

TOWNSHIP OF MOORESTOWN
TOWNSHIP COUNCIL
OFFICIAL ACTION MEETING
May 23, 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 7:03 p.m. at Town Hall, Council Chamber, 111 West Second Street, Moorestown. Attendance was as follows:

Nicole Gillespie, Councilmember	Kevin E. Aberant, Township Manager
Sue Mammarella, Councilmember	Patricia L. Hunt, Township Clerk
Quinton Law, Councilmember	Douglas Heinold, Township Solicitor
Jake Van Dyken, Councilmember (absent)	
David Zipin, Councilmember (absent)	

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 May 20, 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; Mr. Van Dyken and Mr. Zipin were absent.

PROCLAMATIONS & PRESENTATIONS: Mayor Gillespie introduced resident and Youth Advocate for the New Jersey Center for Tourette Syndrome, Colin Deibler, noting that he brought to her attention Tourette's Syndrome Awareness Day on June 4, 2022 and asked that she present a proclamation. She said it would be her honor. Mayor Gillespie read the proclamation aloud.

Proclamation - Tourette's Syndrome Awareness Day

PROCLAMATION

WHEREAS, Tourette Syndrome is an inherited neurological disorder that is characterized by involuntary physical and vocal tics that occur many times a day; and

WHEREAS, Tourette Syndrome is often accompanied by other mental health disorders such as attention deficit and obsessive compulsive disorder, learning disabilities, and anxiety; and

WHEREAS, Tourette Syndrome and tic disorders affect 1 in 100 children. More than 20,000 school age children in the State of New Jersey alone are dealing with Tourette Syndrome and although some of these cases are aided by medication, there is no standard treatment or known cure for the disorder; and

WHEREAS, there is an important need for more professional help with interest and expertise to identify, counsel, and treat people with Tourette Syndrome, a disorder that is often misdiagnosed and misunderstood; and

WHEREAS, positive actions to assist children and families living with Tourette Syndrome would result from a broadening of public and professional knowledge and acceptance of Tourette Syndrome; and

WHEREAS, the NJ Center for Tourette Syndrome & Associated Disorders (NJCTS), the nation's first Center of Excellence for Tourette Syndrome, are actively providing services to families, educating medical professionals and teachers, and supporting research to better understand the signs and treatments of Tourette Syndrome.

NOW, THEREFORE BE IT PROCLAIMED the Moorestown Township Council recognizes June 4th as "Tourette Syndrome Awareness Day, "a special day to promote understanding, compassion, and acceptance for all of our fellow citizens who deserve and need our support to break the stigma that surrounds Tourette Syndrome.

Given, under my hand and the Seal of the Township of Moorestown this 23rd day of May in the Year of Our Lord Two Thousand Twenty Two. Nicole Gillespie, Mayor

Mr. Deibler stated that it is an honor to receive this proclamation on behalf of the NJ Center for Tourette Syndrome. He indicated that it has been a three-year journey and he is glad to be here. He thanked everyone on behalf of the Tourette syndrome community, noting that are very, very grateful. There was applause.

Presentation - South Valley 3rd Grade Students – "Why I'm Proud of My Community":

Mayor Gillespie welcomed the third grade students and thanked them and Cricket Dever, third grade teach at South Valley Elementary School, for inviting her to their class to listen to their essays on why they are proud of their community and thought it would be nice if they came before Council to read them. Ms. Dever thanked Council noting that she is also a resident in town and each year her class studies the community and this year the students wanted to read their essays aloud. The following children came forward and read their essays aloud.

Brady Burns, Arav Dhawan, Jay Hruslinski, Hibah Kashif,, Iyla Patel, Aakansha Rawat, Meghan Simpson, Jahaan Singh, Ria Sood, CJ Went, Isabelle Lu and Naim Malik.

DISCUSSION

Reports from Members of Council:

Mr. Law complimented the presentations noting how the children make him proud to be a Moorestonian, having grown up here. He advised that the Environmental Advisory Committee continues to work on its resource inventory. The Tree Planting and Preservation Committee had a successful tree give away in connection with Arbor Day. He advised that the Committee is looking for tree pruning volunteers. Finally, he reported that the Garden Club celebrated the reopening of the Community Garden on Camden Avenue; it looks great, he said.

Ms. Mammarella expressed her appreciation for the presentation and proclamation given this evening. She advised that Majoda Stables held a charity event; Harmony Juice held its grand opening; the Moorestown Business Association had a great speaker who covered diversity, equity and inclusion in the workplace, at its last meeting; Percheron Park hardscaping is ninety-seven percent finished. She hoped that people would be able to walk on the park area for Moorestown Day.

Mayor Gillespie advised that the Economic Development Advisory Committee meets tomorrow. She advised that she and Mr. Law attended Curate Noir's one-year anniversary; they showcase products from black-owned businesses; they are doing well. Mayor Gillespie announced the following upcoming events: Memorial Day Celebration on May 30; Moorestown Day on June 4; Moorestown Paddle Board/Kayak Race on June 11; Juneteenth Celebration at Perkins on June 18th. Mayor Gillespie announced she and Ms. Mammarella have begun working on updates on the website and she advised they could use volunteer assistance from people with website development expertise.

Upcoming Meeting(s): Mayor Gillespie read the upcoming meetings aloud.
June 13, 2022 – 7:00 p.m. (Official Action)
June 27, 2022 – 7:00 p.m. (Official Action)

Agenda Updates: Mayor Gillespie announced that the public hearing for Ordinance 9-2022 will be opened however, it will be continued until June 13, 2022 at 7 p.m. (due to a lack of members and minimum number of votes needed).

Mayor Gillespie asked for a motion to amend the agenda and continue Resolution 151-2022 to June 13, 2022 (due to lack of funding since Ordinance 9-2022 was continued).

151-2022 APPROVING CONTRACT CHANGE ORDER NO. 1 EXCEEDING TWENTY PERCENT OF THE ORIGINAL CONTRACT PRICE FOR A PROJECT KNOWN AS DIGESTER CLEANOUT AND INSPECTION LOCATED AT THE WATER POLLUTION CONTROL FACILITY, 250 PINE STREET

MOTIONED BY: Mr. Law
SECONDED BY: Ms. Mammarella
ABSENT: Councilmembers Van Dyken and Zipin
ROLL CALL VOTE: All in favor

Adopting Consent Agenda Resolution No. CA 05 23 2022: Mayor Gillespie asked for a motion to adopt the Consent Agenda.

MOTIONED BY: Ms. Mammarella
SECONDED BY: Mr. Law
ABSENT: Councilmembers Van Dyken and Zipin
ROLL CALL VOTE: All in favor

RESOLUTION APPROVING CONSENT AGENDA CA 05 23 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:

- The New Jersey Department of Transportation requested a meeting with the Township concerning the railroad crossing at New Albany Road and Flynn Avenue, which is in need of restoration. The meeting, scheduled for May 24, 2022, has been cancelled due to an emergency.
- 2021 Overlay Project – The contractor has been on Springhouse Lane doing underdrain work. Other underdrain work will begin next week. Paving should occur in June or July.

- North Church Street Water Tank Project – The tank has been power washed; some other minor improvements will take place next week.
- Percheron Park - The concrete has been poured; brick is being laid; all hardscaping should be done soon. The contractor is waiting on an electrical box; once received (in June), the electrical work will be done. The cap that covers the brick walls has yet to be manufactured and the names of the donors engraved; however, the park will be able to be used in the meantime; delivery and installation of the horse has also been delayed. Landscaping is being provided by the Friends of Percheron Park; no indication of completion date.
- The solid waste contractor has been experiencing difficulty with completing trash collection on time; same is an industry-wide problem. The contractor has been responsive and is doing the best it can.
- Sustainable Moorestown has submitted its application for recertification.

ORDINANCES ON SECOND READING: The Township Manager read Ordinance 9-2022 by title.

09-2022 AN ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NO. 29-2021 AS AMENDED AND SUPPLEMENTED BY APPROPRIATING AN ADDITIONAL \$165,000 AND AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$156,750 IN BONDS OR NOTES OF THE TOWNSHIP TO BE USED FOR IMPROVEMENTS TO THE WASTE WATER TREATMENT PLANT, TOGETHER WITH ALL RELATED EXPENSES

Mayor Gillespie opened the public hearing. There were no comments.

Mayor Gillespie asked for a motion to continue the public hearing until June 13, 2022 at 7 p.m.

MOTIONED BY: Mr. Law
SECONDED BY: Ms. Mammarella
ABSENT: Councilmembers Van Dyken and Zipin
VOTE: All in favor

ORDINANCES ON FIRST READING: The Township Manager read Ordinance 10-2022 by title.

10-2022 AUTHORIZING THE CONVEYANCE OF A GRANT OF A BLANKET EASEMENT TO LRS 201 CAMDEN, LLC FOR PROPERTIES RELATED TO BLOCK 1102, LOTS 40-44 AND BLOCK 1100, LOTS 12-16 FOR STORMWATER FACILITIES ACROSS COTTAGE AVENUE

Mayor Gillespie asked for a motion to introduce the ordinance on first reading and set the public hearing date for June 13, 2022 at 7:00 p.m.

MOTIONED BY: Ms. Mammarella
SECONDED BY: Mr. Law
ABSENT: Councilmembers Van Dyken and Zipin
ROLL CALL VOTE: All in favor

The Township Manager read Ordinance 11-2022 by title.

11-2022 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Mayor Gillespie asked for a motion to introduce the ordinance on first reading and set the public hearing date for June 13, 2022 at 7:00 p.m.

MOTIONED BY: Ms. Mammarella
SECONDED BY: Mr. Law
ABSENT: Councilmembers Van Dyken and Zipin
ROLL CALL VOTE: All in favor

2022 BUDGET RESOLUTIONS: Mayor Gillespie opened the floor for public comment on any of the budget resolutions. There were no comments.

The Township Manager read the resolution by title.

141-2022 FOR INTRODUCTION AND APPROVAL ON FIRST READING OF THE 2022 BUDGET, AUTHORIZING PUBLICATION OF BUDGET, AND PROVIDING FOR A PUBLIC HEARING ON THE BUDGET ON JUNE 27, 2022 AT 7:00 P.M. IN THE COUNCIL CHAMBER AT TOWN HALL, 111 WEST SECOND STREET

Mayor Gillespie asked for discussion or a motion to approve on first reading and set the public hearing date for June 27, 2022 at 7:00 p.m.

MOTIONED BY: Ms. Mammarella
SECONDED BY: Mr. Law
ABSENT: Councilmembers Van Dyken and Zipin
ROLL CALL VOTE: All in favor

The Township Manager read the resolution by title.

142-2022 A RESOLUTION ESTABLISHING THE TAX LEVY FOR YEAR XXIII OF THE MOORESTOWN OPEN SPACE, RECREATION AND FARMLAND AND HISTORIC PRESERVATION TRUST FUND PROGRAM

Mayor Gillespie asked Council for discussion or a motion to adopt.

MOTIONED BY: Mr. Law
SECONDED BY: Ms. Mammarella
ABSENT: Councilmembers Van Dyken and Zipin
ROLL CALL VOTE: All in favor

The Township Manager read the resolution by title.

143-2022 GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "ENFORCEMENT GUIDANCE ON THE CONSIDERATION OF ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISIONS UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964"

Mayor Gillespie asked Council for discussion or a motion to adopt.

MOTIONED BY: Ms. Mammarella
SECONDED BY: Mr. Law
ABSENT: Councilmembers Van Dyken and Zipin
ROLL CALL VOTE: All in favor

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

140-2022 APPROVING A COMMUNITY EVENT FOR "MOORESTOWN DAY" ON MAIN STREET (BETWEEN CHURCH STREET AND CHESTER AVENUE) SPONSORED BY THE MOORESTOWN BUSINESS ASSOCIATION

144-2022 AUTHORIZING SETTLEMENT AGREEMENT WITH NOBLE ENVIRONMENTAL SPECIALTY SERVICES, LLC FOR DIGESTER CLEANOUT AND INSPECTION PROJECT

145-2022 AUTHORIZING THE IN PERSONAM FORECLOSURE BY THE TOWNSHIP SOLICITOR OF CERTAIN TAX SALE CERTIFICATES HELD BY THE TOWNSHIP OF MOORESTOWN

146-2022 APPROVAL TO SUBMIT A NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION DIVISION OF WATERSHED PROTECTION AND RESTORATION FEDERAL AMERICAN RESCUE PLAN ACT STORMWATER MANAGEMENT GRANT FOR PUBLICLY MANAGED LAKE WATER QUALITY IMPROVEMENTS AT STRAWBRIDGE LAKE

147-2022 A RESOLUTION AMENDING AND SUPPLEMENTING THE 2022 TEMPORARY BUDGET

148-2022 AUTHORIZING THE TAX COLLECTOR TO REFUND TAXES

149-2022 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 (JDM PLANNING ASSOCIATES, LLC)

150-2022 AUTHORIZING THE CANCELLATION OF WATER & SEWER CHARGES

Mayor Gillespie opened the floor to the public. There were no comments.

Mayor Gillespie asked for discussion by Council. Mr. Law thanked Mr. Aberant for working through the digester situation.

Mayor Gillespie asked for a motion to adopt the resolutions.

MOTIONED BY: Mr. Law
SECONDED BY: Ms. Mammarella
ABSENT: Councilmembers Van Dyken and Zipin
ROLL CALL VOTE: All in favor

MINUTES: February 22, 2021 Official Action and Closed Session; February 7, 2022; Official Action and Closed Session; May 9, 2022 Official Action:

Mayor Gillespie asked for discussion or a motion to approve the minutes.

MOTIONED BY: Ms. Mammarella
SECONDED BY: Mr. Law
ABSENT: Councilmembers Van Dyken and Zipin
ROLL CALL VOTE: All in favor, with the exception of Mr. Law, who abstained on the May 9, 2022 minutes.

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

MOTIONED BY: Ms. Mammarella
SECONDED BY: Mr. Law
ABSENT: Councilmembers Van Dyken and Zipin
ROLL CALL VOTE: All in favor

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

Kathy and Fred Sutherland, 417 North Church Street, addressed Council. Ms. Sutherland expressed her appreciation for the presentation made by the third graders. Ms. Sutherland thanked Mr. Merchel for all of his great work noting what an asset he is to the Township. She also thanked Mr. Aberant.

Ms. Sutherland asked what was the status of improvements to be made at South Church Street and Route 38. Mr. Aberant advised that same is a State project; a meeting with staff and the engineers was held. The general design is the same (widen the roadway at South Church Street and Fellowship Road). Ms. Sutherland suggested arrows in all four directions on the traffic light. Ms. Aberant invited her to review the plan in his office.

Ms. Sutherland acknowledged all the traffic safety improvements that have been installed on North Church Street over the past couple of years. However, she did not feel like same will be enough. She reviewed the history of meetings with the County and others, noting the County Engineer's Office would not even meet about the issues until her house was crashed into. She said that cars fly down the road, bashing into parked cars, noting a recent accident where a car hit a parked car and flipped on its side. She asked when is it going to stop; something must be done, she said. She wanted to know why the County Engineer's Office is so non-receptive. She said they have been waiting patiently to see if the improvements made would make a difference, but they have not worked. She said there are a lot more children residing on the street and the speed limit needs to be lowered and enforced. She asked for a meeting to be held so that ideas can be discussed. Mayor Gillespie agreed to same, noting that Mr. Aberant, in the meantime, will collect statistical data. Ms. Sutherland noted that the County relinquished part of Main Street back to the Township and suggested we look into the same for North Church Street so that the Township would have jurisdiction over traffic safety. Mayor Gillespie expressed her appreciation and said discussions need to resume. She thanked the Sutherlands.

There being no further comment, the floor was closed.

CLOSING COMMENTS BY COUNCIL:

Ms. Mammarella advised that the Appearance Committee met last week and reviewed a demolition application for the funeral home on Chester Avenue. She advised that approximately twenty-five (much higher than usual attendance) people attended and spoke passionately about the application. She felt the Appearance Committee will make a very thoughtful recommendation.

Mayor thanked everyone.

CLOSED SESSION (IF NECESSARY) (RESOLUTION NO. CS 05 23 2022): None.

ADJOURNMENT: At 7:58 p.m., there being no further business, a motion was made to adjourn.

MOTIONED BY: Mr. Law
SECONDED BY: Ms. Mammarella
ABSENT: Councilmembers Van Dyken and Zipin
VOTE: All in favor

PATRICIA L. HUNT, RMC
Township Clerk