

TOWNSHIP OF MOORESTOWN
TOWNSHIP COUNCIL
OFFICIAL ACTION MEETING

January 22, 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 7:06 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 L. Heinold, Township Attorney

CALL TO ORDER: At 7:06 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 January 19, 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- Muslim Heritage Month: Mayor Gillespie presented the following proclamation. Saima Bhutta was present (to accept the proclamation) along with other members of the Muslim community. Ms. Bhutta spearheaded an initiative to have the month of January recognized in the State of New Jersey. Mayor Gillespie recognized the Mayor of Evesham and Mayor of Southampton (present).

PROCLAMATION

WHEREAS, the Township of Moorestown is proud to recognize the contributions of the Muslim community and declare the month of January as Muslim Heritage Month; and

WHEREAS, Muslims are the world's second-largest religious group practicing the Islamic faith. With 1.9 billion followers representing approximately twenty five percent of the world's population, there are about 3.45 million Muslims in the United States from diverse racial and ethnic backgrounds. The Muslim community represents 1.1% of the population in the United States; and

WHEREAS, Muslims first arrived in North America along with enslaved Africans, whom historians estimate 30% were Muslim. Their Islamic beliefs and practices contributed in numerous ways to the founding of our nation, including courageous and dictated military services in every major war, including the American Revolutionary War; and

WHEREAS, Muslims have made significant contributions throughout history, including notable achievements in philosophy, mathematics, chemistry, physics, astronomy, medicine, music, architecture, literature, and the arts. Their philanthropy, humanitarianism, Civic responsibility, and culture help to enrich the United States socially, economically, and historically; and

WHEREAS, there are nearly three hundred thousand Muslim Americans in New Jersey, representing one of the largest Muslim American communities in the United States. Their contributions help fortify and strengthen the economy and diversity of the people in our state and local communities; and

WHEREAS, the Township of Moorestown supports the rights of all its residents and calls upon our community to eliminate prejudice and bigotry everywhere. We celebrate the great diversity of all our citizens and extend the promise of our country to all; and

NOW, THEREFORE BE IT PROCLAIMED that the Township Council recognizes recognize the month of January as Muslim Heritage Month.

Given, under my hand and the Seal of the Township of Moorestown this 22nd day of January in the Year of Our Lord Two Thousand Twenty-Four. Nicole Gillespie, Mayor

Mayor Gillespie thanked Ms. Bhutta for all efforts to make this happen (bringing it to State's and community's attention). Ms. Bhutta, seventeen-year resident, read a statement into the record. She advised that it is her honor to receive this historic proclamation; she thanked the Muslim community and Council. She noted that almost two years ago she presented a bill to the Senate Committee; it was passed in 2023 and signed by the Governor. She was honored to watch the historic signing. Ms. Bhutta announced that New Jersey has the highest percentage of Muslim population in the country. Ms. Bhutta expressed her sincere appreciation for the rich diversity in New Jersey. This proclamation will promote awareness. She thanked all and in closing said, God Bless You and God Bless America.

DISCUSSION: Reports from Council:

Ms. Mammarella expressed her appreciation to Ms. Bhutta and all she does for the community. She advised that the New Jersey Economic Development Authority attended the Moorestown Business Association (MBA) meeting. She recommended anyone with a small business look the Authority up. She reported that the Sustainable Moorestown committee and Appearance Committee both had a great meeting.

Mr. Keating also thanked Ms. Bhutta for highlighting the great diversity of Moorestown. He advised that he too attended the MBA meeting and grant monies are available for small businesses. Mr. Keating said it was fun running into different members of the community this past weekend while sledding.

Mr. Zipin advised that the Recreation Advisory Committee and Open Space Advisory Committee were both cancelled due to the weather.

Mr. Law said Happy Muslim Heritage Month and thanked Ms. Bhutta for all she does and for educating all about the Muslim heritage. Mr. Law advised that he spoke at Total Rehab about Martin Luther King Day and all the wonderful historical things in Moorestown. Mr. Law reported that the Better Together Advisory Committee is teaming up with the Historical Society on a black series. He provided info and asked all to join. Mr. Law advised that the Tree Planting and Preservation Committee is reviewing tree cutting violations and enforcement. He thanked Township staff for assisting in cracking down on those who are illegally cutting trees. He thanked the Department of Public Works for the good work it did during the snow. He also had a great time at Stokes Hill.

Mayor Gillespie advised that the Economic Development Advisory Committee (EDAC) meets tomorrow. The Environmental Advisory Committee is discussing the idea of meeting with the Appearance Committee in the future to meet with applicants (together). Mayor Gillespie advised that she attended the French Press Coffee Shop grand opening. They provide a shared workspace for the public. Mayor Gillespie advised that a public meeting to present the plans for the Town Green will be scheduled; keep an eye out.

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

February 12, 2024 – 7:00 p.m. (Official Action)

February 26, 2024 – 7:00 p.m. (Official Action)

Agenda Updates: None.

Adopting Consent Agenda Resolution No. CA 01 22 2024: 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 01 22 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.

Draft Lead Based Paint Ordinance: Mr. Aberant advised this is a subject mentioned several months ago. The State law is requiring all rental properties built prior to 1978 to be tested for lead-based hazards. Mandatory testing is to be completed by July, thereafter, every two years or at tenant turnover, whichever is first. The draft ordinance models the State regulations. He advised that the Township has a certified inspector. Related time will be built into the building inspector's time. The ordinance provides for a fee to be charged. The cost of the new regulations has not yet been quantified. Discussion was held. There were no objections to moving forward with the ordinance.

Draft Request for Proposals - Pulverizing Site: Mr. Aberant provided background on the property. He advised of a Request for Proposal process and that after review of the proposals, the qualified responders would be invited to provide a proposal on what they would do with the property. Sale or a long-term lease of the property are both options. The permitted uses are outlined in the redevelopment plan. He advised that if Council agrees, there will be a sixty-day response time; then proposals reviewed; "no minimum bid" is an option. He also advised that since this is a redevelopment property, a PILOT could be allowed, but it is not required. Council is under no obligation to award, if it is not happy with the proposals received. Discussion was held. Council agreed to a "no minimum bid." All members agreed to move forward to see what is offered.

Economic Development Advisory Committee Report: Mr. Aberant advised that Council had discussion about cannabis last year. Concerns were raised about hours of operation, caps on the number of businesses, etc. The EDAC was asked to do some research.

Mark Hines, Chairman of EDAC, addressed Council. He noted that the EDAC has been advising Council on cannabis since 2021, recommending that the Township opt in and providing recommendations regarding the use throughout.

Mr. Hines advised on the practices of surrounding towns. Much discussion was held on the operating hours and the number of licenses to be issued per zoning district. Ms. Mammarella suggested later opening times. Mr. Zipin was not in favor of micromanaging and suggested Council follow the recommendations of the EDAC. Much discussion was held (hours, capping number of licenses, setbacks from certain surrounding uses). In closing, Mayor Gillespie asked Mr. Aberant to revise the draft based on tonight's discussion and to have it ready for introduction at the next meeting. Council thanked the EDAC for its report.

MANAGER'S REPORT: Mr. Aberant reported:

- Report on Bond Sale Results: A bond sale took place on January 10, 2024 and the settlement date is January 24, 2024. Mr. Aberant advised on the bond issuance noting it was a very competitive bidding process. A report was provided to Council.
- Appointment of Deputy OEM Coordinator: Mr. Aberant advised that Council appointed an OEM Coordinator; the statute is silent on the appointment of a Deputy OEM Coordinator. OEM Coordinator Carruthers appointed Police Director Reilly, who has the training and skills necessary to serve, as his Deputy. He advised that there is no action necessary by Council however, he sought their support; same was given.
- Snow event: Mr. Aberant advised that the salt dome at the public works garage holds 1,000 tons of salt. The Township has eight plow trucks and thirty small truck plows. He advised that two hundred tons of salt were used for this snow event. Salt does not work below 20 degrees.
- HEF Litigation: Mr. Aberant advised that he anticipates a resolution at an upcoming meeting; there is a tentative settlement agreement.
- Budget process: Mr. Aberant advised that Mr. Merchel's retirement date is approaching at the end of the month. Mr. Merchel is working on the budget and hopes to have a draft to Mr. Aberant in a week or two. He advised that a search for Mr. Merchel's replacement is ongoing.

Mr. Zipin recused himself (left room).

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

56-2024 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 AND ZELLER)

Mayor Gillespie opened the floor to the public. There was no comment.

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

Mr. Zipin returned to dais.

ORDINANCES ON SECOND READING: None.

ORDINANCES ON FIRST READING: The Township Manager read Ordinance 1-2024 by title.

1-2024 AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN, COUNTY OF BURLINGTON, NEW JERSEY APPROPRIATING \$1,325,000 AND AUTHORIZING THE ISSUANCE OF \$1,275,000 IN BONDS OR NOTES OF THE TOWNSHIP TO BE USED FOR THE DRILLING AND DEVELOPMENT OF WELL #10, 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 February 12, 2024 at 7:00 p.m.

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

The Township Manager read Ordinance 2-2024 by title.

2-2024 AN ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NO. 21-2023 AS AMENDED AND SUPPLEMENTED BY APPROPRIATING AN ADDITIONAL \$2,030,000 AND AUTHORIZING THE

ISSUANCE OF AN ADDITIONAL \$1,950,000 IN BONDS OR NOTES OF THE TOWNSHIP TO BE USED FOR UPGRADING THE WASTE WATER TREATMENT PLANT HEADWORKS, 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 February 12, 2024 at 7:00 p.m.

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

RESOLUTIONS: PUBLIC HEARING: The Township Manager read Resolution No. 62-2024 by title.

62-2024 AWARDING ONE (1) PLENARY RETAIL CONSUMPTION LICENSE FOR THE SALE OF ALCOHOLIC BEVERAGES TO JM MOORESTOWN, LLC

Mayor Gillespie opened the public hearing.

John Murphy, 5 East Spruce Avenue, owner of JM Moorestown advised that the name of the restaurant will be RYFE. He advised that three residents are on his staff, and he lives in Moorestown and plans to involve as much of the community as possible. Mr. Law thanked him for selecting Moorestown. Ms. Mammarella noted that is nice to have a business in town owned by a resident. Mayor Gillespie said she is looking forward to it; she will be there.

Mayor Gillespie asked for a discussion from Council; there was none.

Mayor asked for a motion to close the public hearing.

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

Mayor asked for a motion to adopt Resolution No. 62-2024.

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.

1. **53-2024** AUTHORIZING A DISABLED VETERAN'S TAX EXEMPTION FOR 113 COUNTRY CLUB DRIVE
2. **54-2024** AUTHORIZING THE TAX COLLECTOR TO CANCEL AND REFUND 1ST (PARTIAL) QUARTER PROPERTY TAXES AND CANCEL 2ND, 3RD AND 4TH QUARTER PROPERTY TAXES FOR A SURVIVING SPOUSE OF A TOTALLY DISABLED VETERAN EXEMPTION (626 NORTH LENOLA ROAD)
3. **55-2024** AUTHORIZING THE CLOSING OF ROADS IN MOORESTOWN FOR COMMUNITY EVENTS
4. **57-2024** AUTHORIZING THE CANCELLATION OF WATER CHARGES DUE TO A MISREAD OR AN OVERESTIMATE
5. **58-2024** AUTHORIZING A CONTRACT WITH MILLENNIUM COMMUNICATIONS GROUP, INC. IN THE AMOUNT OF \$52,674.19 FOR THE PURCHASE OF HARDWARE AND LICENSES IN CONNECTION WITH A WI-FI UPGRADE IN THE TOWN HALL AND LIBRARY BUILDING UNDER NATIONAL ASSOCIATION OF STATE PROCUREMENT OFFICIALS (NASPO) VALUEPOINT COOPERATIVE PURCHASING CONTRACT NO. NJ-21-TELE-01506
6. **59-2024** APPROVING THE MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE TOWNSHIP OF MOORESTOWN AND THE COMMUNICATIONS WORKERS OF AMERICA – LOCAL 1036 (CWA)
7. **60-2024** AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE FOR CAMERON GENERAL CONTRACTORS FOR PARKER'S BEND RETIREMENT COMMUNITY LLC, 650 CENTERTON ROAD (BLOCK 8801, LOTS 4.02 AND 4.03) MINOR SUBDIVISION AND PRELIMINARY AND FINAL MAJOR SITE PLAN
8. **61-2024** AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE FOR RECONSTRUCTIVE ORTHOPEDICS, 300 WEST ROUTE 38 (BLOCK 3201, LOT 7) MINOR SITE PLAN
9. **63-2024** APPOINTING CHERYL ROBERTS TO THE OPEN SPACE ADVISORY COMMITTEE

Mayor Gillespie opened the floor to the public. There were no comments.

Mayor Gillespie asked for discussion by Council. Mr. Law expressed his appreciation for the Juneteenth holiday.

Mayor Gillespie asked for a motion to adopt the resolutions.

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

MINUTES: October 30, 2023 Special Official Action
November 6, 2023 Special Official Action
December 4, 2023 Annual Boards and Committee Dinner Meeting

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

MOTIONED BY: Mr. Keating
SECONDED BY: Mr. Law
ABSENT: None
ROLL CALL VOTE: The vote was in the affirmative with the following abstentions.

October 30, 2023 Special Official Action (Abstain – Keating, Law, Zipin)
November 6, 2023 Special Official Action (Abstain – Keating, Zipin)
December 4, 2023 Annual Boards and Committee Dinner Meeting (Abstain-Keating, Zipin)
January 8, 2024 Reorganization

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):

Fred Sutherland, 417 North Church Street, questioned comparing the cannabis regulations to the liquor store in town. He asked why not compare the hours to a restaurant. Discussion was held. Mayor Gillespie advised that his points were well taken.

Greg Newcomer, 235 Fellowship Road, recognized Sharon Leinheiser, a former longtime employee of Moorestown. Mr. Newcomer felt that the use of the Pulverizing site as a solar field or solar garden would be of tremendous value.

Emily Dragon, 547 Eaglebrook Drive, asked for an update on the conditional use of Community Sober Living Residences. Mayor Gillespie advised that Council is in receipt of recommendations from the planner and an ordinance is in the works. Ms. Dragon asked if Council would consider a special meeting for the residents. Mayor Gillespie advised that there will be a draft ordinance and discussion; she explained the process. Mayor Gillespie advised that after discussion at a public meeting on the draft ordinance, Council can determine whether additional

meetings are necessary. She assured Ms. Dragon that there will be plenty of opportunity for public comment. Mr. Keating invited Ms. Dragon to reach out to him to discuss what is on her mind. Mayor Gillespie indicated there will be a draft ordinance presented at one of the February meetings.

There being no further comment, the floor was closed.

CLOSING COMMENTS BY COUNCIL:

Ms. Mammarella thanked all for attending.

Mr. Keating thanked all who have reached out to him with supportive messages.

Mr. Zipin advised that he has been to RYFE; it was good.

Mr. Law thanked the EDAC for all the work it has done. He advised that Cock-a-Doodle-Dans is operating out of a food truck in the parking lot while it is waiting to open. He encouraged support for the business. He commended the French Press on its grand opening and noted the growing economic development in Moorestown.

Mayor Gillespie announced that Rite Aid will be closing. She said there has been a lot of interest in the space (noting that there are no empty buildings on Main Street – great progress).

CLOSED SESSION (IF NECESSARY) (RESOLUTION NO. CS 01 22 2024): None.

ADJOURNMENT: At 9:07 p.m., there being no further business, a motion was made to adjourn.

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

PATRICIA L. HUNT, RMC
Township Clerk