

TOWNSHIP OF MOORESTOWN
TOWNSHIP COUNCIL
OFFICIAL ACTION MEETING

June 24, 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 June 21, 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- Juneteenth (presented June 15, 2024): Mayor Gillespie advised that the following proclamation was presented by Deputy Mayor Law on June 15, 2024 at a celebration at the Perkins Center for the Arts.

PROCLAMATION

WHEREAS, President Abraham Lincoln signed the Emancipation Proclamation on January 1, 1863, declaring the slaves in Confederate territory free, paving the way for the passing of the 13th Amendment which formally abolished slavery in the United States of America; and

WHEREAS, word about the signing of the Emancipation Proclamation was delayed some two and a half years, to June 19, 1865, in reaching authorities and African-Americans in the South and Southwestern United States; and

WHEREAS, Emancipation Day observations are held on different days in different states in the South and Southwest, and in other parts of the nation; and

WHEREAS, June 19th has a special meaning to African-Americans, and is called "JUNETEENTH" combining the words June and Nineteenth, and has been celebrated by the African-American community for over 150 years; and

WHEREAS, the 4th annual Juneteenth celebration in Moorestown will be held at Perkins Center for the Arts on June 15, 2024 and features vendors, music, art and education.

NOW, THEREFORE BE IT PROCLAIMED that the Township Council proclaims June 19th as Juneteenth in Moorestown. The Township Council encourages all citizens to become more aware of the significance of this celebration in African-American History and in the heritage of our nation, our state and our town.

Given, under my hand and the Seal of the Township of Moorestown this 15th day of June Two Thousand Twenty Four. Nicole Gillespie, Mayor

Proclamation- Designation of July as Parks and Recreation Month: Mayor Gillespie read the following proclamation aloud. Theresa Miller, Director of Parks and Recreation accepted same and thanked Council. Mayor Gillespie complimented Ms. Miller and acknowledged her upcoming retirement.

PROCLAMATION

Designation of July as Parks and Recreation Month

WHEREAS parks and recreation programs are an integral part of communities throughout this country, including Moorestown Township; and

WHEREAS our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

WHEREAS parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and

WHEREAS parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS parks and recreation areas are fundamental to the environmental well-being of our community; and

WHEREAS parks and natural recreation areas improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and

WHEREAS our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS Moorestown Township recognizes the benefits derived from parks and recreation resources

NOW THEREFORE, BE IT RESOLVED by Township Council that July is recognized as Park and Recreation Month in the Township of Moorestown

Given under my hand and seal of the Township of Moorestown this 24th day of June, Two Thousand Twenty Four. Nicole Gillespie, Mayor

PROCLAMATION

Proclamation - July 4, 2024 Day of Celebration in Honor of Our Freedom and Independence: Mayor Gillespie read the proclamation aloud. No one was present to receive same.

Whereas, the wail of a mother's cry reminds us of those who have fought and died; the sound of a flag flying high; the drums of the school band and cheering in the stands; the street adorned with children, bikes and streamers, decorations by local storekeepers, the military, fire trucks and the Scouts of America too, let us not forget the brilliant colors of the **RED, WHITE** and **BLUE**; and

Whereas, without a cloud in the sky and the smell of American pie, it is these things that remind us, it is the 4th of July; and

Whereas, it is known as Independence Day and celebrated by Americans across the USA; and

Whereas, Moorestown is no exception and is proud to announce its connection; and

Whereas, the Moorestown 4th of July Parade Committee has planned a day of festivity and the Township Council wishes to proclaim it to the city.

Now, Therefore, Be It Proclaimed, by the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey, that

July 4, 2024 be a Day of Celebration in Honor of our Freedom and Independence

and we ask that all people of Moorestown join in the fun, march in the parade and show your

American colors, so true, **RED, WHITE** and **BLUE**. Given under my hand and seal of the Township of Moorestown this 24th day of June, Two Thousand Twenty Four. Nicole Gillespie, Mayor

DISCUSSION:

Reports from Council:

Ms. Mammarella advised that the Historic Preservation survey results are on the website.

Mr. Keating, Mr. Zipin and Mr. Law commended and thanked Theresa Miller and the Department of Parks and Recreation for all they do. Ms. Miller was congratulated on her upcoming retirement.

Mr. Law thanked the Better Together Advisory Committee for organizing the Pride Month and Juneteenth flag raising events. He advised that the Traffic Safety Committee meets tomorrow and will be looking at traffic calming measures. He looked forward to the upcoming July 4th parade. Mr. Law thanked Mr. Aberant for facilitating continued work on Camden Avenue; and asked Mr. Aberant to get an update on the timing of the bridge repairs.

Mayor Gillespie also thanked the Juneteenth organizers, noting it was a great turnout; and she is proud to be flying the Pride and Juneteenth flags at Town Hall. She advised that the Environmental Advisory Committee met; no formal action was taken. The Economic Development Advisory Committee meets next week. Mayor Gillespie advised that a meeting was held on June 17 to review development of the Pulverizing site. There was a good discussion and feedback; there is a survey online. She advised that another discussion is planned for July 8. Mr. Aberant advised on the next steps, should Council decide to move forward with negotiations, a memorandum of understanding and a developers agreement.

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

July 8, 2024 – 7:00 p.m. (Official Action)

July 22, 2024 – 7:00 p.m. (Official Action)

Agenda Updates: Mayor Gillespie asked for a motion to amend the agenda to add a closed session meeting regarding attorney/client privilege.

MOTIONED BY: Mr. Keating

SECONDED BY: Mr. Law

ABSENT: None

VOTE: All in favor

Adopting Consent Agenda Resolution No. CA 06 24 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 06 24 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:

- ___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.

Proposed Kayak Rental at Strawbridge Lake: Mayor Gillespie advised that this is a proposal by the Strawbridge Lake Beautification Committee (SLBC) and it is recommended by the Recreation Advisory Committee (RAC). Lenny Wagner, 182 Foxwood Drive, advised that RAC voted in favor of the proposal. Ms. Mammarella loved the idea and would like to see more people using the lake. George Gravenstine, 347 West Third Street, and other members of the SLBC, were present. Mr. Gravenstine advised that there is an upfront fee and the Township receives back fifty percent (50%) of the rental fees. He advised that they are scouting locations for the unit to be placed at the lake. It was noted that there are several possibilities and they do not want to obstruct the view of the lake. Discussion on how the program works (through an online app) was held. The company takes responsibility for all equipment and maintenance. Questions and answers were had. Mr. Gravenstine advised that the SLBC wants to ensure that the rental proceeds go towards lake improvements. Discussion on the rental proceeds was had. All understood and had no objection to splitting (50/50) the rental fee dividends with SLBC. Mr. Heinold advised that the Township will be named as an additional insured; the company takes on all liability. Mr. Aberant advised that he checked with the Township's risk manager who provided some recommendations. Discussion, questions and answers were had.

Discussion on Draft Historic Preservation Ordinance: All members of Council raised questions and concerns. Much discussion was had. In closing, Mayor Gillespie advised no decisions have been made, there is more work to do; there will be more to come.

MANAGER'S REPORT: Mr. Aberant reported:

- The Camden Avenue streetscape is being completed. The sign in the first island (by Ritas) should be up.
- 2024 Overlay Project: Council awarded a contract to Earle. Subsequently, Pennoni reached out to Don Lloyd to see about adding additional roads (that would result in staying below a twenty-percent change order). He asked if Council was interested in moving some of the most critical roads listed in the 2025 Overlay Program to this overlay program. He advised that there are funds available under the bond; Council would have to approve a resolution. Mayor Gillespie felt they should do it. Mr. Law asked that traffic calming measures be part of the improvements; Mr. Aberant advised they will look at same with each road.
- The Township received a draft 2023 audit report; same is very clean. No matters require comment or adjustment.

Mr. Heinold advised that the town has been in litigation over the land swap with Lockheed Martin and the property on Borton Landing road. A motion to expedite has been made; the matter is pending before the Appellate Division.

2024 BUDGET HEARING AND ADOPTION RESOLUTIONS: The Township Manager read the resolution by title.

137-2024 AUTHORIZING THE READING OF THE 2024 BUDGET BY TITLE ONLY

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

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

Mayor Gillespie asked for a motion to adopt the resolution.

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

The Township Manager read the resolution by title.

**138-2024 CERTIFYING THE YEAR 2024 BUDGET COMPLIES WITH
STATUTORY REQUIREMENTS**

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

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

Mayor Gillespie asked for a motion to adopt the resolution.

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

The Township Manager read the resolution by title.

139-2024 A RESOLUTION ADOPTING 2024 BUDGET

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

Mayor Gillespie asked for discussion by Council. Members of Council thanked Mr. Aberant.

Mayor Gillespie asked for a motion to adopt the resolution.

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

Mr. Aberant thanked Kathy Rosmando, Treasurer, noting that she provided a lot of assistance to him.

Mr. Zipin recused himself and left the meeting.

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

**142-2024 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 (SURENIAN)**

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: Mr. Law
RECUSED: Mr. Zipin
ABSENT: None
ROLL CALL VOTE: All in favor

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

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

Mr. Zipin returned to the meeting.

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

140-2024 AUTHORIZING RENEWAL OF RETAIL LIQUOR LICENSES FOR 2024-2025

141-2024 AUTHORIZING THE CANCELLATION OF WATER & SEWER CHARGES DUE TO A MISREAD

143-2024 AWARDING A CONTRACT TO KAPPE ASSOCIATES, INC. IN THE AMOUNT OF \$21,315 FOR THE PURCHASE AND INSTALLATION OF A REPLACEMENT PUMP AT THE NORTH STANWICK ROAD PUMP STATION

144-2024 APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE CENTERTON ROAD BIKEWAY PROJECT

145-2024 APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE PADDOCK PATH, NIXON DRIVE, AND HARPER DRIVE IMPROVEMENTS PROJECT

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

Mayor Gillespie asked for discussion by Council. Mr. Aberant advised that there was an opportunity to apply for a grant by June 30, 2024. Pennoni recommended a bikeway along Centerton Road (from Hartford Road to Top Golf); this would connect with the existing sidewalk at the Mews.

Mayor Gillespie asked for a motion to adopt the resolutions.

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

MINUTES: April 29, 2024 Official Action, May 20, 2024 Official Action and Closed Session and June 10, 2024 Official Action and Closed Session

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

MOTIONED BY: Mr. Keating
SECONDED BY: Mr. law
ABSTAIN: Mr. Law on June 10, 2024 Official Action and Closed Session
ABSENT: None
ROLL CALL VOTE: All in favor

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

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

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

Wayne Urffer, 254 West Main Street, advised that the Township's first effort at historic preservation failed in the 1970s. He served on the committee in 2006 which was the second try at historic preservation which was derailed primarily by property developers who hired attorneys that managed to get the 2006 ordinance overturned. He read a quote into the record and urged Council to resist the opposition that is likely to come from developers and their attorneys, who will threaten frivolous litigation.

Lenny Wagner, 182 Foxwood Drive, President of the Historical Society, conveyed his appreciation for the discussion held this evening and encouraged Council to move forward as two more buildings are currently at risk.

Greg Newcomer, 235 Fellowship Road, gave a foam aggregate to Council and advised that same is manufactured in Burlington County and is the material that was used to rebuild I95. He

felt the material could be the answer to restoring the basketball court and advised it has many other uses also. He talked about the use of glass in the product.

Julie Maravitch, 660 Chester Avenue, thanked Council for its thoughtful questions in relation to the draft historic preservation ordinance. She advised of the importance of saving the structures and the extreme value of the homes. She said the Township cannot allow anyone to tear down the structures due to neglect.

Heather Loprano, 345 East Main Street, encouraged Council to consider adoption of an ordinance.

Gary Ell, 106 Lois Lane, advised that his family was the first settlers in Moorestown. He gave a history on the structures and encouraged Council to do everything it can to adopt an ordinance and protect the properties.

Dan Levin, 554 Sentinel Road, expressed his frustration with students parking all along his road. He advised that the police said there is nothing they can do. He asked for Council's help. Mayor Gillespie advised that Council is well aware of the situation. The matter will be discussed at Council's July 22, 2024 meeting. The Board of Education is considering a referendum which may include additional parking at the high school. She encouraged Mr. Levin to attend the Board of Education's meetings and to voice his concerns there. She advised that Council can only put a band aid on it.

CLOSING COMMENTS BY COUNCIL:

Mr. Keating thanked all involved with developing the historic preservation ordinance and with the events that were held this month. He commended the volunteers in Moorestown.

Ms. Mammarella thanked the historic preservation supporters that came out to the meeting. She advised that the Appearance Committee was made aware of Weichert wanting to proceed to the Zoning Board.

Mr. Zipin thanked Ms. Mammarella for her work on the historic preservation ordinance, noting that his questions are not meant to be adversarial; he just does not want to leave any loose ends that could lead to litigation. Even if it is frivolous, the Township still has to defend it.

Mr. Law advised that August 6, 2024 is Moorestown's first annual National Night Out, a night to recognize all first responders in the community. He thanked the SLBC noting the kayak rentals would be a great way of bringing folks to the lake. Mr. Law asked Mr. Aberant to look into the crosswalks and work being done on Camden Avenue. He thanked Ms. Mammarella and the ad hoc committee for their work on the historic preservation ordinance.

Mayor Gillespie thanked the SLBC for bringing the kayak rentals forward. She thanked the ad hoc committee noting that Council is not going to rush; it will make sure the ordinance is done right; and that she shares the goal of preserving historic treasures in town.

CLOSED SESSION (IF NECESSARY) (RESOLUTION NO. CS 06 24 2024): Mayor Gillespie asked for a motion to adopt Resolution CS 06 24 2024 to enter into closed session for purposes of discussing Matters Relating to Litigation, Negotiations and the Attorney-Client Privileges.

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

**RESOLUTION NO. TCOA CS 06 24 2024
AUTHORIZING CLOSED SESSION**

WHEREAS, the Township Council of the Township of Moorestown is subject to certain requirements of the Open Public Meetings Act, N.J. S. A. 10:4-6, et seq., and

WHEREAS, the Open Public Meetings Act, N.J.S.A 10:4-12, provides that a Closed Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

WHEREAS, it is necessary for the Township Council of the Township of Moorestown to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

_____(1) *Matters Required by Law to be Confidential:* Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.

_____(2) *Matters Where the Release of Information Would Impair the Right to Receive Funds:* Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

_____(3) *Matters Involving Individual Privacy:* Any material, the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to, information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

_____(4) *Matters Relating to Collective Bargaining Agreements:* Any collective bargaining

agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

_____ (5) *Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds:* Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

_____ (6) *Matters Relating to Public Safety and Property:* Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law.

 x (7) *Matters Relating to Litigation, Negotiations and the Attorney-Client Privileges:* Any pending or anticipated litigation or contract negotiation in which the public body is, or may become, a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

(8) *Matters Relating to the Employment Relationship:* Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

_____ (9) *Matters Relating to Potential Imposition of a Penalty:* Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey, assembled in public session, that a Closed Session closed to the public shall be held in the Town Hall, 111 West Second Street, Moorestown, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Council that the public interest will no longer be served by such confidentiality.

The Mayor advised that there will be no formal action when Council returns to the public. However, Council will return to the public session to adjourn; the public is welcomed to stay.

At 8:51 p.m., Council entered into closed session.

At 10:04 p.m., Council returned to the public meeting. Due to the sensitivity of the matters, Council had nothing to report.

ADJOURNMENT: At 10:04 p.m., there being no further business, a motion was made to adjourn.

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

PATRICIA L. HUNT, RMC
Township Clerk