

TOWNSHIP OF MOORESTOWN
TOWNSHIP COUNCIL
OFFICIAL ACTION MEETING

February 6, 2023

(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, Mayor
Quinton Law, Deputy Mayor
Sue Mammarella, Councilmember
Jake Van Dyken, Councilmember
David Zipin, Councilmember

Kevin E. Aberant, Township Manager
Patricia L. Hunt, Township Clerk
Stephen Raymond, Township Solicitor (substitute)

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 February 3, 2023.

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:

Proclamation - Random Acts of Kindness Proclamation: Mayor Gillespie advised that the Township has been proclaiming Kindness Week for the past twenty-eight years. She read aloud and presented the proclamation to Holly Myers.

PROCLAMATION

WHEREAS, The Random Acts of Kindness Foundation recognizes Friday, February 17th as Kindness Day in 2023 and February 12th thru 18th as Kindness Week; and

WHEREAS, this year marks the 28th year Moorestown, as a community, is acknowledging the profound, life enhancing role that kindness plays in our lives, including kindness to ourselves, each other and our Earth; and

WHEREAS, one of our highest goals in Moorestown is to build and maintain a welcoming, fair and just community for all who live, work in and visit our town; and

WHEREAS, kindness in the form of neighborliness and respect produces a peaceful community that is a desirable place to live and learn, meet and greet, work and play, shop and dine; and

WHEREAS, kindness supports an environment where people can respectfully collaborate, discuss differences and handle conflict with positive outcomes, strengthening unity throughout our town; and

WHEREAS, to foster this goal, our commitment to growing kindness will continue throughout the year, with ongoing intention and attention, developing new ideas moving forward.

NOW, THEREFORE, the Township Council of the Township of Moorestown in the County of Burlington, State of New Jersey, hereby proclaims the year 2023.

***As a Year in Which We Continue to
Deepen and Expand the Power of Kindness***

And urge each one of us to pause and **THINK**, before we speak or act,
Is it **True**? Is it **Helpful**? Is it **Inspiring**? Is it **Necessary**? Is it **Kind**?!

Given, under my hand and the Seal of the Township of Moorestown this 6th day of February in the Year of Our Lord Two Thousand Twenty Three. Nicole Gillespie, Mayor

Ms. Myers put heart-shaped glasses on and said she is looking at the world with kind eyes. She thanked Council for the opportunity. She advised that in the spring of 2022, she met a kindred spirit who makes postcards and Mooretown Hardware is now retailing them. She handed them out. She also told of a story where she handed one of the postcards out to someone on the train and it lifted his spirits.

Proclamation - Citizen of the Year 2023, Karen Reiner (Presented 2/1/23): Mayor Gillespie advised that she presented the proclamation on February 2, 2023 at the Citizen of the Year Dinner at the Community House. Mayor Gillespie said Karen Reiner is one of the kindest people she knows; the town is lucky to have her.

PROCLAMATION

WHEREAS, **KAREN REINER** has been extremely dedicated to the Moorestown community through her leadership and involvement in countless civic activities; and

WHEREAS, **KAREN REINER** has given freely of her time, expertise and interpersonal skills in order to improve the quality of life in Moorestown and beyond, including leadership and volunteer service in the following community activities, organizations and committees:

- ☞ Co-founder and President of MooreUnity whose goal is to eradicate prejudice and discrimination
- ☞ Moorestown Braver Angel Alliance which helps Republicans and Democrats communicate civilly
- ☞ Co-founder of Moorestown Directory Group, bringing all non-profit civic and religious groups under one entity
- ☞ Girl Scout Troop Leader placing kindness benches at each of the elementary schools
- ☞ Sandy-Hook Promise implemented into local schools training students and adults to know the signs of gun violence
- ☞ Moms Demand Action, an anti-gun violence effort

WHEREAS, these are only a sample of the many accomplishments and remarkable humanitarian efforts of **KAREN REINER**, as she has spent years volunteering for and supporting many of the civic and cultural activities that benefit Moorestown and others.

NOW, THEREFORE, I, Nicole Gillespie, Mayor of the Township of Moorestown in the County of Burlington, State of New Jersey, do hereby proclaim:

**FEBRUARY 1, 2023 AS CITIZEN OF THE YEAR DAY
HONORING KAREN REINER**

and ask that all citizens join me in expressing sincere thanks for the outstanding service **KAREN REINER** has so generously given to our community, and offering congratulations and best wishes to her for continued success in all of her future activities.

Given, under my hand and the Seal of the Township of Moorestown this 1st day of February in the Year of Our Lord Two Thousand Twenty Three. Nicole Gillespie, Mayor

DISCUSSION

Reports from Members of Council:

Mr. Zipin advised that the Planning Board held a meeting; he was unable to attend.

Mr. Van Dyken advised that he was sick and could not attend the last Council meeting or Recreation Advisory Committee meeting.

M. Mammarella thanked Ms. Myers. She advised that she was unable to attend the Soup for Souls dinner because she was sick. She advised that the Sustainable Moorestown meeting is this week; she hoped to get one of the members to attend the next Council meeting to talk about EV charging stations.

Mr. Law advised that he attended the Soup for Souls dinner. He advised that he and the Mayor went to the new Dollar General on Camden Avenue over weekend. He advised the site is

a great improvement over what was located there before. He urged the public to support the business. He advised on the upcoming committee meetings. Mr. Law thanked Ms. Myers for her support of Kindness Week and noted that Kindness Week was mentioned in Money Magazine in 2005 when Moorestown was voted Best Place to Live in America.

Mayor Gillespie thanked Ms. Myers for all she does. She said the Citizen of Year Dinner was great and thanked those that put it together. Mayor Gillespie reminded everyone that the deadline for homeowners and renters to apply for the tax relief program (ANCHOR) is February 28. Mayor Gillespie advised that the Economic Development Advisory Committee reorganized. There are two new additional members. The priority for the Environmental Advisory Committee is finishing the Environmental Resource Inventory; a presentation before Council will take place soon. This year they will be working on a couple of water projects. Mayor Gillespie advised that she and other Mayors spoke with the Chamber of Commerce of Southern New Jersey; there was a lot of interest in what is happening at the mall and Lenola. She reminded all that it is Girl Scout cookie season and advised where cookies are being sold.

Upcoming Meeting(s): Mayor Gillespie read the upcoming meetings aloud.
February 27, 2023 – 7:00 p.m. (Official Action)
March 13, 2023 – 7:00 p.m. (Official Action)

Agenda Updates: None.

Adopting Consent Agenda Resolution No. CA 02 06 2023: 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 02 06 2023

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.

Student parking in the vicinity of the high school: Mr. Aberant advised that the matter was discussed at the last Council meeting. Since then, he met with the Chief of Police and Director of Public Works and the recommendation is to extend timed parking to cover Hayfield and Tyndale Courts. Additional signs will also be posted. Mayor Gillespie asked where the next problem area will be; Mr. Aberant said, perhaps, Sentinel Road. Mayor Gillespie suggested an ordinance on first reading at the next meeting and second reading at the following meeting. Mr. Aberant said he will forward courtesy notice to the residents. He also advised that the Chief of Police met with the Superintendent but he did not know the outcome. Ms. Mammarella indicated that the Township cannot keep doing this. The Board of Education needs to renew its efforts and come up with a solution.

Mayor Gillespie opened the floor to the public.

Dawn Delconte, 17 Hayfield Court, advised that the Superintendent advised her that the best the residents can do is to work with the town to get the signs as the Board does not know if or when they will be able to provide a parking lot for the students. He advised that their concern now is the students walking (cutting through) on neighbors' lawns. She offered to assist in any way she can. Mayor Gillespie advised that a referendum was held a few years ago; it failed. Council will continue to do what it can.

Draft ordinance to revise vacant and abandoned property regulations: Mr. Raymond provided a brief history noting that in 2008, during the financial crisis, a number of towns adopted ordinances; it was a hodgepodge. Last year, the Governor signed legislation to make the ordinances more uniform. The Township's ordinance needs to be amended to comply with State regulations. A discussion was held. Mayor Gillespie noted that the new law regulates homes and businesses in foreclosure (only); not vacant and abandoned on their own. Mr. Aberant advised that he has requested a list of properties that are designated in town as vacant or abandoned, but not in foreclosure to see how they might be addressed. Discussion, questions and answers were had. Mr. Aberant advised that he will prepare an ordinance for first reading at the next meeting.

MANAGER'S REPORT: Mr. Aberant reported:

- Lenola Streetscape Improvement Project: Placement of silt fencing, mark-outs for underground utilities and installation of signage should start between now and the next Council meeting.

- **Main Street and Kings Highway Water Main Project** – A meeting was held with Pennoni. Timeline: currently working on design, bid opening in June, award in August, shovels in the ground October with work to carry over into the new year. Discussion was held. Mayor Gillespie suggested that, when construction starts on Church Street to Poplar, same be done during the summer months (in 2024). Mr. Aberant advised that notice will be given to the public prior to the start of construction. He advised that the project will result in temporary road closures and service line interruptions. Mr. Aberant thought there may be a town hall meeting to display the project to the public and answer any questions. He advised that a bond ordinance, for the full project cost, will need to be adopted to which the grant monies will be applied. The grant is only in connection with the first section.

ORDINANCES ON SECOND READING: None.

ORDINANCES ON FIRST READING: The Township Manager read Ordinance 1-2023 by title.

1-2023 AMENDING CHAPTER 125, SCHEDULE A, ENTITLED “PARKS AND RECREATIONAL FACILITIES” TO RENAME “BEECH STREET PARK” LOCATED AT THE CORNER OF BEECH AND MILL STREETS TO “ARMYDIS SORDON PARK”

Mayor Gillespie asked for discussion or a motion to introduce the ordinance on first reading and set the public hearing date for February 27, 2023 at 7:00 p.m.

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

NON-CONSENT AGENDA RESOLUTIONS: The Township Manager read the resolution by title.

68-2023 AUTHORIZING FUNDING IN THE AMOUNT OF \$26,380 FROM THE “MOORESTOWN OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION TRUST FUND” TO BE USED FOR THE KINGS HIGHWAY DAM REPAIR AND RESTORATION

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

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

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

Mayor Gillespie asked for discussion by Council. There was none. Mr. Aberant advised that this dam was inspected and it was found to be in need of repair for hairline cracks; a chemical injection is needed to seal everything. The reports are filed with New Jersey Department of Environmental Protection (NJDEP); this dam is considered is deficient by NJDEP standards due to its design (not structurally).

Mayor Gillespie asked for a motion to adopt the resolution.

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

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

60-2023 AUTHORIZING MOORESTOWN TOWNSHIP TO ENTER INTO A NATIONAL COOPERATIVE PURCHASING AGREEMENT WITH “THE INTERLOCAL PURCHASING SYSTEM”

61-2023 AUTHORIZING A ONE-YEAR EXTENSION (YEAR 4) OF A CONTRACT TO INTERSTATE WASTE SERVICES FOR SOLID WASTE COLLECTION SERVICES IN THE AMOUNT OF \$906,616.61

62-2023 AUTHORIZING TRANSFERS OF 2022 BUDGET APPROPRIATION RESERVES

63-2023 AUTHORIZING THE TAX COLLECTOR TO CANCEL AND REFUND TAXES DUE TO A STATE COURT JUDGMENT

64-2023 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 (HEINOLD)

65-2023 APPROVING A COMMUNITY EVENT AND SPECIAL ALCOHOLIC BEVERAGE PERMIT APPLICATION FOR SEVEN FOOD TRUCK EVENTS ON THE GROUNDS OF THE MUNICIPAL BUILDING(S), 111 WEST SECOND STREET SPONSORED BY THE ROTARY CLUB OF MOORESTOWN

66-2023 AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE FOR FLOOR & DÉCOR AMENDED PRELIMINARY/FINAL SITE PLAN (BUILDING EXPANSION) 1001 NIXON DRIVE (BLOCK 3000, LOT 6)

67-2023 AUTHORIZING RELEASE OF VARIOUS PERFORMANCE GUARANTEES FOR THE EVERGREENS (NOW ACTS RETIREMENT LIFE COMMUNITIES) INCONNECTION WITH PHASE 2 (AS-BUILT PLANS), PHASE 2A AND PHASE 3A, 309 BRIDGEBORO ROAD (BL 5400, L 11-15 AND BL 5500, L 1)

69-2023 AWARDING A CONTRACT IN THE AMOUNT OF \$26,380 TO EXPERT CONCRETE RESTORATION AND REPAIR FOR THE REPAIR AND RESTORATION OF THE KINGS HIGHWAY DAM LOCATED AT STRAWBRIDGE LAKE

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

MINUTES: December 12, 2022 Official Action and Closed Session and January 9, 2023 Reorganization: Mayor Gillespie asked for comment or a motion to approve the minutes.

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

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

Gregory Chin, 429 North Church Street, commended all those who have had a hand in bringing forth improvements to Yancy Adams Park and expressed his sincere appreciation. He asked what the signage, being provided by the Rotary, will say. Mr. Law advised that the Rotary is committed to engaging the stakeholders and residents concerning the language to be placed on the sign. He said he may also reach out to Dr. Still who knows the history. In closing Mr. Chin hoped that when the park is done, there will be a grand opening in celebration; he also suggested the placement of an additional trashcan.

Kathy Sutherland, 417 North Church Street, asked when “they” are going to start work in the area of South Church Street (before the light a Route 38 by the gas station). Mr. Aberant said there are some barricades “there” that have been placed by the County. He said the bridge is in

need of some repairs. As part of the NJ Department of Transportation project at South Church Street and Route 38, which is going to revamp the intersection, the State is going to redo the bridge. (probably in 2025). Ms. Sutherland said it does not look safe.

Ms. Sutherland recommended that, in Yancy Adams Park, there be a differentiation between where one walks and where one drives. She saw someone turn onto where the new walkway was installed. She suggested placing bollards as soon as possible (before the spring and people walking). Ms. Sutherland suggested that the idea of a pickle ball court be thought of at another location as there is no parking.

Erin Nowak, 201 Haines Drive, asked for information concerning green spaces to be placed at the mall. Mr. Aberant advised that whatever is to be added will be added within the apartment building space. There will be at least one or two center courtyards for the residents and some lawn in between the buildings. Sidewalks and striped bicycle lanes are also part of the plan.

Greg Scott, 303 Kenwood Drive, reported on groups of kids that have been hanging out at the Wawa at night. He said, on January 13, there were about thirty middle school-aged kids swarming the parking lot acting with bad and dangerous behavior. Mr. Aberant advised that he was not aware of the incident and that he would follow up with the Chief of Police.

There being no further comment, the floor was closed.

CLOSING COMMENTS BY COUNCIL:

Mr. Zipin thanked all for attending.

Mr. Van Dyken said it is good to be back. He wished all a good week.

Ms. Mammarella thanked all for attending. She looked forward to Council's initiatives. She advised that she will report on Sustainable Moorestown's search for volunteers to clear off storm drains in town.

Mr. Law suggested that Council receive regular reports from the Police Department so that they are aware of happenings. He expressed his appreciation for the start of work in Lenola. He wished all a Happy Black History Month. He suggested all take a walk at Yancy Adams Park noting that there is information in the Library about the park under the black history volume. He felt there is a lack of awareness when it comes to black history and he looked forward to commemorating that history.

Mayor Gillespie thanked all for attending. She echoed Mr. Law's comments and she expressed her appreciation for the renaming of Beech Street Park in honor of a black resident veteran of Moorestown and the fact that Council continues to work on improvements at Yancy Adams Park; both represent important times in history and Council wants them to be remembered.

CLOSED SESSION (IF NECESSARY) (RESOLUTION NO. CS 02 06 2023): Mayor Gillespie asked for a motion to adopt Resolution CS 02 06 2023 Authorizing Closed Session for purposes of discussing Session (Matters Relating to the Employment Relationship)

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

**RESOLUTION NO. TCOA CS 02 06 2023
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.

_____ (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.

___x___ (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 8:09 p.m., Council entered into closed session.

At 9:05 p.m., Council returned to the public meeting. Due to the sensitivity of the matters, Council had nothing to report.

ADJOURNMENT: At 9:05 p.m., there being no further business, a motion was made to adjourn.

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

PATRICIA L. HUNT, RMC
Township Clerk