

TOWNSHIP OF MOORESTOWN
TOWNSHIP COUNCIL
OFFICIAL ACTION MEETING
June 27, 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 June 24, 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: Pride Month – Proclamation - Mayor Gillespie advised that tomorrow is the 53rd Anniversary of the Stonewall Riots. She noted that the Township is flying the PRIDE flag for first time in history and hoped same would continue in the future. She read the proclamation aloud.

PROCLAMATION

WHEREAS, our Nation was founded on the principle of equal rights for all people, but the fulfillment of this promise has been long in coming for many Americans; and

WHEREAS, some of the most inspiring moments in our history have arisen from the various civil rights movements that have brought one group after another from the margins to the mainstream of American society; and

WHEREAS, in the movement toward equal rights for lesbian, gay, bisexual, transgender and queer + (LGBTQ+) people, a historic turning point occurred on June 28, 1969 in New York City, with the onset of the Stonewall Riots. During these riots, LGBTQ+ citizens rose up and fought against the discriminatory criminal laws that have since been declared unconstitutional; and

WHEREAS, LGBTQ+ pride celebrations have taken place around the country every June to commemorate the beginning of the Stonewall Riots; and

WHEREAS, June is celebrated as LGBTQ+ Pride Month nationwide; and

WHEREAS, Moorestown has a diverse LGBTQ+ community that includes people of all ethnicities, religions and professions; and

WHEREAS, everyone should be able to live without fear of prejudice, discrimination, violence and hatred based on race, religion, gender identity or sexual orientation.

NOW, THEREFORE, BE IT PROCLAIMED, that the Township Council of the Township of Moorestown declares June 2022, as Pride Month in Moorestown and encourages all citizens to respect and honor our diverse community and celebrate and build a culture of inclusiveness and acceptance.

Given, under my hand and the Seal of the Township of Moorestown this 27th day of June 2022. Nicole Gillespie, Mayor

Juneteenth – Proclamation – Mayor Gillespie advised on the third year (and the best year yet) celebration of Juneteenth at the Perkins Center for the Arts. Councilman Law read the proclamation aloud and presented same to Ashlynn Conley. He applauded her for being that positive force in our community and for being involved with the Black Lives Matter rally three years ago.

PROCLAMATION

WHEREAS, President Abraham Lincoln signed the Emancipation Proclamation on January 1, 1863, declaring the slaves in Confederate territory free, paving the way for the passing of the 13th Amendment which formally abolished slavery in the United States of America; and

WHEREAS, word about the signing of the Emancipation Proclamation was delayed some two and a half years, to June 19, 1865, in reaching authorities and African-Americans in the South and Southwestern United States; and

WHEREAS, Emancipation Day observations are held on different days in different states in the South and Southwest, and in other parts of the nation; and

WHEREAS, June 19th has a special meaning to African-Americans, and is called "JUNETEENTH" combining the words June and Nineteenth, and has been celebrated by the African-American community for over 150 years; and

WHEREAS, the 3rd annual Juneteenth celebration in Moorestown was held at Perkins Center for the Arts on June 18, 2022 and featured vendors, music, art and education.

NOW, THEREFORE BE IT PROCLAIMED that the Township Council proclaims June 19th as Juneteenth in Moorestown and recognizes Ashlynn Conley and Jasmine Cartwright - Atkins as leaders who have brought this community together for the past three years to commemorate this holiday. The Township Council encourages all citizens to become more aware of the significance of this celebration in African-American History and in the heritage of our nation, our state and our town.

Given, under my hand and the Seal of the Township of Moorestown this 27th day of June in the Year of Our Lord Two Thousand Twenty Two. Nicole Gillespie, Mayor

Moorestown Crew – Proclamation - Mayor Gillespie asked those present to join her. Mayor Gillespie commended the club for the tremendous season they have had. She proudly presented the proclamation.

PROCLAMATION

WHEREAS, the Moorestown Rowing Club was founded in 2001 by Moorestown residents as a non-profit organization to provide youth in grades 7-12 training and competition in the sport of rowing; and

WHEREAS, the Moorestown Rowing Club is committed to ensuring that everyone has the opportunity to row, offering scholarships to those in need of assistance and providing opportunities for children with physical disabilities through their adaptive rowing program; and

WHEREAS, the club has grown steadily through the years and currently supports 86 athletes from Moorestown High School and 136 athletes from William Allen Middle School with a staff of 10 coaches and an all-volunteer team of parents; and

WHEREAS, the 2021-2022 season marked the club's 20th season of rowing, in which the athletes achieved many significant accomplishments and "firsts"; and

WHEREAS, at the US Junior Nationals, the Girls Varsity 8 placed 12th in the nation at the US Junior Nationals, making them the number one school junior women's boat in the country; and

WHEREAS, at the Scholastic Rowing Association of America Championship, the

- Boys JV8 placed 6th in the nation;
- Girls Varsity 8 placed 5th in the nation;

- Girls 2V placed 2nd in the nation;
- Girls Freshman 8 placed 4th in the nation; and

WHEREAS, at the Stotesbury Cup Regatta, the most prestigious race in the country for school teams, the

- Boys JV8 placed 3rd;
- Girls Varsity 8 placed 3rd;
- Girls 2V placed 3rd; and

WHEREAS, throughout the 2021-2022 season, Moorestown Crew Teams earned a total of 9 gold medals, 3 silver medals and 1 bronze medal at the Cooper Cup and the Garden State Championships.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey, cite these outstanding achievements of the members of the Moorestown Rowing Club team and hereby encourage the citizens of the Township of Moorestown to recognize their outstanding achievements.

Given, under my hand and the Seal of the Township of Moorestown this 27th day of June in the Year of Our Lord Two Thousand Twenty Two. Nicole Gillespie, Mayor

July 4th Celebration – Proclamation – The Vice President of the 4th of July Parade Committee was presented with the proclamation. Mayor Gillespie read the proclamation aloud.

PROCLAMATION

Whereas, the wail of a mother's cry, reminds us of those who have fought and died; the sound of a flag flying high; the drums of the school band and cheering in the stands; the street adorned with children, bikes and streamers, and decorations by local storekeepers, the military, fire trucks and boy scouts too, let us not forget the brilliant colors of the **RED, WHITE** and **BLUE**; and

Whereas, without a cloud in the sky and the smell of American pie, it is these things that remind us, it is the 4th of July; and
Whereas, it is known as Independence Day and celebrated by Americans across the USA; and

Whereas, Moorestown is no exception and is proud to announce its connection; and

Whereas, the Moorestown 4th of July Parade Committee has planned a day of festivity and the Township Council wishes to proclaim it to the city.

Now, Therefore, Be It Proclaimed, by the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey, that

**July 4, 2022 be a Day of Celebration in
Honor of our Freedom and Independence**

and we ask that all people of Moorestown join in the fun, march in the parade and show your American colors, so true, **RED, WHITE** and **BLUE**.

Given under my hand and seal of the Township of Moorestown this 27th day of June, in the Year of our Lord, Two Thousand Twenty Two. Nicole Gillespie, Mayor

DISCUSSION

Reports from Members of Council:

Mr. Law hoped all had a good weekend. He said the Juneteenth celebration was spectacular. On behalf of the Tree Planting and Preservation Committee, Mr. Law thanked Mr. Aberant for getting the tree enforcement ordinance set; he briefly advised of the violations for removing Township trees without permission. Mr. Law advised that the Environmental Advisory Committee continues working on the Environmental Resource Inventory and having discussions concerning the Year of the Environment. Mr. Law advised that he and the Mayor will be holding a listening session tomorrow at 6 p.m., via zoom, concerning (ideas for) potential future use of the Yancy-Adams Park; he encouraged the public to join in.

Mr. Zipin advised that the Planning Board meeting is this week. Mr. Zipin announced that the first Moorestown Music Collective was held on Main Street last week; there was a ribbon cutting. He hoped this regular event would be a catalyst and it would bring people out on to Main Street at least once a month.

Mr. Van Dyken encouraged everyone to attend the upcoming 4th of July parade and festivities; he was looking forward to it.

Ms. Mammarella also expressed her appreciation for the Juneteenth celebration; she thanked Ms. Ashlynn Conley. Ms. Mammarella reported that the Appearance Committee recommended a stay in connection with the demolition of the (funeral) home at 334 Chester Avenue. She advised that the Committee is working with the owners and is still hoping for a way to save the structure.

Mayor Gillespie advised that the Economic Development Advisory Committee and Low and Moderate Income Oversight Committee both meet tomorrow. She too complimented the Music Collective pop-up venues advising that the next event is on July 30, 2022. She encouraged the public to check it out stating it was really fun. Mayor Gillespie thanked Ms. Conley and Jasmine Cartwright - Atkins for all their work on the Juneteenth event. Mayor Gillespie advised that she and Deputy Mayor Mammarella are working on website updates and a slogan contest will be coming soon; notice of same will be given. Mayor Gillespie congratulated Mr. Aberant and Mr. Heinold on their one-year appointment anniversary.

Upcoming Meeting(s): Mayor Gillespie read the upcoming meetings aloud.
July 11, 2022 – 7:00 p.m. (Official Action)
July 25, 2022 – 7:00 p.m. (Official Action)

Agenda Updates: None

Adopting Consent Agenda Resolution No. CA 06 27 2022: Mayor Gillespie asked for a motion to adopt the Consent Agenda.

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

RESOLUTION APPROVING CONSENT AGENDA CA 06 27 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.

Discussion - Draft Ordinance Zoning Amendments Based on Recommendations Made in Zoning Board Annual Report: Mr. Aberant advised that the Zoning Board of Adjustment is required by the Municipal Land Use Law to issue an annual report identifying any recommended amendments to the zoning ordinance. Council has received a copy of same. The Board is recommending eight amendments; he reviewed same. Mr. Aberant advised that the goal is to relieve confusion (bring about clarity) and reduce the number of (or cause for) the variance applications. Mr. Law asked if the recommendations are based on routine issues

before the Board and whether this action will help to eliminate the routine issues from going to the Board. Mr. Aberant said yes, the recommendations concern routinely granted variances.

Referring to Section 180-25 Ms. Mammarella noted that the Appearance Committee has never had jurisdiction over residential. Mr. Aberant advised that he and Ms. Jamanow are still reviewing that section and it may be removed as there are no objective standards and it is very subjective as written. Ms. Mammarella agreed and asked that the Committee be kept abreast as it is in the middle of reviewing its charter. Mayor Gillespie noted all are in agreement. The ordinance will be placed on a future agenda.

Discussion - Draft Ordinance Adjusting Construction Fees: Mr. Aberant advised that this ordinance will amend Chapter 56 Construction Code Fees. In large part, it will save permittees money; he explained that the current fees are not consistent with the way that the department performs inspections. The amendment will not result in a great loss of revenues.

Mayor Gillespie asked if the SDL software will be part of this, as discussed in 2019. Mr. Aberant said it will not be; he explained. He advised that the department was supposed to begin implementation of electronic plan review in March. However, the State has deferred the implementation date for another year. Although the Construction Department purchased the electronic plan table, it will not be using it. Mayor Gillespie asked if shared services is still being considered. Mr. Aberant advised, not at this time, the inspectors schedules are full. He advised of some large projects going on. He advised that the Director of Community Development has advised that the department cannot extend the inspectors' services.

MANAGER'S REPORT: Mr. Aberant reported:

Redevelopment/Pulverizing Site: James Maley, Esquire, has suggested Council adopt a "vanilla" redevelopment plan for introduction at the next meeting. The plan will largely adopt the underlying zoning and allow Council to invoke eminent domain.

Percheron Park: Landscaping is planned during the week. The etching of the stone is still pending. The horse should arrive sometime in August

Whiffle Ball Park: The resident family that has offered to construct a whiffle ball park has been able to determine how to move forward and has developed a concept plan. It is anticipated that there will be Memorandum of Agreement between the Baseball Federation and the Township.

2022 BUDGET HEARING AND ADOPTION RESOLUTIONS

The Township Manager read the resolution by title.

**159-2022 AUTHORIZING THE READING OF THE 2022 BUDGET BY
TITLE ONLY**

Mayor Gillespie asked for a motion to adopt the resolution.

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

The Township Manager read the resolution by title.

**160-2022 CERTIFYING THE YEAR 2022 BUDGET COMPLIES WITH
STATUTORY REQUIREMENTS**

Mayor Gillespie asked for a motion to adopt the resolution.

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

The Township Manager read the resolution by title.

161-2022 ADOPTING 2022 BUDGET

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 or a motion to adopt the resolution (2022 Budget).

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

ORDINANCES ON SECOND READING: The Township Manager read Ordinance 12-2022 by title.

**12-2022 AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN,
COUNTY OF BURLINGTON, NEW JERSEY APPROPRIATING \$260,000
AND AUTHORIZING THE ISSUANCE OF \$247,000 IN BONDS OR
NOTES OF THE TOWNSHIP TO BE USED FOR LENOLA ROAD
OUTFALL EROSION MITIGATION PROJECT**

Mayor Gillespie opened the public hearing.

Doug Maute, 141 Pleasant Valley Avenue, asked questions concerning Ordinance 12-2022 and how the cost of same relates to the purchase of the property at 712 Lenola Road. Mr. Maute was advised that the Township will be able to sell the property at 712 Lenola Road and recoup a significant part of the purchase price. Mayor Gillespie advised that the stormwater issue (which is a separate issue) is the responsibility of the Township. The ordinance grants the Township permanent access to the property which will assist greatly in mitigating the Lenola Road outfall erosion that is occurring and requires repair.

Mayor Gillespie asked for a motion to close 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. Van Dyken
ABSENT: None
VOTE: All in favor

ORDINANCES ON FIRST READING: The Township Manager read Ordinance 13-2022 by title. Mr. Heinold advised that the Township owns the subject property. Action is necessary as part of Pennrose's approval process and the New Jersey Department of Environmental Protection has required this deed notice to be filed.

**13-2022 AUTHORIZING THE FILING OF A DEED NOTICE TO
MEMORIALIZE A LETTER OF INTERPRETATION FROM NJDEP ON
TOWNSHIP-OWNED PROPERTY AT HARPER DRIVE, BLOCK 3201, LOT 3**

Mayor Gillespie asked for a motion to introduce the ordinance on first reading and set the public hearing date for July 11, 2022 at 7:00 p.m.

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

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

1. **162-2022** AUTHORIZING RENEWAL OF RETAIL LICENSES FOR 2022-2023
2. **163-2022** APPROVING A COMMUNITY EVENT AND SPECIAL ALCOHOLIC BEVERAGE PERMIT APPLICATION FOR A 100-YEAR CELEBRATION OF AN ANTIQUE FIRE TRUCK AT THE MUNICIPAL COMPLEX GROUNDS, 111 WEST SECOND STREET SPONSORED BY THE RELIEF FIRE COMPANY
3. **164-2022** ACCEPTING THE RESIGNATION OF CHRISTINE SPIRGEL FROM THE LIBRARY BOARD OF TRUSTEES
4. **165-2022** AUTHORIZING THE CANCELLATION OF WATER & SEWER CHARGES
5. **166-2022** ACCEPTING THE RESIGNATION OF JAMES D. FATTORINI AS ALTERNATE PUBLIC DEFENDER
6. **167-2022** 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 (RAYMOND COLEMAN HEINOLD LLP)

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

Mayor Gillespie asked for discussion by Council. There was none.

Mayor Gillespie asked for a motion to adopt the resolutions.

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

MINUTES: March 14, 2022 Official Action

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

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

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

MOTIONED BY: Ms. Mammarella
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):

Laura Romano 222 Evergreen Drive, thanked Council for the Juneteenth and PRIDE proclamations noting same makes her proud of this community. She also thanked them for the budget they passed and for highlighting positive things in the community.

Fred Sutherland, 417 North Church Street, thanked Mr. Law for walking throughout his community handing out flyers alerting the neighbors to the zoom meeting (Yancy-Adams Park). He wanted to put on the record, in case he did not make the zoom meeting, that he would prefer leaving the site as a practice park noting people walk their dogs there and it is nice and quiet. Mr. Sutherland asked when a meeting concerning the speed limit on his street would be held. Mayor Gillespie advised that it has not been forgotten, staff is trying to arrange a meeting with the County. She also advised that data is being gathered concerning a speed study that was recently performed in the vicinity of Maple Avenue. Mayor Gillespie also advised that the recent accident on North Church Street (a car flipped over) was not a case which included speeding.

There being no further comment, the floor was closed.

CLOSING COMMENTS BY COUNCIL: Mr. Law thanked Mr. Sutherland for his input on the park. He provided a brief history on the park and the role it has played in the community. He said same will be taken into consideration before any steps are taken. He wants to ensure that the history of the park will be highlighted and future use be grounded in that history.

Mr. Zipin echoed Ms. Romano's comments concerning Juneteenth and PRIDE month. He wished all a happy 4th of July and summer.

Mr. Van Dyken reminded all to attend the 4th of July parade.

Ms. Mammarella said she had the privilege of being there when the PRIDE flag was raised. She said the fact that people have noticed makes her proud and she thanked Richard Hinchman for providing the flag and his participation in hanging it. She wished all a great holiday.

Mayor Gillespie noted that the budget adoption seemed uneventful. However, it was a long process; the real work comes from the staff; she thanked all departments for their commitment, noting there was no tax increase. Mayor Gillespie advised that Council wanted to ensure that all residents around the park were aware of the discussions that have been taking place. She recognized the concerns of some nearby residents and said their concerns will not be forgotten. She said they have some interesting ideas but want to make sure that they hear from everyone first. She wished all a Happy Independence Day.

CLOSED SESSION (IF NECESSARY) (RESOLUTION NO. CS 06 27 2022): None.

ADJOURNMENT: At 8:01 p.m., there being no further business, a motion was made to adjourn.

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

PATRICIA L. HUNT, RMC
Township Clerk