

February 21, 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 Solicitor Gillespie, Township Conflict Solicitor Valenti, Township Engineer Staszewski, Township Clerk Bonfrisco, Deputy Township Clerk Friddell

Resolution No. 58-2012 - 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: Contract Negotiations; Potential Litigation; Employee Contract Negotiations

On motion by Councilwoman Hackman, seconded by Deputy Mayor Zeuli, it was moved to adopt Resolution No. 58-2012.

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

Motion Carried 5-0.

Council convened in Executive Session at 6:05p.m.

On motion by Councilman D'Andrea, 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.

Council continued in open session at 6:37p.m.

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PROCLAMATIONS**Brian Worthington and Kevin Worthington - U.S. Marine Corps
Returning War Veterans**

Mayor Brown read into the record, a proclamation honoring brothers Brian and Kevin Worthington for their service to the Country.

In recognition of all of the heroes of 9-11, Mayor Brown accepted the American Flag presented by Rich DeRosa, from the Office of New Jersey Governor Christie. The flag was one of 50 flown over Ground Zero on the 10th anniversary of 9-11.

Mayor Brown stated that it was an honor for Evesham Township to be the recipient of one of the flags.

Evesham Township Eighth Grade Student Government Winners

Mayor Brown introduced each student officer and presented them with a proclamation in recognition of their achievement in the Student Government Election process.

**DeMasi Middle School Girls Basketball Team - Burlington County
League Champions**

Mayor Brown read the proclamation into the record and presented same to each team member in recognition of their Championship season.

APPROVAL OF MINUTES:

Regular Meeting - January 17, 2012

Executive Session - January 17, 2012

Special Meeting - January 24, 2012

On motion by Councilwoman Hackman, seconded by Deputy Mayor Zeuli, it was moved to approve the minutes of the Regular Meeting and Executive Session Meeting of January 17, 2012

Recorded Vote on minutes of January 17, 2012:

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 Special Meeting of January 24, 2012.

Recorded Vote on minutes of January 24, 2012:

AYE: Croft, D'Andrea, Hackman, Zeuli, Brown

NAYE: XXX

ABSTAIN: XXX

Motion Carried: 5-0.

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Work Session1. 2012 Sidewalk Improvement Plan

Interim Township Manager Cromie presented Council with a sidewalk improvement plan, outlining the approach and overall goals of the program.

He emphasized the ongoing problem with street trees and the need to remove trip hazards and reduce potential lawsuits.

Council discussed maintenance responsibility and record keeping.

Councilman D'Andrea suggested a business plan be set up with a cost balance. He inquired if grant funding was possible.

2. Bulk Trash Collection

Interim Township Manager Cromie presented Council with the recommendation of a reasonable flat fee charge for bulk trash collection occurring between regularly scheduled quarterly pick-ups. This would allow residents to obtain bulk trash collection in accordance with their needs.

Councilman D'Andrea requested a cost savings estimate for quarterly bulk trash collection.

3. Discharge of Firearms Ordinance

Council discussed the possible implementation of a firearms ordinance.

Mayor Brown inquired on the ordinances of surrounding communities.

Deputy Mayor Zeuli stated that he would like more statistical information before introducing an ordinance.

Councilman Croft, in agreement with Deputy Mayor Zeuli, stated he understands the concerns; however, would like to be sure that the most recent issue was not an isolated case.

Councilman D'Andrea stated that safety is his first concern and questioned enforcement capabilities.

Mayor Brown requested Township Solicitor Gillespie prepare a draft ordinance for future consideration.

ORDINANCESSECOND READING

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

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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. 8-2-2012.

Recorded Vote: Aye: All Ayes.
Nay: XXX

Motion Carried: 5-0.

Council Comments: None

On motion by Councilman D'Andrea, seconded by Councilman Croft, it was moved to adopt Ordinance No. 8-2-2012.

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 Councilwoman Hackman, seconded by Deputy Mayor Zeuli, it was moved to adopt Resolution No. 19-2012 with the listed names.

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

Motion Carried 5-0.

Resolution No. 59-2012 - Authorizing Emergency Temporary Appropriations (2012-2)

On motion by Councilman D'Andrea, seconded by Councilwoman Hackman, it was moved to adopt Resolution No. 59-2012.

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

Motion Carried 5-0.

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CONSENT AGENDAResolution No. 60-2012 - Award of Contract - Township SolicitorResolution No. 61-2012 - Award of Contract - Township
Conflict/Backup SolicitorResolution No. 62-2012 - Award of Contract - Municipal COAH AttorneyResolution No. 63-2012 - Award of Contract - Bond CounselResolution No. 64-2012 - Award of Contract - Labor CounselResolution No. 65-2012 - Award of Contract - Township AuditorResolution No. 66-2012 - Award of Contract - Township EngineerResolution No. 67-2012 - Award of Contract - Township
Conflict/Backup EngineerResolution No. 68-2012 - Award of Contract - Township Traffic
EngineerResolution No. 69-2012 - Award of Contract - Financial AdvisorResolution No. 70-2012 - Award of Contract Insurance BrokerResolution No. 71-2012 - Award of Contract - Third Party
AdministratorResolution No. 72-2012 - Award of Contract - Professional Legal
Services - Previous Years' Tax Appeals and General Legal WorkResolution No. 73-2012 - Award of Contract - Upgraded Exhaust
Ventilation System - Public Works FacilityResolution No. 74-2012 - Amendment to Contract - Township Solicitor
- 2011 Legal ServicesResolution No. 75-2012 - Rescission of Resolution No. 327-2011
(Temporary Labor Assistance for the Department of Public Works)Resolution No. 76-2012 - Appointment of Self-Insurance Fund
CommissionersResolution No. 77-2012 - Release of Performance Guarantee -
Brightview Greentree Senior Living Community - On-Site ImprovementsResolution No. 78-2012 - Release of Maintenance Guarantee -
Soboleski Tract (a/k/a Crofton Chase Estates) - Block 11.49, Lot 31
- 447 North Elmwood Road - Landscaping Improvements

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Resolution No. 79-2012 - Rejection of Request for Release of Performance Guarantee - (Letter of Credit) - Rothman Institute - Block 3.33, Lot 1 - On-Site Improvements

Resolution No. 80-2012 - Rejection of Request for Release of Performance Guarantee - Evesboro Associates - Parking Lot Expansion - Block 8.10, Lot 1 - On-Site Improvements

Resolution No. 81-2012 - Rejection of Request for Release of Performance Guarantee - Evesboro Associates (Parking Lot Expansion) - Block 8.10, Lot 1 - Landscaping Improvements

Resolution No. 82-2012 - Rejection of Request for Release of Performance Guarantee - Bank of America - Block 21, Lot 1.01 - Landscaping Improvements

Motions

Approval of Application for Special Permit for Social Affair Seneca Booster Club
 Wine Tasting Social - April 28, 2012 - Gibson House
 Proceeds Provide Seneca High School Team Uniforms and Equipment

On motion by Councilwoman Hackman, seconded by Deputy Mayor Zeuli, it was moved to adopt Resolution Nos. 60-2012 through 82-2012, including the listed motion.

Mayor Brown called for any separations.

There being no separations Mayor Brown called for comments.

Comments:

With regard to Resolutions No. 70-2012 and 71-2012, Township Solicitor Gillespie requested Council approve both resolutions subject to final review and approval of the Township Solicitor.

Mayor Brown called for a vote on the Consent Agenda.

Recorded Vote on Resolutions Nos. 60-2012 through 82-2012 and listed motion with Resolution No. 70-2012 and 71-201 subject to final review and approval of the Township Solicitor:

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

Nay: XXX

Abstain: XXX

Motion Carried 5-0.

MAYORAL APPOINTMENT:

Mayor Brown appointed Raymond Zebrowski as the Alternate No. 1 member of the Evesham Environmental Commission for a two-year term to expire on December 31, 2013.

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PUBLIC COMMENTS

None.

STAFF COMMENTS

Township Engineer Staszewski informed Council that bids for upcoming road improvements will be opened on Thursday.

Interim Township Manager Cromie stated that staff is working on improvements regarding commercial vehicle parking, trash and other issues in the Cambridge Park development as a result of the last Council meeting.

Township Solicitor Gillespie informed Council that as a result of a recent meeting, we are close to a resolution of the issues at Sharps Run.

COUNCIL COMMENTS

Mayor Brown stated that in the last year, Council introduced an ordinance calling for an increased employee health care contribution to 20% and 30% for family coverage. He stated that currently the ordinance has only been implemented on non-union personnel, since the three unions have not come to a contract agreement. He further stated that in fairness to non-union personnel, he is requesting a motion to suspend the ordinance provisions for a 90 to 120 day period.

On motion by Councilwoman Hackman, seconded by Councilman D'Andrea, it was moved to suspend the implementation of Ordinance No. 20-6-2011 for Non-Union Employees for a period of 120 days and roll back contributions to the level that State law currently requires.

Recorded Vote: AYE: Croft, D'Andrea, Hackman, Zeuli, Brown.

NAY: XXX

ABSTAIN: XXX

Motion Carried 5-0.

PUBLIC COMMENT

Jeremy Helm, 21 Erynwood Ave., expressed concern with the Cambridge Park neighborhood as a whole and the parking of commercial vehicles.

Mayor Brown stated that they understood Mr. Helm's concerns from the last meeting and are working on correcting the problem and improving the area.

On motion by Councilman D'Andrea, seconded by Councilwoman Hackman, it was moved to adjourn the meeting.

Recorded Vote: AYE: All Ayes.

NAY: XXX

ABSTAIN: XXX

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Motion Carried 5-0.

Meeting adjourned at 8:40p.m.

Carmela Bonfrisco
Carmela Bonfrisco, Township Clerk

Randy Brown
Randy Brown, Mayor

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

Submitted: March 20, 2012

Approved : April 3, 2012