

TOWNSHIP OF MOORESTOWN
TOWNSHIP COUNCIL
OFFICIAL ACTION MEETING

October 2, 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 7:00 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 September 29, 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. Mr. Merchel was also present.

PROCLAMATIONS & PRESENTATIONS:

Presentation- Moorestown EMS: Bill Holden, President of Moorestown Emergency Squad (EMS), and Dan Shields, Chief of Moorestown Emergency Squad, addressed Council. Mr. Holden advised that Moorestown EMS has full- and part-time paid staff and is capable of handling the additional call volume resulting from the closure of the Lenola EMS. He advised that the squad runs about 4,000 calls a year, which will increase by approximately 1,000. He assured Council that the response time to the Lenola area will not be of concern, noting it will be less time than it takes to get to the east end of town. Hiring of new staff did not seem necessary at this time. Discussion was held on assistance from and to other towns. In closing, Mayor Gillespie thanked them for attending and asked that in the future, Council be made aware of scenarios such as the one that occurred so that discussions can be held.

DISCUSSION:

Reports from Council:

Mr. Zipin advised on the upcoming Planning Board and Open Space Advisory Committee meeting.

Ms. Mammarella advised on the upcoming events being held by Sustainable Moorestown; and she advised that Autumn in Moorestown on Main Street is October 14, 2023.

Mr. Van Dyken advised that the Recreation Advisory Committee meets tomorrow.

Mr. Law thanked the EMS for attending and for what they do. He advised on the upcoming Better Together Advisory Committee and Tree Planting and Preservation Committee meetings. He advised that the Rededication of Armydis Sordon Park will be held on November 11, 2023. He advised that he attended the Jack Hannon Full Throttle Field Dedication Ceremony; it was very moving. Mr. Law advised that he attended the town hall meeting held by Moorestown residents at the Lenola Firehouse concerning a cannabis retail shop that may be coming to the neighborhood. He appreciated the public's attention to the matter and looked forward to continuing work.

Mayor Gillespie advised that the Economic Development Advisory Committee is working with businesses in the Camden Avenue redevelopment area. The Planning Board will review the Environmental Resource Inventory and if adopted, it will be posted online. She advised on the Breast Cancer Awareness event that she attended, as well as the Jack Hannon Full Throttle Field Dedication Ceremony. She complimented the family, the addition to the community and urged everyone to visit the field if they have not done so. Mayor Gillespie advised that the engineer will be working on concept plans for Yancy-Adams Park and will hold open public input sessions. Mayor Gillespie advised that she attended and heard residents' concerns at the Lenola Firehouse (regarding a potential cannabis retail store at 360 Crider Avenue); she advised that she is working with the owners to explore other locations. She thanked all those that attended noting that it is important for Council to hear from the public.

Upcoming Meeting(s): Mayor Gillespie read the upcoming meetings aloud.
October 16, 2023 – 7:00 p.m. (Official Action)
November 13, 2023 – 7:00 p.m. (Official Action)

Agenda Updates: None.

Adopting Consent Agenda Resolution No. CA 10 02 2023: Mayor Gillespie asked for a motion to adopt the Consent Agenda.

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

RESOLUTION APPROVING CONSENT AGENDA CA 10 02 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.

Adopting Consent Agenda Resolution No. AHCA 10 02 2023: Mayor Gillespie asked for a motion to adopt the Consent Agenda.

MOTIONED BY: Ms. Mammarella
SECONDED BY: Mr. Van Dyken
ABSTAIN: Mr. Zipin
ABSENT: None
VOTE: All in favor, with exception of Mr. Zipin

RESOLUTION APPROVING CONSENT AGENDA AHCA 10 02 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.

MANAGER'S REPORT: Mr. Aberant advised that

- The repainting of the Westfield Road Water Tank project is moving forward. The tank will be drained and all water will be supplied by the North Church Street Water Tank. He announced that residents are asked not to use their irrigation systems during that time.
- The drainage project on North Lenola road is finished; it is anticipated that the Township will put the property back on the market.
- He sent an email to Council concerning the (historical marker) sign to be placed on McElwee Road. The sign is identical to the one on Salem Road, which was installed by the Historical Society. He sought Council's thoughts on the sign to be installed. Council agreed that, unless the Historical Society wants to contribute to the cost of the sign, it seems appropriate to have "Moorestown Township 2023" at the bottom as opposed to the "Historical Society."
- The Township is still on track for the relining of Camden Avenue (as part of the streetscape project) in November. He noted; however, same is a County road and the Township is at the mercy of the County.

Mr. Zipin recused himself and left the room.

AFFORDABLE HOUSING ORDINANCES ON SECOND READING: The Township Manager read Ordinance 19-2023 by title.

19-2023 BOND ORDINANCE PROVIDING FOR IMPLEMENTATION OF THE HARPER DRIVE AFFORDABLE HOUSING PROJECT IN AND BY THE TOWNSHIP OF MOORESTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING \$9,250,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$8,787,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Mr. Aberant provided a lengthy explanation concerning the costs and contribution associated with the Pennrose project and settlement agreement. He reviewed the history noting that the project is required to be built and the Township has always contemplated it would make a substantial contribution. He provided reasons for cost increases since the inception, indicating that while the number is higher than originally proposed, it is still in the range of what Pennrose said it would be and it is also consistent with the industry. He advised that if the Township does not move forward, it will be in violation of its developer agreement (and Fair Share Housing) and the town's protection would be lost.

Mayor Gillespie opened the public hearing.

Manny Delgado, 6 Walnut Court, expressed his concern with the fact that the cost was \$23 million in 2021 and is now \$27 million. He questioned the additional costs. He was advised, mortgage rates, construction costs and loss of funding sources. He was also advised that the Township's financial consultant has found the increase to be reasonable. Discussion was held. In closing, Mr. Delgado felt the increase was too high (and could be better negotiated) and he requested that Council postpone action. Discussion was held. Mr. Merchel advised that the upcoming bond sale could either be postponed or move forward without this ordinance included in it.

Mayor Gillespie asked for a motion to continue the public hearing to October 16, 2023 at 7 p.m.

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

Gregory Lane, 232 Winding Way, suggested reducing the project costs.

Michael Locatell, 526 East Main Street, asked Council to post for public viewing the cost document(s) before it votes. Mr. Heinold advised he had to review the issue of a public document (some information may be proprietary).

Greg Newcomer, 235 Fellowship Road, asked questions about timing and Council's obligations in connection with any timing issues. Mr. Heinold advised.

AFFORDABLE HOUSING ORDINANCES ON FIRST READING: None.

AFFORDABLE HOUSING RESOLUTIONS: The Township Manager read the consent agenda resolutions by title.

186-2023 AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE AFFORDABLE HOUSING TRUST FUND FOR CONSULTING SERVICES RELATED TO AFFORDABLE HOUSING SITES FOR MOORESTOWN TOWNSHIP, BURLINGTON COUNTY (ZELLER & WIELICZKO LLP, ENVIRONMENTAL RESOLUTIONS, INC.)

187-2023 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)

Mayor Gillespie opened the floor to the public.

Kameron Rabenou, 161 Pheasant Field Lane, strongly urged Council to publicize the Pennrose cost documents finding the public has a right to know.

Mayor Gillespie asked for discussion by Council.

Mayor Gillespie asked for a motion to adopt the resolutions.

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

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

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

Mr. Zipin returned to the meeting.

ORDINANCES ON SECOND READING: The Township Manager read Ordinance 18-2023 by title.

18-2023 AMENDING CHAPTER 125 OF THE CODE OF THE TOWNSHIP OF MOORESTOWN ENTITLED "PARKS AND RECREATIONAL FACILITIES" AND CHAPTER 168 ENTITLED "VEHICLES AND TRAFFIC"

Mayor Gillespie opened the public hearing.

Bill Wesolowski, 609 Grand Avenue, expressed opposition to Section 125-3B, on behalf of Fire District No. 2, advising that there are many events and reasons why parking at Jeff Young Field cannot be shifted to the firehouse parking lot. He asked Council to reconsider that amendment.

Jamie Boren, 45 Revere Avenue, asked why “no parking” signs were already posted at the field. She was advised that the Department of Public Works jumped the gun. Mayor Gillespie advised that parking on the grass is an issue and recognized that a parking lot could be there; however, same is on a County road. She advised that Council will review additional parking, however, parking on the grass does not work.

Mike Locatell, 526 East Main Street, asked when Public Works got instruction to erect the signs; Mr. Aberant did not know. Mayor Gillespie reiterated that the signs should not have been put up. Mr. Locatell said parking has been allowed for at least thirty years and suggested not moving forward with the amendment.

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

MOTIONED BY: Ms. Mammarella

SECONDED BY: Mr. Van Dyken

ABSENT: None

VOTE: All in favor

Mayor Gillespie asked for discussion by Council. Mr. Law noted that during high traffic hours, it can be difficult to back out. The area also floods. He felt there are a few improvements needed and felt discussion could and should be held further down the road.

Jamie Boren, 45 Revere Avenue, advised that she and the neighbors across the street have parked there for years.

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

MOTIONED BY: Mr. Law

SECONDED BY: Ms. Mammarella

ABSENT: None

ROLL CALL VOTE: All in favor

The Township Manager read Ordinance 20-2023 by title.

20-2023 AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN, COUNTY OF BURLINGTON, NEW JERSEY APPROPRIATING \$525,000 AND AUTHORIZING THE ISSUANCE OF \$498,750 IN BONDS OR NOTES OF THE TOWNSHIP TO BE USED FOR IMPROVEMENTS TO THE ALLISON COURT PUMPING STATION, TOGETHER WITH ALL RELATED EXPENSES

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

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

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

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

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

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

The Township Manager read Ordinance 21-2023 by title.

21-2023 AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN, COUNTY OF BURLINGTON, NEW JERSEY APPROPRIATING \$250,000 AND AUTHORIZING THE ISSUANCE OF \$237,500 IN BONDS OR NOTES OF THE TOWNSHIP TO BE USED FOR PRELIMINARY ENGINEER AND DESIGN EXPENSES FOR UPGRADING THE WASTE WATER TREATMENT PLANT HEADWORKS, TOGETHER WITH ALL RELATED EXPENSES

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

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

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

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

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

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

The Township Manager read Ordinance 22-2023 by title.

22-2023 A BOND ORDINANCE OF THE TOWNSHIP OF MOORESTOWN, COUNTY OF BURLINGTON, NEW JERSEY APPROPRIATING \$285,000 AND AUTHORIZING THE ISSUANCE OF \$270,750 IN BONDS OR NOTES OF THE TOWNSHIP TO BE USED FOR THE PURCHASE OF PUBLIC WORKS VEHICLES AND EQUIPMENT TOGETHER WITH ALL RELATED EXPENSES

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

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

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

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

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

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

ORDINANCES ON FIRST READING: The Township Manager read Ordinance 23-2023 by title.

23-2023 AN ORDINANCE AMENDING ORDINANCE NO. 734 “THE MOORESTOWN TOWNSHIP SALARIES AND COMPENSATION ORDINANCE OF 1973,” AS AMENDED AND SUPPLEMENTED, BY ADJUSTING SALARY RANGES FOR SUPERVISORY AND TECHNICAL EMPLOYEES AND CERTAIN PART-TIME EMPLOYEES

Mayor Gillespie asked for discussion or a motion to introduce the ordinance on first reading and set the public hearing date for October 16, 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.

183-2023 AUTHORIZING A RELEASE OF PERFORMANCE GUARANTEE FOR HESS FAMILY (SINGLE-FAMILY HOME- SITE PLAN) 830 NORTH LENOLA ROAD, BLOCK 400, LOT 19.02

184-2023 AUTHORIZING THE CANCELLATION OF MUNICIPAL CERTIFICATES DUE TO ACQUISITION

185-2023 AUTHORIZING THE TAX COLLECTOR TO CANCEL AND REFUND TAXES DUE TO A STATE COURT JUDGMENT AND REFUND AN OVERPAYMENT

188-2023 RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF WATER/SEWER UTILITY BONDS OF THE TOWNSHIP OF MOORESTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY INTO A SINGLE ISSUE OF BONDS AGGREGATING \$4,490,000 IN PRINCIPAL AMOUNT

189-2023 RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF GENERAL IMPROVEMENT BONDS OF THE TOWNSHIP OF MOORESTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY INTO A SINGLE ISSUE OF BONDS AGGREGATING \$13,100,000 IN PRINCIPAL AMOUNT

190-2023 RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF \$17,590,000 GENERAL OBLIGATION BONDS, SERIES 2023, CONSISTING OF \$13,100,000 GENERAL IMPROVEMENT BONDS AND \$4,490,000 WATER/SEWER UTILITY BONDS, OF THE TOWNSHIP OF MOORESTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AND PROVIDING FOR THEIR SALE

191-2023 AUTHORIZING A ONE-YEAR EXTENSION OF A CONTRACT TO UNIVAR SOLUTIONS USA INC. FOR HYDRATED LIME IN AN AMOUNT NOT TO EXCEED \$62,500

A motion was made by Mr. Law, seconded by Ms. Mammarella, to continue Resolution Nos. 188-, 189- and 190-2023 to the October 16, 2023 meeting.

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

Mayor Gillespie opened the floor for public comment. There were no comments.

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

Mayor Gillespie asked for a motion to adopt the resolutions (with the exception of those that were continued).

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

MINUTES: July 10, 2023 Official Action; July 24, 2023 Official Action and Closed Session; September 11, 2023 Official Action and September 18, 2023 Official Action

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

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

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

Michelle Ragunan, 139 New Albany Road, expressed her concern for bicyclers on New Albany Road and requested installation of a bike lane from Lenola Road to Church Street. Mayor Gillespie advised that they can look into it.

Mike Locatell, 526 East Main Street, asked if Pennrose applied for federal tax credits, wouldn't same make their documents public. Mr. Heinold was not certain. Mr. Locatell asked for clarification on the designation of an area in need of redevelopment that consists of one lot. Mr. Aberant advised that the New Jersey Department of Transportation (NJDOT) has plans in 2024 (or 2025) to widen Route 38 and the NJDOT will be taking the property at Route 38 and Church Street. Mr. Locatell felt same could result in something that is uncharacteristic for the neighborhood. Mayor Gillespie advised that it is zoned residential in a long length of commercial properties. This will provide an incentive for developed commercial property. Mr. Locatell expressed his concern with regard to the two recently designated areas.

Jamie Boren, 45 Revere Avenue, in furtherance of Mr. Locatell's comments, advised that the house just sold in April for \$400,000+. Mayor Gillespie noted that before the sale, the house sat vacant for years.

Tom Beaver, 136 Ramblewood Road, expressed his concern with regard to a police-related incident that occurred at 137 Ramblewood Road. He provided details of the incident and advised of (two) previous incidents. He questioned Community Options' capabilities in managing the property and the safety of the residents in the neighborhood. He requested immediate action on behalf of Council.

Jon Boyle, 132 Ramblewood Road, advised that he also witnessed the incident referred to above and read, into the record, a letter that he sent to Police Director Riley. He asked what the Township was going to do to ensure the residents' safety. Discussion was held. In closing, Mayor Gillespie advised that the Township needs clarification on how Community Options is going to address moving forward.

Patrick Mazur 141 Ramblewood Road, advised that Council can reach out to County and State legislators and ask them to evaluate the business; he asked Council to use its leverage.

Gregory Lane, 232 Winding Way, advised that he recognizes and respects the rights of the tenants at 137 Ramblewood Road; however, the other residents have a right to live in a safe community. He felt that due to the financial contribution made in connection with this property to Community Options, Council has a large seat at the table. He asked that Council have Community Options explain what criteria is used when placing residents in the home. Mayor Gillespie said Council will take a look at that.

Catherine Johnson, 211 Crider Avenue, acknowledged Council's commitment to work with Miles of Green on another location and wanted the record to reflect her attendance.

Doug Dillion, 14 Center Street, asked for installation of a sidewalk from Pine Street to Converge Church.

Jonathan Leath, Converge Church, 614 East Camden Avenue, agreed with Mr. Dillion and said the church would love to see the sidewalk extended. He thought there was a recent change in the Code that now prohibits grills at Jeff Young Park and he asked that grills be permitted. Mr. Aberant advised that grills have always been prohibited in parks. Mayor Gillespie advised it would be looked into.

Erin Finazzo, 312 Toty Lane, Collins Park community, advised that she attended a meeting last year regarding Community Options. She provided background. She asked for an update on other acquired property with Community Options. Mr. Heinold advised that the Township is not providing any additional housing through Community Options; it has other options to reach its affordable housing goals. Ms. Finazzo felt Community Options had no protocol for police calls. Mayor Gillespie advised that the Township will work with Community Options, the County and the State to get a better understanding

Mr. Aberant read an email exchange he had with the State Director for Community Options. He advised that Community Options has two other properties, one opened in 2021 and the other in 2022. There have been no known issues with those properties.

Tom Beaver, 136 Ramblewood Road, in response to the email read aloud, advised that he, at no point, asked Community Options to call “us” individually.

Brian Michelet, 129 Ramblewood Road, expressed his disappointment with Council and suggested the public not take Council’s word and to stay on them. He encouraged the public to vote.

Christine Masterson, 522 North Garfield Road, expressed her concern regarding the location of a cannabis retail store noting the residents do not want it in a residential neighborhood. She asked about the status of a potential different location. Mayor Gillespie advised that they have a signed lease. They have to meet all conditions of their conditional use application that will be heard before the Planning Board. She noted that Council, after many discussions, decided on a permitted use in the BP-1 zoning district; the use is not approved in a residential zoning district (although it borders one). Questions and answers were had. Mr. Aberant advised that Miles of Green has submitted a conditional use approval application to the Planning Board. The application has not been deemed complete and it will not move forward until it is deemed complete.

Diane Belcher, 206 Center Street, expressed her dismay with being unaware of the issue and the permitted use and felt Council was not looking out for the Township as a whole. She asked why the residents would have to tell Council why it should not be permitted in a residential neighborhood; she felt disregarded. Mayor Gillespie advised that they will take a look at what it did in the BP-1 zone. Ms. Mammarella advised that Council held many public meetings concerning an ordinance regulating cannabis and locations for same and there was low public attendance. Ms. Belcher expressed her discontent and said it cannot be allowed.

Jeff Whalen, 70 Red Leaf Road, asked about the company’s business plan. Mayor Gillespie advised that Council reviewed same. He asked why Council would locate the use in the BP-1 zone (children and traffic in the area). Discussion, questions and answers were had.

Howard Mann, Sr., 115 East Camden Avenue, thanked the Mayor and Deputy Mayor for attending the town hall meeting in Lenola. He felt the reason for the shown hostility was because Council let the horse out of the barn and is now putting on a security gate. He felt stronger restrictions could have been put in place. He suggested putting the proposed development on Township-owned property (at the Police Department facility). He said it would not be around residential property; the risk of getting robbed would be greatly reduced and the Township would receive the two percent earning as well as rent. Mayor Gillespie advised that they are looking into that idea. Mayor Gillespie thought Council needed to go back and relook at the BP-1 zone; it should have taken a closer look at the onset.

Collette McLean-Lamidi, 68 Red Leaf Road, expressed her opposition and found, the owner leasing a small ten percent of the space, to be suspicious. Discussion was held. Mayor

Gillespie acknowledged that Council has work to do and she appreciated all the comments and distress that the residents are feeling.

Ken Yerkes, 200 Center Street, said he loves his city and asked that Council not change it; he asked why they want this. Mayor Gillespie said cannabis cannot be stopped from being delivered into Moorestown and the revenues are going to other towns. Mr. Yerkes said, let them have it.

Glenn Shipley, 222 Center Street, asked about the security of the neighborhood, noting it is not safe to allow the business to be opened until 10 p.m. He advised of a Colorado study on driving deaths and the significant increase of same. He hoped a 1,500-foot buffer would be required.

Dave Farace, 133 Center Street, 65-year resident, said he has seen a lot of changes over the years; this is not good; it is a disgrace to be putting this in our town, he said. He asked what is the good part? Mayor Gillespie advised that Council cannot prevent cannabis from being delivered in town. Mr. Farace said no one is in favor of it.

Joe Whitman, 612 Grand Avenue, advised that Moorestown is not the only town having these problems; Council just needs to do further work on how to locate the businesses. He felt Council could do a better job in disseminating information to the public. He asked about odor control. Mayor Gillespie advised that same is regulated by the State and must be addressed in an applicant's business plan. Mr. Whitman advised that he does not support the location on Crider Avenue.

Dan Reed, 20 Center Street, expressed his concern with the inability of Council to answer some of the questions off the top of their heads and implored Council to take a second and third look at the matter before voting on it.

Jeff Whalen, 70 Red Leaf Road, asked what are the benefits to the Township. He was advised. He noted that Council does not know what revenues this business will bring in.

Amy Delgado, 6 Walnut Court, indicated that Moorestown was voted Best Town in America; it is not Mount Laurel or Marlton; it is different. She expressed her dismay that money is driving the issue.

CLOSING COMMENTS BY COUNCIL:

Mr. Zipin expressed his appreciation to the public for expressing its concerns. He advised that Council had several public meetings on the subject. If it had received feedback then, it would have factored those concerns in. After several public meetings, the result was adoption of an ordinance. He expressed concern with the idea of Council being able to get word to every individual. He advised of the process. He advised that the Planning Board will follow the law; he advised of the process and said Council does not get to pick and choose what they like or don't like.

Mr. Van Dyken expressed his appreciation for the attendance and said Council hears them. He felt that Council has been very transparent. He felt that this should not be a stage for a political theater.

Ms. Mammarella apologized to the resident that did not receive a response from Council concerning his email regarding the Community Options residence and incident. She said, from the emails she saw, Council could see the issue was being addressed by Mr. Aberant. She advised that, in 2023, the Township updated its website and has encouraged all residents to become subscribers. She thanked all for attending and their input.

Mr. Law thanked all for attending. He said one of Council's goals was to increase attendance at Council meetings; an important aspect of government, whether the matter is good, bad or ugly. He felt confident that the parties will be able to work this matter out. He said he also lives in the neighborhood and Council is looking at some viable solutions. Mr. Law explained why he is in favor of the Lenola redevelopment plan, noting that residents can be brought into the process. He reminded all that the meetings are online and available to the public.

Mayor Gillespie thanked all for attending and their input.

CLOSED SESSION (IF NECESSARY) (RESOLUTION NO. CS 10 02 2023): Mayor Gillespie asked for a motion to adopt Resolution CS 10 02 2023 Authorizing Closed Session for purposes of discussing matters relating to Litigation, Negotiations and the Attorney-Client Privileges.

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

**RESOLUTION NO. TCOA CS 10 02 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.

 x (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.

(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 10:16 p.m., Council entered into closed session.

At 11:05 p.m., Council returned to the public meeting. Due to the sensitivity of the matters, Council had nothing to report.

ADJOURNMENT: At 11:06 p.m., there being no further business, a motion was made to adjourn.

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

PATRICIA L. HUNT, RMC
Township Clerk