

July 10, 2012  
Regular Meeting

The Regular Meeting of the Evesham Township Council was called to order by Mayor Brown at 6:30p.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 Meeting 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, Director of Community Development Jamanow, Township Planning & Zoning Board Planner Furey Bruder, Deputy Township Clerk Friddell, Recording Secretary Schmitt

**APPROVAL OF MINUTES:**

Regular Meeting - June 19, 2012  
Special Meeting - June 27, 2012  
Executive Session - June 27, 2012

On motion by Councilwoman Hackman, seconded by Deputy Mayor Zeuli, it was moved to approve the above listed minutes.

Recorded vote on Regular Meeting - June 19, 2012.

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

Motion Carried 5-0.

Recorded vote on Special Meeting and Executive Session - June 27, 2012.

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

Motion Carried 4-0-1.

**PRELIMINARY PUBLIC COMMENT**

None.

**PROCLAMATION**

Before presenting the Proclamations Mayor Brown introduced the Township Officials and Councilpersons present to the public. Mayor Brown asked Deputy Township Clerk Friddell to introduce the new Recording Secretary. Deputy Clerk Friddell introduced Maggie Schmitt to the governing body.

**2012 Cherokee High School Valedictorian - Kelly Daniels**

Mayor Brown read the proclamation into the record and congratulated Kelly Daniels on her many academic and athletic successes. Mayor Brown asked Ms. Daniels to give a few words of advice to the Marlton Recreation Girls Lacrosse team on how to balance school and sports.

**2012 Cherokee High School Salutatorian - Rachele Anna Kim**

Mayor Brown read the proclamation into the record and congratulated Rachele Anna Kim on her academic and musical success.

**Marlton Recreation Council 5<sup>th</sup>-6<sup>th</sup> Grade Girls Varsity Lacrosse Team - Velocity/Rothman SJYLAX League Champions**

Mayor Brown read the proclamation into the record and presented one to each team member. Mayor Brown congratulated the team on their record breaking success both on and off the field.

Mayor Brown commented that he appreciated the dedication of all the students and athletes.

Mayor Brown called recess at 6:55p.m. Council reconvened at 7:00p.m.

**WORK SESSION**

**1. REVIEW OF THE AFFORDABLE HOUSING SPENDING PLAN**

Leah Furey Bruder the Township Planning & Zoning Board Planner addressed Council to explain the proposed changes to the Affordable Housing Trust Account Spending Plan.

She outlined the comments made by COAH following their review of the initial plan. Discussion followed on COAH's request for a Resolution of Intent to Bond.

Councilman D' Andrea thanked Planner Furey Bruder for her work on the spending plan.

## 2. DISCUSSION OF RFP FOR LEASE OF ISGC RESTAURANT/CATERING AND GOLF COURSE FACILITIES

Solicitor Gillespie stated that new bid specifications were prepared for the leasing option of the ISGC. Council may entertain the option of terminating the original RFP. Finance Director Shanahan explained the capital improvement language which could be included in the lease bid.

Council consensus to terminate the ISGC RFP scheduled for opening on August 3, 2012.

Council was polled regarding the ISGC bid termination and capital improvement option.

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

Motion Carried 5-0.

## 3. PRIVATIZATION OF MOWING SERVICES

Interim Township Manager Cromie gave a slide presentation on the cost savings associated with the privatization of mowing services. Bids were prepared and opened on July 3, 2012.

After a careful review of the bids and comparisons to the cost of retaining township employees, Interim Township Manager Cromie and Finance Director Shanahan determined that by outsourcing these services the Township would incur a savings increasing annually.

Interim Township Manager Cromie also stated that the Township has the availability to contract for temporary and seasonal labor. Interim Manager Cromie is also planning on the assistance of the Marlton Recreation Council for field set up.

Deputy Mayor Zeuli asked if Interim Manager Cromie is confident that the bidder could provide the same level of service. Interim Manager Cromie stated that the bidder had very good references and, although, he feels our employees do a very good job, he is confident that this company could provide the same level of service.

Councilman D'Andrea inquired as to whether there was an out clause in the contract for poor quality or customer service issues and if the references given by the bidder compare in size

to the Township of Evesham. Interim Township Manager Cromie answered yes to these concerns.

Mayor Brown commented that there is no question about the quality of product the township employees deliver; however, it is Council's responsibility to the residents to keep Evesham Township affordable and Council's goal should be to lower taxes. He further stated that employees are being advised to contact the new contractor and the EMUA for consideration of hire.

Mayor Brown requested to move Resolution No. 219-2012 - Award of Contract - 2012 Evesham Mowing and Landscape Service - Department of Public Works forward on the agenda.

On motion by Deputy Mayor Zeuli, seconded by Councilman Croft, it was moved to adopt Resolution No. 219-2012.

Councilwoman Hackman commented that this was a difficult decision and thanked Interim Manager Cromie and Finance Director Shanahan for their help. Councilwoman Hackman said this was the right move to make Evesham Township affordable.

Councilman Croft stated that Council was performing due diligence.

Councilman D'Andrea said this will reduce costs to the town and his concern was that management will need to watch the quality and flexibility of the contractor.

Deputy Mayor Zeuli stated that Council's responsibility is to all tax payers and that this is the right thing to do.

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

Motion Carried 5-0.

**ORDINANCES**

**SECOND READING**

Ordinance No. 17-7-2012 - An Ordinance of the Township of Evesham Amending Chapter 72 of the Code of the Township of Evesham Entitled "Fees" (Department of Recreation and Senior Services)

Mayor Brown opened the public hearing.

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

On motion by Deputy Mayor Zeuli, seconded by Councilwoman Hackman it was moved to close the public hearing on Ordinance No. 17-7-2012.

Recorded Vote: All Ayes  
Motion Carried: 5-0

Council Comments: None.

On motion by Councilman D'Andrea, seconded by Councilman Croft, it was moved to adopt Ordinance No. 17-7-2012.

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

Motion Carried 5-0.

Ordinance No. 18-7-2012 - An Ordinance Authorizing Lease of Publicly Owned Facility Known as Indian Spring Golf Course and Related Amenities

Mayor Brown opened the public hearing.

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

On motion by Deputy Mayor Zeuli, seconded by Councilwoman Hackman it was moved to close the public hearing on Ordinance No. 18-7-2012.

Recorded Vote: All Ayes  
Motion Carried: 5-0

Council Comments: None.

On motion by Councilwoman Hackman, seconded by Councilman D'Andrea, it was moved to adopt Ordinance No. 18-7-2012.

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

Motion Carried 5-0.

**ORDINANCES****FIRST READING**

Ordinance No. 19-7-2012 - An Ordinance of the Township of Evesham Amending Ordinance No. 8-2-2012 Which Ordinance Provides for Salaries and Compensation to be Paid to the Officers and Employees of the Township of Evesham, County of Burlington, State of New Jersey for the Year 2012 and Beyond.

On motion by Councilwoman Hackman, seconded by Councilman D'Andrea, it was moved to approve Ordinance No. 19-7-2012 on first reading and that second reading and public hearing would take place on July 25, 2012.

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

Motion Carried 5-0.

Ordinance No. 20-7-2012 - An Ordinance of the Township of Evesham Amending Chapter 160, the Zoning Code of the Township of Evesham and Chapter 161, Zoning Modifications and Additional Requirements, to Implement the Recommendations of the 2012 Master Plan Reexamination/Amendment for the Pinelands Area of the Township.

On motion by Councilwoman Hackman, seconded by Councilman Croft, it was moved to approve Ordinance No. 20-7-2012 on first reading and that second reading and public hearing would take place on July 25, 2012.

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

Motion Carried 5-0.

**RESOLUTIONS**

Resolution No. 204-2012 - Appointment of Municipal Court Judge - Three Year Term to Expire July 9, 2015.

On motion by Councilwoman Hackman, seconded by Councilman D'Andrea, it was moved to adopt Resolution No. 204-2012, inserting the name Karen J. Caplan, Esq.

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

Motion Carried 5-0.Resolution No. 205-2012 - Appointment of Planning Board Member - Class III - Councilperson.

On motion by Councilwoman Hackman, seconded by Councilman D'Andrea, it was moved to adopt Resolution No. 205-2012, inserting the name Steven Zeuli.

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

Motion Carried 4-0-1.Resolution No. 206-2012 - Appointment of Planning Board Member - Class IV - Resident.

On motion by Councilman Croft, seconded by Councilman D'Andrea, it was moved to adopt Resolution No. 206-2012, inserting the name Patricia LaVerghetta.

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

Motion Carried 5-0.Resolution No. 207-2012 - Appointment of Planning Board Member - Class IV - Resident - Unexpired Four Year Term to Expire June 30, 2013.

On motion by Councilman D'Andrea, seconded by Councilwoman Hackman, it was moved to adopt Resolution No. 207-2012, inserting the name Ted Lowden.

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

Motion Carried 5-0.Resolution No. 208-2012 - Appointment of Planning Board Member - Class IV - Alternate No. 2.

On motion by Councilwoman Hackman, seconded by Councilman Croft, it was moved to adopt Resolution No. 208-2012, inserting the name Jerry Menchini.

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

Motion Carried 5-0.

Resolution No. 209-2012 - Appointment to the Zoning Board of Adjustment - Regular Member.

On motion by Councilman D'Andrea, seconded by Councilwoman Hackman, it was moved to adopt Resolution No. 209-2012, inserting the name Jeffery Saper.

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

Motion Carried 5-0.

Resolution No. 210-2012 - Appointment to the Zoning Board of Adjustment - Regular Member.

On motion by Councilman D'Andrea, seconded by Councilwoman Hackman, it was moved to adopt Resolution No. 210-2012, inserting the name Carmen LaVerghetta.

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

Motion Carried 5-0.

Resolution No. 211-2012 - Appointment to the Zoning Board of Adjustment - Alternate No. 2 Member.

On motion by Councilman D'Andrea, seconded by Councilman Croft, it was moved to adopt Resolution No. 211-2012, inserting the name Jay Parikh.

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

Motion Carried 5-0.

Resolution No. 212-2012 - Appointment to the Zoning Board of Adjustment - Alternate No. 4 Member.

On motion by Councilwoman Hackman, seconded by Councilman D'Andrea, it was moved to adopt Resolution No. 212-2012, inserting the name Maria Patouhas.

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

Abstain: XXX

Motion Carried 5-0.

Resolution No. 212-2012 - Appointment to the Zoning Board of Adjustment - Alternate No. 4 Member.

On motion by Councilwoman Hackman, seconded by Councilman D'Andrea, it was moved to adopt Resolution No. 212-2012, inserting the name Maria Patouhas.

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

Motion Carried 5-0.

Resolution No. 213-2012 - Appointment to Evesham Municipal Utilities Authority - Regular Member - Unexpired Five Year Term to Expire January 31, 2013.

On motion by Councilwoman Hackman, seconded by Councilman Croft, it was moved to adopt Resolution No. 213-2012, inserting the name Carmen Tierno.

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

Motion Carried 5-0.

Mayor Brown asked for a motion to amend Resolution No. 213-2012 to fill the now vacant position on the Evesham Municipal Utilities Authority - Regular Member - Alternate 2 created by the appointment of Carmen Tierno and insert the name Karen O'Neil.

On motion by Councilman Croft, seconded by Councilman D'Andrea, it was moved to amend Resolution No. 213-2012, inserting the name Karen O'Neil as Regular Member - Alternate 2.

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

Motion Carried 5-0.

**MAYORAL APPOINTMENTS:**

**EVESHAM ENVIRONMENTAL COMMISSION:**

Motion Carried 5-0.

Resolution No. 213-2012 - Appointment to Evesham Municipal Utilities Authority - Regular Member - Unexpired Five Year Term to Expire January 31, 2013.

On motion by Councilwoman Hackman, seconded by Councilman Croft, it was moved to adopt Resolution No. 213-2012, inserting the name Carmen Tierno.

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

Motion Carried 5-0.

Mayor Brown asked for a motion to amend Resolution No. 213-2012 to fill the now vacant position on the Evesham Municipal Utilities Authority - Regular Member - Alternate 2 created by the appointment of Carmen Tierno and insert the name Karen O'Neil.

On motion by Councilman Croft, seconded by Councilman D'Andrea, it was moved to amend Resolution No. 213-2012, inserting the name Karen O'Neil as Regular Member - Alternate 2.

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

Motion Carried 5-0.

**MAYORAL APPOINTMENTS:**

**EVESHAM ENVIRONMENTAL COMMISSION:**

Member - Unexpired Three Year Term to Expire on December 31, 2013 - Alicia Marrone

Mayor Brown made additional appointments to the Environmental Commission by appointing Byron Druss and Councilwoman Hackman.

**PLANNING BOARD:**

Class II - Township Official (Environmental Commission) - Three Year Term to Expire June 30, 2015 or concurrent with term on Environmental Commission (12-31-13) whichever occurs first - Alicia Marrone.

Resolution No. 232-2012 - Amending Resolution No. 171-2012 - Resolution Approving Updated Affordable Housing Trust Account Spending Plan in Compliance with P.L. 2008, C.46 and Authorizing

its Submission to the Department of Community Affairs/Council on Affordable Housing for Review and Approval

On motion by Councilwoman Hackman, seconded by Councilman Croft, it was moved to adopt Resolution No. 232-2012.

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

Motion Carried 5-0.

### CONSENT AGENDA

Resolution No. 214-2012 - Review of 2011 Annual Audit Report

Resolution No. 215-2012 - Renewal of Contract for Dental Insurance - Delta Dental - Premier

Resolution No. 216-2012 - Renewal of Contract for Dental Insurance - Delta Dental - Delta Complete

Resolution No. 217-2012 - Renewal of Contract for Dental Insurance - Delta Dental - Delta Care

Resolution No. 218-2012 - Award of Contract - 2012 Truck Parts - Department of Public Works

Resolution No. 220-2012 Award of Contract - Purchase of Equipment to Construct a Truck Wash Bay - Department of Public Works

Resolution No. 221-2012 - Amending Contract Authorizing the Funding of the Township of Evesham's Share of the MACCS Contract with AVR Resource Group, Inc. (Second Extension)

Resolution No. 222-2012 - Amendment to Contract - 2010 Road Program Resurfacing of Braddock Mill Road and Authorization of Change Order No. 2 with Respect Thereto

Resolution No. 223-2012 - Insertion of Special Items of Revenue in the Budget - Chapter 159, P.L. 1948 - FY 2012 Clean Communities Grant - \$73,072.92

Resolution No. 224-2012 - Insertion of Special Items of Revenue in the Budget - Chapter 159, P.L. 1948 - New Jersey Department

of Transportation's Fiscal Year 2012 Municipal Aid Program - Tomlinson Mill Roadway Improvements - \$200,000.00

Resolution No. 225-2012 - Insertion of Special Items of Revenue in the Budget - Chapter 159, P.L. 1948 - Municipal Court Alcohol Education Rehabilitation and Enforcement Fund - \$971.33

Resolution No. 226-2012 - Insertion of Special Items of Revenue in the Budget - Chapter 159, P.L. 1948 - Division of Alcoholic Beverage Control, Department of Law and Public Safety - Cops in Shops Grant - \$10,080.00

Resolution No. 227-2012 Creation of Liens to Cover Cost of Improvements to Certain Blocks and Lots - Block 11.04, Lot 49; Block 24.24, Lot 73; Block 27.09, Lot 7; Block 28.01, Lot 38

Resolution No. 228-2012 Closing of Willow Bend Road - Cherokee High School - 2012 Homecoming Parade - November 22, 2012

Resolution No. 229-2012 - Release of Performance Guarantee - Lake Center Executive Park - Phase III - Section 4 - Block 5, Lots 2.01 & 2.02 - On-Site Improvements

Resolution No. 230-2012 - Release of a Combined Performance Guarantee - The Preserve at Little Mill (a/k/a Hunter's Bridge) - Section 1 - On-Site Improvements and Landscaping

Resolution No. 231-2012 - Release of Combined Performance Guarantee - Tuckerton Medical Group - Block 112, Lots 1-6 & 32 - On-Site Improvements and Landscaping

On motion by Councilman Croft, seconded by Councilwoman Hackman, it was moved to adopt Resolution Nos. 214-2012 through 218-2012 and 220-2012 through 231-2012.

Mayor Brown called for any separations. There being no separations Mayor Brown called for a vote on the consent agenda.

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

Motion Carried 5-0.

**PUBLIC COMMENTS**

None.

STAFF COMMENTS

Township Engineer Staszewski informed Council that a Pre-Construction meeting on Cooper Avenue had been set and bids would be received for Brush Hollow road improvements.

Interim Township Manager Cromie stated that the Township was planning on meeting quarterly with the Business Administrator from the Evesham Township School District, Evesham Township Fire District, and the Evesham Municipal Utilities Authority to begin a dialogue to establish shared services.

COUNCIL COMMENTS

Councilman D'Andrea thanked the Evesham Township Police and Fire Departments, the Department of Public Works, the Evesham Celebration Foundation, and all those that helped to make the 4<sup>th</sup> of July celebration a success.

Mayor Brown commented that whenever Council has to make decisions that cost jobs, it is a very hard decision. Mayor Brown stated that Council has confidence in Interim Manager Cromie's decisions and that Council feels confident that the Department Heads can handle any matters that arise.

Mayor Brown requested that Interim Manager Cromie and Finance Director Shanahan reach out to the Department Heads at Public Works and report back to Council at the July 25, 2012 meeting with comparisons on privatizing trash collection, leaf collection, and snow removal to see if formulating RFP's would be feasible.

Resolution No. 233-2012 - 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: Litigation

On motion by Councilman D'Andrea, seconded by Councilwoman Hackman, it was moved to adopt Resolution No. 233-2012.

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

Motion Carried 5-0.

Council convened in Executive Session at 8:16p.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.

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

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

Motion Carried 5-0.

Meeting adjourned at 8:23p.m.

Lori A. Friddell  
Lori Friddell, Deputy Township Clerk

Randy Brown  
Randy Brown, Mayor

Maggie Schmitt  
Maggie Schmitt, Recording Secretary

Submitted: July 16, 2012  
Approved: August 21, 2012