

TOWNSHIP OF MOORESTOWN  
TOWNSHIP COUNCIL  
OFFICIAL ACTION MEETING

December 18, 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  
Christopher Keating, Councilmember  
David Zipin, Councilmember (absent)

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 December 15, 2023.

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

**SELECTION OF COUNCIL MEMBER TO FULFILL UNEXPIRED TERM OF  
JAKE VAN DYKEN (Term to Expire December 31, 2024 (Fulfill Unexpired Term))**

Mayor Gillespie advised that Mr. Van Dyken resigned from Council and explained the process that is prescribed by law to fill the seat.

Mayor Gillespie called for the nomination of a Council Member. Mr. Law and Ms. Mammarella advised that all three candidates are stellar. They commended Christopher Keating and his service to the community.

Nomination by: Mr. Law      for: Christopher Keating      Seconded by: Ms. Mammarella

Mayor Gillespie asked if there were any other nominations; there were none.

There being no further nominations, Mayor Gillespie asked for a motion to close nominations.

Motioned by: Mr. Law    Seconded by: Ms. Mammarella    Roll Call Vote: All in favor

Ms. Hunt took a roll call vote for the nomination of Christopher Keating. The vote follows:

|                  | Yes          | No            |
|------------------|--------------|---------------|
| Mayor Gillespie: | <u>  x  </u> | <u>      </u> |
| Mr. Law:         | <u>  x  </u> | <u>      </u> |
| Ms. Mammarella:  | <u>  x  </u> | <u>      </u> |

Mayor Gillespie advised that Mr. Zipin was absent; however, he was involved with the process and advised that he was in favor of Mr. Keating's appointment. He asked that his sentiments be shared with the public.

The Township Manager read Resolution No. 236-2024 by title.

**RESOLUTION 236-2023 APPOINTING CHRISTOPHER KEATING AS  
TOWNSHIP COUNCIL MEMBER TO FULFILL THE UNEXPIRED TERM OF  
JAKE VAN DYKEN**

Mayor Gillespie asked for a motion to adopt the resolution.

MOTIONED BY:    Ms. Mammarella  
SECONDED BY:    Mr. Law  
ABSENT:           Mr. Zipin  
ROLL CALL VOTE: All in favor

**ADMINISTRATION OF OATH OF OFFICE TO NEWLY ELECTED TOWNSHIP  
COUNCIL MEMBER**

The Oath of Office was administered by Mayor Gillespie to Christopher Keating.

Mayor Gillespie welcomed Mr. Keating. Mr. Keating took his seat at the dais.

**ROLL CALL:** Mayor Gillespie took roll call; Mr. Zipin was absent.

**PROCLAMATIONS & PRESENTATIONS:**

Proclamation - Boards & Committees Appreciation Week: Mayor Gillespie asked anyone present receiving a proclamation to come forward. She complimented the members for their service. She read the proclamation aloud. She presented the proclamation to those present. She also presented a small gift of appreciation to Joan Ponessa for her twelve years of service on the Environmental Advisory Committee:

## PROCLAMATION

WHEREAS, the Township of Moorestown has a renowned reputation for its community spirit, safe neighborhoods and abundance of beauty and history; and

WHEREAS, the Township of Moorestown is an exceptional community in which many aspire to live and raise a family; and

WHEREAS, such an acknowledgment does not come by chance, but rather, it is achieved by way of time and dedication from its residents, who continuously volunteer their time serving on Boards and Committees, in an endless effort, to improve the quality of life for their children and to maintain the community's distinct character; and

WHEREAS, it is through these volunteer members that Moorestown is able to preserve its stature and improve the way of living for its citizens and businesses; and

WHEREAS, the Township Council of the Township of Moorestown wishes to honor, thank and publicly recognize those who have served, and those who continue to serve on the various Boards and Committees.

NOW, THEREFORE, I hereby proclaim,

*the Week of December 18, 2023*

*Moorestown Board and Committee Members Appreciation Week*

and we call upon the people of Moorestown to take heart to the words of Sir Winston Churchill, *"We make a living by what we get, but we make a life by what we give"* and, in your travels, thank those Board and Committee Members who serve our community so diligently and unselfishly.

Given under my hand and seal of the Township of Moorestown this 18th day of December in the Year of our Lord, Two Thousand Twenty Three. Nicole Gillespie, Mayor.

## DISCUSSION:

Reports from Council: Ms. Mammarella thanked all for attending. She indicated that she is looking forward to working with Mr. Keating on Council. She advised that her two committees did not meet in December. Ms. Mammarella advised that the Historic Preservation Ad Hoc Committee met and the committee is working on initiatives. Ms. Mammarella advised that Community Options held an open house at which residents attended; she complimented Community Options on the event. Ms. Mammarella looked forward to hearing the next steps regarding the improvements to Yancy Adams Park. She wished all happy holidays.

Mr. Keating introduced himself, providing background on his education, family and work (law firm in town) and thanked Council for the opportunity to serve and be part of making Moorestown a better place to live. He assured all that he will spend every day earning the position and being held accountable. He invited the public to contact him anytime; he will make himself available.

Mr. Law provided an update on Yancy Adams Park advising that a new conceptual design will be prepared and shared with the public. Mr. Law advised that he attended the Second Baptist Church's 102 Anniversary. He wished all happy holidays.

Mayor Gillespie welcomed Mr. Keating and thanked the other candidates that were willing to step up. Mayor Gillespie advised that the Economic Development Advisory Committee met and has begun discussion on questions Council asked them to consider concerning cannabis. The committee will report at the January 22, 2024 Council meeting to provide their recommendations. She advised that a listening session was held in connection with the design of Yancy Adams Park and one will be scheduled for the Town Green in the new year. She advised that Project Night Light is a project that puts together bags for children that are in shelters for the holidays and on December 11, 2024, they met at the Lenola Firehouse and assembled 1700 bags; she commended the organization and the volunteers. She advised of new businesses in town. She commended the Moorestown Jewish Association for the Hanukah Party and Menorah Lighting at the Community house. She thanked the police for their presence and making all feel safer in this unsettling time.

Upcoming Meeting(s): Mayor Gillespie read the upcoming meetings aloud.  
January 8, 2024 – 7:00 p.m. (Reorganization)  
January 22, 2024 – 7:00 p.m. (Official Action)

Agenda Updates: None.

Mr. Keating advised that he will be abstaining on all items on the agenda.

Adopting Consent Agenda Resolution No. CA 12 18 2023: Mayor Gillespie asked for a motion to adopt the Consent Agenda.

MOTIONED BY: Ms. Mammarella  
SECONDED BY: Mr. Law  
ABSENT: Mr. Zipin  
ABSTAIN: Mr. Keating  
VOTE: All in favor

#### **RESOLUTION APPROVING CONSENT AGENDA CA 12 18 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 reported:

- West Central Avenue had a major reconstruction (new water main, storm sewers, curbing, milling). Due to the cold weather, the finish course of paving will be done in the spring.
- Camden Avenue has been paved and temporary striping by the County has been done. Permanent paving and milling will be done in the spring. Ms. Mammarella asked if the directional sign in front of the welcome sign (coming from Maple Shade) will be moved. Mr. Aberant advised that he will find out.
- The Township received a request to consider leasing some space at 1245 North Church Street, Suite 9. He advised that if Council is inclined to consider, leasing space must be done by public bid. There were no objections.

**ORDINANCES ON SECOND READING:** The Township Manager read Ordinance 28-2023 by title.

**28-2023 AMENDING CHAPTER 168 OF THE CODE OF THE TOWNSHIP  
OF MOORESTOWN ENTITLED VEHICLES AND TRAFFIC, ARTICLE IX,  
MOTOR VEHICLE TOWING AND STORAGE**

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: Ms. Mammarella  
ABSTAIN: Mr. Keating  
ABSENT: Mr. Zipin  
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  
ABSTAIN: Mr. Keating  
ABSENT: Mr. Zipin  
VOTE: All in favor

The Township Manager read Ordinance 29-2023 by title.

**29-2023 AMENDING CHAPTER 180 OF THE CODE OF THE  
TOWNSHIP OF MOORESTOWN ENTITLED “ZONING” TO AMEND  
THE DEFINITION OF FAMILY**

Mayor Gillespie had asked Mr. Heinold for an update since the last meeting regarding the word “relatively.” Mr. Heinold advised of the research he performed and that in most municipal ordinances the word “relatively” is not used; Glassboro uses the word “fairly.” He did not see that use of the word as a common approach and did not have any concern with, and recommended, removing the word “relatively.” Said change would not be substantive requiring amendment.

Discussion was held. Mr. Heinold reiterated that this action is in response to a court decision. The intent is to make it clear that those types of uses are not going to fit the definition of family going forward in Moorestown Township. Mr. Keating felt it best to stick with definitions all are familiar with, such, as permanent and stable, instead of watering the words down with modifiers.

Mayor Gillespie asked Council for a motion to amend the ordinance to remove the word “relatively.”

MOTIONED BY: Ms. Mammarella  
SECONDED BY: Mr. Law  
ABSTAIN: Mr. Keating  
ABSENT: Mr. Zipin  
VOTE: All in favor

Mr. Heinold advised that tonight’s ordinance is to address the first element of the issue. He and Mr. Aberant met with the planner to address an ordinance that more directly and squarely

treats sober living facilities within the zoning code as a defined use and exploring them as a conditional use in appropriate zones; that is the second element. Mayor Gillespie asked Mr. Aberant about the home on Sentinel that was purchased by an LLC. Mr. Aberant advised that, according to the Tax Assessor's conversation with the buyer, the buyer bought the house to flip it, there is no plan for a group home.

Mr. Heinold reiterated that the revision is not substantial and Council may proceed with adoption this evening.

Mayor Gillespie opened the public hearing.

Brad Huber, 511 Eaglebrook Drive, noted that the house could be flipped to an LLC. He asked if the ordinance amendment is intended to prevent this type of use in a residential neighborhood. Mayor Gillespie advised that this ordinance would prevent a Cooperative Sober Living Residences (CSLR) from locating in residential neighborhoods because they are transient and not permanent. She advised that the next step is to deal with CSLRs specifically and deal with them (probably) as a conditional use. She advised that with the passing of tonight's ordinance, CSLRs are not permitted anywhere in town, which makes the Township vulnerable. It is the intent to adopt an ordinance permitting and regulating the use in an appropriate area(s).

Emily Dragon, 547 Eaglebrook Drive, asked several questions concerning the use and future ordinance which were answered. Mayor Gillespie advised that at that time, there will be opportunity for public comment. There is a lot to do before Council gets to that point.

Erin Gill, 2 West Walnut Avenue, advised that there is a group home in Northwest Estates. She expressed her appreciation for the changes that are being made. She advised that these changes were requested by the residents two years ago and asked why it was not done then. Discussion was held. It was noted that no action could be taken while litigation was pending.

Rob Mendys, 608 Windsock Way, asked that the definition be made stronger, as the way it is written, it sounds more like cohabitation than family. Mr. Keating advised that same would lead to constitutional issues. He noted this is the beginning of the process, not the end. Mayor Gillespie advised that Council cannot prohibit CSLRs; it is trying to appropriately control where they can be located. Mr. Heinold advised that the intent of amending the definition of family is in response to the court's ruling; the purpose is to strengthen the definition. These steps are being taken to protect the Township from future litigation. Discussion was held.

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

|              |                |
|--------------|----------------|
| MOTIONED BY: | Mr. Law        |
| SECONDED BY: | Ms. Mammarella |
| ABSTAIN:     | Mr. Keating    |
| ABSENT:      | Mr. Zipin      |
| VOTE:        | All in favor   |

Mayor Gillespie asked for discussion by Council. Mr. Law said that Mr. Mendys said he, as a landlord, could rent to a company and make more money. He asked if that was true. Mr. Heinold said he has seen it both ways. Ms. Mammarella acknowledged that this is an emotional issue. Council cannot just turn this off; it is trying to get this right so transients are not permitted in residential neighborhoods.

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

MOTIONED BY: Ms. Mammarella  
SECONDED BY: Mr. Law  
ABSTAIN: Mr. Keating  
ABSENT: Mr. Zipin  
VOTE: All in favor

The Township Manager read Ordinance 30-2023 by title.

**30-2023 AMENDING THE TOWNSHIP CODE OF THE TOWNSHIP OF  
MOORESTOWN AT CHAPTER 101, GOVERNING “LICENSING” AND  
RENAMING TO “LICENSING AND REGISTRATIONS”**

Mayor Gillespie opened the public hearing.

Janice Caccuro, 521 Bartram Road, asked that Council measure twice and cut once and to make sure the town is protected.

Erin Gill, 2 West Walnut Avenue, suggested that the Township require registration of an operator and of the person(s). Discussion was held.

Emily Dragon, 547 Eaglebrook Drive, asked questions; they were answered. She requested that the title of ordinances be more informative.

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

MOTIONED BY: Ms. Mammarella  
SECONDED BY: Mr. Law  
ABSTAIN: Mr. Keating  
ABSENT: Mr. Zipin  
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: Quinton Law  
SECONDED BY: Ms. Mammarella  
ABSTAIN: Mr. Keating  
ABSENT: Mr. Zipin  
VOTE: All in favor

**ORDINANCES ON FIRST READING:** None.

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

**226-2023** AUTHORIZING THE TAX COLLECTOR TO CANCEL AND REFUND 4TH (PARTIAL) QUARTER PROPERTY TAXES FOR A TOTALLY DISABLED VETERAN EXEMPTION (603 TOURNAMENT DRIVE)

**227-2023** AUTHORIZING CONTRACT CHANGE ORDER NO. 1 IN THE TOTAL DEDUCT AMOUNT OF \$7,897.25 IN CONNECTION WITH A PROJECT KNOWN AS THE 2023 RECONSTRUCTION PROGRAM – PANCOAST AVENUE

**228-2023** AWARDING A CONTRACT FOR TREE REMOVAL PRIORITY 1 (\$76,155) AND PRIORITY 2 (\$9,400), TRIMMING (\$300/HR) AND EMERGENCY (\$400/HR) SERVICES TO RICH TREE SERVICE, INC.

**229-2023** AWARDING A CONTRACT TO INTEGRATED TURF MANAGEMENT IN THE AMOUNT OF \$29,275 FOR 2024 CORING AND SEEDING OF ATHLETIC FIELDS

**230-2023** 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)

**231-2023** A RESOLUTION TO CANCEL PRIOR YEARS OUTSTANDING CHECKS

**232-2023** A RESOLUTION AUTHORIZING THE TRANSFER OF \$57,000 FROM THE 2023 CURRENT BUDGET APPROPRIATION FOR SNOW REMOVAL TO THE SNOW REMOVAL RESERVE TRUST FUND

**233-2023** A RESOLUTION CANCELING THE CHANGE FUND FOR THE POLICE DEPARTMENT

**234-2023** AUTHORIZING THE CANCELLATION OF WATER AND SEWER CHARGES DUE TO A MISREAD OR LEAK REPAIR

**235-2023** AUTHORIZING CONTRACT IN THE AMOUNT OF \$38,480.40 WITH FOVEONICS IMAGING TECHNOLOGIES FOR DOCUMENT IMAGING SERVICES UNDER COOPERATIVE PRICING SYSTEM #65MCESCCPS, BID #ESCNJ 22/23-11

**237-2023** AUTHORIZING THE PURCHASE AND INSTALLATION OF TECHNOLOGY EQUIPMENT UPGRADES AT TOWN HALL UNDER THE SOURCEWELL COOPERATIVE PURCHASING AGREEMENT (CONTRACT NO. 081419-SHI) IN THE TOTAL AMOUNT OF \$103,074.42)

**238-2023** AUTHORIZING THE PURCHASE AND DELIVERY OF TWO (2) 2024 FORD MAVERICK (W8M) LARIAT FWD SUPERCREW 121.1 'WB 4.5 BOX) TRUCKS FOR THE CONSTRUCTION DEPARTMENT UNDER THE SOURCEWELL COOPERATIVE PURCHASING AGREEMENT NO. 091521-NAF IN THE TOTAL AMOUNT OF \$70,635.78

**239-2023** ADOPTING A CODE OF CONDUCT IN FURTHERANCE OF THE TOWNSHIP'S "FILM READY NEW JERSEY" CERTIFICATION AS A FILM READY NEW JERSEY LOCATION

**240-2023** AUTHORIZING THE EXPENDITURE OF \$105,941.47 FROM THE AFFORDABLE HOUSING TRUST FUND FOR REIMBURSEMENT OF PREDEVELOPMENT EXPENSES TO COMMUNITY INVESTMENT STRATEGIES (CIS) IN CONNECTION WITH THE DEVELOPMENT OF AN AFFORDABLE HOUSING PROJECT

**241-2023** AUTHORIZING SUBMISSION OF A RECREATION IMPROVEMENTS 2024 GRANT APPLICATION WITH THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR YANCY ADAMS PARK AND TOWN GREEN IMPROVEMENTS

**242-2023** AUTHORIZING THE CANCELLATION OF CERTAIN UNEXPENDED IMPROVEMENT AUTHORIZATION BALANCES IN THE GENERAL AND UTILITY CAPITAL FUNDS

**243-2023** AUTHORIZING THE EXPENDITURE OF \$450,000 FROM THE AFFORDABLE HOUSING TRUST FUND TO MOORESTOWN HOUSING ASSOCIATES, LLC IN CONNECTION WITH THE DEVELOPMENT OF THE HARPER SITE FOR AFFORDABLE HOUSING

**244-2023** AUTHORIZING THE CANCELLATION OF 2023 UTILITY BUDGET UNEXPENDED APPROPRIATION BALANCE

**245-2023** AUTHORIZING EXECUTION OF SHARED SERVICES AGREEMENT AS AMENDED WITH MAPLE SHADE TOWNSHIP FOR SHARED COURT FACILITIES AND AMENDING AND SUPERSEDING RESOLUTION 220-2023

Mayor Gillespie opened the floor for public comment. There were none.

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

Mayor Gillespie asked for a motion to adopt the resolutions.

MOTIONED BY: Ms. Mammarella  
SECONDED BY: Mr. Law  
ABSTAIN: Mr. Keating  
ABSENT: Mr. Zipin  
VOTE: All in favor

**MINUTES:** None.

**APPROVAL OF EXPENDITURES:** Mayor Gillespie asked for a motion to approve the expenditures.

MOTIONED BY: Ms. Mammarella  
SECONDED BY: Mr. Law  
ABSTAIN: Mr. Keating  
ABSENT: Mr. Zipin  
VOTE: All in favor

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

Anthony Favoroso, 565 Sentinel Road, thanked Council noting the issue has been a challenge for both the Council and the residents and this creates an opportunity for both to work together as a team.

Kathy Sutherland, 417 North Church Street, suggested looking at unused commercial properties for use as CSLRs. Ms. Sutherland advised that she does not want any lights at Yancy Adams Park; same is an invitation for kids to go back there. She also requested that rules be posted. Discussion was held on the benefits and pitfalls of lighting.

Greg Newcomer, 235 Fellowship Road, advised that lighting in the parks needs to be adequate to the use. He said that lighting is of value to the parks; he suggested working with the professionals when it comes to lighting.

Kathy Sutherland advised that she has lived there for forty-one years and the lighting that is there is just fine.

Greg Selverian, 824 Cox Road, gave a history of events regarding the CSLR home in his neighborhood saying they took total advantage of the situation.

Pete Miller, 518 Devon Road, asked who the other two candidates (to fill the vacancy on Council) were. Mayor Gillespie said Greg Newcomer and Stephanie Woodruff. Mr. Miller advised that the directional sign (in front of the welcome sign) on Camden Avenue has precedence over the welcome sign due to safety concerns raised by the Planning Board. He felt the welcome sign would have to be moved. Mayor Gillespie advised that staff will consult with the professionals.

**CLOSED SESSION (IF NECESSARY) (RESOLUTION NO. CS 12 18 2023):** None.

**CLOSING COMMENTS BY COUNCIL:** Mr. Keating expressed his appreciation for the opportunity to serve on Council. He thanked the democrats for offering his name.

Ms. Mammarella thanked the public for their participation. She complimented Mr. Keating on his first meeting and wished all Happy Holidays.

Mr. Law congratulated Mr. Keating. He thanked Senator Singleton for the funding the Township received to make improvements to Yancy Adams Park and the Town Green. He thanked all for their input concerning CSLRs and felt the ordinance will help to provide clarity.

Mayor Gillespie thanked all for their participation in these important discussions. She advised that the Township has been in touch with State representatives and will continue to be. She welcomed Mr. Keating to Council.

**ADJOURNMENT:** At 8:51 p.m., there being no further business, a motion was made to adjourn.

|              |                |
|--------------|----------------|
| MOTIONED BY: | Mr. Law        |
| SECONDED BY: | Ms. Mammarella |
| ABSENT:      | Mr. Zipin      |
| VOTE:        | All in favor   |

PATRICIA L. HUNT, RMC  
Township Clerk