

TOWNSHIP OF MOORESTOWN
TOWNSHIP COUNCIL
OFFICIAL ACTION MEETING

May 8, 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
Douglas Heinold, Township 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 May 5, 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. Don Lloyd, Director of Public Works, was also present.

PROCLAMATIONS & PRESENTATIONS: Mayor Gillespie advised that the following two proclamations were presented by Mr. Law at the annual Arbor Day ceremony. With regard to the National Wildlife Federation for the Community Wildlife Habitat Certification proclamation, Mr. Law said Diane Cairoli from the Library has done an amazing job for the community; the Township is close to attaining certification. More information is to come on how to register your property as a national habitat. Mr. Law advised that the Arbor Day ceremony had a huge turnout. He advised on the event and thanked the Tree Planting and Preservation Committee.

Proclamation- National Wildlife Federation for the Community Wildlife Habitat Certification Program (presented on April 28, 2023):

PROCLAMATION

WHEREAS, the Township of Moorestown demonstrates leadership in the environment and sustainability issues, and advocates for sound environmental policy and action in the areas of air quality, land use, water quality, waste management, flora and fauna and resources; and

WHEREAS, the National Wildlife Federation's (NWF) Community Wildlife Habitat Certification program recognizes the leadership efforts of the Township of Moorestown on a national scale and assists the Township with its environmental goals; and

WHEREAS, the NWF's Community Wildlife Habitat Certification program makes a community a healthier place for wildlife and humans alike and provides the following benefits:

- Engages local citizens in meeting local goals around pollinators, wildlife, water conservation and more;
- Reduces polluted runoff;
- Maintains attractive landscapes through use of drought-resistant native plants;
- Beautifies the community through more trees, wildflowers and greenery; and
- Engages local volunteers for restoration projects.

NOW, THEREFORE, BE IT PROCLAIMED, that the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey hereby:

1. Supports the enrollment of the Township of Moorestown in the NWF's Community Wildlife Habitat Certification Program; and
2. Supports the Moorestown Community Wildlife Habitat Project Team's efforts to submit all documents and meet the eligibility requirements for the Township of Moorestown to become a Certified Community Wildlife Habitat.

Given under my hand and the Seal of the Township of Moorestown this Twenty Eighth Day of April in the Year of Our Lord Two Thousand Twenty-Three. Quinton Law, Deputy Mayor

Proclamation- Arbor Day (presented on April 28, 2023):

PROCLAMATION

ARBOR DAY

WHEREAS, the purpose of Arbor Day is to encourage the planting of shade and forest trees, and the protection of our woods against devastating fires, insects, and diseases; and

WHEREAS, with the cooperation of all residents of Moorestown, the beneficial effects of tree plantings and proper conservation practices, we can pass on an enduring heritage of trees for the benefit of future generations; and

WHEREAS, special recognition has been given to Moorestown Township as a Tree City USA for the 33rd straight year; therefore, it is appropriate that an Arbor Day observance be held.

NOW, THEREFORE, I, Quinton Law, Deputy Mayor of the Township of Moorestown, do hereby proclaim, April 28, 2023 as:

ARBOR DAY IN THE TOWNSHIP OF MOORESTOWN

and I urge all residents to observe this occasion by planting one or more trees in the Township throughout 2023.

Given under my hand and the Seal of the Township of Moorestown this Twenty Eighth Day of April in the Year of Our Lord Two Thousand Twenty-Three. Quinton Law, Deputy Mayor

Proclamation-Jewish American Heritage Month: Mayor Gillespie read the proclamation aloud. The Jewish Community Relations Council (JCRC) of Southern New Jersey Moorestown and Jewish Association representatives were present to receive a proclamation on behalf of each of their associations. Mayor Gillespie thanked them for all they do and for being present.

PROCLAMATION

WHEREAS, Jewish immigrants to America, ever since their first arrival to our shores in the 16th century, have played a central role in the creation, growth, freedom, prosperity, and strength of the United States of America; and

WHEREAS, the biblical and contemporary history of the Jewish people and the enduring values of the Jewish faith were vital sources of inspiration for the founding of the United States, the Civil Rights movement, America's global leadership in the cause of freedom, America's commitment to social justice, and many of our Country's most central tenets; and

WHEREAS, Jewish American Heritage Month is a month to celebrate the contributions Jewish Americans have made to America's history, society, and culture for over 350 years; and

WHEREAS, for forty-two years, every President of the United States has declared a period of time for celebrating the contributions to the United States of the Jewish community's history, heritage, and culture and since 2006, the month of May has been declared by the President to be Jewish American Month, pursuant to bipartisan Resolutions of Congress; and

WHEREAS, we are reminded that the vibrant culture of the Jewish people has not always been embraced. In a country where diversity should be cherished and protected, Jewish communities continue to deal with hostility, hatred, and narrow-mindedness; and

WHEREAS, the Jewish Community Relations Council of Southern New Jersey works on behalf of the Jewish community to address the concerns of Jews here and abroad through strengthening inter-group understanding, promoting the peaceful resolution of conflicts, and enhancing a just and pluralist society; and

WHEREAS, the Moorestown Jewish Association fosters relationships through innovative community-based Jewish experiences, and supports the greater Moorestown community through *tikkun olam*, interfaith initiatives, and community partnerships to promote the values of community and compassion; and

WHEREAS, Jewish Americans have been a critical part of the American story, greatly impacting the cultural, economic, and intellectual advancement of all people, even while in the face of discrimination and adversity. They have shaped our Nation and have helped steer the course of our history.

NOW, THEREFORE, BE IT PROCLAIMED, by the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey that the month of May, 2023 be celebrated as Jewish American Heritage Month in Moorestown. We encourage all citizens to celebrate our diverse heritage and culture, and to continue our efforts to create a world that is more just, peaceful, and prosperous for all.

Given under my hand and seal of the Township of Moorestown this 8th day of May, 2023.
Nicole Gillespie, Mayor

Jeffrey Apell, JCRC, thanked Council and the support it has provided. He said the associations do all they can to fight antisemitism and expressed his sincere appreciation. Brook Mailhiot, Moorestown Jewish Association, thanked Council for its support and participation in their events. She named and thanked other supporting organizations.

DISCUSSION: Reports from Council:

Mr. Zipin advised that:

- The Planning Board met last week; there were a couple of matters, including the ordinance to regulate warehouses. The Open Space Advisory Committee meeting was moved to next week.
- He wished all a Happy Jewish Heritage month and he commended them.

Mr. Van Dyken advised that:

- The Recreation Advisory Committee met last week; they are discussing an inclusive playground, which is on the agenda for discussion this evening.

Ms. Mammarella advised that:

- The Arbor Day celebration was very nice and that Reconstructive Orthopedics was recommended for the Arbor Day award.
- She is going on a field trip at the Burlington County Recycling Center next week.
- Sustainable Moorestown is pursuing a PSE&G grant.
- She and Mr. Law pruned trees in town with the Tree Planting and Preservation Committee and watered flowers on Main Street.
- She and Mayor Gillespie participated in the Mission Voice 5K; it was fun.

Mr. Law:

- Thanked the Jewish Community Relations Council of Southern New Jersey and Moorestown Jewish Association for their support in Moorestown.
- He advised that the Arbor Day celebration was good. Last year, the Township received trees from the County, which were planted on the green in front of Town Hall.
- The Better Together Advisory Committee is working on the Juneteenth celebration.
- He drove past the Coffee with a Cop event over the weekend; it looked like a great event. He hoped the program would expand.
- Last night, at Fox Meadow Apartments, a twelve-year old boy passed away and over twenty families were displaced as a result of a fire. He asked all to keep them in their thoughts.

Mayor Gillespie advised that:

- The Economic Development Advisory Committee met; they are discussing getting to know the businesses in Lenola.
- She and Mr. Law will hold a round table event with the Camden Avenue business owners and look for ways to better support them, especially during the bridge closure.
- She said the Mission Voice 5K walk was great.; it is a wonderful event.
- This Saturday, Senator Singleton will be hosting a community service project at Fullerton Park; volunteers are needed.

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

May 22, 2023 – 7:00 p.m. (Official Action)

June 12, 2023 – 7:00 p.m. (Official Action)

Agenda Updates: None.

Adopting Consent Agenda Resolution No. CA 05 08 2023: Mayor Gillespie asked for a motion to adopt the Consent Agenda.

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

RESOLUTION APPROVING CONSENT AGENDA CA 05 08 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.

Feasibility Study for Improvements to Wastewater Treatment Plant: A short video was played. Mayor Gillespie advised that this process, known as hydrothermal carbonization, is being used in Phoenixville, Pennsylvania. She and staff visited the site and were quite impressed. The Township has received a proposal from a company to perform a feasibility study (cost is \$63,718). Discussion, questions and answers were had. It was noted that the Township could eliminate energy and sludge removal costs. The byproduct is being used as a binder for concrete; it can also be used as a fuel source. Mr. Aberant advised that this is a totally different treatment process; it treats in sixty minutes. He noted that the Township's plant is aging and a major capital investment will need to be made in the next fifteen to twenty years. It was felt that with the savings and revenues that could be generated, the equipment could pay for itself in a matter of years. Don Lloyd, Director, Department of Public Works advised that there are grants available. Mr. Aberant

advised that a contract for the study would be under professional services (engineering). Council would need to adopt a bond ordinance for the funding (of the study) and a resolution authorizing and awarding a contract. Mayor Gillespie suggested introducing the bond ordinance at the next meeting. There were no objections.

Proposal for Inclusive Playground: Mr. Aberant advised that there was discussion at the last Recreation Advisory Committee meeting about replacing the playground equipment, which was donated by Commerce Bank in 2005 or 2006 at Wesley Bishop Park. He advised that the group involved with developing the Full Throttle Field at Memorial Field is interested in installing an inclusive playground. Mayor Gillespie advised that she spoke to the family that wants to do this and they are interested in raising funds and announcing same. Questions were asked. Mr. Aberant advised that if there is support from Council, there will be a future agreement. Mr. Law asked for public input; Mr. Aberant said he would speak to the family about it. There were no objections. Mayor Gillespie confirmed Council's support.

MANAGER'S REPORT: Mr. Aberant reported:

- The construction of the whiffle ball field is under way.
- The Camden Avenue streetscape project is well underway.
- There is no update on the Camden Avenue bridge repairs, except that the rain delayed the project.
- The Township has hired Patrick Reilly to serve as Director of Police. He has an exceptional resume. He served over twenty years with the New Jersey State Police and retired as a Captain. He worked for the Burlington County Bridge Commission as Director of Police. His anticipated start date is June 5, 2023. He noted that the candidates were highly qualified. Mr. Law asked if Council could meet with him to discuss his goals. Mr. Aberant said he could arrange for that.

ORDINANCES ON SECOND READING: The Township Manager read Ordinance 9-2023 by title.

**9-2023 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

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

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

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

Mayor Gillespie asked for discussion by Council. There were no comments.

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

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

ORDINANCES ON FIRST READING: The Township Manager read Ordinance 10-2023 by title. Mr. Aberant advised that this ordinance and recommendation for adoption comes from the Planning Board as a follow up to the re-examination of the Master Plan.

10-2023 AMENDING CHAPTER 180 OF THE CODE OF THE TOWNSHIP OF MOORESTOWN ENTITLED “ZONING” TO AMEND THE REGULATION OF WAREHOUSES IN THE BP-1 ZONING DISTRICT IN ACCORDANCE WITH RECOMMENDATIONS MADE BY THE NJ STATE PLANNING COMMISSION

Mayor Gillespie asked for discussion or a motion to introduce the ordinance on first reading and set the public hearing date for May 22, 2023 at 7:00 p.m.

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.

116-2023 AUTHORIZING THE TAX COLLECTOR TO REFUND A TAX PAYMENT DUE TO DUPLICATE PAYMENTS

117-2023 AWARDING A CONTRACT TO BLACK ROCK ENTERPRISES, LLC IN THE AMOUNT OF \$185,143.75 FOR PROJECT KNOWN AS 2023 RECONSTRUCTION PROGRAM – PANCOAST AVENUE

118-2023 AUTHORIZING THE FUNDING OF TOWNSHIP OF MOORESTOWN’S SHARE OF THE MACCS CONTRACT IN THE AMOUNT OF \$5,755.20

119-2023 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, CLARKE CATON HINTZ, CGP&H)

120-2023 APPROVING A COMMUNITY EVENT FOR THE JUNETEENTH CELEBRATION SPONSORED BY THE PERKINS CENTER FOR THE ARTS

121-2023 AUTHORIZING REDUCTION NO. 1 OF PERFORMANCE GUARANTEE FOR 14 SBAR BOULEVARD, LLC, SBAR BOULEVARD AND LENOLA ROAD (BLOCK 100, LOTS 1.01 THROUGH 1.08) MINOR SUBDIVISION AND MINOR SITE PLAN

122-2023 RESOLUTION OF THE TOWNSHIP OF MOORESTOWN AUTHORIZING THE EXECUTION OF A COMPLETION AND SETTLEMENT AGREEMENT WITH BOND SAFEGUARD INSURANCE COMPANY, SURETY FOR PAPARONE HOUSING CO., INC., FOR THE MANORS AT AVONLEA RESIDENTIAL DEVELOPMENT

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

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

Fred Sutherland, 417 North Church Street, asked if there is enough room at the sewer treatment plant on Pine Street for the new treatment system that was discussed. Mr. Lloyd said yes, the system could fit in the Council Chamber. He asked what is going on with PSE&G on North Church Street. Mr. Lloyd said the only information given to the Township was that they were replacing a leaking line.

Kathy Sutherland, 417 North Church Street, said she is very concerned about the bridge on Camden Avenue; she thinks it should be replaced. She advised that the barricades at Yancy Adams Park are not working; the Township needs to put something up to prevent people from driving on the pedestrian path. Mr. Aberant advised that they are looking at installing a split rail fence. Ms. Sutherland advised she would like to see the park remain as open space (the only little space the

area has). Ms. Sutherland wanted to put on the record that when the County repaved North Church Street, the gas company wanted to change the gas lines and the County Commissioners voted against it. The residents could have new gas lines on the street but, the County said no.

Kate Wilson, 2 Split Rock Place, advised she was looking for information on affordable housing, tax credits and where the Township ended up. Mayor Gillespie advised that the fact sheet online needs updating. Mr. Aberant took note of same.

There being no further comment, the floor was closed.

CLOSING COMMENTS BY COUNCIL:

Mr. Zipin wished all a Happy Spring and thanked them for attending.

Mr. Van Dyken reminded all that this is also Mental Awareness Month and we should check in with ourselves and others. He thanked all for attending.

Ms. Mammarella advised that it took eight minutes for her to register her yard as a backyard habitat. She thanked all for attending.

Mr. Law asked that the affordable housing fact sheet online be updated. He urged all to support the businesses in Lenola, especially during the bridge closure.

Mayor Gillespie thanked all, including Mr. Lloyd, for attending.

CLOSED SESSION (IF NECESSARY) (RESOLUTION NO. CS 05 08 2023): None.

ADJOURNMENT: At 8:24 p.m., there being no further business, a motion was made to adjourn.

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

PATRICIA L. HUNT, RMC
Township Clerk