

TOWNSHIP OF MOORESTOWN
TOWNSHIP COUNCIL
OFFICIAL ACTION MEETING

October 3, 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
Sue Mammarella, Councilmember
Quinton Law, Councilmember
Jake Van Dyken, Councilmember
David Zipin, Councilmember (virtual)

Kevin E. Aberant, Township Manager
Patricia L. Hunt, Township Clerk
Douglas Heinold, Township Solicitor (absent)
David M. Serlin, Substitute 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 September 30, 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. Mr. Zipin attended virtually.

PROCLAMATIONS & PRESENTATIONS:

Proclamation - STEM's 50th Anniversary: Mayor Gillespie advised that the event planned for this past weekend was canceled due to the weather. Mark Pensiaro, President, joined the Mayor. Mayor Gillespie read the proclamation aloud and thanked STEM. Mr. Pensiaro expressed his pride in all that STEM has achieved over the past year. He advised that STEM headed the original open space tax referendum which was passed evidencing what the people in the town appreciate. He looked forward to the next fifty years.

Proclamation - Friends Enrichment Program's 25th Anniversary (presented 10/2/2022): Mayor Gillespie advised this proclamation was presented to Monique Begg at the 25th Anniversary Celebration held at Perkins Center on October 2, 2022. She complimented the program.

PROCLAMATION

WHEREAS, the Friends Enrichment Program (“Program”) was founded in 1977 through the care of the Friends Meeting House and under the leadership of township resident, Monique Begg, who saw a need to provide summer recreation opportunities for Moorestown children who did not have the same opportunities as others; and

WHEREAS, the first fundraising program was a joint philanthropic project of the Moorestown Monthly Meeting and the Moorestown Friends School that included the creation and publishing of the *Moorestown Friends Heritage Cookbook* which was not only a local bestseller, but a sellout and moreover provided funding to enroll eight children in one-week of day camp at no cost to their families; and

WHEREAS, since its inception, the mission of the Program has been to create and equalize opportunities for financially-disadvantaged children in Moorestown through enrichment activities and scholarships to attend summer camp, enroll in sports clinics, art classes, music lessons and other life-enhancing activities at no cost; and

WHEREAS, over the years, the Program has raised \$290,539 and awarded 1,147 scholarships to 481 children; and

WHEREAS, Monique Begg, being lauded for her benevolence to her community, has appeared in a number of publications as well as receiving, to name a few, the following awards:

Human Rights Award

National Church Women United-2006

Community Service Award

National Association for the Advancement of Colored People-2015

Humanitarian of the Month

Janet Knowles Charitable Foundation-2021

WHEREAS, the Friends Enrichment Program is celebrating its 25th Anniversary and the Township Council wishes to pay tribute and extend its sincere gratitude to Monique Begg and the Moorestown Meeting House for its commitment and generosity to the children of Moorestown.

NOW, THEREFORE, BE IT PROCLAIMED, by the Township Council of the Township of Moorestown, that the

Friends Enrichment Program
is hereby honored on this day of its
25th Anniversary

BE IT FURTHER PROCLAIMED that

Monique Begg
with the support of the Meeting House, volunteers, financial supporters,
parents and children is hereby honored for her
Humanitarianism

Given, under my hand and the Seal of the Township of Moorestown this 2nd day of October 2022. Nicole Gillespie, Mayor

Presentation of Accreditation to Moorestown Township Police Department by Harry J. Delgado, Ed.S. of New Jersey State Association of Chiefs of Police: Mr. Delgado commended the Moorestown Police Department for being one department of only thirty-two percent accredited in New Jersey. He read a statement on the importance and benefits of being accredited. He advised on the rigorous 112-standard process to receive accreditation. He commended the leadership, rank and file of Chief Walczak and the Police Department for its achievement and being part of a very exclusive group of law enforcement agencies in the State of New Jersey. He presented Chief Walczak with a certificate. There was applause.

Chief Walczak advised that, before taking over as Chief of Police, one of his primary functions as Lieutenant was managing the accreditation process and today he has gotten to see the three-year process come to fruition for which he is very proud. He advised how the program has benefitted him, the department and the residents. In closing, he thanked Council, the Township Manager and Police Officers for their support. Mayor Gillespie expressed her appreciation and asked that same be passed on to the department. On behalf of Council, she expressed gratefulness.

DISCUSSION

Reports from Members of Council:

Mr. Law congratulated the chief and department. There will be “Coffee with a Cop” on from 9 a.m. to 10:30 a.m. on Wednesday at the Cubby Hole.

Mr. Van Dyken advised that the Recreation Advisory Committee meets tomorrow. The dedication of Percheron Park had to be postponed due to the weather; it is rescheduled for Saturday at 3 p.m.

Ms. Mammarella was looking forward to Saturday. She commended Ms. Flynn for the work she did on getting the Better Together Advisory Committee information together. She noted the Township has received four applications!

Mayor Gillespie advised that the Economic Development Advisory Committee met last Tuesday and has finalized its recommendations concerning its charter. She advised of the upcoming weekend events:

- Friends Enrichment Program 25th Anniversary

- Autumn in Moorestown
- Opening of Percheron Park
- Town-wide Yard Sale
- Music Collective

Upcoming Meeting(s): Mayor Gillespie read the upcoming meetings aloud.

October 24, 2022 – 7:00 p.m. (Official Action)

November 14, 2022 – 7:00 p.m. (Official Action)

Agenda Updates: None.

Adopting Consent Agenda Resolution No. CA 10 03 2022: Mayor Gillespie asked for a motion to adopt the Consent Agenda.

MOTIONED BY: Ms. Mammarella

SECONDED BY: Mr. Law

ABSENT: None

VOTE: All in favor

RESOLUTION APPROVING CONSENT AGENDA CA 10 03 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.

RFQ/RFP for New Albany Business Park Redevelopment Area: Mr. Aberant advised that Council received a draft RFQ/RFP in its packet. He reviewed the document at length noting,

- Efforts to acquire the property are ongoing; a tax foreclosure was filed.
- The Township is trying to get the final judgment revised; if it is unsuccessful, Council can pursue condemnation.
- Residential development is prohibited due to contamination.
- Warehouse is not a preferred use; solar is a permitted use.
- The redevelopment plan would permit a PILOT agreement (if Council's preference).
- There would be a selection committee; who does Council want to be on the committee.
- The document will not be ready for response to be due by October 31; after discussion, a revised draft will be circulated.

Mayor Gillespie suggested removing language concerning a PILOT agreement. Mr. Van Dyken agreed noting, while he would entertain the idea of a PILOT, it is not his number one choice. He said he wants this matter to move forward and to see the property developed.

Ms. Mammarella inquired about the assessment process. Mr. Aberant advised that there is a vacant commercial land (per acre) value. The property is impaired because of the contamination, however, there is no additional remediation required. Whoever takes over the property will be responsible for the monitoring wells; there may be a stigma attached to the property. Ms. Mammarella asked for confirmation that the Council will have control over what can go there; Mr. Aberant confirmed same, noting also, that the planned development will have to go through the planning and public hearing process.

Mr. Law asked how the public can be alerted to the fact that this discussion is happening; he asked if the proposal can be posted online. Mr. Aberant advised, not in its draft form, perhaps, when it is finalized.

Mayor Gillespie agreed the assessor should look at the number. Mayor Gillespie noted that the property is divided by the road and asked if Council should consider offering an option to buy one side or the other or be able to sell a portion on the other side; should it indicate that the Township would prefer some passive recreation on the site.

Mayor Gillespie opened floor.

Mike Locatell, 516 East Main Street, expressed concern about the potential negative impact on traffic. He also noted that the property does not have twenty acres, which is contrary to a requirement listed in the document. Upon his inquiry, Mr. Aberant advised that there is a \$1.2 million USEPA lien on the property for which he anticipates there will be a compromise with the agency. Mr. Locatell felt there should be mention of the lien in the proposal request. He also suggested a 60-day response time. Mr. Locatell noted that whatever developer is chosen, in time, the use can ultimately be changed.

Mark Hines, 130 Bridgeboro Road, expressed his appreciation that the matter is moving forward noting tax revenues have not been realized by the Township in many years. He hoped action would generate tax revenue with minimal disruption.

Harry Mayer, 349 East Second Street, noted the draft says, “solar is preferred,” and asked if the other uses should be removed (he would hate to see trees removed).

Manny Delgado, 6 Walnut Court, asked if a traffic study was done. Mr. Aberant advised one would be done in connection with a development application. Mr. Delgado like the idea of requiring, via deed, green space; he thought a trail would be great. Mr. Van Dyken advised that he grew up next to a superfund site upon which a park, with a dog park was developed; no one went there. He felt there is a stigma attached to properties that have been deemed contaminated.

Mr. Law like the idea of a creative space. He acknowledged concern about the traffic impact noting he does not want something like an Amazon warehouse.

MANAGER’S REPORT: Mr. Aberant reported:

- The Police Department is scheduling “coffee with a cop.”
- He commended Chief Walczak for the Accreditation commendation for the Township. He noted that Chief Walczak was in charge of Accreditation prior to him becoming Chief.

ORDINANCES ON SECOND READING: None.

ORDINANCES ON FIRST READING: The Township Manager read Ordinance 21-2022 by title. Mr. Aberant advised that the matter has been before Council before. He advised that Deer Rest Court was in the draft; however, the street name has been corrected to Deer Rest Road. He further advised that, in furtherance of Council’s previous direction, reference to commercial vehicles was removed and is not in the ordinance before Council.

Ms. Mammarella asked if the penalty was in line with others in the code. Mr. Aberant advised that the penalty was adjusted to be in line with other penalties in the code and for all parking tickets.

21-2022 AMENDING CHAPTER 168 OF THE CODE OF THE TOWNSHIP OF MOORESTOWN ENTITLED “VEHICLES AND TRAFFIC”

Mayor Gillespie asked for discussion or a motion to introduce the ordinance on first reading and set the public hearing date for October 24, 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 22-2022 by title.

22-2022 AMENDING AND SUPPLEMENTING BOND ORDINANCE NO. 21-2019 AS AMENDED AND SUPPLEMENTED BY APPROPRIATING AN ADDITIONAL \$850,000 AND AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$293,500 IN BONDS OR NOTES OF THE TOWNSHIP TO BE USED FOR THE LENOLA TOWN CENTER STREETScape IMPROVEMENT PROJECT TOGETHER WITH ALL RELATED EXPENSES

Mayor Gillespie asked for discussion or a motion to introduce the ordinance on first reading and set the public hearing date for October 24, 2022 at 7:00 p.m.

MOTIONED BY: Mr. Van Dyken

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.

210-2022 AWARDING A CONTRACT TO MIRACLE CHEMICAL COMPANY FOR PURCHASE AND DELIVERY OF LIQUID SODIUM HYPOCHLORITE FOR POTABLE WATER IN AN AMOUNT NOT TO EXCEED \$121,000

211-2022 AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE AFFORDABLE HOUSING TRUST FUND IN FURTHERANCE OF THE DEVELOPER AGREEMENT WITH COMMUNITY OPTIONS, INC. IN CONNECTION WITH THE DEVELOPMENT AND IMPLEMENTATION OF AN AFFORDABLE HOUSING PLAN FOR MOORESTOWN TOWNSHIP, BURLINGTON COUNTY (COMMUNITY OPTIONS, INC.)

212-2022 AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE POSTED BY TAMORA CONSTRUCTION ON BEHALF OF BIG NJ PORTFOLIO, OWNER, OF PROPERTY LOCATED AT 101 EXECUTIVE DRIVE (BLOCK 500, LOT 2) IN CONNECTION WITH MINOR SITE PLAN APPROVAL FOR A PROJECT KNOWN AS BANCROFT EDUCATIONAL FACILITY

213-2022 AWARDING A CONTRACT IN THE AMOUNT OF \$38,100 TO MUNICIPAL MAINTENANCE COMPANY FOR THE PURCHASE AND INSTALLATION OF CAST IRON BASKET STRAINER FOR USE AT THE WASTEWATER TREATMENT PLANT

214-2022 AWARDING A CONTRACT IN THE AMOUNT OF \$21,539 TO EXCELSIOR BLOWER SYSTEMS, INC. FOR REMOVAL, REBUILD AND REINSTALLATION OF A HOFFMAN BLOWER AND MOTOR AT THE WASTEWATER TREATMENT PLANT

215-2022 APPOINTING STEVEN NUTTER TO THE TREE PLANTING AND PRESERVATION COMMITTEE

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

Mayor Gillespie asked for discussion by Council. Mr. Van Dyken asked how necessary hypochlorite is and why such a significant increase in the price over the last contract. Mr. Aberant advised that it is very necessary and noted that all contracts concerning the water treatment plants have come in higher. Mayor Gillespie said it seems like price gauging.

Mayor Gillespie asked for a motion to adopt the resolutions.

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

MINUTES: None

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

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

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

Barbara Rich, 37 East Central Avenue, expressed appreciation for the proclamation. She advised that it was the inspiration of Esther Yanai; she was a member of the League of Women Voters, an organization that played a vital role in this history. Ms. Rich advised that the New Jersey Association of Environmental Commissions is recognizing STEM for an Achievement Award for Swede Run Field. She thanked Council for its support noting it has been a wonderful relationship. Mayor Gillespie congratulated STEM on its award.

Mark Hines, 130 Bridgeboro Road, thanked Mayor Gillespie for her comment concerning and support of the Music Collective noting that the original intent was to bring economic development to Main Street. After six concerts, they are seeing that this new initiative has brought people (from in and out of town) and revenue to Main Street. Mayor Gillespie thanked Mr. Hines for bringing the idea to town.

Manny Delgado, 6 Walnut Court, asked about affordable housing noting that at the last meeting, Council found that the Pennrose Harper Drive application was fully funded when it was submitted and that Mr. Aberant had advised that there was not a commitment by Council in the

application as same would have required action by Council. He asked again, why the \$5-\$10 million loan. Mayor Gillespie advised that Council took the same action it took last time and as it did when he (Mr. Delgado) was on Council. She advised that the biggest increases have been interest and insurance rates. She advised that one of the avenues Council is requiring the developer to take is ASPIRE, which is going to require prevailing wage rates, which, if they get that funding, which is good for the Township, it bumps up construction costs. She said they still do not know what the final amount for the tiebreaker will be. Mr. Delgado said that is where the confusion comes in; the application is not allowed to be submitted with a gap; it has to be fully funded, except for funds needed from Federal Home Loan Bank, where you have an application in. Mr. Delgado advised that when he was on Council, Council did not commit to anything, the application was submitted fully funded without a commitment from Council; they asked for \$2.3 million, Council said no, and they put in their application. Mr. Aberant advised that Mr. Merchel advised him that Council did offer a contribution. Mr. Delgado disagreed and asked to see that resolution. Mayor Gillespie advised that Council followed the same process for the second application as Council did for the first; there was not a resolution either time. The second time the contribution was a little higher than the first. Mr. Delgado found that Council did not make a contribution in the first application. The second two applications had commitments that were made by the Township, but not acted upon publically via Council. The commitments were made public through the applications.

Mr. Delgado asked if an application will be moving forward in 2023 for Community Investment Strategies (CIS); the last time they made application for funding was in 2020. Mr. Aberant advised the he and Ms. Jamanow recently met with them. They were planning on filing for ASPIRE funding. However, they now intend to apply for “305” funding from the State, but they are awaiting the regulations which are to be issued this month. Mr. Delgado expressed concern with the fact that CIS has not filed a tax credit application since its first application; this saves the town the most amount of money. He asked how much the Township is going to keep giving to these projects. He asked who is managing this. Mayor Gillespie advised that due to the location, the nine percent tax credit is not likely so CIS is trying to piece together all the other sources of funding to minimize the impact on the town.

Mr. Delgado asked if this information can be put on the website. Discussion was held. Mr. Delgado advised that if the funds are not in place by 2025, the Township will have to bond for the full balance of all unbuilt development in 2025. Mr. Aberant advised that he will review the matter with Mike Edwards, Esquire. Discussion was held on rental subsidies.

Trent Brinkofski, 21 Tamarack Road, Somerset, NJ, founder of Blue Harvest, LLC (cultivation micro business), advised that his company is looking to relocate to Moorestown. He submitted an application last week and they have found property at 365 New Albany Road that is willing to do business with his company. He advised that he needs local support before he can enter into an agreement. He said they will be making improvements to the building and bringing revenues in for the town. He advised that there will be three-to-five employees. He does not expect an impact on traffic. In response to Mr. Van Dyken’s question, Mr. Brinkofski advised that they are seeking a cultivation license at this time. He thanked Council for its time.

There being no further comment, the floor was closed.

CLOSING COMMENTS BY COUNCIL:

Mr. Law expressed his appreciation to the Police Department for taking time to go out and meet with the public to listen and answer questions.

Ms. Mammarella extended her gratitude to the Police Department and STEM.

Mayor Gillespie extended her appreciation and gratitude to the Police Department and hoped to see everyone at the events happening over the weekend.

CLOSED SESSION (IF NECESSARY) (RESOLUTION NO. CS 10 03 2022): None.

ADJOURNMENT: At 8:25 p.m., there being no further business, a motion was made to adjourn.

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

PATRICIA L. HUNT, RMC
Township Clerk