

May 7, 2013  
Regular Meeting

The Regular Meeting of the Evesham Township Council was called to order by Deputy Mayor Hackman at 6:03p.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, Mayor Brown (via phone at 6:00p.m., arrived at 6:45p.m.)

Absent: Zeuli

Also Present: Township Manager Cromie, Township Solicitor Gillespie, Township Engineer Staszewski (arrived at 6:45p.m.), Deputy Manager of Finance Shanahan, Community Development Director Jamanow, Deputy Township Manager of Operations Kohl, Township Clerk Friddell, Deputy Township Clerk Schmitt

Resolution No. 119-2013 - 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: Attorney-Client Privilege; Potential Litigation

On motion by Councilman D'Andrea, seconded by Councilman DiEnna, it was moved to adopt Resolution No. 119-2013.

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

Motion Carried: 4-0.

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

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

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

ABSTAIN: XXX

Motion Carried: 4-0.

Council concluded executive session at 6:35p.m.

Council continued in open session at 6:45p.m.

Mayor Brown ceased phone communication and arrived at meeting.

Mayor Brown reminded those in attendance that the Memorial Day Ceremony will be held on May 24<sup>th</sup> at 10:00a.m.; Friday, May 10<sup>th</sup> from 6:30p.m. to 8:30p.m. the Philadelphia Soul will be at Genuardi's parking lot and there will be music and fun activities; the Taste of Evesham sponsored by the Evesham Celebration Foundation is Sunday, May 19<sup>th</sup> from 1:00p.m. to 4:00p.m. The cost for this event is \$15.00 with wine tasting or \$10.00 without.

**PRESENTATION**Emma Stith - Go 4 the Goal Foundation

Mayor Brown invited Emma Stith to speak about the Go 4 the Goal Foundation. Ms. Stith spoke about the Lace Up Campaign and fund raising efforts to grant wishes to sick children. Ms. Stith has initiated fundraising activities within the Township and all monies raised in the town go to township children.

Mayor Brown thanked Ms. Stith for taking the time to support and organize the fundraising.

Councilman D'Andrea said that the Marlton Recreation Council will help with fundraising throughout all sports.

Mayor Brown called for a motion to remove Resolution No. 131-2013 from the Consent Agenda.

On motion by Deputy Mayor Hackman, seconded by Councilman D'Andrea, it was moved to remove Resolution No. 131-2013 from the Consent Agenda.

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

Motion Carried: 4-0.

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Township Manager Cromie began by stating that after the Township purchase of the Black Run Preserve, Mr. John Volpe, a representative of the Friends of Black Run has been instrumental in preparing this property for the enjoyment of the community.

Mayor Brown stated that Council has been working together with the environmental community to increase open space.

John Volpe of Marlton, New Jersey, thanked Council for entering into a memorandum of cooperation with the Friends of Black Run. Mr. Volpe has been working with township schools to develop signs and logos and is reaching out for support from local businesses to enhance and develop the Black Run Preserve. A Community Day is scheduled for June 1<sup>st</sup>.

Resolution No. 131-2013 - Authorizing Memorandum of Cooperation between the Township of Evesham and Friends of the Black Run

On motion by Councilman D'Andrea, seconded by Deputy Mayor Hackman, it was moved to adopt Resolution No. 131-2013.

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

**Council Comments**

Deputy Mayor Hackman stated that the Youth Advisory Committee will be available on June 1<sup>st</sup> and June 19<sup>th</sup> to offer assistance.

Councilman D'Andrea inquired if walking trails are envisioned; Mr. Volpe responded that multipurpose trails are planned.

Councilman DiEnna commented that he has walked a good portion of the trails and it is possible to spend an entire day there.

Motion Carried: 4-0.

**APPROVAL OF MINUTES**

**Regular Meeting - March 19, 2013**

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

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

Motion Carried 4-0.

PRELIMINARY PUBLIC COMMENT ON AGENDA ITEMS ONLY

None.

WORK SESSION

1. Introduction of 2013 Municipal Budget

Mayor Brown stated that the tax appeal system is broken and other towns in the surrounding area are feeling the same frustration. Mayor Brown has been promised a meeting with New Jersey Senate leaders and the New Jersey League of Municipalities is also offering their support to this issue.

Council was in consensus to continue to postpone the Introduction of the Budget until a later date.

Kim Burns the Southern Regional Coordinator for Atlantic Prevention Resources at 1416 North Main Street, Pleasantville, New Jersey congratulated Council on their forwarding thinking to prohibit smoking in public parks and recreation areas. Ms. Burns offered the Township complimentary signage to post in designated areas that will be customized with the Township Ordinance Number through a grant with the Office of Tobacco Control.

ORDINANCES

SECOND READING

Ordinance No. 9-5-2013 - An Ordinance Amending Chapter 110 of the Code of the Township of Evesham to Prohibit Smoking in Public Parks and Recreation Areas

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. 9-5-2013.

Recorded Vote: All Ayes

Motion Carried 4-0.

On motion by Deputy Mayor Hackman, seconded by Councilman D'Andrea, it was moved to adopt Ordinance No. 9-5-2013.

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

Motion Carried 4-0.

Ordinance No. 10-5-2013 - Bond Ordinance of the Township of Evesham, in the County of Burlington, New Jersey Amending Bond Ordinance No. 16-6-2011, Finally Adopted June 28, 2011, 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. 10-5-2013.

Recorded Vote: All Ayes

Motion Carried 4-0.

On motion by Deputy Mayor Hackman, seconded by Councilman D'Andrea, it was moved to adopt Ordinance No. 10-5-2013.

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

Motion Carried 4-0.

Ordinance No. 11-5-2013 - An Ordinance of the Township of Evesham Accepting a Conservation Easement Over Block 46, Lots 15.01, 16, 17, 18, 19 and 20; Block 48, Lot 2 and a Drainage Easement Over a Portion of Block 46, Lot 19 and Block 48, Lot 2

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. 11-5-2013.

Recorded Vote: All Ayes

Motion Carried 4-0.

On motion by Deputy Mayor Hackman, seconded by Councilman D'Andrea, it was moved to adopt Ordinance No. 11-5-2013.

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

Motion Carried 4-0.

### ORDINANCES

#### FIRST READING

Ordinance No. 13-6-2013 - Repealing Ordinance No. 25-5-91 - Speed Limits Along Taunton Lake Road - Willow Corner/Tomlinson Mill Road - Willow Bend Road

On motion by Deputy Mayor Hackman, seconded by Councilman D'Andrea, it was moved to introduce Ordinance No. 13-6-2013 with the earliest possible Public Hearing and Adoption Date of June 11, 2013.

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

Motion Carried 4-0.

### RESOLUTIONS

Resolution No. 120-2013 - Authorizing Emergency Temporary Appropriations (2013-5)

On motion by Deputy Mayor Hackman, seconded by Councilman D'Andrea, it was moved to adopt Resolution No. 120-2013.

Recorded vote on Resolution No. 120-2013

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

Motion Carried: 4-0.

Resolution No. 121-2013 - Resolution Authorizing Accelerated Effective Date of Ordinance No. 11-5-2013

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On motion by Deputy Mayor Hackman, seconded by Councilman D'Andrea, it was moved to adopt Resolution No. 121-2013.

Recorded vote on Resolution No. 121-2013

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

Motion Carried: 4-0.

Resolution No. 122-2013 - Appointment of Planning Board Member - Class IV - Alternate No. 1 - School Board Representative

On motion by Deputy Mayor Hackman, seconded by Councilman D'Andrea, it was moved to adopt Resolution No. 122-2013 inserting the name Jay Levenson.

Recorded vote on Resolution No. 122-2013

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

Motion Carried: 4-0.

#### CONSENT AGENDA

Resolution No. 123-2013 - Award of Contract for Professional Special Labor Counsel Services

Resolution No. 124-2013 - Award of Contract - Purchase and Installation of a Wireless Network - Indian Spring Golf Course Facilities

Resolution No. 125-2013 - Award of Contract - Online Distribution of Police Reports

Resolution No. 126-2013 - Amendment to Contract - Professional Engineering Services Construction Salt Storage Building

Resolution No. 127-2013 - Rescission of Resolution No. 100-2013 - Purchase and Installation of Surveillance Cameras for Municipal Properties

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Resolution No. 128-2013 - Award of Contract - Purchase and Installation of Surveillance Cameras for Indian Spring Golf Course and Monitoring System Services for Municipal Properties

Resolution No. 129-2013 - Resolution Referring Back to Township Planning Board for Further Consideration Regarding Boundaries of Proposed Areas in Need of Redevelopment and Rehabilitation Pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

Resolution No. 130-2013 - Authorizing the Tax Collector to Prepare and Mail Estimated Tax Bills in Accordance with P.L. 1994, c. 72

Resolution No. 132-2013 - Authorizing Sale of Surplus Property

Resolution No. 133-2013 - Reduction of Performance Guarantee - Marlton Gateway Apartments - Block 26, Lot 7.01 - On-Site Improvements

Resolution No. 134-2013 - Release of Performance Guarantee - Marlton Gateway Apartments - Block 26, Lot 7.01 - Landscaping Improvement

Resolution No. 135-2013 - 2012 Municipal Recycling Tonnage Grant Application

Mayor Brown called for any separations.

Township Solicitor Gillespie requested separation of Resolution No. 129-2013.

Township Solicitor Gillespie explained the process of rehabilitation and redevelopment. He also explained that the appellate court has recently issued a new directive on the definition of blight when referring to redevelopment. Solicitor Gillespie said that although the Planning Board provided a complete report on the proposed properties, it was not articulate in the designation of those properties and this resolution suggests that the Planning Board revisit the issue of blight.

#### **Comments**

Richard Hoff of the law firm Bisgaier Hoff at 21 Tanner Street, Haddonfield, New Jersey stated that he sent a letter today to the Township referencing the prior resolution. In light of the

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current resolution he thanked Council for reconsidering the issue.

Resolution No. 129-2013 - Resolution Referring Back to Township Planning Board for Further Consideration Regarding Boundaries of Proposed Areas in Need of Redevelopment and Rehabilitation Pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

One motion by Deputy Mayor Hackman, seconded by Councilman D'Andrea, it was moved to adopt Resolutions No. 129-2013.

Recorded Vote on Resolutions No. 129-2013.

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

Motion Carried: 4-0.

On motion by Deputy Mayor Hackman, seconded by Councilman D'Andrea, it was moved to adopt Resolution Nos. 123-2013 through Resolution Nos. 128-2013, Resolution No. 130-2013, and Resolution Nos. 132-2013 through Resolution Nos. 135-2013.

Recorded Vote on Resolution No. 124-2013.

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

Motion Carried: 3-0-1.

Recorded Vote on Resolution Nos. 123-2013 and Resolution Nos. 125-2013 through Resolution Nos. 128-2013, Resolution No. 130-2013, and Resolution Nos. 132-2013 through Resolution Nos. 135-2013.

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

Motion Carried: 4-0.

**PUBLIC COMMENT**

None.

**STAFF COMMENTS**

Township Clerk Friddell inquired if Council would like to advertise the Planning and Zoning Board vacancies. Council was in consensus to advertise.

Deputy Manager of Operations stated that this is the first week of the new trash collection schedule.

Township Manager Cromie stated that the Township plans to reuse plaques at the new playground that gives recognition to the original playground.

Community Development Director Jamanow stated that the new playground is underway and on schedule to open Memorial Day.

Mayor Brown stated that the family of Sean English will dedicate a bench to his memory at the grand opening.

**COUNCIL COMMENTS**

Councilman D'Andrea stated that the special needs soccer program is underway. Currently the program has 70 children, 100 buddies, and 10 coaches. The program will run every Saturday for eight weeks and the Marlton Recreation Council is trying to initiate the program through out all sports.

Councilman DiEnna stated that he wished to put to rest any misunderstanding that the Township did not cooperate with the community on the new playground. He also thanked Township Manager Cromie for handling the speed limit issue on Willow Bend Road quickly.

Deputy Mayor Hackman stated she is pleased with the Township's cooperation with the special needs sports programs.

Mayor Brown stated that he has been meeting with Pineland's officials over the past few weeks and feels confident that the baseball/softball complex will be moving forward and hopefully the Township will be able to break ground on the project by mid July.

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

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

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Motion Carried 4-0.

Meeting adjourned at 8:13p.m.

*Lori Friddell*

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Lori Friddell, Township Clerk

*Randy Brown*

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Randy Brown, Mayor

*Maggie Schmitt*

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Maggie Schmitt, Deputy Township Clerk

Submitted: July 1, 2013

Approved: July 23, 2013

