

March 20, 2012  
Regular Meeting

The Regular Meeting of the Evesham Township Council was called to order by Mayor Brown at 6:35 p.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 (via telephone beginning at 6:40 p.m.), D'Andrea, Hackman, Zeuli, Mayor Brown  
Also Present: Interim Township Manager Cromie, Township Solicitor Gillespie; Township Engineer Staszewski, Finance Director Shanahan, Township Auditor Nehila, Deputy Township Clerk Friddell, Recording Secretary Recigno

### **PRELIMINARY PUBLIC COMMENT ON AGENDA ITEMS**

There being no public comment on agenda items, preliminary public comment was closed.

### **WORK SESSION**

#### **1. Update on Discharge of Firearms Ordinance**

Solicitor Gillespie stated that the draft ordinance was a combination of information from various sources and presented to Township Council for their review. Police Chief Barth stated that the primary objective on an ordinance of this nature is public safety and enforcement. Chief Barth went on to say that placing specifics in such an ordinance such as footage is hard to enforce. Chief Barth also observed that presently the town is more suburban as opposed to rural. Deputy Mayor Zeuli inquired as to the number of calls the police have received relative to firearm discharge. Deputy Mayor Zeuli also stated that as the ordinance is written, paintball guns, bebee guns and air guns are considered firearms and went on to state that he feels the incident that prompted the investigation was an isolated incident and he doesn't want to over legislate. Discussion followed on the various aspects of enforcement and language of the ordinance and it was agreed to have the Solicitor review the ordinance.

#### **2. 2012 Budget Presentation**

Interim Manager Cromie presented the 2012 Budget presentation stating that it would help the governing body balance good service with reasonable taxes. Mr. Cromie went on to state that the 2012 budget was almost identical to the 2010 budget, with an increase of \$2.2 cents, which equates to \$57 dollars a year on an average assessed home, or \$1.11 a week. Mr. Cromie also stated that the 2012 budget did not contain any school tax deferrals at the direction of Mayor and Council and commended the Council for taking such steps. Mr. Cromie continued to say that with the budget being presented, surplus would increase from \$45,000 to \$500,000. At this point Mr. Cromie turned the floor over to Finance Director Shanahan.

Mr. Shanahan introduced members of the Finance team present, Treasurer Elizabeth Peddicord and Township Auditor Bob Nehila. Mr. Shanahan repeated that the 2012 budget, at the direction of Township Council, does not include the use of school tax deferrals. Mr. Shanahan stated that year 2014 will not have any one time revenue boosts as 2012 and 2013 will see, and that it is necessary to build up the Township's surplus as a cushion. The presentation also included a \$3M road program to help improve the aging infrastructure of the township. Mr. Shanahan also stated that because of the Council's fiscal responsibility, the town enjoys a strong debt position and a strong bond rating of Aa3.

At this point Mr. Shanahan finished the presentation and opened the floor for comments or questions from Mayor and Council.

Mayor Brown thanked both Mr. Cromie and Mr. Shanahan for their work on the budget and presentation. Mayor inquired what one cent equates in dollars. Mr. Shanahan stated \$524,000 equals one cent on the tax rate.

Mayor Brown went on to state that Township Council needs to walk the path of fiscal responsibility and that he had already stated that he would not vote for a budget with a tax increase if not partnered with a health care contribution from the employees of the township. Mayor Brown stated that there was a 46% increase in healthcare costs for 2012 with no real revenue to cover the increase. Mayor Brown repeated that he would not vote on a budget with a tax increase and asked that the rest of Township Council support his direction to the Manager to look into privatization of core services, including trash collection, grass cutting, leaf pick up and custodial services. Mayor Brown also said that the Township's fee schedule needs to be reviewed and compared with other towns to increase revenues for the town, as well as a possible restructuring of the organization, similar to the one done in 2007. Mayor Brown went on to say that with a 7.2% unemployment rate in Evesham Township, he cannot burden the taxpayers any further.

Councilman Croft commended the Mayor for his comments, and stated he agrees with looking at privatization of services as a way to save the residents tax money.

Councilwoman Hackman stated that streamlining of services is necessary and agrees with the Mayor.

Councilman D'Andrea echoed other council members statements and went on to say that as a business, you must look at expense vs. revenue, and that he believes there are unchartered revenue sources that need to be investigated.

Deputy Mayor Zeuli said that he is in agreement with the Mayor's suggestion and that there is always a way to do something better.

Mayor Brown once again thanked Manager Cromie and Finance Director Shanahan and directed them to move forward with looking into privatization and

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other possible means of reducing the budget so that there would be no increase in taxes.

### ORDINANCES – SECOND READING

#### ORDINANCE NO. 4-2-2012 – AMENDING THE CODE OF THE TOWNSHIP OF EVESHAM CHAPTER 150 “VEHICLES AND TRAFFIC” (PERMIT PARKING – GREENTREE ROAD)

Mayor Brown opened Public Hearing.

Mr. Michael Frascarelli, 41 Old Colony Lane, stated he was representing Woodstream Swim Club. Mr. Frascarelli remarked that in previous meetings with residents and Council, no mention was made of requiring permit parking on Greentree Road. Mr. Frascarelli went on to say that by requiring permit parking on Greentree Road, it would keep patrons away from the swim club because there would be no nearby parking for them. Mr. Frascarelli asked Mayor and Council to table Ordinance No. 4-2-2012 until further discussions could be conducted.

Mr. Dennis Benninger, 218 Brandywine Drive, stated he attended the August meeting that Mr. Frascarelli was referring to, and confirmed that permit parking on Greentree Road was discussed. Mr. Benninger went on to say that he supports the ordinance.

Mr. Jerry Edney, 19 Greentree Road, remarked that he does not feel there is any justification for permit parking on Greentree Road and does not want the Ordinance passed.

There being no further public comment, Mayor Brown called for a motion to close public hearing.

On motion by Councilwoman Hackman, seconded by Deputy Mayor Zeuli, it was moved to close public hearing.

Recorded vote:      AYE: Croft, D'Andrea, Hackman, Zeuli, Mayor Brown  
                             NAYE:        XXXX  
                             ABSTAIN:    XXXX

Motion Carried:    5-0

On motion by Councilwoman Hackman, seconded by Councilman D'Andrea, it was moved to adopt Ordinance No. 4-2-2012

Council Comments: Councilwoman Hackman stated that the purpose of the ordinance was to aid in public safety. Councilwoman Hackman remarked that visibility at the intersection of Brandywine and Greentree is not good when there are many cars parked along the road.

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Deputy Mayor Zeuli stated that since he was not part of the meetings held during the summer, and is a resident of Woodstream, he would like more information on the subject before adopting Ordinance No. 4-2-2012.

Recorded Vote: AYE: D'Andrea, Hackman, Mayor Brown  
NAYE: Zeuli  
ABSTAIN: Croft

Motion Carried: 3-1-1

ORDINANCE NO. 9-3-2012 – AN ORDINANCE OF THE TOWNSHIP OF EVESHAM AMENDING CHAPTER 72 OF THE CODE OF THE TOWNSHIP (BULK TRASH PICKUP)

Mayor Brown opened Public Hearing.

There being no public comment, Mayor Brown called for a motion to close public hearing.

On motion by Councilwoman Hackman, seconded by Councilman D'Andrea, it was moved to close public hearing.

Recorded vote: AYE: Croft, D'Andrea, Hackman, Zeuli, Mayor Brown  
NAYE: XXXX  
ABSTAIN: XXXX

Motion Carried: 5-0

On motion by Councilwoman Hackman, seconded by Councilman D'Andrea, it was moved to adopt Ordinance No. 9-3-2012

Council Comments: None

Recorded Vote: AYE: Croft, D'Andrea, Hackman, Zeuli, Mayor Brown  
NAYE: XXXX  
ABSTAIN: XXXX

Motion Carried: 5-0

ORDINANCES – FIRST READING

ORDINANCE NO. 10-4-2012 – AN ORDINANCE OF THE TOWNSHIP OF EVESHAM RESCINDING ORDINANCE NO. 16-5-2000 AND AMENDING SECTION 150-45, SCHEDULE XIV OF THE CODE OF THE TOWNSHIP OF EVESHAM TO REMOVE THE PROHIBITION OF LEFT TURN MOVEMENT FROM MARLTON SQUARE SHOPPING CENTER (A/K/A MARLTON SQUARE SPECIALTY CENTER) EXIT ONTO WEST MAIN STREET

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On motion by Councilwoman Hackman, seconded by Deputy Mayor Zeuli, it was moved to introduce Ordinance No. 10-4-2012, with public hearing and second reading on April 3, 2012

Council Comment: None

Recorded Vote: AYE: Croft, D'Andrea, Hackman, Zeuli, Mayor Brown  
NAYE: XXXX  
ABSTAIN: XXXX

Motion Carried: 5-0

ORDINANCE NO. 11-4-2012 – AN ORDINANCE TO AMEND SECTION 3-13 OF THE CODE OF THE TOWNSHIP OF EVESHAM RELATING TO THE POSITION OF DEPUTY MANAGER

On motion by Councilwoman Hackman, seconded by Councilman D'Andrea, it was moved to introduce Ordinance No. 11-4-2012 with public hearing and second reading on April 3, 2012

Council Comments: None

Recorded Vote: AYE: Croft, D'Andrea, Hackman, Zeuli, Mayor Brown  
NAYE: XXXX  
ABSTAIN: XXXX

Motion Carried: 5-0

**RESOLUTIONS**

RESOLUTION NO. 93-2012 – AUTHORIZING EMERGENCY TEMPORARY APPROPRIATION (2012-3)

On a motion by Councilwoman Hackman, seconded by Deputy Mayor Zeuli, it was moved to adopt Resolution No. 93-2012.

Council Comment: None

Recorded Vote: AYE: Croft, D'Andrea, Hackman, Zeuli, Mayor Brown  
NAYE: XXXX  
ABSTAIN: XXXX

Motion Carried: 5-0

**CONSENT AGENDA**

**RESOLUTIONS**

RESOLUTION NO. 94-2012 – RESOLUTION FOR APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT FOR THE LINCOLN DRIVE RESURFACING PHASE II PROJECT (LOCAL AID INFRASTRUCTURE FUND)

RESOLUTION NO. 95-2012 – RESOLUTION AMENDING THE LIST OF ROADS FOR THE 2011 ROAD PROGRAM

RESOLUTION NO. 96-2012 – AWARD OF CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES – RESURFACING OF CARLTON AVENUE – PHASE II (FROM BON AIR DRIVE TO EVESBORO MEDFORD ROAD, INCLUDING SURREY COURT)

RESOLUTION NO. 97-2012 – AWARD OF CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES – RESURFACING OF COOPER AVENUE (FROM ROUTE 70 TO EAST MAIN STREET)

RESOLUTION NO. 98-2012 – AWARD OF CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES – N. LOCUST AVENUE/COLUMBIA DRIVE INTERSECTION DRAINAGE IMPROVEMENTS

RESOLUTION NO. 99-2012 – AWARD OF CONTRACT – PRINTING SERVICES FOR THE RECREATION PROGRAM BOOKLET – CONTRACT PERIOD APRIL 1, 2012 TO MARCH 31, 2014 – EVESHAM TOWNSHP RECREATION DEPARTMENT

RESOLUTION NO. 100-2012 – AWARD OF CONTRACT – RESURFACING OF CARLTON AVENUE (2011 ROAD PROGRAM)

RESOLUTION NO. 101-2012 – RESOLUTION AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT FOR RECEIPT OF THE YEAR 2012 MUNICIPAL ALLIANCE GRANT

RESOLUTION NO. 102-2012 – 2011 MUNICIPAL RECYCLING TONNAGE GRANT APPLICATION

RESOLUTION NO. 103-2012 – APPOINTMENT OF INSURANCE FUND COMMISSIONER

RESOLUTION NO. 104-2012 – CLOSING OF STOW ROAD AND EVES DRIVE – CYCLE CLUB OF EVESHAM (BICYCLE RACES – APRIL 29, 2012, JULY 1, 2012 AND AUGUST 5, 2012)

RESOLUTION NO. 105-2012 – CLOSING OF STOW ROAD AND EVES DRIVE – GLOBAL INDUSTRIES, INC. (FAMILY FUN WALK – APRIL 21, 2012)

RESOLUTION NO. 106-2012 – ESTABLISHMENT OF SPECIAL EVENT DAY – EVESHAM CELEBRATIONS FOUNDATION – TASTE OF EVESHAM EVENT – MAY 20, 2012

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RESOLUTION NO. 107-2012 – CLOSING A PORTION OF MAIN STREET FOR 2012 TASTE OF EVESHAM EVENT, SUBJECT TO APPROVAL OF BURLINGTON COUNTY BOARD OF CHOSEN FREEHOLDERS

RESOLUTION NO. 108-2012 – ESTABLISHMENT OF SPECIAL EVENT DAY – INDEPENDENCE DAY CELEBRATION – JULY 4, 2012

RESOLUTION NO. 109-2012 – CLOSING OF A PORTION OF MAIN STREET FOR 2012 INDEPENDENCE DAY CELEBRATION, SUBJECT TO APPROVAL OF BURLINGTON COUNTY BOARD OF CHOSEN FREEHOLDERS

RESOLUTION NO. 110-2012 – APPROVAL OF FIREWORKS DISPLAY – INDEPENDENCE DAY CELEBRATION – CHEROKEE HIGH SCHOOL AND MARLTON MIDDLE SCHOOL

RESOLUTION NO. 111-2012 – AUTHORIZING THE EXECUTION OF A HOLD HARMLESS AGREEMENT WITH LENAPE REGIONAL HIGH SCHOOL DISTRICT – INDEPENDENCE DAY CELEBRATION

RESOLUTION NO. 112-2012 – ESTABLISHMENT OF SPECIAL EVENT DAY – EVESHAM HARVEST FEST – OCTOBER 6, 2012

RESOLUTION NO. 113-2012 – CLOSING OF A PORTION OF MAIN STREET FOR 2012 EVESHAM HARVEST FEST, SUBJECT TO APPROVAL OF BURLINGTON COUNTY BOARD OF CHOSEN FREEHOLDERS

RESOLUTION NO. 114-2012 – ESTABLISHMENT OF SPECIAL EVENT DAY – EVESHAM CELEBRATION FOUNDATION – BIKE EVESHAM – OCTOBER 6, 2012

RESOLUTION NO. 115-2012 – RESOLUTION RESCINDING RESOLUTION NO. 369-2011 AND RESOLUTION NO. 370-2011, RELATING TO THE CALLING OF PERFORMANCE GUARANTEES FOR THE SHARP RUN SENIORS PROJECT

RESOLUTION NO. 116-2012 – REDUCTION OF PERFORMANCE GUARANTEE – SI-TAM ASSOCIATES, LLC (104 ROOM HOTEL AND 6,000 SF RESTAURANT) – BLOCK 35.30, LOT 20 – SITE IMPROVEMENTS

RESOLUTION NO. 117-2012 – REDUCTION OF PERFORMANCE GUARANTEE – EVESBORO ASSOCIATES (225 GREENTREE ROAD) – PARKING LOT EXPANSION – BLOCK 8.10, LOT 1 – ON-SITE IMPROVEMENTS

Mayor Brown called for a motion to table Resolution No. 99-2012.

On a motion by Councilwoman Hackman, seconded by Deputy Mayor Zeuli, it was moved to table Resolution No. 99-2012.

Recorded Vote:      AYE: Croft, D'Andrea, Hackman, Zeuli, Mayor Brown  
                             NAYE:        XXXX  
                             ABSTAIN:    XXXX

Motion Carried: 5-0

On a motion by Councilwoman Hackman, seconded by Deputy Mayor Zeuli, it was moved to adopt Consent Agenda Resolution No. 94-2012 through Resolution No. 98-2012 and Resolution No. 100-2012 through Resolution No. 105-2012

Recorded Vote:     AYE:           Croft, D'Andrea, Hackman, Zeuli, Mayor Brown  
                      NAYE:          XXXX  
                      ABSTAIN:       XXXX

Motion Carried: 5-0

On a motion by Councilwoman Hackman, seconded by Councilman Zeuli, it was moved to adopt Consent Agenda Resolution No. 106-2012 through Resolution No. 114-2012

Recorded Vote:     AYE: Croft, Hackman, Zeuli, Mayor Brown  
                      NAYE:          XXXX  
                      ABSTAIN:       D'Andrea

Motion Carried: 4-0-1

On a motion by Councilwoman Hackman, seconded by Councilman D'Andrea, it was moved to adopt Consent Agenda Resolution No. 115-2012 through Resolution No. 117-2012

Recorded Vote:     AYE: Croft, D'Andrea, Hackman, Zeuli, Mayor Brown  
                      NAYE:          XXXX  
                      ABSTAIN:       XXXX

Motion Carried: 5-0

PUBLIC COMMENT:

Ms. Christine Dutcher, 255 Tomlinson Mill Road, spoke regarding the discussion of a possible firearms discharge ordinance. Ms. Dutcher stated that she is not against guns, but because of an incident she was involved in recently, became aware that the Township has no regulations regarding the discharge of guns and would support Mayor and Council in adopting an ordinance.

Mr. Andrew Dutcher, 255 Tomlinson Mill Road, stated that he supports his wife's efforts regarding the firearms discharge ordinance and went on to say that Township Council needs to protect the residents of the township.

Mr. Dennis Benninger, 218 Brandywine Drive, requested an update on other issues with the Woodstream Swim Club. Township Council stated that Interim Township Manager Cromie would be in touch with Mr. Benninger to set up a meeting.

Mr. John McKenna, Seaview Marina, Long Beach Island, congratulated Township Council for introducing a budget that does not rely on the use of school deferrals.

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**STAFF COMMENTS:**

1. Manager's Report - Mr. Cromie updated Council on the Cambridge Park vehicle parking matter. Mr. Cromie stated that there were several violations of Township Code and that staff is working with the residents to have them comply.
2. Solicitor's Report - Nothing at this time
3. Engineer's Report - Mr. Staszewski gave an update on the repaving of Lincoln Drive, Heritage Village sidewalk replacement program and Braddock Mill Road. Mr. Staszewski also stated that the resurfacing of Sharp Road would begin in mid-April.
4. Clerk's Report - Nothing at this time.

**COUNCIL COMMENTS:**

Councilwoman Hackman stated that going online for bulk trash payments is a great asset to the residents of the township.

Deputy Mayor Zeuli inquired of the Township Engineer when Braddock Mill Road will be paved. Mr. Staszewski stated in mid-April. Councilman Zeuli asked Mr. Cromie to find out if anyone is using the road during that time period for bike races and to get a notification out to them.

Mayor Brown asked the Solicitor what the proper procedure would be if the Township undertook the privatization of services. Mr. Gillespie relayed the information.

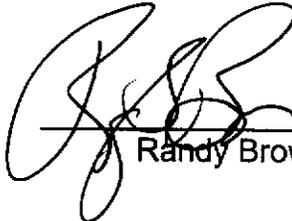
On a motion by Councilwoman Hackman, seconded by Deputy Mayor Zeuli, it was moved to adjourn the meeting.

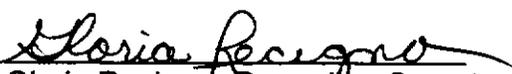
Recorded Vote:      AYE: Croft, D'Andrea, Hackman, Zeuli, Mayor Brown  
                              NAYE:        XXXX  
                              ABSTAIN: XXXX

Motion Carried:      5-0

Meeting adjourned: 8:10 p.m.

  
 Lori Friddell, Deputy Township Clerk

  
 Randy Brown, Mayor

  
 Gloria Recigno, Recording Secretary

Submitted: April 16, 2012

Approved: April 24, 2012

