

TOWNSHIP OF MOORESTOWN  
TOWNSHIP COUNCIL  
OFFICIAL ACTION MEETING

March 11, 2024

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

The Regular Meeting of the Moorestown Township Council was called to order by Deputy Mayor Law at 7:02 p.m. at Town Hall, Council Chamber, 111 West Second Street, Moorestown. Attendance was as follows:

Nicole Gillespie, Mayor (absent)  
Quinton Law, Deputy Mayor  
Christopher Keating, Councilmember  
Sue Mammarella, Councilmember  
David Zipin, Councilmember

Kevin E. Aberant, Township Manager  
Patricia L. Hunt, Township Clerk  
Douglas Heinold, Township Solicitor

**CALL TO ORDER:** At 7:02 p.m., Deputy Mayor Law read the Open Public Meetings Act statement in full, as printed on the agenda.

**MAYOR'S STATEMENT**

***"Notice of this meeting has been provided in accordance with the Open Public Meetings Act" by:***

1. Posting a copy of the agenda on the bulletin board at the Municipal Complex.
2. Filing a copy of the agenda in the office of the Township Clerk at the Municipal Complex.
3. Emailing a copy of the agenda to the Burlington County Times and Courier Post.
4. Forwarding written notice to each person who has requested copies of the regular meeting schedule.

All of the above posting, filing and mailing have taken place on March 8, 2024.

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

**ROLL CALL:** Deputy Mayor Law took roll call; Mayor Gillespie was absent.

**PROCLAMATIONS & PRESENTATIONS:** Deputy Mayor Law advised that Mayor Gillespie presented the proclamation on March 9, 2024.

Proclamation- Celebration of Ramadan (presented 3/9/24)

**PROCLAMATION**

**WHEREAS,** Ramadan is the holiest month of the Islamic calendar, and marks the first revelation of the *Quran* to the Prophet Muhammad; and

**WHEREAS,** Ramadan begins with the sighting of the new crescent moon in the 9<sup>th</sup> month of the Islamic lunar calendar and lasts until the next new crescent moon is sighted; and

**WHEREAS,** Muslims around the world observe the month by fasting each day from sunrise to sunset; and

**WHEREAS**, the daily breaking of fast, called *Iftar*, is often celebrated by family and community gatherings; and

**WHEREAS**, Ramadan is regarded as a time for spiritual reflection; increased awareness and giving to the poor, sick, and hungry; and a bridging of differences between people over a shared commitment to faith; and

**WHEREAS**, Ramadan reminds us that Islam has always been a part of America and Muslims have made extraordinary contributions to our nation and state and community; and

**WHEREAS**, the Township of Moorestown hereby stands together with Muslims in our community and beyond in celebrating Ramadan this year.

**NOW, THEREFORE BE IT PROCLAIMED** that the Township Council recognizes March 11-April 9, 2024, as Ramadan and thanks the Moorestown Muslims for their service to our community and for being role models for teamwork, dedication, and inclusion in our community.

Given, under my hand and the Seal of the Township of Moorestown this 9<sup>th</sup> day of March, 2024. Nicole Gillespie, Mayor

**DISCUSSION:** Reports from Council:

Ms. Mammarella advised that the Recreation Department received an Excellence Award from the New Jersey Parks and Recreation Association for Full Throttle Field. She extended her many thanks to the Departments of Recreation and Public Works and the Hannon Family. She noted what an asset the facility is to the Township. She advised on the grand opening for Dirty Dogs (pet groomer) in Lenola. Ms. Mammarella advised on the upcoming Sustainable Moorestown meeting and the Better Together Advisory Committee.

Mr. Keating reported on the applicant reviewed by the Planning Board.

Deputy Mayor Law congratulated Dirty Dogs on its grand opening. He advised that a listening session concerning the Town Green was held; the project is moving forward and there will be more listening sessions. He also advised that a listening session was held on the design of Yancy Adams Park and he thanked Ms. Mammarella for knocking on the neighborhood's doors with him. He advised that the Moorestown Improvement Authority will be hosting a meeting regarding Memorial Park. Mr. Law advised that a grand opening ceremony for Healthtrax at the Virtual Center will be held tomorrow.

Upcoming Meeting(s): Deputy Mayor Law advised that the technology in the Council Chamber is being upgraded and the upcoming meeting will be in person only. He read the upcoming meetings aloud.

March 25, 2024 – 7:00 p.m. (Official Action)  
April 8, 2024 – 7:00 p.m. (Official Action)

Agenda Updates: Deputy Mayor Law asked for a motion to amend the agenda to remove Resolution No. 92-2024 from the consent agenda.

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

Adopting Consent Agenda Resolution No. CA 03 11 2024: Deputy Mayor Law asked for a motion to adopt the Consent Agenda as amended.

MOTIONED BY: Mr. Zipin  
SECONDED BY: Mr. Keating  
ABSENT: Mayor Gillespie  
VOTE: All in favor

**RESOLUTION APPROVING CONSENT AGENDA CA 03 11 2024**

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.
- X   b. Approves the Consent Agenda as written with the exception of the following:  
Remove Resolution 92-2024 AWARDING A CONTRACT TO A.A.A. WELDING SERVICES, INC. IN THE AMOUNT OF \$18,050 FOR REPLACEMENT OF TWO (2) CHLORINE TANK HATCHES AND ASSOCIATED CONCRETE WORK AT THE HARTFORD ROAD WATER TREATMENT PLANT
- \_\_\_\_\_ c. Requests that all matters on the Consent Agenda be handled separately.

**MANAGER'S REPORT:** Mr. Aberant reported:

- There was a bad link to join the Town Green listening session (was fixed shortly after the meeting began) and apologized if someone missed the meeting. He advised that the Yancy Adams Park listening session did not experience any difficulties.
- Due to the technology upgrades being done, the next two Council meetings will most likely be in person only.
- He will be contacting the County to get an update on final improvements related to the Lenola Town Center upgrades.
- He is working with the Directors of Public Works and Police in connection with setting up a Traffic Safety Task Force.
- He is finalizing the budget and will provide same to Council at the next meeting.

Mr. Zipin recused himself and left the meeting.

**AFFORDABLE HOUSING ORDINANCES ON SECOND READING:** The Township Manager read Ordinance 5-2024 by title. Mr. Heinold advised that the two ordinances are related to the Township's obligations in connection with affordable housing and the CIS Project. He gave a brief description of each.

**5-2024 AUTHORIZING THE ACCEPTANCE OF AN ACCESS EASEMENT AGREEMENT**

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

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

MOTIONED BY: Ms. Mammarella  
SECONDED BY: Mr. Keating  
RECUSED: Mr. Zipin  
ABSENT: Mayor Gillespie  
VOTE: All in favor

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

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

MOTIONED BY: Mr. Keating  
SECONDED BY: Ms. Mammarella  
RECUSED: Mr. Zipin  
ABSENT: Mayor Gillespie  
ROLL CALL VOTE: All in favor

The Township Manager read Ordinance 6-2024 by title.

**6-2024 AUTHORIZING THE CONVEYANCE OF PROPERTY KNOWN AS  
BLOCK 8801, LOT 4.03 FOR THE DEVELOPMENT AND MAINTENANCE OF  
AFFORDABLE HOUSING – CIS PROJECT**

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

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

MOTIONED BY: Ms. Mammarella  
SECONDED BY: Mr. Keating  
RECUSED: Mr. Zipin  
ABSENT: Mayor Gillespie  
VOTE: All in favor

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

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

MOTIONED BY: Mr. Keating  
SECONDED BY: Ms. Mammarella  
RECUSED: Mr. Zipin  
ABSENT: Mayor Gillespie  
ROLL CALL VOTE: All in favor

Mr. Zipin return to the dais.

**ORDINANCES ON SECOND READING:** The Township Manager read Ordinance 4-2024 by title.

**4-2024 AMENDING CHAPTER 180 OF THE CODE OF THE TOWNSHIP OF  
MOORESTOWN ENTITLED “ZONING” TO AMEND THE REGULATION  
OF CANNABIS BUSINESSES**

Mr. Aberant advised that, based upon Council’s direction and the Economic Development Advisory Committee’s recommendation, the chapter is being amended to limit the total number of retailers in the SRC and SRC-1 zones to an aggregate amount of 2 and no more than two in the BP districts. It also clarifies the setback from parks and schools; the hours of operation and parking requirements. The Planning Board found the amendments to be consistent with the Master Plan. The Planning Board and Planner also recommend that “Class IV” be inserted before the words “cannabis retailer.” Mr. Heinold advised that the insertion of the words “Class IV” are not substantive and do not require publication.

Deputy Mayor Law opened the public hearing.

Aubree Whalen, 70 Red Leaf Road, asked whether a dispensary could ultimately turn into a grow facility. She said she does not have a concern with cannabis but would be concerned as it seems like the use is clustering in the Lenola area. Mr. Law noted that Council has added new restrictions and suggested seeing how same rolls out. He noted that in any case, an applicant would have to come back before Council for its support.

There being no further comment, Deputy Mayor Law asked for a motion to close the public hearing.

MOTIONED BY: Ms. Mammarella  
SECONDED BY: Mr. Keating  
ABSENT: Mayor Gillespie  
VOTE: All in favor

Deputy Mayor Law asked for discussion by Council. Ms. Mammarella indicated it has been a long road; Council started with this in December 2021 and they have learned a lot. She said Council has restricted the number of licenses and limited the number of licenses in areas and the hours of operation; regulated parking requirements and the minimum set back from schools and parks; prohibited the use where the property abuts to a residential zone and opted into a two-percent tax. She felt that Council has heard and responded to the residents and she is happy with the result. Mr. Law agreed finding that the end-product resulted from a lot of community input and discussion on the dais. He felt the end result was good but felt it important to keep fielding residents' concerns.

Deputy Mayor Law asked for a motion to adopt the ordinance with the amendment (adding "Class IV" in Sections 1 and 2 before the words "cannabis retailer").

MOTIONED BY: Ms. Mammarella  
SECONDED BY: Mr. Keating  
ABSENT: Mayor Gillespie  
ROLL CALL VOTE: All in favor

**ORDINANCES ON FIRST READING:** The Township Manager read Ordinance 7-2024 by title. He provided a summary. Mr. Aberant advised that he received suggested changes; he spoke with Mr. Heinold about same. Mr. Heinold advised that the ordinance has gone through the planning process and research. The bulk of the comments have to do with the operations within a facility (not land use or zoning related). Discussion was held on what can and cannot be done and what the Township is trying to accomplish. Council felt what is being done with this ordinance is appropriate for the time being.

**7-2024 AMENDING CHAPTER 180 OF THE CODE OF THE TOWNSHIP OF MOORESTOWN ENTITLED "ZONING" TO DEFINE AND REGULATE COOPERATIVE SOBER LIVING FACILITIES IN A MANNER CONSISTENT WITH THE FAIR HOUSING ACT AND APPLICABLE STATE RULES**

Deputy Mayor Law asked for discussion or a motion to introduce the ordinance on first reading and set the public hearing date for April 8, 2024 at 7:00 p.m.

MOTIONED BY: Mr. Zipin  
SECONDED BY: Mr. Keating  
ABSENT: Mayor Gillespie  
ROLL CALL VOTE: All in favor

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

**88-2024** SUPPORTING SAVE THE ENVIRONMENT OF MOORESTOWN'S GRANT APPLICATION TO NEW JERSEY AUDUBON TO ENHANCE THE WETLAND, RIPARIAN AND STREAM HABITAT AND WILDLIFE DIVERSITY AT SWEDE RUN FIELDS

**89-2024** A RESOLUTION AMENDING AND SUPPLEMENTING THE 2024 TEMPORARY BUDGET

**90-2024** AUTHORIZING A ONE-YEAR EXTENSION OF A CONTRACT TO UNIVAR SOLUTIONS USA LLC FOR LIQUID SODIUM HYDROXIDE FOR POTABLE WATER IN AN AMOUNT NOT TO EXCEED \$172,731

**91-2024** AUTHORIZING A RELEASE OF PERFORMANCE GUARANTEE FOR 353 CRIDER AVENUE (MINOR SUBDIVISION) 353 CRIDER AVENUE (BLOCK 701, LOT 33)

**93-2024** APPROVING A SPECIAL ALCOHOLIC BEVERAGE PERMIT APPLICATION FOR AN EVENT CALLED "THE LONGEST TABLE" SPONSORED BY HOMEGROWN MOORESTOWN AND THE DEPARTMENT OF RECREATION ON THE GROUNDS OF THE MUNICIPAL BUILDING(S), 111 WEST SECOND STREET

**94-2024** APPOINTING KEVIN ABERANT AS THE TEMPORARY CHIEF FINANCIAL OFFICER

**95-2024** AUTHORIZING THE TAX COLLECTOR TO CANCEL AND REFUND 1ST (PARTIAL) QUARTER PROPERTY TAXES AND CANCEL 2ND, 3RD, AND 4TH QUARTER PROPERTY TAXES FOR A TOTALLY DISABLED VETERAN EXEMPTION (340 SOUTH WASHINGTON AVENUE)

Deputy Mayor Law opened the floor for public comment.

Pete Miller, 518 Devon Road, asked for clarification on Resolution Nos. 88-2024, 91-2024 and 94-2024; same was given. He was also advised that the temporary CFO appointment is good for one year and there is no additional pay for the appointment to the Manager.

Harry Mayer, 349 East Second Street, provided a handout to Council and advised that Save the Environment Moorestown (STEM) is applying for a grant and it needs Council approval; the grant is due March 22, 2024.

Deputy Mayor Law asked for discussion by Council. He thanked STEM noting that Swede Run Field is looking great. Mr. Mayer advised that they will be installing blue bird boxes; there is a lot of bird activity on the site.

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

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

**MINUTES:** November 13, 2023 Official Action and Closed Session and November 27, 2023 Official Action and Closed Session

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

MOTIONED BY: Mr. Zipin  
SECONDED BY: Ms. Mammarella  
ABSTAIN: Mr. Keating  
ABSENT: Mayor Gillespie  
ROLL CALL VOTE: All in favor

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

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

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

Harry Mayer, 349 East Second Street, advised that the Bradford Pear is invasive and they are looking to eradicate same.

Linda Whittendale, 72 Red Leaf Road, asked about the status of the Kmart building and center (vacancies). Mr. Aberant advised that he had a meeting with the property owner about fifteen months ago; they are marketing the property. Ms. Whittendale felt that would be a great location for the retail sale of cannabis. Mr. Aberant agreed and said same is a permitted use there. Ms. Mammarella advised that BuyRite approached the property owner about space and things did not work out. Mr. Aberant said he will follow up with the property owner.

Emily Dragun, 547 Eaglebrook Drive, read aloud a suggested change to Ordinance 7-2024 that her neighbor proposed. Mr. Heinold said he can look at it but the Township could address same administratively. He advised that Meghan's Law carries its own weight at a State level.



Discussion was held. Mr. Keating cautioned about adding too much language and offered to meet with the residents. Mr. Heinold advised that what the neighbor is proposing can be held administratively rather than through the ordinance. Discussion was held on restrictions on existing residents (of CSLRs). Mr. Heinold advised that additional restrictions cannot be imposed upon them (a pre-existing, non-conforming use).

**CLOSING COMMENTS BY COUNCIL:**

Mr. Keating advised that he visited the Ramadan event over the weekend. He said it was fantastic and thanked the host for hosting the community. He thanked the public for their attendance and input at the meeting.

Ms. Mammarella also complimented the Ramadan event. She thanked the Perkins Center for taking the event into the center (due to the rain). Ms. Mammarella thanked all for their contributions to tonight's meeting.

Deputy Mayor Law thanked the Economic Development Advisory Committee and staff for their time and assistance in connection with amendments to the cannabis ordinance. He looked forward to the upcoming final work on the Lenola Streetscape.

**CLOSED SESSION (IF NECESSARY) (RESOLUTION NO. CS 03 11 2024):** None.

**ADJOURNMENT:** At 8:05 p.m., there being no further business, a motion was made to adjourn.

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

PATRICIA L. HUNT, RMC  
Township Clerk