

February 7, 2012
Regular Meeting

The Regular Meeting of the Evesham Township Council was called to order by Mayor Brown at 6:00p.m. The meeting was held in the Meeting Room of the Evesham Township Municipal Complex at 984 Tuckerton Road, Marlton, NJ 08053.

Flag Salute.

Mayor Brown announced that the meeting was being held in accordance with the Open Public Meetings Act. Notice was sent to The Central Record and The Burlington County Times, posted on the Bulletin Board and sent to those who requested notification.

ROLL CALL: Present: Croft, D'Andrea, Hackman, Zeuli, Mayor Brown
Also Present: Interim Township Manager Cromie, Township Engineer Staszewski, Township Finance Director Shanahan, Township Solicitor Gillespie (arrived 6:30p.m.), Township Conflict Solicitor Valenti, Director of Community Development Jamanow, Township Clerk Bonfrisco, Deputy Township Clerk Friddell

Resolution No. 40-2012 - Resolution Authorizing the Mayor, Township Council and Support Staff to Meet in Private Session and Authorizing the Exclusion of the Public from that Portion of the Meeting Dealing with Specific Issues Requiring Non-Public Discussions - Topics: Land Acquisition

On motion by Councilwoman Hackman, seconded by Councilman D'Andrea, it was moved to adopt Resolution No. 40-2012.

Recorded Vote: Aye: All Ayes.
Nay: XXX
Abstain: XXX

Motion Carried 5-0.

Council convened in Executive Session at 6:10p.m.

On motion by Councilman Croft, seconded by Councilwoman Hackman, it was moved to come out of Executive Session.

Recorded Vote: Aye: All Ayes.
Nay: XXX
Abstain: XXX

Motion Carried 5-0.

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Council continued in open session at 6:30p.m.

PRESENTATION

Tom Czerniecki - Township Manager 2007-2012

Mayor Brown presented former Township Manager Tom Czerniecki with a plaque in recognition of his service to Evesham Township.

Mr. Czerniecki thanked Mayor, Council and the Department Heads for their support.

PROCLAMATIONS

Evesham Township Fifth Grade Student Government Winners

Mayor Brown introduced each student representing the seven elementary schools, congratulated them on their achievements in student government and presented each with a proclamation in recognition of their achievements.

APPROVAL OF MINUTES:

Regular Meeting - December 20, 2011

Executive Session - December 20, 2011

Reorganization Meeting - January 9, 2012

On motion by Councilwoman Hackman, seconded by Deputy Mayor Zeuli, it was moved to approve the minutes of the Regular Meeting of December 20, 2011 and the Executive Session Meeting of December 20, 2011.

Recorded Vote on minutes of December 20, 2011:

AYE: Croft, Hackman, Zeuli, Brown

NAYE: XXX

ABSTAIN: D'Andrea

Motion Carried: 4-0-1.

On motion by Councilwoman Hackman, seconded by Deputy Mayor Zeuli, it was moved to approve the minutes of the Reorganization Meeting of January 9, 2011.

Recorded Vote on minutes of January 9, 2012:

AYE: Croft, Hackman, Zeuli, Brown

NAYE: XXX

ABSTAIN: D'Andrea

Motion Carried: 4-0-1.

PRELIMINARY PUBLIC COMMENT

None.

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ORDINANCESSECOND READING

Ordinance No. 3-2-2012 - An Ordinance of the Township of Evesham Amending Chapter 72 of the Code of the Township of Evesham (Electrical Fixtures and Devices)

Mayor Brown opened the public hearing.

There being no comments, Mayor Brown requested a motion to close the Public Hearing.

On motion by Councilwoman Hackman, seconded by Deputy Mayor Zeuli, it was moved to close the public hearing on Ordinance No. 3-2-2012.

Recorded Vote: Aye: All Ayes.
Nay: XXX

Motion Carried: 5-0.

Council Comments: Councilman D'Andrea noted that the ordinance did not impact residents.

On motion by Councilwoman Hackman, seconded by Deputy Mayor Zeuli, it was moved to adopt Ordinance No. 3-2-2012.

Recorded Vote: Aye: Croft, D'Andrea, Hackman, Zeuli, Brown
Nay: XXX
Abstain: XXX

Motion Carried: 5-0.

Ordinance No. 4-2-2012 - Amending the Code of the Township of Evesham Chapter 150 "Vehicles and Traffic" (Permit Parking - Greentree Road)

No action was taken.

Ordinance No. 5-2-2012 - An Ordinance of the Township of Evesham, In the County of Burlington, New Jersey Cancelling Certain Funded Appropriation Balances in the Amount of \$25,596.19 and Reappropriating Said Funds for Other Capital Improvements and for Other Purposes

Mayor Brown opened the public hearing.

There being no comments, Mayor Brown requested a motion to close the Public Hearing.

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On motion by Councilwoman Hackman, seconded by Deputy Mayor Zeuli, it was moved to close the public hearing on Ordinance No. 5-2-2012.

Recorded Vote: Aye: All Ayes.
Nay: XXX

Motion Carried: 5-0.

Council Comments: None.

On motion by Deputy Mayor Zeuli, seconded by Councilman D'Andrea, it was moved to adopt Ordinance No. 5-2-2012.

Recorded Vote: Aye: Croft, D'Andrea, Hackman, Zeuli, Brown
Nay: XXX
Abstain: XXX

Motion Carried: 5-0.

Ordinance No. 6-2-2012 - An Ordinance Authorizing and Establishing a Self Insurance Plan and Fund for Employee Health Benefits and Creating a Board of Fund Commissioners as Required by Law

Mayor Brown opened the public hearing.

There being no comments, Mayor Brown requested a motion to close the Public Hearing.

On motion by Councilwoman Hackman, seconded by Councilman Croft, it was moved to close the public hearing on Ordinance No. 6-2-2012.

Recorded Vote: Aye: All Ayes.
Nay: XXX

Motion Carried: 5-0.

Council Comments: Councilman D'Andrea inquired on the cost savings.

Township Finance Director Shanahan stated that the self insurance plan will avoid 2012 increases.

On motion by Councilwoman Hackman, seconded by Deputy Mayor Zeuli, it was moved to adopt Ordinance No. 6-2-2012.

Recorded Vote: Aye: Croft, D'Andrea, Hackman, Zeuli, Brown
Nay: XXX
Abstain: XXX

Motion Carried: 5-0.

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Ordinance No. 7-2-2012 - An Ordinance of the Township of Evesham Authorizing the Purchase of Real Property Consisting of Approximately 9.4+/- Acres of Property More Specifically Described as Block 8.18, Lots 3 and 5 and Block 703.01, Lot 1.01 and the Execution of an Agreement of Sale and Related Documents Necessary to Effectuate Said Purchase

Mayor Brown opened the public hearing.

There being no comments, Mayor Brown requested a motion to close the Public Hearing.

On motion by Councilwoman Hackman, seconded by Deputy Mayor Zeuli, it was moved to close the public hearing on Ordinance No. 7-2-2012.

Recorded Vote: Aye: All Ayes.
Nay: XXX

Motion Carried: 5-0.

Council Comments: None.

On motion by Councilwoman Hackman, seconded by Deputy Mayor Zeuli, it was moved to adopt Ordinance No. 7-2-2012.

Recorded Vote: Aye: D'Andrea, Hackman, Zeuli, Brown
Nay: XXX
Abstain: Croft

Motion Carried: 4-0-1.

FIRST READING ORDINANCES

Reintroduction

Ordinance No. 4-2-2012 - Amending the Code of the Township of Evesham Chapter 150 "Vehicles and Traffic" (Permit Parking - Greentree Road)

On motion by Councilwoman Hackman, seconded by Deputy Mayor Zeuli, it was moved to approve Ordinance No. 4-2-2012 on first reading and that second reading and public hearing would take place on March 20, 2012.

Recorded Vote: Aye: Croft, D'Andrea, Hackman, Zeuli, Brown
Nay: XXX
Abstain: XXX

Motion Carried: 5-0.

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Ordinance No. 8-2-2012 - An Ordinance of the Township of Evesham to Repeal Ordinance No. 15-7-2010 and Subsequent Amendments Thereto, Which Provided for Salaries and Compensation to be Paid to the Officers and Employees of the Township of Evesham and to Substitute Therefore Salaries and Compensation Herein for the Year 2012 and Beyond

On motion by Councilwoman Hackman, seconded by Councilman D'Andrea, it was moved to approve Ordinance No. 8-2-2012 on first reading and that second reading and public hearing would take place on February 21, 2012.

Council Comments: Councilman D'Andrea stated that the ordinance only adds a job title, which is grant funded.

Recorded Vote: Aye: Croft, D'Andrea, Hackman, Zeuli, Brown

Nay: XXX

Abstain: XXX

Motion Carried: 5-0.

RESOLUTIONS

Resolution No. 19-2012 - Appointments to the Marlton Economic Development Advisory Commission

On motion by Councilman Croft, seconded by Councilman D'Andrea, it was moved to table Resolution No. 19-2012.

Recorded Vote: Aye: Croft, D'Andrea, Hackman, Zeuli, Mayor Brown

Nay: XXX

Abstain: XXX

Motion Carried 5-0.

Resolution No. 41-2012 - Resolution Appointing Interim Manager

On motion by Councilwoman Hackman, seconded by Deputy Mayor Zeuli, it was moved to adopt Resolution No. 41-2012.

Recorded Vote: Aye: Croft, D'Andrea, Hackman, Zeuli, Mayor Brown

Nay: XXX

Abstain: XXX

Motion Carried 5-0.

Resolution No. 42-2012 - Authorizing Emergency Temporary Appropriations (2012-1)

On motion by Councilwoman Hackman, seconded by Deputy Mayor Zeuli, it was moved to adopt Resolution No. 42-2012.

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Recorded Vote: Aye: Croft, D'Andrea, Hackman, Zeuli, Mayor Brown
Nay: XXX
Abstain: XXX

Motion Carried 5-0.

CONSENT AGENDA

Resolution No. 43-2012 - Award of Contract - Engineering Services - Dutch Road Guiderail Installation

Resolution No. 44-2012 - Award of Contract - Software Maintenance for the Evesham Township Police Department

Resolution No. 45-2012 - Award of Contract - Kenilworth Road Guiderail Project

Resolution No. 46-2012 - Award of Contract - 2010 Road Program - Resurfacing of Charter Oak Lane

Resolution No. 47-2012 - Amendment to Contract for Limited Soil Sampling for Waste Piles - 125 East Main Street - Block 26, Lot 7.01

Resolution No. 48-2012 - State of New Jersey - Department of Environmental Protection - Green Acres Enabling Resolution

Resolution No. 49-2012 - Authorizing Creation of a Change Fund for Use by Recreation Department

Resolution No. 50-2012 - Resolution Authorizing the Cancellation and Refund of Property Taxes - Block 66.03, Lot 34 - 100% Totally and Permanently Disabled Veteran

Resolution No. 51-2012 - Resolution Authorizing the Cancellation and Refund of Property Taxes - Block 44.11, Lot 3 - Spouse of 100% Totally and Permanently Disabled Veteran

Resolution No. 52-2012 - Transfer of Overpayment of Taxes - Block 11.38, Lot 22

Resolution No. 53-2012 - Resolution Authorizing Assessor's Appeals and Stipulations

Resolution No. 54-2012 - Creation of Liens to Cover Improvements to Certain Blocks and Lots

Resolution No. 55-2012 - Release of Performance Guarantee - Rothman Institute - Block 3.33, Lot 1 - Landscaping Improvements

Resolution No. 56-2012 - Rejection of Request for Release of Performance Guarantee - Designer's Court - Phase II - Block 36, Lot 4.05 - On-Site Improvements

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Resolution No. 57-2012 - Authorizing Due Diligence Agreement for Purchase of Property - Block 8.18, Lots 3 & 5 in Evesham Township and Block 703.01, Lot 1.01 in Mt. Laurel Township

Motions

Approval of Application for Special Permit for Social Affair The Leukemia and Lymphoma Society Charity Festival - April 13, 2012 - Indian Spring Country Club Proceeds Accrue to Research and Patient Services

On motion by Councilman D'Andrea, seconded by Councilwoman Hackman, it was moved to adopt Resolution Nos. 43-2012 through 57-2012, including the listed motions.

Mayor Brown called for any separations.

Councilman Croft requested separation of Resolution No. 57-2012.

Mayor Brown called for a vote on the remaining Consent Agenda.

Recorded Vote on Resolutions No. 43-2012 through 56-2012 and listed motion:

Aye: Croft, D'Andrea, Hackman, Zeuli, Mayor Brown

Nay: XXX

Abstain: XXX

Motion Carried 5-0.

Resolution No. 57-2012 - Authorizing Due Diligence Agreement for Purchase of Property - Block 8.18, Lots 3 & 5 in Evesham Township and Block 703.01, Lot 1.01 in Mt. Laurel Township

On Motion by Councilwoman Hackman, seconded by Deputy Mayor Zeuli, it was moved adopt Resolution No. 57-2012.

Recorded Vote on Resolution No. 57-2012:

Aye: D'Andrea, Hackman, Zeuli, Mayor Brown

Nay: XXX

Abstain: Croft

Motion Carried 4-0-1.

PUBLIC COMMENTS

Christina Dutcher, 255 Tomlinson Mill Road, requested Council consider adopting an ordinance prohibiting firearms discharge. She expressed her concerns for community safety.

Discussion followed.

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Mayor Brown stated that Interim Manager Cromie will speak with Township Solicitor Gillespie and Police Chief Barth to discuss if a viable ordinance could be established.

Jeremy Helm, 21 Erynwood Avenue, informed Council of the lack of code enforcement regarding commercial vehicle parking and bulk trash. He expressed his concern with the decline in his neighborhood appearance.

Council reviewed photos provided by Mr. Helm.

Community Director Jamanow provided input with regard to current code on recreation vehicle and boat parking.

Mayor Brown requested Interim Manager Cromie look into the issue and report back at the meeting of February 21st.

STAFF COMMENTS

Township Engineer Staszewski provided Council with update on current road contracts.

Interim Township Manager Cromie thanked Mayor and Council for their confidence in his appointment as Interim Township Manager.

COUNCIL COMMENTS

Mayor Brown thanked Interim Manager Cromie and Deputy Township Manager Shanahan for their assistance in the transition of the Township Manager position.

He requested a future worksession discussion on the bulk trash system.

Councilwoman Hackman suggested looking at other Townships regarding their bulk trash system.

Discussion followed on interview process for the position of Township Manager.

Mayor Brown reminded everyone that the Fire Election will be held on February 18, 2012 and that the School District Elections have been moved to November.

On motion by Councilwoman Hackman, seconded by Deputy Mayor Zeuli, it was moved to adjourn the meeting.

Recorded Vote: AYE: All Ayes.

NAY: XXX

ABSTAIN: XXX

Motion Carried 5-0.

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Meeting adjourned at 8:45p.m.

Carmela Bonfrisco
Carmela Bonfrisco, Township Clerk

Randy Brown
Randy Brown, Mayor

Lori A. Friddell
Lori A. Friddell, Deputy Township Clerk

Submitted: February 26, 2012
Approved : MARCH 6, 2012