

TOWNSHIP OF MOORESTOWN
TOWNSHIP COUNCIL
OFFICIAL ACTION MEETING

March 13, 2023

(This meeting was held in-person and virtually/telephonically)

The Regular Meeting of the Moorestown Township Council was called to order by Deputy Mayor Law at 7:00 p.m. at Town Hall, Council Chamber, 111 West Second Street, Moorestown. Attendance was as follows:

Nicole Gillespie, Mayor (absent)
Quinton Law, Deputy Mayor
Sue Mammarella, Councilmember
Jake Van Dyken, Councilmember (absent)
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., Deputy Mayor Law 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 March 10, 2023.

MOMENT OF SILENCE AND FLAG SALUTE: The Official Action meeting began with a moment of silence and flag salute.

ROLL CALL: Deputy Mayor Law took roll call; Mayor Gillespie and Mr. Van Dyken were absent.

PROCLAMATIONS & PRESENTATIONS:

1. Proclamation- Career and Technical Education Month (presented 2/28/23)
2. Presentation- Electric Vehicle Charging Stations by Sustainable Moorestown

Proclamation - Multiple System Atrophy (MSA) Awareness Month. Mr. Law read aloud and presented the proclamation to Joseph Daily.

PROCLAMATION

WHEREAS, Multiple System Atrophy (MSA) is a terminal condition that results in a malfunction of the autonomic nervous system, which is responsible for “automatic” bodily functions such as respiration, heart rate, blood pressure, digestion, temperature control and more; and

WHEREAS, MSA impacts 15,000 to 50,000 people around the United States; and

WHEREAS, MSA impacts people of any age, gender, race or background, including individuals living in Moorestown, NJ; and

WHEREAS, MSA is very disabling and this disability can result in social isolation, stress on the families of those impacted, and financial hardship; and

WHEREAS, MSA results in death, causing tremendous pain and suffering for those impacted and their loved ones; and

WHEREAS, increased awareness about MSA will help patients get diagnosed and treated earlier, possibly prolong life, and foster support for individuals and families coping with MSA in our community; and

WHEREAS, we seek to recognize the contributions of medical professionals, patients and family members who are working to educate our citizenry about MSA in Moorestown, NJ.

NOW, THEREFORE, BE IT PROCLAIMED, by the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey that March 1-31, 2023 be declared as

MULTIPLE SYSTEM ATROPHY AWARENESS MONTH

and we urge all citizens to promote understanding, compassion, and acceptance for all of our fellow citizens who deserve and need our support. Given under my hand and seal of the Township of Moorestown this 13th day of March, 2023. Quinton Law, Deputy Mayor

Mr. Daily thanked Council for the opportunity to bring awareness to this disease which is similar to ALS. He felt bringing about awareness may help patients to get the medical attention they need a little earlier in the process.

Proclamation - Career and Technical Education Month (presented 2/28/23) - Deputy Mayor Law advised that Mayor Gillespie presented the following proclamation on February 28, 2023 and asked that it be marked into the record.

PROCLAMATION

WHEREAS, February 1-28, 2023, has been designated Career and Technical Education Month by the Association for Career and Technical Education; and

WHEREAS, Lincoln Technical Institute has been a part of the fabric of New Jersey for over 75 years; and

WHEREAS, career and technical education offers students the opportunity to gain the academic, technical and employability skills necessary for true career readiness; and

WHEREAS, students in career and technical education programs participate in authentic, meaningful experiences that improve the quality of their education and increase their engagement and achievement; and

WHEREAS, over the years, residents from around the state have obtained education and training from Lincoln Technical Institute's Moorestown campus and have gone on to launch fulfilling and productive careers; and

WHEREAS, leaders from business and industry nationwide report increasing challenges related to addressing the skills gap and connecting qualified professionals with available careers in critical and growing CTE-related fields, including healthcare, energy, advanced manufacturing, cybersecurity and information technology; and

WHEREAS, career and technical education programs ensure that employers have access to a qualified and thriving workforce, ensuring America is a strong and competitive economy;

WHEREAS, Lincoln Technical Institute has helped more than a quarter of a million Lincoln graduates take their lives in new, rewarding directions by launching careers in the fields they love.

NOW, THEREFORE, BE IT PROCLAIMED, by the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey February 1-28, 2023, as

Career and Technical Education Month

and urge all citizens to become familiar with the services and benefits offered by the career and technical education programs in this community and to support and participate in these programs to enhance their individual skills and productivity. Given under my hand and seal of the Township of Moorestown this 28th day of February, 2023. Nicole Gillespie, Mayor

Presentation- Electric Vehicle Charging Stations by Sustainable Moorestown: Bradd Forstein, Sustainable Moorestown member, was present and had a power point presentation. He advised that this is the second presentation before Council and he will be reviewing the different types of charging stations and grants that are available. He reviewed the three types advising that Level 2 is the most commonly seen and would make the most sense for the Township. He advised that the stations are monitored and upgraded remotely.

Mr. Forstein believed that the station infrastructure was put in at the Town Hall (back) parking lot when the site was developed. He advised that the recommended locations would be in

the Town Hall and municipal parking lots. He advised that the stations can be purchased outright or leased. A lease would cost \$2400 a year and \$11-16,000 to purchase. He advised on how the stations work and how revenues are generated. Questions and answers were had. He advised that PSE&G will install the stubbing at no costs and there are grants available (for lease or purchase) through the New Jersey Department of Transportation and the New Jersey Office of Clean Energy. Discussion was held. Council thanked Mr. Forstein for the presentation.

DISCUSSION

Reports from Members of Council:

Mr. Zipin advised when his committees meet next.

Ms. Mammarella thanked Mr. Forstein and Sustainable Moorestown. She advised that the Historic Preservation Ad Hoc Committee continues to work on the grant application that is due on April 19th.

Mr. Law advised on recent and upcoming events. He advised that in honor of Women's History Month, the Better Together Advisory Committee was discussing highlighting some women in town. He advised on upcoming committee meetings.

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

March 27, 2023 – 7:00 p.m. (Official Action)

April 3, 2023 – 7:00 p.m. (Official Action)

Agenda Updates: None.

Adopting Consent Agenda Resolution No. CA 03 13 2023: Deputy Mayor Law asked for a motion to adopt the Consent Agenda.

MOTIONED BY: Mr. Zipin

SECONDED BY: Ms. Mammarella

ABSENT: Mayor Gillespie, Mr. Van Dyken

VOTE: All in favor

RESOLUTION APPROVING CONSENT AGENDA CA 03 13 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.

Budget Workshop Dates: Mr. Aberant advised that he will be delivering his proposed budget to Council soon and then Council can discuss workshop dates.

MANAGER'S REPORT: Mr. Aberant reported:

- The ordinances regulating registration of rental properties and the requirement to provide proof of insurance with the Municipal Clerk and implementing the Lead Hazard Control Assistance Act are still being drafted and will be forthcoming at a later meeting.
- A request for Community Project Funding will be submitted for the following projects this Wednesday. 1. Improvements to the headwall at the sewerage plant. 2. Phase 2 of the water main project (downtown Main Street area); and 3. Potentially submitting for some projects addressing stormwater. He advised that the EPA has requested additional information concerning the first round of funding (received last year). Same is being worked on; there is no timeline on receiving the funding at this point.
- Additional shifts have been authorized to address the increase in crime on the east end of town. He provided an update on the status of new vehicles and plate readers (coming soon). Visibility of police patrol has been achieved.

Deputy Mayor Law opened the floor for public comment.

Leah Bronzeac acknowledged appreciation for the measures taken. She indicated that the thieves are driving in and then driving out with their (the residents) cars. Mr. Aberant indicated that they are circling certain areas. Ms. Bronzeac asked for clarification on Ordinance 5-2023. Mr. Aberant advised that it removes the cap on the number of officers in the department and allows for the creation of the position of Public Safety Director. Ms. Bronzeac noted that there are less officers today than years ago; discussion on the number of officers was had. Mr. Aberant advised that the Township is trying to recruit new officers.

Kathy Sutherland, 419 North Church Street, advised that she has lived here for forty years; she commended the police department and advised that the cap on the number of officers was done by a previous Council years ago.

Greg Newcomer, 235 Fellowship Road, advised that when he served on Council (2012-2015), he, on several occasions, asked to increase the number of officers and his request was not supported by that Council.

ORDINANCES ON SECOND READING: The Township Manager read Ordinance 2-2023 by title. He advised that this ordinance will limit parking on Hayfield and Tyndale Courts.

**2-2023 AMENDING CHAPTER 168 OF THE CODE OF THE
TOWNSHIP OF MOORESTOWN ENTITLED “VEHICLES AND
TRAFFIC”**

Deputy Mayor Law opened the public hearing. There were no comments.

Deputy Mayor Law asked for a motion to close the public hearing.

MOTIONED BY: Mr. Zipin
SECONDED BY: Ms. Mammarella
ABSENT: Mayor Gillespie, Mr. Van Dyken
VOTE: All in favor

Deputy Mayor Law asked for discussion by Council. There were no comments.

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

MOTIONED BY: Ms. Mammarella
SECONDED BY: Mr. Zipin
ABSENT: Mayor Gillespie, Mr. Van Dyken
ROLL CALL VOTE: All in favor

The Township Manager read Ordinance 3-2023 by title. He advised that the ordinance regulates foreclosed properties and registration of same.

**3-2023 AMENDING CHAPTER 103 OF THE CODE OF THE
TOWNSHIP OF MOORESTOWN GOVERNING “PROPERTY
MAINTENANCE”**

Deputy Mayor Law opened the public hearing. There were no comments.

Deputy Mayor Law asked for a motion to close the public hearing.

MOTIONED BY: Mr. Zipin
SECONDED BY: Ms. Mammarella
ABSENT: Mayor Gillespie, Mr. Van Dyken
VOTE: All in favor

Deputy Mayor Law asked for discussion by Council. There were no comments.

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

MOTIONED BY: Ms. Mammarella
SECONDED BY: Mr. Zipin
ABSENT: Mayor Gillespie, Mr. Van Dyken
ROLL CALL VOTE: All in favor

The Township Manager read Ordinance 4-2023 by title. He advised that the ordinance adjusts permit fees.

**4-2023 AMENDING CHAPTER 56 OF THE CODE OF THE
TOWNSHIP OF MOORESTOWN ENTITLED CONSTRUCTION
CODES, UNIFORM**

Deputy Mayor Law opened the public hearing. There were no comments.

Deputy Mayor Law asked for a motion to close the public hearing.

MOTIONED BY: Mr. Zipin
SECONDED BY: Ms. Mammarella
ABSENT: Mayor Gillespie, Mr. Van Dyken
VOTE: All in favor

Deputy Mayor Law asked for discussion by Council. He asked if the ordinance concerned both residential and commercial property permits. Mr. Aberant said yes.

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

MOTIONED BY: Ms. Mammarella
SECONDED BY: Mr. Zipin
ABSENT: Mayor Gillespie, Mr. Van Dyken
ROLL CALL VOTE: All in favor

The Township Manager read Ordinance 5-2023 by title.

**5-2023 AMENDING CHAPTER 6-28 OF THE CODE OF THE
TOWNSHIP OF MOORESTOWN ENTITLED DEPARTMENT OF
POLICE**

Deputy Mayor Law opened the public hearing.

Leah Bronzeac asked for clarification on the ordinance. Mr. Aberant advised that the ordinance allows for the additional position of a Director of Police; the Township had a Director of Police years ago, but the position was abolished. He indicated that a Director could be hired in addition to or instead of a Chief. He recommended the ordinance so that

there will be more options when replacing retiring police. He explained the difference between the two positions. Ms. Bronzeac asked that the ordinance be tabled. Mr. Zipin said this position creates opportunity for additional staffing and Council wants to provide flexibility to the Township Manager in his search for a replacement. Ms. Bronzeac spoke in favor of a Police Chief. Mr. Zipin said that may wind up to be the case; again, Council wants to give the Township Manager as many tools possible. Ms. Mammarella noted that a Director of Police has a police background.

Fred Sutherland, 417 North Church Street, asked what the difference in pay is between the two positions. Mr. Aberant could not say.

Greg Newcomer, 235 Fellowship Road, said Council had this conversation in 2015; there was discussion on the duties of each. He advised that the Director would be addressing a complexity of administrative matters, while the Chief is on the road. They are different roles.

Kourtney De La Cruz, 313 Fairview Avenue, asked for clarification on the number of officers; she was advised. It was noted that there is no net loss as a result of the ordinance; it allows for a Public Safety Director.

Kate Wilson, 2 Split Rock Place, supported removing the cap and asked that the public be afforded reports on crime in town; perhaps, at Council meetings. She supported the ordinance.

David Burris, 237 West Second Street, asked if the officers are part of the process or conversation. Mr. Aberant advised that he has spoken with a number of them and is aware that they favor a Chief. The FOP is also aware. Mr. Burris asked if one was better than the other. Deputy Mayor Law advised that the Township has had both; it is faced with making a decision again and this adds flexibility allowing opportunity to make the best decision for the department and the community. Mr. Burris was advised that Council is setting the foundation so the process may move forward with options. Mr. Burris asked questions; they were answered. He supported the idea of a listening session on crime.

Dustin Cucinotta, 230 West Second Street, asked if it was safe to assume that since Council is lifting the cap, there is money in the budget to hire; and the town will get what it wants, more police officers. Mr. Aberant advised that the ordinance provides flexibility for staffing the department. Mr. Cucinotta supported removing the cap and moving forward in a positive direction.

Deputy Mayor Law asked for a motion to close the public hearing.

MOTIONED BY:	Mr. Zipin
SECONDED BY:	Ms. Mammarella
ABSENT:	Mayor Gillespie, Mr. Van Dyken
VOTE:	All in favor

Deputy Mayor Law asked for discussion by Council. Mr. Zipin thanked the police for their work and doing the best they can. He thanked them for working overtime and patrolling the streets to keep everyone safe. Mr. Zipin acknowledged everyone's comments and stated that the ordinance will provide flexibility to retain the best candidate for the department. Ms. Mammarella appreciated the questions that were asked. Mr. Law suggested holding a listening session on public safety.

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

MOTIONED BY: Mr. Zipin
SECONDED BY: Ms. Mammarella
ABSENT: Mayor Gillespie, Mr. Van Dyken
ROLL CALL VOTE: All in favor

NON-CONSENT RESOLUTIONS: The Township Manager read Resolution No. 85-2023 by title. He advised that the resolution provides for funding for down payment monies on bond ordinances.

85-2023 A RESOLUTION ADOPTING A TEMPORARY CAPITAL BUDGET FOR 2023

Deputy Mayor Law opened the floor to the public. There were no comments.

Deputy Mayor Law asked for discussion by Council. There were no comments.

Deputy Mayor Law asked for a motion to adopt the resolution

MOTIONED BY: Mr. Zipin
SECONDED BY: Ms. Mammarella
ABSENT: Mayor Gillespie, Mr. Van Dyken
ROLL CALL VOTE: All in favor

The Township Manager read Resolution No. 88-2023 by title.

88-2023 A RESOLUTION AMENDING AND SUPPLEMENTING THE 2023 TEMPORARY BUDGET

Deputy Mayor Law opened the floor to the public. There were no comments.

Deputy Mayor Law asked for discussion by Council. There were no comments.

Deputy Mayor Law asked for a motion to adopt the resolution.

MOTIONED BY: Ms. Mammarella
SECONDED BY: Mr. Zipin
ABSENT: Mayor Gillespie, Mr. Van Dyken
ROLL CALL VOTE: All in favor

ORDINANCES ON FIRST READING: The Township Manager read Ordinance 6-2023 by title. He provided a brief explanation.

6-2023 AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN, COUNTY OF BURLINGTON, NEW JERSEY APPROPRIATING \$325,000 AND AUTHORIZING THE ISSUANCE OF \$93,700 IN BONDS OR NOTES OF THE TOWNSHIP TO BE USED FOR IMPROVEMENTS TO NIXON DRIVE, 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 March 27, 2023 February 27, 2023 at 7:00 p.m.

MOTIONED BY: Mr. Zipin
SECONDED BY: Ms. Mammarella
ABSENT: Mayor Gillespie, Mr. Van Dyken
ROLL CALL VOTE: All in favor

The Township Manager read Ordinance 7-2023 by title. He advised that this ordinance is necessary in order to re-drill the well.

7-2023 AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN, COUNTY OF BURLINGTON, NEW JERSEY APPROPRIATING \$655,000 AND AUTHORIZING THE ISSUANCE OF \$625,000 IN BONDS OR NOTES OF THE TOWNSHIP TO BE USED FOR THE RE-DRILLING AND REDEVELOPMENT OF WELL #8, TOGETHER WITH ALL RELATED EXPENSES

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

MOTIONED BY: Mr. Zipin
SECONDED BY: Ms. Mammarella
ABSENT: Mayor Gillespie, Mr. Van Dyken
ROLL CALL VOTE: All in favor

The Township Manager read Ordinance 8-2023 by title. Mr. Heinold advised that this ordinance brings the code up to date with the practices of today. He recommended that the following sentence be added to the end of section 158-6: Municipal projects are exempt for site plan review by the Planning Board.

8-2023 AMENDING CHAPTER 158 OF THE CODE OF THE TOWNSHIP OF MOORESTOWN ENTITLED "LAND DEVELOPMENT AND SUBDIVISION OF LAND"

Deputy Mayor Law asked for discussion or a motion to introduce the ordinance, with the added language, on first reading and set the public hearing date for March 27, 2023 at 7:00 p.m.

MOTIONED BY: Ms. Mammarella
SECONDED BY: Mr. Zipin
ABSENT: Mayor Gillespie, Mr. Van Dyken
ROLL CALL VOTE: All in favor

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

84-2023 AWARDING A CONTRACT TO UNIVAR SOLUTIONS USA INC. FOR PURCHASE AND DELIVERY OF LIQUID SODIUM HYDROXIDE FOR POTABLE WATER IN AN AMOUNT NOT TO EXCEED \$172,731

86-2023 AUTHORIZING THE TAX COLLECTOR TO REFUND TAXES DUE TO DUPLICATE PAYMENT

87-2023 AWARDING A CONTRACT TO CNS ACQUISITION CORP D/B/A CNS CLEANING COMPANY FOR JANITORIAL SERVICES FOR PARK BATHROOMS IN THE ANNUAL AMOUNT OF \$25,000

89-2023 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 (CLARKE CATON HINTZ)

90-2023 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 (SURENIAN)

91-2023 IDENTIFYING THE INDIVIDUALS AUTHORIZED TO EXECUTE A TREATMENT WORKS APPROVAL PERMIT AND THE STATEMENT OF CONSENT FOLLOWING RETIREMENT OF UTILITIES SUPERINTENDENT

92-2023 SUPPORTING THE PERKINS CENTER FOR THE ARTS' GRANT APPLICATIONS

93-2023 SUPPORTING THE PERKINS CENTER FOR THE ARTS' APPLICATION FOR A NEW JERSEY STATE COUNCIL ON THE ARTS GRANT

94-2023 SUPPORTING THE PERKINS CENTER FOR THE ARTS' APPLICATION FOR A NEW JERSEY HISTORIC TRUST FUND GRANT

Deputy Mayor Law opened the floor to the public. There were no comments.

Deputy Mayor Law asked for discussion by Council. There was none.

Deputy Mayor Law asked for a motion to adopt the resolutions.

MOTIONED BY: Mr. Zipin
SECONDED BY: Ms. Mammarella
ABSENT: Mayor Gillespie, Mr. Van Dyken
ROLL CALL VOTE: All in favor

MINUTES: None.

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

MOTIONED BY: Mr. Zipin
SECONDED BY: Ms. Mammarella
ABSENT: Mayor Gillespie, Mr. Van Dyken
ROLL CALL VOTE: All in favor

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

Greg Newcomer, 235 Fellowship Road, recognized the fact that Bill Butler, Superintendent of Utilities, will be retiring and hoped that he would be recognized.

Kate Wilson, 2 Split Rock Place, asked could the Township hire a retired police chief as Chief and Director. Mr. Aberant said that would be hard to answer due to pension.

Kathy Sutherland, 417 North Church Street, supported the hiring of a Police Chief and Director of Police. She felt that if they have definitive job descriptions, their roles should not clash.

There being no further comment, the floor was closed.

CLOSING COMMENTS BY COUNCIL:

Mr. Zipin said that if there is a Director of Police and no Chief of Police, an officer will be named as Officer in Charge who will serve that role. He expressed his appreciation to the public and officers that attended the meeting; he thanked the officers for their service.

Ms. Mammarella echoed Mr. Zipin's comments. She thanked Sustainable Moorestown for the presentation and hoped the Township would pursue the recommendation.

Mr. Law echoed the comments made noting this is a democracy in action. He advised that the Police Department ordinance will give the Township flexibility and remove the restriction on the number of officers the department can have.

CLOSED SESSION (IF NECESSARY) (RESOLUTION NO. CS 03 13 2023): None.

ADJOURNMENT: At 9:15 p.m., there being no further business, a motion was made to adjourn.

MOTIONED BY: Mr. Zipin
SECONDED BY: Ms. Mammarella
ABSENT: Mayor Gillespie, Mr. Van Dyken
VOTE: All in favor

PATRICIA L. HUNT, RMC
Township Clerk