

February 19, 2013
Regular Meeting

The Regular Meeting of the Evesham Township Council was called to order by Deputy Mayor Hackman at 6:10p.m. The meeting was held in the Meeting Room of the Evesham Township Municipal Complex at 984 Tuckerton Road, Marlton, NJ 08053.

Flag Salute.

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

ROLL CALL: Present: D'Andrea, DiEnna, Hackman, Zeuli,
Mayor Brown (arrived at 6:15p.m.)
Absent: XXX
Also Present: Township Manager Cromie, Township Solicitor
Gillespie, Township Engineer Staszewski
(arrived at 6:35p.m.), Community Development
Director Jamanow, Deputy Township Manager of
Community Affairs Vandenberg, Township Clerk
Friddell, Deputy Township Clerk Schmitt

Resolution No. 35-2013 - 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 - Topic: Land Acquisition; Attorney-Client Privilege

On motion by Councilman D'Andrea, seconded by Councilman DiEnna, it was moved to adopt Resolution No. 35-2013.

Recorded Vote: AYE: D'Andrea, DiEnna, Hackman, Zeuli
NAYE: XXX
ABSTAIN: XXX

Motion Carried: 4-0.

Council convened in Executive Session at 6:12p.m.

Mayor Brown arrived 6:15p.m.

On motion by Deputy Mayor Hackman, seconded by Councilman Zeuli, it was moved to come out of Executive Session.

Recorded Vote: AYE: D'Andrea, DiEnna, Hackman, Zeuli, Brown
NAYE: XXX
ABSTAIN: XXX

Motion Carried: 5-0.

Council continued in open session at 6:35p.m.

APPROVAL OF MINUTES

Regular Meeting - December 18, 2012

Executive Session - December 18, 2012

Special Meeting - December 31, 2012

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

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

Motion Carried 5-0.

PRELIMINARY PUBLIC COMMENT ON AGENDA ITEMS ONLY

As Mayor Brown opened Public Comment on Agenda Items Only the South Jersey Pops Quartet serenaded him to commemorate the Baltimore Ravens win in Super Bowl XLVII and Mayor Brown's participation as a coach.

Councilman D'Andrea, joined by Deputy Mayor Hackman, Councilman DiEnna and Councilman Zeuli, read a Proclamation into the record congratulating Mayor Brown on becoming a Super Bowl Champion and extending their best wishes for many continued successes.

Council Comments

Deputy Mayor Hackman and Councilman Zeuli commented that they were happy and proud of Mayor Brown and the Super Bowl win.

Councilman DiEnna stated that Mayor Brown is the only Mayor who is also a member of a Super Bowl team. He thanked Mayor Brown for bringing the attention to the town.

Mayor Brown thanked the residents and the school children for all their support. He also stated that he felt the win was as much for the town as for the team.

Councilman D'Andrea said the Mayor was an inspiration to the children and the entire town. Councilman D'Andrea felt it was appropriate to recognize the Mayor to show others it is possible to achieve your dreams.

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PROCLAMATIONS

Evesham Township 8th 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.

American Cancer Society - "Relay for Life Month" - May 2013

Mayor Brown read the proclamation into the record and presented it to Al Lutner, representing the American Cancer Society Relay for Life Team. Mr. Lutner thanked Mayor and Council for their support and invited the public to participate in the "Relay for Life" Events on June 1st and 2nd. Mr. Lutner also stated that January through June is Relay for Life's fundraising season and the fundraising goal for 2013 is \$115,000.

Mayor Brown called recess at 7:27p.m. Council reconvened at 7:45 p.m.

Mayor Brown opened Public Comment.

PUBLIC COMMENT

Christina Dutcher of 255 Tomlinson Mill Road, Marlton, New Jersey congratulated Mayor Brown on the Super Bowl win and congratulated Councilman D'Andrea and Councilman DiEnna on their recent elections. Ms. Dutcher presented Council with information on neighboring towns' firearms regulations and requested that Council consider adopting a firearms ordinance in Evesham Township.

Mayor Brown thanked Ms. Dutcher for her concern. However, since the Police Chief and Township Manager are comfortable with the current regulations Mayor Brown feels he must defer to their direction and therefore, he will not be able to move forward with a firearms ordinance at this time.

WORK SESSION

1. 2013 Road Program

Township Manager Cromie opened the work session by stating that road improvements benefit the residents and maintain home values. This year's selection of roads scheduled for improvement was based on the Pavement Rating System. Township Manager Cromie continued with a presentation outlining recommended roads in need of paving over the next five years.

Council Comments

Councilman D'Andrea stated that while campaigning last fall he had requests from residents that the Township consider Marsham Drive in the next road improvement project.

Mayor Brown commented that the core focus should remain on the community roads, to benefit neighborhoods.

Councilman Zeuli commented that paving Kettle Run Road may increase traffic speed.

Township Manager Cromie thanked Council for their input and stated that with the added direction he will make some changes to the proposed plan.

2. Amendments to the Sign Ordinance

Township Manager Cromie summarized proposed changes to the sign ordinance including a new section on temporary signs.

Council Comments

Mayor Brown stated that he does not see a problem with the temporary signs and feels the Township should be flexible and do everything possible to help businesses advertise.

Township Solicitor Gillespie stated that in order to balance township aesthetics parameters are needed.

Councilman D'Andrea commented that guidelines, along with flexibility for businesses to create revenue, are important factors.

Township Solicitor Gillespie suggested that the Township start with an eighteen month pilot program to address signage issues.

Mayor Brown requested that Community Development Director Jamanow update Council on the time line for the installation of the new playground at Memorial Park. Director Jamanow stated that the Treasure Island themed playground will be ADA compliant. In addition, the playground will require Pinelands approval. Discussion followed on the time line and proposed plan.

Mayor Brown updated those in attendance on the Baseball/Softball Project and stated that the project is on schedule for a Spring 2014 opening. Community Development Director Jamanow updated Council on the procedure for permitting and Pinelands approval.

Community Development Director Jamanow also updated Council on the Redevelopment/Rehabilitation project. She advised Council that there is a Planning Board workshop scheduled for February 21, 2013 to discuss preliminary sites and the Public Hearing was scheduled for March 21, 2013.

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Director Jamanow also advised Council that forty-two abandoned property notices have been mailed. The notice outlines the process of condemnation proceedings.

Mayor Brown named Councilman DiEnna as his designee to attend Planning Board Meetings in the Mayor's absence.

ORDINANCES

SECOND READING

Ordinance No. 1-1-2013 - An Ordinance of the Township of Evesham Amending Chapter 72 of the Code of the Township of Evesham Entitled "Fees"

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 Hackman, seconded by Councilman DiEnna, it was moved to close the public hearing on Ordinance No. 1-1-2013.

Recorded Vote: All Ayes

Motion Carried 5-0.

On motion by Deputy Mayor Hackman, seconded by Councilman Zeuli, it was moved to adopt Ordinance No. 1-1-2013.

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

Motion Carried 5-0.

ORDINANCES

FIRST READING

Ordinance No. 2-2-2013 - An Ordinance of the Township of Evesham to Repeal Ordinance No. 8-2-2012 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 2013 and Beyond

On motion by Deputy Mayor Hackman, seconded by Councilman D'Andrea, it was moved to introduce Ordinance No. 2-2-2013 with the earliest possible Public Hearing and Adoption Date of March 5, 2013.

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

Abstain: XXX

Motion Carried 5-0.**RESOLUTIONS**Resolution No. 36-2013 - Authorizing Emergency Temporary Appropriations (2013-2)On motion by Deputy Mayor Hackman, seconded by Councilman D'Andrea, it was moved to adopt Resolution No. 36-2013.Recorded Vote on Resolution No. 36-2013.

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

NAYE: XXX

ABSTAIN: XXX

Motion Carried: 5-0.**CONSENT AGENDA**Resolution No. 37-2013 - Award of Contract - Township SolicitorResolution No. 38-2013 - Award of Contract - Township Conflict/Backup SolicitorResolution No. 39-2013 - Award of Contract - Municipal COAH AttorneyResolution No. 40-2013 - Award of Contract - Labor CounselResolution No. 41-2013 - Award of Contract - Township AuditorResolution No. 42-2013 - Award of Contract - Township EngineerResolution No. 43-2013 - Award of Contract - Township Conflict/Backup EngineerResolution No. 44-2013 - Award of Contract - Township Traffic EngineerResolution No. 45-2013 - Award of Contract - Financial AdvisorResolution No. 46-2013 - Award of Contract - Insurance BrokerResolution No. 47-2013 - Award of Contract for Professional Planning Services - Preliminary Investigation - Redevelopment StudyResolution No. 48-2013 - Award of Contract - Professional Legal Services - Previous Years' Tax Appeals and General Legal Work

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Resolution No. 49-2013 - Amendment to Contract - FY2012 NJDOT Local Aid Infrastructure Fund Improvements Resurfacing of Lincoln Drive - Phase II (Lincoln Drive East) and Authorization of Change Order No. 1 with Respect Thereto

Resolution No. 50-2013 - Amendment to Contract - Construction Services Black Run Preserve Pedestrian/Bike Trail and Authorization of Change Order No. 1 with Respect Thereto

Resolution No. 51-2013 - Amendment to Contract - 2012 Road Program - Tomlinson Mill Road Roadway Improvements and Authorization of Change Order No. 1 with Respect Thereto

Resolution No. 52-2013 - Amendment to Contract - Resurfacing of Carlton Avenue - Phase II and Authorization of Change Order No. 1 with Respect Thereto

Resolution No. 53-2013 - Authorizing Execution of a Shared Services Agreement with the Borough of Rutherford - Lease Agreement for Use of Side Loader Trash Truck

Resolution No. 55-2013 - Appointment of Self-Insurance Fund Commissioners

Resolution No. 56-2013 - Resolution of the Township of Evesham Authorizing Execution of a Deed of Easement to the Evesham Township Municipal Utilities Authority on Block 8.01, Lot 65

Resolution No. 57-2013 - Amending Resolution No. 386-2012 Authorizing and Directing the Evesham Township Planning Board to Cause a Preliminary Investigation to Determine Whether Certain Areas Along Route 70 and 73 Corridor are "Areas in Need of Redevelopment or Rehabilitation" Under New Jersey Law

Resolution No. 58-2013 - Refund of Overpayment of Taxes - East Coast Woodview at Marlton, LLC - Block 17, Lot 11 (Tax Court Judgment)

Resolution No. 59-2013 - Refund of Overpayment of Taxes - NY Credit Marlton, LLC - Block 2.07, Lot 5 (Tax Court Judgment)

Resolution No. 60-2013 - Release of Maintenance Guarantee - Evesboro Associates - (8000 Sq. Ft. One-Story Retail Building) - Block 8.10, Lot 1 - On-Site Improvements

MOTIONS

Ratification of Approval of Application for Special Permit for Social Affair

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St. Joan of Arc Athletic Association
Fundraiser - March 9, 2013 - School Cafeteria
Proceeds accrue to the Saint Joan of Arc Athletic Association for
Youth Sports

Ratification of Approval of Application for Special Permit for
Social Affair

Indian Mills Athletic Association
Beef and Beverage Social Fundraiser
February 23, 2013 - Gibson House
Proceeds accrue for Youth Baseball Team Trip to Cooperstown, NY

On motion by Deputy Mayor Hackman, seconded by Councilman D'Andrea,
it was moved to adopt Consent Agenda Resolutions No. 37-2013 through
53-2013, Resolution Nos. 55-2013 through 60-2013, and the listed
Motions.

Mayor Brown called for any separations.

There being no separations, Mayor Brown called for a vote on the
Consent Agenda and listed Motions.

Recorded Vote on Resolutions No. 37-2013 through 53-2013, Resolution
Nos. 55-2013 through 60-2013, and the listed Motions.

AYE: D'Andrea, DiEnna, Hackman, Zeuli, Brown
NAYE: XXX
ABSTAIN: XXX

Motion Carried: 5-0.

PUBLIC COMMENT

None.

STAFF COMMENTS

Township Clerk Friddell congratulated Mayor Brown on the Baltimore Ravens Super Bowl win. Clerk Friddell also thanked Township Manager Cromie for appointing Maggie Schmitt to the position of Deputy Township Clerk.

Deputy Township Manager of Community Affairs Vandenberg reminded Mayor and Council of the Rotary Club Pancake Breakfast on March 24, 2013 from 9:00a.m. to 1:00p.m.

Deputy Township Manager of Finance Shanahan congratulated Mayor Brown on the Baltimore Ravens Super Bowl win.

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Township Engineer Staszewski updated Council on road projects and the progress of the Salt Storage Building.

Township Solicitor Gillespie updated Council on the status of the bonding situation regarding the Sharps Run Seniors project. There was consensus of Council to release Travelers Insurance Company of its bonding obligations upon the posting of substitute bonds by Fernmoor Homes at Evesham, LLC.

COUNCIL COMMENTS

Councilman D'Andrea commented that the Marlton Recreation Council will be implementing a special needs soccer program for children of all ages beginning this spring. He commented that he was not pleased with the outcome of the North Locust road project. He questioned the numerous mail solicitations for tax appeal assistance. Councilman D'Andrea congratulated Mr. Fisacaro on the arrival of his first granddaughter.

Councilman DiEnna thanked everyone who was instrumental in the preparation of the festivities tonight. He petitioned the Township Solicitor for uniformity and flexibility with the sign ordinance. Councilman DiEnna inquired if the Township Engineer knew why the concrete contractor failed to cover the concrete work on Willow Bend Road at night. Also, Councilman DiEnna requested Council review the plans for the proposed baseball/softball complex prior to approval. Mayor Brown responded that a work session would be conducted.

Deputy Mayor Hackman congratulated Mayor Brown and the Baltimore Ravens on the Super Bowl win and added that it was a very entertaining night. The Deputy Mayor also commented that the Youth Advisory Committee held an Open House last week and offered assistance to the Special Needs Soccer Program through this committee.

Mayor Brown thanked everyone who coordinated the evenings events. Mayor Brown added that the Baltimore Ravens Super Bowl win has been a wonderful ride and he is happy that the media coverage has brought additional recognition to the town.

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

Recorded Vote: AYE: All Ayes.
NAY: XXX
Abstain: XXX

Motion Carried 5-0.

Meeting adjourned at 9:30p.m.

Lori A. Friddell

Lori Friddell, Township Clerk

Randy Brown

Randy Brown, Mayor

Maggie Schmitt

Maggie Schmitt, Deputy Township Clerk

Submitted: April 2, 2013

Approved: April 9, 2013