

March 19, 2013
Regular Meeting

The Regular Meeting of the Evesham Township Council was called to order by Mayor Brown at 6:38p.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 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
Absent: XXX
Also Present: Township Manager Cromie, Township Solicitor Gillespie, Township Engineer Staszewski, Deputy Manager of Finance Shanahan, Community Development Director Jamanow, Deputy Township Manager of Community Affairs Vandenberg, Deputy Township Manager of Operations Kohl, Township Auditor Nehila, Township Clerk Friddell, Deputy Township Clerk Schmitt

APPROVAL OF MINUTES

Regular Meeting - January 22, 2013

On motion by Deputy Mayor Hackman, seconded by Councilman D'Andrea, 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

None.

WORK SESSION

2013 Budget Presentation

Township Manager Cromie and Deputy Township Manager of Finance Shanahan presented an outline of the proposed 2013 Municipal Budget. Mr. Cromie commented that Council has done an excellent job of balancing the quality of services with taxes.

Township Manager Cromie stated that although the proposed budget reflects a decrease in spending it would incur a 2.29 tax increase

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over the 2012 Municipal Budget. Mr. Cromie and Mr. Shanahan reviewed items which have negatively impacted the budget, most notably a significant increase in tax appeals.

Mr. Shanahan outlined the Golf Course Utility budget.

Mayor Brown commented that the Township has done everything possible to keep taxes flat. However, municipalities are penalized by New Jersey Statute which requires municipalities to carry the entire burden of tax appeal losses without reimbursement from other taxing entities, such as the school districts and fire district.

Mayor Brown asked that Council consider some options to the current tax appeal situation including: requesting other taxing entities reimburse the Township for tax appeals and related expenses; negotiating a shared services agreement with other taxing entities for tax assessing and tax collecting services related to appeals; and supporting Senate Bill S-1896 which would require other taxing entities to share in the burden of property assessment appeal refunds.

Councilman D'Andrea stated he agreed with the Mayor on all points. Logic dictates that the other taxing entities should share in the burden of tax appeals and be held accountable.

Councilman DiEnna questioned whether the tax payer truly understands the current taxing method and whether there is support from other municipalities.

Councilman Zeuli commented that the Township has done a great job cutting costs and the only way to lower taxes would be to cut services. Councilman Zeuli referenced the impact of the economic downturn and property devaluation.

Deputy Mayor Hackman stated that the public is not fully aware of what it takes to run a Township. Council is called upon to be good stewards of money and therefore Council must ask the other taxing entities to do the same.

Mayor Brown commented that Council's goal is to be fair and equitable concerning taxes, however the Township is penalized by the current State statute. Mayor Brown would like to bring to light the current inefficiencies and call upon the State Legislature to pass legislation by summer recess to relieve the municipalities of the current tax appeal burden.

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Mayor Brown requested the Solicitor offer his opinion on the process.

Township Solicitor Gillespie recommended that the Township send a letter to the other taxing entities explaining the current situation and ask for assistance. Council was in consensus.

Mayor Brown called recess at 7:28p.m. Council reconvened at 7:55p.m.

ORDINANCES

SECOND READING

Ordinance No. 3-3-2013 - Bond Ordinance of the Township of Evesham, In the County of Burlington, New Jersey, Amending Bond Ordinance No. 29-12-2012 Finally Adopted December 31, 2012, to Change Purposes and Useful Life

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 D'Andrea, it was moved to close the public hearing on Ordinance No. 3-3-2013.

Recorded Vote: All Ayes

Motion Carried 5-0.

On motion by Councilman D'Andrea, seconded by Deputy Mayor Hackman, it was moved to adopt Ordinance No. 3-3-2013.

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

Motion Carried 5-0.

Ordinance No. 4-3-2013 - An Ordinance Supplementing the Code of the Township of Evesham to Create a New Chapter 102 Entitled "Maintenance of Property"

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 Deputy Mayor Hackman, seconded by Councilman D'Andrea, it was moved to close the public hearing on Ordinance No. 4-3-2013.

Recorded Vote: All Ayes

Motion Carried 5-0.

On motion by Deputy Mayor Hackman, seconded by Councilman D'Andrea, it was moved to adopt Ordinance No. 4-3-2013.

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

Motion Carried 5-0.

ORDINANCES

FIRST READING

Ordinance No. 5-4-2013 - An Ordinance of the Township of Evesham Authorizing a Tax Abatement Agreement Pursuant to the Provisions of N.J.S.A. 40A:21-1 et seq with Marlton Gateway Associates, LLP for Property Known as 125 E. Main Street

On motion by Councilman D'Andrea, seconded by Deputy Mayor Hackman, it was moved to introduce Ordinance No. 5-4-2013 with the earliest possible Public Hearing and Adoption Date of April 9, 2013.

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

Motion Carried 5-0.

RESOLUTIONS

Resolution No. 76-2013 - Authorizing Emergency Temporary Appropriations (2013-3)

On motion by Deputy Mayor Hackman, seconded by Councilman D'Andrea, it was moved to adopt Resolution No. 76-2013.

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

Motion Carried: 5-0.

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CONSENT AGENDA

Mayor Brown requested that Resolution No. 80-2013, be pulled from the Consent Agenda.

Resolution No. 80-2013 - Award of Contract - Marketing and Promotional Services - Indian Spring Golf Course

COUNCIL COMMENTS

Mayor Brown requested clarification on the above contract.

Township Manager Cromie informed Council that this is a contract without monetary exchange and allows the Township Manager and Township Solicitor to work with the company to facilitate a contract.

Frank Hesson of 310 Summer Lane, Marlton, NJ, Director of Golf Operation and Instruction at the Indian Spring Golf Course informed Council that the services of this contract include a web application to book tee times, a gps application, and interactive software.

Mayor Brown scheduled a meeting on Thursday, March 21st at 3:00p.m in the Township Manager's office to discuss the contract in more depth.

On motion by Deputy Mayor Hackman, seconded by Councilman Zeuli, it was moved to adopt Resolution No. 80-2013, subject to review and revision by the Township Solicitor.

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

Motion Carried: 5-0.

Resolution No. 77-2013 - Award of Contract for the Purchase of One 2013 or Current Model Year New & Unused Self-Contained Trailer Mounted Vacuum Leaf Collector (with chosen options) - Public Works Department

Resolution No. 78-2013 - Award of Contract - 2013 Aerification Package - Aerifier, Heavy Duty Utility Vehicle and Debris Cleanup Equipment - Indian Spring Golf Course

Resolution No. 79-2013 - Award of Contract - Athletic Field Services - Public Works

Resolution No. 81-2013 - Award of Contract - Stop Loss/Aggregate Insurance Coverage

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Resolution No. 82-2013 - Renewal of Contract - Purchase of 2012 Law Enforcement Uniforms and Accessories - Police Department

Resolution No. 83-2013 - Amendment to Contract N. Locust Avenue and Columbia Drive Drainage Improvements and Authorization of Change Order Request No. 1

Resolution No. 84-2013 - Authorizing Participation in Somerset County Cooperative Pricing System, #2-SOCCP

Resolution No. 85-2013 - Authorizing the Execution of a Grant Agreement for Receipt of the Year 2013 Municipal Alliance Grant

Resolution No. 86-2013 - Authorizing Assessor's Appeals and Stipulations

Resolution No. 87-2013 - Establishment of Special Event Day - Evesham Celebrations Foundation - Taste of Evesham Event - May 19, 2013

Resolution No. 88-2013 - Closing of a Portion of Main Street for 2013 Taste of Evesham Event, Subject to Approval of Burlington County Board of Chosen Freeholders

Resolution No. 89-2013 - Establishment of Special Event Day - Independence Day Celebration - July 4, 2013

Resolution No. 90-2013 - Closing of Portion of Main Street for 2013 Independence Day Celebration, Subject to Approval of Burlington County Board of Chosen Freeholders

Resolution No. 91-2013 - Approval of Fireworks Display - Independence Day Celebration - Cherokee High School and Marlton Middle School

Resolution No. 92-2013 - Authorizing the Execution of a Hold Harmless Agreement with Lenape Regional High School District - Independence Day Celebration

Resolution No. 93-2013 - Establishment of Special Event Day - Evesham Harvest Fest - October 5, 2013

Resolution No. 94-2013 - Closing of Portion of Main Street for 2013 Evesham Harvest Fest, Subject to Approval of Burlington County Board of Chosen Freeholders

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MOTIONS

Approval of Application for Special Permit for Social Affair
Evesham Celebrations Foundation - Taste of Evesham Event
May 19, 2013 - E. Main Street
Proceeds accrue to Evesham Celebrations Foundation

Approval of Application for Special Permit for Social Affair
Anna Foundation for Inclusive Education
Dinner Party Fundraiser
April 12, 2013 - Gibson House
Proceeds accrue to education support services for children with Down Syndrome

Mayor Brown called for any separations.

Councilman D'Andrea requested that Resolutions No. 87-2013 through 94-2013 and the 1st Motion for the Evesham Celebrations Foundation be separated.

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

One motion by Deputy Mayor Hackman, seconded by Councilman Zeuli, it was moved to adopt Resolutions No. 77-2013 through 79-2013, Resolutions No. 81-2013 through 86-2013, and the 2nd Motion for the Anna Foundation.

Recorded Vote on Resolutions No. 77-2013 through 79-2013, Resolutions No. 81-2013 through 86-2013, and the 2nd Motion for the Anna Foundation.

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

Motion Carried: 5-0.

One motion by Deputy Mayor Hackman, seconded by Councilman Zeuli, it was moved to adopt Resolutions No. 87-2013 through 94-2013 and the 1st Motion for the Evesham Celebration Foundation.

Recorded Vote on Resolutions No. 87-2013 through 94-2013 and the 1st Motion for the Evesham Celebration Foundation.

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

Motion Carried: 4-0-1.

PUBLIC COMMENT

Carolyn Marshall of 261 Tomlinson Mill Road, Marlton, New Jersey requested clarification on Ordinance No. 4-3-2013 with regard to the vicinity of the building.

Township Solicitor Gillespie responded that it would be within property limits.

STAFF COMMENTS

Deputy Township Manager of Community Affairs Vandenberg reminded Council of upcoming Township events including an Easter Breakfast on Saturday, March 23rd from 9:00a.m. to 12:00p.m. at the Gibson House, a benefit 5k run/walk in Kings Grant on Sunday, March 24th, and that the Spring Program booklet is now available.

Deputy Township Manager of Operations Kohl advised Council that Public Works is in the process of streamlining from a five day trash collection schedule to a four day schedule which will save operating expenses.

COUNCIL COMMENTS

Deputy Mayor Hackman appreciated the Mayor's action on tax appeals. The Youth Advisory Committee will help with the Easter breakfast. Deputy Mayor Hackman thanked Gloria Recigno for assembling packets for the Youth Advisory Committee and commented that membership has tripled.

Councilman D'Andrea commented that the Mayor did a wonderful job tonight trying to educate those in attendance on the property tax assessment process. Councilman D'Andrea stated that if the practical approach is taken the township could be a leader in transforming the way business is done.

Councilman DiEnna inquired as to the need of trash truck drivers on the reduced schedule. Deputy Manager of Operations Kohl responded that there are other duties to be performed.

Councilman DiEnna thanked the residents for attending tonight and he hopes the media will convey the tax appeal message sufficiently to those residents who are not in attendance.

Mayor Brown thanked his colleagues for allowing him to take the lead on the tax appeal situation. He invited his fellow Councilmembers to attend the US Conference of Mayors with him. Mayor Brown also

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stated that he would like to add a work session on banning smoking at Township facilities to the next meeting in April.

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

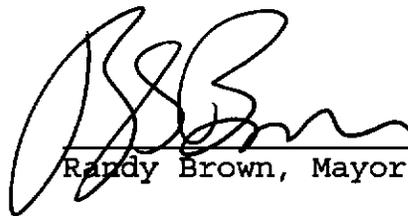
Recorded Vote: AYE: All Ayes.
NAY: XXX
Abstain: XXX

Motion Carried 5-0.

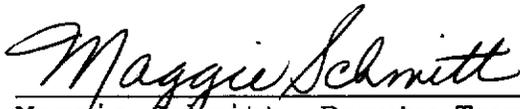
Meeting adjourned at 8:37p.m.



Lori Friddell, Township Clerk



Randy Brown, Mayor



Maggie Schmitt, Deputy Township Clerk

Submitted: April 30, 2013

Approved: May 7, 2013

