

TOWNSHIP OF MOORESTOWN
TOWNSHIP COUNCIL
OFFICIAL ACTION MEETING

November 13, 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 November 10, 2023.

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

ROLL CALL: Mayor Gillespie took roll call; all were present.

PROCLAMATIONS & PRESENTATIONS:

Presentation - Heroism Award for Life Saving Event- Dr. Kristofer Hillegas, Sarah Maute, Wesley Allen, Jennifer Allen: Mayor Gillespie advised that while Ms. Matthews was attending her grandchild's soccer game, she went into cardiac arrest. Those receiving the life-saving award (this evening) jumped into action and resuscitated her. Mr. Law presented the awards noting this is the first time such an award has been presented to citizens. He acknowledged his appreciation to those receiving it. Mayor Gillespie commended them.

Proclamation - Gregory McCoy (presented 11/4/2023): Mayor Gillespie advised that Mr. Law presented the following proclamation on November 4, 2023:

PROCLAMATION

WHEREAS, the Township of Moorestown takes great pride in recognizing and celebrating the remarkable achievements and contributions of its residents. We are honored to acknowledge Moorestown resident Gregory McCoy, who has demonstrated an extraordinary passion and dedication to the world of art collecting; and

WHEREAS, Gregory McCoy's journey as an art collector began with a moment of inspiration upon encountering an Andy Warhol painting at a South Jersey gallery, a moment that ignited his lifelong commitment to art; and

WHEREAS, despite facing challenges, Gregory McCoy's unwavering determination led him to become a prominent collector of Andy Warhol works and memorabilia, cultivating a valuable collection; and

WHEREAS, Gregory McCoy's relentless pursuit has resulted in the acquisition of 323 of these rare Marilyns, and his dedication to uncovering their history has captured the admiration of art enthusiasts and scholars alike; and

WHEREAS, Gregory McCoy's devotion to Andy Warhol's art and his research have sparked curiosity and intrigue far beyond our community, inspiring discussions about the art world's history and the role of these Marilyns in it.

NOW, THEREFORE BE IT PROCLAIMED that the Township Council of Moorestown extends its heartfelt congratulations to Gregory McCoy for his outstanding accomplishments in the field of art collecting and for bringing national and international recognition to our community.

Given, under my hand and the Seal of the Township of Moorestown this 4th day of November in the Year of Two Thousand Twenty-Three. Quinton Law, Deputy Mayor

DISCUSSION:

Reports from Council:

Mr. Van Dyken wished his wife a Happy Anniversary.

Ms. Mammarella thanked all for attending. She reported on the dedication of Armydis Sordon Park; noting that family members were present and it was a great event. She congratulated the Green Team for being honored by Sustainable NJ. Ms. Mammarella read a statement into the record about historical preservation. She advised that the Township received a \$75,000 grant which will be used to hire a consultant to make recommendations in creating the legal framework around creating an ordinance. She advised that the area is focused on approximately 130 properties in the town center (Main Street and Chester Avenue). She asked the public to stay informed and to participate in the process.

Mr. Law echoed Ms. Mammarella's comments concerning the park dedication; he provided background on Army Private Armydis Sordon who lived on Beech Street in Moorestown and passed away in World War I. He thanked those that attended, Ms. Mammarella and the Better Together Advisory Committee (BTAC). Mr. Law advised that there is a conceptual design for Yancy-Adams Park that will be the subject of a public session. He encouraged the residents to participate when the date is announced.

Mayor Gillespie also commended the park dedication, commending Mr. Law and Ms. Mammarella, and those that assisted in the organizing, for their great work. She advised that the Environmental Advisory Committee meets on Thursday. Mayor Gillespie announced that she and Mr. Law both played roles in Moorestown Theater Company's show "The Prom" over the weekend. Mayor Gillespie commended Perkins Center of the Arts for the wonderful art show it has on exhibit in honor of the veterans; she urged all to see it.

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

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

December 4, 2023 – 6:30 p.m. Boards and Committees Dinner Meeting

Agenda Updates: Mayor Gillespie asked for a motion to amend the agenda to add Resolution No. 215-2023 to the Consent agenda.

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

Adopting Consent Agenda Resolution No. CA 11 13 2023 as amended: 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 11 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:

	a. Approves the Consent Agenda as written on the agenda.
<u>X</u>	b. Approves the Consent Agenda as written with the exception of the following: <u>Add Resolution No. 215-2023</u>
	c. Requests that all matters on the Consent Agenda be handled separately.

Adopting Consent Agenda Resolution No. AHCA 11 13 2023: Mayor Gillespie asked for a motion to adopt the Consent Agenda.

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

RESOLUTION APPROVING CONSENT AGENDA AHCA 11 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.

Results of Liquor License Sealed Bid Auction/Future Action: Mr. Aberant advised that no bids were received. The minimum bid was \$1 million. He advised that the agenda provides for a resolution to rebid the license. If that is Council's wish, a minimum bid amount needs to be set prior to the adoption of the resolution.

Mark Hines, 130 Bridgeboro Road, advised that the Economic Development Committee (EDAC) advised that there is talk of the Governor recommending extensive changes to the liquor laws which has caused an unsettlement in the environment. The EDAC, after researching, is recommending a minimum bid of \$500,000 through the historical method. Mayor Gillespie said that with what is happening in Trenton, the thought is that this may be the Township's last chance to receive a decent sale price. Discussion was held. In closing, there were no objections to a minimum bid price of \$500,000 (historical method).

2024 Reorganization: Mayor Gillespie advised that she would like to alternate professional RFPs this year and asked that Council send any recommendations to her.

MANAGER'S REPORT: Mr. Aberant reported:

- Leaf removal is on schedule.
- The overlay project is being finalized; he provided a brief update.
- The repaving of Camden Avenue (Lenola Town Center project) will be done by the County on Friday and Saturday night.

Mr. Zipin recused himself and left the room.

AFFORDABLE HOUSING ORDINANCES ON SECOND READING-AMENDED ORDINANCE: The Township Manager read Amended Ordinance No. 19-2023 by title. He gave a brief explanation. He advised that Noah Frieberg, Pennrose representative, was to give an overview and explanation for the cost increase and where the project stands.

AMENDED 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 \$7,850,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$7,457,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Noah Frieberg, Pennrose representative, introduced himself and advised that Pennrose has been working with the Township for the past four years. The next step is to begin building. He advised that the past four years have been challenging and that construction costs and interest rates have increased significantly. Mayor Gillespie asked if some of the cost increase was due to the condition of the soil and wetlands. Mr. Frieberg advised that the Township purchased the land

and the geotechnical engineer found same to not be structurally suitable; additional foundation into the ground to help support the foundation is necessary (\$300,000). In addition, the stormwater regulations have increased significantly; the requirements are challenging for a small site. He advised that larger stormwater management structures must be placed underground which costs more money.

Mayor Gillespie opened the public hearing.

The following people asked questions, raised concerns, gave suggestions, etc. (financing, number of school children to result, PILOT programs, funding for the school, location of the site, anticipated timeline, reality/ability to fill all units, necessity of an affordable housing committee, etc.) of Mr. Frieberg, Council and the attorney; discussion was held. All questions were answered.

Pete Miller, 518 Devon Road
Greg Newcomer 235 Fellowship Road
Gregory Lane, 232 Winding Way
Bill Blanche, 325 Springhouse Lane
Manny Delgado, 6 Walnut Court
Kathy Sutherland, 417 North Church Street
Danielle Miller, 233 Laurence Drive
Mark Villanueva, 630 New Albany Road
Nicole MacHenry, 3 Shelter Rock Place

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

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

Mayor Gillespie asked for discussion by Council. Ms. Mammarella thanked the public for their input. She advised that Council and staff have dedicated a lot of time on this; experts were enlisted to look over everything; movement forward is necessary. Mr. Van Dyken was satisfied with what Council has accomplished (lower the bond); he thanked all for their input. Mr. Law agreed. He did not feel there would be a concern with filling the units.

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

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

AFFORDABLE HOUSING ORDINANCES ON FIRST READING: The Township Manager read Ordinance No. 26-2023 by title.

26-2023 AUTHORIZING CONVEYANCE OF PROPERTY AT 307 HARPER DRIVE TO PENNROSE, LLC FOR THE CONSTRUCTION OF AFFORDABLE HOUSING AND AUTHORIZING THE ACCEPTANCE OF A MORTGAGE AND NOTE WITH REGARD TO THE TOWNSHIP'S MUNICIPAL FINANCIAL CONTRIBUTION TO THE PROJECT IN PARTIAL SATISFACTION OF THE TOWNSHIP'S THIRD ROUND PLAN AND RELATED OBLIGATIONS

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

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

AFFORDABLE HOUSING CONSENT AGENDA RESOLUTIONS: Mr. Aberant read the resolution(s) by title.

209-2023 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, SURENIAN, NASSAU, ENVIRONMENTAL RESOLUTIONS, INC.)

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 resolution.

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

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

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

ORDINANCES ON SECOND READING: The Township Manager read Ordinance No. 24-2023 by title.

24-2023 A BOND ORDINANCE OF THE TOWNSHIP OF MOORESTOWN, COUNTY OF BURLINGTON, NEW JERSEY APPROPRIATING \$268,000 AND AUTHORIZING THE ISSUANCE OF \$254,600 IN BONDS OR NOTES OF THE TOWNSHIP TO BE USED FOR THE PURCHASE OF POLICE 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: Mr. Law
SECONDED BY: Ms. Mammarella
ABSENT: None
VOTE: All in favor

Mayor Gillespie asked for discussion by Council. Mr. Van Dyken congratulated the department on getting new vehicles and equipment. Mr. Aberant advised of the benefits.

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 No. 25-2023 by title. Mr. Aberant gave background. He advised that the ordinance was found to be consistent with the Master Plan and staff has received written confirmation that the applicant will not be able to meet the conditional use requirements and has withdrawn its application.

25-2023 AMENDING CHAPTER 180 OF THE CODE OF THE TOWNSHIP OF MOORESTOWN ENTITLED "ZONING" TO AMEND THE REGULATION OF CANNABIS BUSINESSES IN THE BP-1 ZONING DISTRICT

Mayor Gillespie opened the public hearing.

David Hess, 834 North Lenola Road, expressed his appreciation that the Township is purchasing hybrid vehicles; he advised of the benefits. Mr. Hess thanked Council for its action in buffering the residents of Lenola. He advised that there are still eight-to-ten other residents that are in the BP-1 zone that want and need the same protections.

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 thanked the residents for bringing the issues to Council's attention. Mayor Gillespie agreed and advised that Council will keep working on the various issues.

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 No. 27-2023 by title. Mayor Gillespie felt this investment is long overdue; hybrid meetings are appreciated; and time has brought new ways of doing business in government.

27-2023 A BOND ORDINANCE OF THE TOWNSHIP OF MOORESTOWN, COUNTY OF BURLINGTON, NEW JERSEY APPROPRIATING \$255,000 AND AUTHORIZING THE ISSUANCE OF \$242,250 IN BONDS OR NOTES OF THE TOWNSHIP TO BE USED FOR VARIOUS TECHNOLOGY EQUIPMENT UPGRADES AT TOWNSHIP FACILITIES, 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 November 27, 2023 at 7:00 p.m.

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

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

199-2023 RESOLUTION ADOPTING UPDATES TO THE TOWNSHIP'S PERSONNEL POLICIES AND PROCEDURES

200-2023 AUTHORIZING A SECOND AND FINAL ONE-YEAR EXTENSION OF A CONTRACT TO FRANZEO'S LANDSCAPING LLC FOR SNOW REMOVAL SERVICES IN THE ESTIMATED AMOUNT OF \$25,000

201-2023 AUTHORIZING THE PURCHASE OF A VERMEER COMPACT SKID STEER CTX160 AND ACCESSORIES UNDER THE SOURCEWELL COOPERATIVE PURCHASING AGREEMENT (CONTRACT # 031721-VMR) IN THE TOTAL AMOUNT OF \$70,736

202-2023 AUTHORIZING CONTRACT CHANGE ORDER NO. 1 IN THE AMOUNT OF \$2,000 IN CONNECTION WITH A PROJECT KNOWN AS LENOLA ROAD OUTFALL EROSION MITIGATION (VULCAN CONSTRUCTION GROUP, INC.)

203-2023 AUTHORIZING A CONTRACT IN THE AMOUNT OF \$23,437.64 WITH LAUREL LAWNMOWER, INC. FOR THE PURCHASE AND DELIVERY OF LAWNMOWING EQUIPMENT UNDER COOPERATIVE PRICING SYSTEM NO. ESCNJ 22/23-12

204-2023 ACKNOWLEDGING TOWNSHIP COUNCIL'S REVIEW OF SALARIES FOR THE BOARD OF FIRE COMMISSIONERS OF FIRE DISTRICT NO. 1 FOR THE PERIOD JANUARY 1, 2024 THROUGH DECEMBER 31, 2024

205-2023 AUTHORIZING A SECOND AND FINAL ONE-YEAR EXTENSION OF A CONTRACT TO GREEN HILL MAINTENANCE SERVICES CORPORATION FOR LAWN MAINTENANCE AND LANDSCAPE SERVICES IN THE AMOUNT OF \$78,894.92

206-2023 AUTHORIZING A SECOND AND FINAL ONE-YEAR EXTENSION OF A CONTRACT TO JANITORIAL MANAGEMENT INC. FOR JANITORIAL SERVICES IN AN AMOUNT NOT TO EXCEED \$119,470

207-2023 AWARDING A CONTRACT IN THE AMOUNT OF \$41,290 TO MUNICIPAL MAINTENANCE COMPANY FOR THE PURCHASE AND INSTALLATION OF A NEW VAUGHN MIXER ON DIGESTER NO. 2 AT THE WASTEWATER TREATMENT PLANT

208-2023 AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE FOR 107 W CAMDEN AVENUE DEVELOPMENT ASSOCIATES LLC (BLOCK 1102, LOTS 27-33) PRELIMINARY AND FINAL MAJOR SITE PLAN APPROVAL

210-2023 A RESOLUTION AUTHORIZING 2023 BUDGET APPROPRIATION TRANSFERS

211-2023 AUTHORIZING THE CANCELLATION OF WATER CHARGES DUE TO A MISREAD OR TYPOGRAPHICAL ERROR

212-2023 AUTHORIZING THE TAX COLLECTOR TO REFUND TAXES PAID PRIOR TO A VETERAN'S DEDUCTION BEING GRANTED

213-2023 RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY THROUGH AN ONLINE AUCTION SERVICE

214-2023 AUTHORIZING THE ISSUANCE OF ONE (1) NEW PLENARY RETAIL CONSUMPTION LICENSE WITHIN THE TOWNSHIP OF MOORESTOWN AND SETTING FORTH THE CRITERIA FOR APPLICATION FOR SUCH LICENSE

215-2023 AUTHORIZING THE TRANSFER OF PERSONAL PROPERTY, A 2014 FORD EXPLORER, TO THE CITY OF BURLINGTON

Mayor Gillespie opened the floor to the public. There was none.

Mayor Gillespie asked for a motion to adopt the resolutions.

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

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

Below is a brief summary of who spoke and the subject matter.

Tom Beaver, 136 Ramblewood Road, raised concern about the safety of the residents in the neighborhood, Community Options' management of the home and the latest series of incidents in the neighborhood, the last a person leaving in an ambulance. He said he overheard that a staff member was physically assaulted.

Police Director Patrick Reilly advised that, on November 5th, there was no assault that took place, no charges were filed; resident was in mental crisis. The situation was deescalated quickly. Mr. Heinold advised that the Township is in an agreement with Community Options in connection

with the Township's affordable housing obligations. Much discussion was held. Mr. Beaver was advised that the State oversees these homes. If Community Options is not in compliance with any regulations, it is under the State's authority to enforce. Much discussion was held. Mr. Beaver wanted the neighborhood to be made aware of all incidents as they occur and he was advised that the residents in the residence have privacy rights. After much discussion, Mr. Beaver was advised that if Community Options is not operating in accordance with the Township's agreement, same can be looked at; and if they do not comply with DHS regulations, they could lose their license. Mr. Beaver was assured that the Council and staff are on the matter and looking into various things.

John Boyle 132 Ramblewood Road, questioned whether the officers had documented the incidences correctly and if they are not receiving correct information, how can the neighbors get the correct information to the department. Director Reilly advised that a memorandum has been distributed in the department regarding proper reporting. Mr. Boyle stated that the neighbors are not challenging the residents of the home, their concern is with Community Options. Discussion was had.

Michael Warrington 117 Country Club Drive, read a statement into the record. He said he wants safe pedestrian and bike paths throughout town. He found that the paths are crumbling; there is overgrowth; they start and stop without warning, there is no cross markings or equipment in high traffic areas. These are no longer quiet streets on the outskirts of town, he said. He advised that there is a bike plan from 2010; nothing in that report has been done. He recommended the appointment of a committee and an end to the obsolete standards.

Janice Caccuro, 241 Bartram Road, said she was present on behalf of her neighbors concerning HEF Ventures v. the Township. She hoped Council would not accept the court's findings. She listed various reasons to appeal. She indicated that the concern is not with the people with additions, it is with the company that tells untruths (since the beginning). She implored Council to work with the Zoning Board to get an ordinance, that is constitutional, adopted. She also asked that businesses be required to register with the Township and then they would have to go to the Zoning Board and could be individually vetted. She urged Council to seriously consider same indicating that the subject industry is plagued with bad actors and the residents need to be protected. There have been countless issues that require Council's full attention.

Brian Michelet, 129 Ramblewood Road, asked Director Riley if a light incident report could be amended. Director Riley said yes and it was amended. Mr. Brian said that Community Options said it was pressured by the Township to purchase the property for its affordable housing. Mr. Aberant said he thinks the pressure came from the court master. Mayor Gillespie advised that it is looking into any options.

Nicole MacHenry, 3 Shelter Rock Place, raised concern with the Cooperative Sober Living Residence (CSLR) and advised that the same thing happened in Haddonfield and it was taken care of immediately. Mayor Gillespie advised that, by State law, the residence has a right to be here. Ms. MacHenry said that they have a right to protect the residents. She asked if the residents would be alerted if there were a pedophile in the residence. Discussion was held about Megan's Law. Ms. MacHenry expressed her objection to these residences being permitted in town. Mayor

Gillespie advised that the Township is in litigation and limited to what it can say. Discussion was held.

Paul Petrucci, 117 East Second Street, commended the residents on their knowledge and veracity. He read a prepared statement into the record. He asked Council to consider the adoption of a rent stabilization ordinance and appointment of a rent stabilization board. He advised of the benefits and of the fact that his rent went up forty-five percent in one year.

Phil Berberich, 133 Ramblewood Road, said it feels like Council is putting the blame on the residents finding they are not being welcoming. He said this issue is with the organization and its lack of management. Mr. Berberich said they listen to you not us; the neighbors need Council to be their voice.

Danny George, 30 Middleton Road, advised that the CSLR residents on Bartram Road are permanent to the house; he advised of activities at the residence. Mr. George expressed his dismay with Council finding it has been dismissive of the residents' concerns and has consistently pushed back at them. Mayor Gillespie advised that they met with the residents immediately and thereafter got sued. Mr. George expressed his lack of trust in the Council and said the neighbors need to seek a reduction in their property assessments.

Gregory Lane, 232 Winding Way said the root issue with Community Options does not lie with Council. He noted the efforts made by Council. He gave his opinion on what the issue is.

Kathy Sutherland 417 North Church Street, thought it a good idea to reinstate and restructure a low and moderate income housing oversight committee. She thanked Council for its work on Yancy-Adams Park. She asked if the property has been surveyed. Mr. Aberant advised that a partial survey was done.

Jeff Whalen, 70 Red Leaf Road, asked if Council has proposed a new location for Miles of Green. He was advised they are looking at a building at the police department. No progress has been made with Lenola Wellness; Pantheon proposes a cultivation use. Questions and answers were had.

Brian Michelet, 129 Ramblewood Road, inquired about the eminent strain on the police, EMS and fire departments with all the proposed housing, the Community Options residence and CSLRs. He was advised that the EMS was advised to advise if they were having issues. He was advised of the staffing at the police department and that the Township is assessing the amount of calls and impact they are having. Mr. Michelet said Council needs to stay proactive, not reactive.

Greg Selverian, 824 Cox Road, asked Council to read the police reports on the CSLRs and see if they would want same operating next to their home.

Pete Miller, 518 Devon Road, suggested reinstating the low and moderate income housing oversight committee. He also thought all Community Option group homes should be one-story.

CLOSING COMMENTS BY COUNCIL:

Mr. Van Dyken expressed his appreciation for the residents voicing their concerns; however, he expressed his concern with the decorum of shouting out, etc. He reminded all that Council members are volunteers and they do not know everything or have all the information at their fingertips. Council tries to remedy the best it can.

Mr. Zipin thanked the public for its feedback.

Ms. Mammarella thanked all for attending. She advised the residents concerned with Community Options that Council continues to work on the issues.

Mr. Law thanked all for attending, especially those from Lenola advising that Council is working towards the best solutions concerning cannabis. He advised that he is in favor of a safer streets and traffic task force. He advised that Council continues to work towards minimizing the issues surrounding Community Options. With regard to affordable housing, Mr. Law noted that the community has dodged affordable housing for twenty-six years; this is the point it has brought the town to; there is history behind it.

Mayor Gillespie thanked all for attending and their input.

CLOSED SESSION (IF NECESSARY) (RESOLUTION NO. CS 11 13 2023): Mayor Gillespie asked for a motion to adopt Resolution CS 11 13 2023 Authorizing Closed Session for purposes of discussing matters relating to Litigation, Negotiations and the Attorney-Client Privileges (HEF Ventures v. Township of Moorestown).

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

**RESOLUTION NO. TCOA CS 11 13 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. (HEF Ventures v. Township of Moorestown)

_____(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 10:45 p.m., Council entered into closed session.

At 11:27 p.m., Council returned to the public meeting. Due to the sensitivity of the matters, Council had nothing to report.

ADJOURNMENT: At 11:27 p.m., there being no further business, a motion was made to adjourn.

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

PATRICIA L. HUNT, RMC
Township Clerk