

TOWNSHIP OF MOORESTOWN
TOWNSHIP COUNCIL
OFFICIAL ACTION MEETING

April 29, 2024

(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
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 7:00 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 April 26, 2024.

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:

Proclamation - Arbor Day (presented April 26, 2024): Mayor Gillespie advised that the proclamation was presented at the Arbor Day celebration at Yancy-Adams Park, where the history of the park was shared. She thanked all involved with the program.

ARBOR DAY

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

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

WHEREAS, special recognition has been given to Moorestown Township as a Tree City USA for the 34th straight year; therefore, it is appropriate that an Arbor Day observance be held.

NOW, THEREFORE, I, Nicole Gillespie, Mayor of the Township of Moorestown, do hereby proclaim, April 26, 2024 as:

ARBOR DAY IN THE TOWNSHIP OF MOORESTOWN

and I urge all residents to observe this occasion by planting one or more trees in the Township throughout 2024.

Given under my hand and the Seal of the Township of Moorestown this Twenty Sixth Day of April Two Thousand Twenty-Four. Nicole Gillespie, Mayor

DISCUSSION: Reports from Council:

Ms. Mammarella advised that she attend the Arbor Day celebration; the Harper Drive Affordable Housing apartments ground breaking ceremony; Mission Voice 5K; Remembrance Park Cleanup (where they planted red poppies at the WWI memorial). She complimented all events and those that participated. She advised on the upcoming Community Health Festival at Cambridge, organized by Saima Bhutta, on behalf of Sustainable Moorestown. Ms. Mammarella advised that May is Historic Preservation Month. The Historic Preservation Ad Hoc Committee will be holding a public workshop on May 29. She encouraged all to attend.

Mr. Keating advised that he attended the Jiu Jitsu ribbon cutting on Saturday. He congratulated Mayor Gillespie for being honored by the Burlington County Chamber of Commerce. He advised that the Planning Board will hear the application of Parkys Entertainment establishment going in at the mall. Mr. Keating advised that there is misguided information online concerning Moorestown crime statistics. He advised of some of the statistics and noted that they are false. He invited the public to check with the Director of Police if they would like true statistics. Mr. Keating expressed his appreciation for Resolution 110-2024 being on the agenda. He explained the background and felt this was the best outcome, noting that the new ordinance, adopted as a result of the litigation will also ensure that residents of Community Sober Living Residences will have to comply with Meghan's Law (in the future). He thanked Council for its work in this regard.

Mr. Zipin thanked the public for attending.

Mr. Law congratulated Mayor Gillespie for being honored by the Burlington County Chamber of Commerce. He also congratulated the Tree Planting and Preservation Committee for holding another great Arbor Day celebration. He advised of a meeting tomorrow regarding the Lenola Rehabilitation Plan; he encouraged property owners to attend. Mr. Law advised that the street and sidewalk survey will be reviewed on May 15, 2024.

Mayor Gillespie advised that the Economic Development Advisory Committee meets tomorrow (date was changed due to Passover). The Environmental Advisory Committee will be reviewing the floodplain ordinance, which is being introduced tonight. She congratulated Jiu Jitsu on Main Street (grand opening) and MooreUnity for its event, the Human Library, held with the Moorestown Library over the weekend; it was great. She congratulated all on the Mission Voice 5K saying it was the largest turnout yet; proceeds go to programs for the special needs population. She advised of upcoming events.

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

May 11, 2024 – 7:00 p.m. (Official Action)

May 20, 2024 – 7:00 p.m. (Official Action)

Agenda Updates: None.

Adopting Consent Agenda Resolution No. CA 04 29 2024: Mayor Gillespie asked for a motion to adopt the Consent Agenda.

MOTIONED BY: Ms. Mammarella

SECONDED BY: Mr. Keating

ABSENT: None

VOTE: All in favor

RESOLUTION APPROVING CONSENT AGENDA CA 04 29 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.
- ☐ 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.

Draft Ordinance-Amends Chapter 160 "Preservation and Restoration of Existing Vegetation:" Mr. Aberant advised that this ordinance is somewhat in tandem with the salt storage shed ordinance as the New Jersey Department of Environmental Protection (NJDEP) is requiring adoption of their model ordinances. This ordinance regulates tree replacement(s). While the Township's ordinance was found to be satisfactory by the NJDEP, they did request one change (he read same aloud). The provision in the code is in excess of what is provided by the NJDEP. Mayor Gillespie asked that the ordinance be reviewed by the Environmental Advisory and Tree Planting and Preservation Committees and be scheduled for first reading on May 13, 2024.

MANAGER'S REPORT: Mr. Aberant:

- recommended changes to the microbrewery ordinance; a draft will be before Council on May 13, 2024.
- advised that the grant application for the Kings Highway/Main Street Water Main Replacement project was started today and the project will be moving forward. The Township is awaiting comment from the County (or they will at least be notified that the Township is moving forward).
- advised he is finalizing the budget for Council's review. Mayor Gillespie requested that a budget workshop be scheduled prior to the May 13, 2024 Official Meeting. Mr. Aberant hoped to introduce the budget on May 20 and adopt on June 24, 2024.

Mr. Zipin recused himself and left the meeting.

AFFORDABLE HOUSING ORDINANCES ON SECOND READING: The Township Manager read Ordinance 10-2024 by title.

10-2024 BOND ORDINANCE PROVIDING FOR IMPLEMENTATION OF THE HERITAGE VILLAGE AFFORDABLE HOUSING PROJECT IN AND BY THE TOWNSHIP OF MOORESTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING \$1,750,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,225,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF

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. There was none.

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

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

AFFORDABLE HOUSING ORDINANCES ON FIRST READING: None

AFFORDABLE HOUSING RESOLUTION: The Township Manager read the resolution by title.

111-2024 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, CLARKE CATON HINTZ)

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 resolution.

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

APPROVAL OF AFFORDABLE HOUSING EXPENDITURES: None.

Mr. Zipin returned to the meeting.

ORDINANCES ON SECOND READING: The Township Manager read Ordinance 8-2024 by title. Mr. Aberant gave a brief explanation.

8-2024 BOND ORDINANCE PROVIDING FOR THE 2024 ROAD OVERLAY PROGRAM IN AND BY THE TOWNSHIP OF MOORESTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING \$2,425,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,309,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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: Mr. Zipin
ABSENT: None
VOTE: All in favor

Mayor Gillespie asked for discussion by Council. Ms. Mammarella asked if the public is advised when such work is going on. Mr. Aberant advised that the contractor is required to go door-to-door three days in advance of the commencement of work. Mayor Gillespie requested that a list of streets be provided for on the website.

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 9-2024 by title. This is a project supported by municipal aid grant received.

9-2024 BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO FLYNN AVENUE IN AND BY THE TOWNSHIP OF MOORESTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING \$473,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$190,120 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF

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. Zipin
ABSENT: None
VOTE: All in favor

Mayor Gillespie asked for discussion by Council. Mr. Law asked if this work includes the Conrail strip on New Albany Road. Mr. Aberant advised that it does not; the Township cannot seem to get a response from the State. He advised that when it is designed, the plan will include the work going across the tracks and same will be sent to the State for review and the Township will advise the State to fix it. He anticipated award of a contract in June.

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

The Township Manager read Ordinance 11-2024 by title.

11-2024 AMENDING CHAPTER 203 ENTITLED “STORMWATER QUALITY” OF THE CODE OF THE TOWNSHIP OF MOORESTOWN BY ADDING ARTICLE VIII, ENTITLED “PRIVATELY-OWNED SALT STORAGE”

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. Zipin
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. Keating
ABSENT: None
ROLL CALL VOTE: All in favor

ORDINANCES ON FIRST READING: The Township Manager read Ordinance 12-2024 by title.

12-2024 AMENDING THE CODE OF THE TOWNSHIP OF MOORESTOWN BY REPEALING CHAPTER 83 – FLOOD DAMAGE PREVENTION IN ITS ENTIRETY AND REPLACING IT WITH “FLOODPLAIN MANAGEMENT”

Mayor Gillespie asked for discussion or a motion to introduce the ordinance on first reading and set the public hearing date for May 13, 2024 at 7:00 p.m.

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

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

106-2024 AWARDING A CONTRACT TO MUNICIPAL MAINTENANCE COMPANY IN THE AMOUNT OF \$464,400 FOR THE PROJECT KNOWN AS ALLISON COURT PUMP STATION UPGRADES

107-2024 AUTHORIZING THE CANCELLATION OF WATER AND SEWER CHARGES DUE TO A TYPOGRAPHICAL ERROR, A MISREAD, AN OVERESTIMATE, OR A LEAK REPAIR

108-2024 ACCEPTING THE RESIGNATION OF SUSAN GILMAN FROM SUSTAINABLE MOORESTOWN “GREEN TEAM”

109-2024 AUTHORIZING THE TAX COLLECTOR TO CANCEL AND REFUND 2ND (PARTIAL) QUARTER PROPERTY TAXES AND CANCEL 3RD AND 4TH QUARTER PROPERTY TAXES FOR A TOTALLY DISABLED VETERAN EXEMPTION (305 HIGH STREET)

110-2024 AUTHORIZING EXECUTION OF A RELEASE AND SETTLEMENT AGREEMENT IN THE MATTER OF HEF VENTURES, LLC V. MOORESTOWN TOWNSHIP, ET AL.

112-2024 A RESOLUTION OF THE TOWNSHIP OF MOORESTOWN, COUNTY OF BURLINGTON, STATE OF NEW JERSEY SUPPORTING REVOLUTION NJ

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

Mayor Gillespie asked for discussion by Council. Ms. Mammarella advised that in 2026, the country will be 250 years old. There is an initiative for all states to celebrate in various ways. She advised that she is on the committee for Moorestown. Mayor Gillespie stated that the HEF Ventures litigation settlement was a longtime coming. She is glad it resulted in the addition of Meghan’s Law language in the ordinance. She thanked all who helped in getting this done. She advised that the Historic Preservation Ad Hoc Committee will take the lead on the planning for the 250-year celebration.

Mayor Gillespie asked for a motion to adopt the resolutions.

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

MINUTES: March 11, 2024 Official Action, March 25, 2024 Official Action and April 8, 2024 Official Action

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

MOTIONED BY: Ms. Mammarella,
SECONDED BY: Mr. Keating
ABSTAINED BY: Mayor Gillespie on March 11, 2024 Official Action
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. Law
SECONDED BY: Mr. Zipin
ABSENT: None
ROLL CALL VOTE: All in favor

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

Kate Wilson, 2 Split Rock Place, asked how the streets are selected for the overlay project. Mr. Aberant advised that the Township Engineer and Director of Public Works review the streets and select based on need and available funding.

CLOSING COMMENTS BY COUNCIL:

Mr. Keating thanked all for coming out.

Ms. Mammarella thanked all for coming out.

Mr. Zipin wished his 17-year old twins a happy birthday. He thanked all for coming out.

Mr. Law thanked Mr. Aberant for equitably selecting the streets throughout town.

Mayor Gillespie thanked all for coming out and wished Mr. Zipin's twins a happy birthday.

CLOSED SESSION (IF NECESSARY) (RESOLUTION NO. CS 04 29 2024): None.

ADJOURNMENT: At 7:45 p.m., there being no further business, a motion was made to adjourn.

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

PATRICIA L. HUNT, RMC
Township Clerk