY OF BURLINGTON, NEW JERSEY APPROPRIATING \$900,000 AND AUTHORIZING THE ISSUANCE OF \$460,750 IN BONDS OR NOTES OF THE TOWNSHIP TO BE USED FOR IMPROVEMENTS TO COX ROAD AND MCELWEE ROAD, TOGETHER WITH ALL RELATED EXPENSES (NOTE-The Township Engineer will be present for the continuation of the public hearing; a short presentation will be given, then the engineer will be available to answer questions.)

Mayor Gillespie advised that the public hearing, held on March 28 and April 11, has been closed. Mr. Aberant advised that, since the last meeting, Ken Shine and Don Lloyd met with residents of McElwee Road to show them what was being envisioned and proposed. The residents are looking for the opportunity to have input in process going forward and the Township can accommodate that request. He advised that usually the Township just moves forward with a project (design and bidding). However, he suggested that, in this case, rather than just moving forward, Council add design review to a future agenda (when the engineer is at the fifty percent design mark and again prior to bid) as a discussion item; at that time, Pennoni can present the plan and address any questions or concerns. He advised of some of the suggestions that were made by the residents, when meeting with staff.

Mayor Gillespie turned the meeting over for Council comment/discussion/deliberation.

Mr. Law asked if Council can adopt the bond ordinance and ultimately not move forward with the project, should things go south. Mr. Aberant said, yes.

Mr. Zipin asked if the bond ordinance provides the tools (funding) necessary to do the engineering work and without that, Council would not be in a position of knowledge to know whether this project is appropriate or not. He asked how does the Township separate the bond from the grant. Mr. Aberant advised that same can be discussed with the engineer but he feels that the Township will be able to accommodate the requests of the residents.

Ms. Mammarella advised that she has driven and walked the road; it is a beautiful scenic road. She appreciated the residents pride in the road and felt that the engineer will come up with a plan to minimize the negative effects and maintain the scenic integrity, while maintaining safety; something all can live with and like. She thanked the public for their input.

Mr. Van Dyken remarked that the area is quite beautiful. He stated that, as stated at the last meeting, safety and liability are his first concerns for “all” that use that road. However, he felt that allowing the residents involvement during the road design phase is an excellent compromise. He appreciated everyone’s efforts in working through the issues.

Mayor Gillespie thanked all for their input, noting all are not unified; there is debate, but all can agree that the road needs to be repaved.

Mr. Law reminded everyone that there will be two more opportunities for public input on the design. His number one priority is making sure the scenic character of the road is preserved. He looked forward to the public information sessions.

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

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

The Township Manager read Ordinance 5-2022 by title. Mr. Aberant gave an explanation.

5-2022 AMENDING CHAPTER 53 ENTITLED “CERTIFICATE FOR CHANGE IN OCCUPANCY/OWNERSHIP” OF THE CODE OF THE TOWNSHIP OF MOORESTOWN

Mayor Gillespie opened the public hearing.

Harry Mayer, 349 East Second Street, asked for clarification on the survey (and marker) requirements. Mr. Aberant advised.

Fred Sutherland, 417 North Church Street, suggested requiring a ladder fire truck to enter properties to ensure it can reach the house in case of a fire. Mr. Aberant advised that same would be a suggestion for the fire department; he will pass it on to them.

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: The Township Manager read Ordinance 6-2022 by title. Mr. Aberant advised this ordinance authorizes the funding to purchase a portion of the Flying Feather Farm property.

6-2022 AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN, COUNTY OF BURLINGTON, NEW JERSEY APPROPRIATING \$998,000 AND AUTHORIZING THE ISSUANCE OF \$948,100 IN BONDS OR NOTES OF THE TOWNSHIP TO BE USED FOR THE ACQUISITION OF REAL PROPERTY KNOWN AS A PORTION OF 621 GARWOOD ROAD, ALSO KNOWN AS BLOCK 7000, LOT 12

Mayor Gillespie asked for a motion to introduce the ordinance on first reading and set the public hearing date for May 9, 2022 at 7:00 p.m.

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

The Township Manager read Ordinance 7-2022 by title. Mr. Aberant advised this ordinance authorizes the Township to acquire the property.

7-2022 AUTHORIZING THE ACQUISITION OF REAL PROPERTY KNOWN AS A PORTION OF 621 GARWOOD ROAD, ALSO KNOWN AS BLOCK 7000, LOT 12, AND COMMONLY KNOWN AS A PORTION OF THE FLYING FEATHER FARM

Mayor Gillespie asked for a motion to introduce the ordinance on first reading and set the public hearing date for May 9, 2022 at 7:00 p.m.

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

The Township Manager read Ordinance 8-2022 by title. Mr. Aberant advised that there was a subdivision application and there is storm sewer that goes through the property. The Planning Board imposed a condition for the easement.

8-2022 AUTHORIZING THE ACCEPTANCE OF A GRANT OF EASEMENT FOR A 20' WIDE STORM SEWER EASEMENT IN FAVOR OF THE TOWNSHIP OF MOORESTOWN ON A PORTION OF PROPERTY IDENTIFIED ON THE MUNICIPAL TAX MAP AS BLOCK 6000, LOT 37 (108 BORTON LANDING ROAD) IN SATISFACTION OF A CONDITION IMPOSED BY THE PLANNING BOARD IN CONNECTION WITH A MINOR SUBDIVISION APPROVAL

Mayor Gillespie asked for a motion to introduce the ordinance on first reading and set the public hearing date for May 9, 2022 at 7:00 p.m.

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

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

Mayor Gillespie opened the floor for public comment.

127-2022 AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE POSTED FOR THE "PHASE I MOORESTOWN MALL EXPANSION" APPROVED JANUARY 7, 1999 (BLOCK 3000, LOTS 2, 3 AND 5) TO ROUSE MOORESTOWN, INC.

128-2022 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 (CLARKE CATON HINTZ)

129-2022 AWARDING A CONTRACT IN THE ESTIMATED ANNUAL AMOUNT OF \$31,000 TO UNIVAR SOLUTIONS USA INC. FOR THE PURCHASE AND DELIVERY OF HYDROGEN PEROXIDE 35% SOLUTION FOR USE AT THE NORTH CHURCH STREET WATER TREATMENT PLANT

130-2022 AUTHORIZING THE CANCELLATION OF WATER & SEWER CHARGES

Mayor Gillespie opened the floor to the public.

Harry Mayer, 349 East Second Street, thanked Council for its patience with the Flying Feather Farm acquisition.

Mayor Gillespie asked for discussion by Council. Mr. Law expressed his appreciation for the open space acquisition moving forward.

Mayor Gillespie asked for a motion to adopt the resolutions.

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

MINUTES: April 11, 2022 Official Action and April 18, 2022 Budget Workshop:

Mayor Gillespie asked for discussion or a motion to approve the April 11, 2022 minutes.

MOTIONED BY: Mr. Van Dyken
SECONDED BY: Mr. Zipin
ABSENT: None
ROLL CALL VOTE: All in favor, with the exception of Mayor Gillespie, who abstained.

Mayor Gillespie asked for discussion or a motion to approve the April 18, 2022 minutes.

MOTIONED BY: Ms. Mammarella
SECONDED BY: Mr. Law
ABSENT: None
ROLL CALL VOTE: All in favor, with the exception of Mr. Zipin, who abstained.

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):

Harry Mayer, 349 East Second Street, complimented the new crosswalks on North Church Street and asked if the same could be done in certain areas on Pleasant Valley Avenue and Kings Highway. Mayor Gillespie said they could look into it. Mr. Mayer said that 40 mph on Camden Avenue is too fast and the speed limit should be lowered.

There being no further comment, the floor was closed.

CLOSING COMMENTS BY COUNCIL:

All members of Council complimented and congratulated Chief Walczak.

Mr. Zipin thanked Mr. Aberant for addressing the noise issue. He advised how it has interrupted his sleep. He expressed his excitement over the open space acquisition noting that a lot of effort has been put in by the Open Space Advisory Committee and it has been a long process.

Ms. Mammarella expressed her excitement with the progress of Percheron Park and she is looking forward to its completion and meeting with friends at “the horse.”

Mayor Gillespie extended Council appreciation and congratulations to Robert Walker on his retirement.

CLOSED SESSION (IF NECESSARY) (RESOLUTION NO. CS 04 25 2022): None.

ADJOURNMENT: At 8:08 p.m., there being no further business, a motion was made to adjourn.

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

PATRICIA L. HUNT, RMC
Township Clerk