

August 6, 2013  
Regular Meeting

The Regular Meeting of the Evesham Township Council was called to order by Mayor Brown at 6:17p.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 (arrived at 6:32p.m.),  
Zeuli, Mayor Brown  
Absent: Hackman  
Also Present: Township Manager Cromie, Township  
Solicitor Gillespie, Township Engineer  
Cantwell (arrived at 6:55p.m.), Deputy  
Manager of Finance Shanahan, Director of  
Community Development Jamanow, Township  
Clerk Friddell, Deputy Township Clerk  
Schmitt

Resolution No. 206-2013 - 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

On motion by Councilman D'Andrea, seconded by Councilman Zeuli, it was moved to adopt Resolution No. 206-2013.

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

Motion Carried: 3-0.

Council convened in Executive Session at 6:19p.m.

On motion by Councilman D'Andrea, seconded by Councilman DiEnna, it was moved to come out of Executive Session.

Recorded Vote: AYE: All Ayes  
NAYE: XXX  
ABSTAIN: XXX

Motion Carried: 4-0.

Council continued in open session at 6:55p.m.

Mayor Brown requested a moment of silence for the victims of the shooting at the Municipal Building in Ross Township, Monroe County, Pennsylvania.

**APPROVAL OF MINUTES**

**Regular Meeting - June 25, 2013**

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

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

Motion Carried 4-0.

**PRELIMINARY PUBLIC COMMENT ON AGENDA ITEMS ONLY**

None.

**COMMENDATION**

**Resolution No. 207-2013 - Eagle Scout - Matthew Rohrer**

On motion by Councilman Zeuli, seconded by Councilman D'Andrea, it was moved to adopt Resolution No. 207-2013.

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

Motion Carried: 4-0.

Mayor Brown read Resolution No. 207-2013 into record and congratulated Matthew Rohrer for attaining the distinguished rank of Eagle Scout. Matthew explained the details of his project which entailed rebuilding the Christmas Star for St. Joan of Arc Parish.

ORDINANCES

SECOND READING

Ordinance No. 23-8-2013 - An Ordinance to Amend Ordinance 16-2010, Codified at Section 160-68.1 Establishing the Evesham Crossroads Overlay ("EVCO") District

Mayor Brown opened the public hearing.

Richard J. Hoff, Jr., Esquire of Bisgaier Hoff on behalf of Tri-Town Plaza informed Council that proper notice has not been provided with regard to the classification change in this ordinance. Mr. Hoff commented that these classification changes make it harder for his client to work with the Township. He suggested tabling the ordinance until proper notice is given.

On motion by Councilman Zeuli, seconded by Councilman D'Andrea, it was moved to close the public hearing on Ordinance No. 23-8-2013.

Recorded Vote: All Ayes

Motion Carried 4-0.

Mayor Brown requested the Township Solicitor's opinion.

Township Solicitor Gillespie advised that Council could adopt the ordinance and that only the section pertaining to the classification change would require new notice and reintroduction, the balance of the ordinance would remain valid.

On motion by Councilman D'Andrea, seconded by Councilman DiEnna, it was moved to adopt Ordinance No. 23-8-2013.

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

Motion Carried 4-0.

ORDINANCES

FIRST READING

Ordinance No. 16-6-2013 - Ordinance of the Township of Evesham Amending Chapter 118 of the Code of the Township of Evesham Entitled "Recycling"

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On motion by Councilman D'Andrea, seconded by Councilman DiEnna, it was moved to introduce Ordinance No. 16-6-2013 with the earliest possible Public Hearing and Adoption Date of August 20, 2013.

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

Motion Carried 4-0.

Ordinance No. 17-6-2013 - Ordinance of the Township of Evesham Amending the Land Development Ordinances to Add a New Section 160-27.1 Entitled "Recycling"

On motion by Councilman D'Andrea, seconded by Councilman DiEnna, it was moved to introduce Ordinance No. 17-6-2013 with the earliest possible Public Hearing and Adoption Date of August 20, 2013.

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

Motion Carried 4-0.

Ordinance No. 24-8-2013 - Ordinance Authorizing Change of Name for Portions of "Lincoln Drive West" to "Holtec Drive"

On motion by Councilman DiEnna, seconded by Councilman D'Andrea, it was moved to introduce Ordinance No. 24-8-2013 with the earliest possible Public Hearing and Adoption Date of August 20, 2013.

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

Motion Carried 4-0.

**ADOPTION OF 2013 MUNICIPAL BUDGET**

Resolution No. 208-2013 - 2013 Municipal Budget by Title

Mayor Brown called for a motion to table Resolution No. 208-2013.

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On motion by Councilman Zeuli, seconded by Councilman D'Andrea, it was moved to table Resolution No. 208-2013.

Resolution No. 188-2013 (Remove from Table) - Adoption of the 2013 Municipal

Remained on the table.

**Comments**

Councilman D'Andrea stated that to date there has not been any State movement or retributions from the other taxing entities with regard to the tax appeal issue.

Councilman Zeuli stated that numerous towns across the county are having financial difficulties and Council is only being cautious with residents' tax dollars.

Mayor Brown gave a synopsis on the lack of state movement on the tax appeal issue and commented on his meeting with the school district officials.

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

Motion Carried 4-0.

**RESOLUTIONS**

Resolution No. 209-2013 - Appointment to the Evesham Municipal Utilities Authority - Regular Member - Unexpired Five Year Term to Expire 1/31/16

On motion by Councilman Zeuli, seconded by Councilman D'Andrea, it was moved to adopt Resolution No. 209-2013 inserting the name Phillip Wessner.

Recorded vote on Resolution No. 209-2013

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

Motion Carried: 4-0.

Resolution No. 210-2013 - Resolution Amending the List of Roads for the 2012 Road Program

On motion by Councilman DiEnna, seconded by Councilman Zeuli, it was moved to adopt Resolution No. 210-2013.

Recorded vote on Resolution No. 210-2013

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

Motion Carried: 4-0.

**CONSENT AGENDA**

Resolution No. 211-2013 - Award of Contract to Environmental Resolutions, Inc. for Certain Soil Sampling Associated with the Memorial Park Playground

Resolution No. 212-2013 - Award of Contract Purchase of Pro-Shop Merchandise - Indian Spring Country Club

Resolution No. 213-2013 - Authorizing the Award of a Contract for the Purchase of (3) Three Automatic License Plate Readers through the State of New Jersey Cooperative Purchasing Program - I-NJCP

Resolution No. 214-2013 - Renewal of Contract - 2012 Street Sweeping Services - Department of Public Works

Resolution No. 215-2013 - Amendment to Contract for Professional Engineering Services Development of the Johnston Tract Recreation Complex

Resolution No. 216-2013 - Amendment to Renewal Contract - Triple A Summer Lunch Program

Resolution No. 217-2013 - Resolution Ratifying Contract with Evesham Township Zoning Board Solicitor

Resolution No. 218-2013 - Resolution Ratifying Contract with Evesham Township Zoning Board Engineer

Resolution No. 219-2013 - Resolution Ratifying Contract with Evesham Township Zoning Board Planner

Resolution No. 220-2013 - Resolution Ratifying Contract with Evesham Township Zoning Board Traffic Engineer

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Resolution No. 221-2013 - Resolution Ratifying Contract with Evesham Township Zoning Board Environmental Scientist

Resolution No. 222-2013 - Resolution Ratifying Contract with Evesham Township Zoning Board Conflict Attorney

Resolution No. 223-2013 - Resolution Ratifying Contract with Evesham Township Zoning Board Conflict Engineer

Resolution No. 224-2013 - Resolution Ratifying Contract with Evesham Township Zoning Board Archeological Consultant

Resolution No. 225-2013 - Resolution Ratifying Contract with Evesham Township Planning Board Solicitor

Resolution No. 226-2013 - Resolution Ratifying Contract with Evesham Township Planning Board Engineer

Resolution No. 227-2013 - Resolution Ratifying Contract with Evesham Township Planning Board Planner

Resolution No. 228-2013 - Resolution Ratifying Contract with Evesham Township Planning Board Traffic Engineer

Resolution No. 229-2013 - Resolution Ratifying Contract with Evesham Township Planning Board Environmental Scientist

Resolution No. 230-2013 - Resolution Ratifying Contract with Evesham Township Planning Board Conflict Attorney

Resolution No. 231-2013 - Resolution Ratifying Contract with Evesham Township Planning Board Conflict Engineer

Resolution No. 232-2013 - Resolution Ratifying Contract with Evesham Township Planning Board Archeological Consultant

Resolution No. 233-2013 - Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Highway Safety Fund 2013 Project

Resolution No. 234-2013 - Creation of Liens to Cover Cost of Improvements to Certain Blocks and Lots

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Resolution No. 235-2013 - Rejection of Request for Release of  
Performance Guarantee - Bank of America - Block 21, Lot 1.01 -  
Landscaping Improvements

MOTIONS

Approval of Application for Special Permit for Social Affair  
Marlton Recreation Council - Football  
Annual "Hall of Fame" Fundraiser - Gibson House  
September 21, 2013 - 7p.m. - 11p.m.  
Proceeds Accrue to the Recreation Council Football Program

Approval of Petition for One Day Extension of Licensed Premises  
Permit

Marlton Tavern  
65 E. Main Street  
Marlton Harvest Festival - Saturday - October 5, 2013

On motion by Councilman Zeuli, seconded by Councilman DiEnna, it  
was moved to adopt Resolutions No. 211-2013 through Resolutions  
No. 235-2013 including the listed motions.

Recorded vote on Resolutions No. 211-2013 through Resolutions  
No. 235-2013 and the listed motions.

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

Motion Carried: 4-0

PUBLIC COMMENT

Kathy Devlin of 1 Birch Lane, Marlton, New Jersey expressed her concerns over the lack of fencing surrounding the Evesboro Downs Recreation Complex. This opening leaves an open area for cars to drive down the embankment and drop children off for practice. She is concerned someone may get hurt.

Mayor Brown asked Township Manager Cromie to blockade this area until a secure permanent solution can be installed. He also requested that Councilman D'Andrea contact the Marlton Recreation Council and advise them that violators will be ticketed. Mayor Brown thanked Ms. Devlin for bringing this issue to Council's attention.

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Janina Bulza of 23 Princess Avenue, Marlton, New Jersey requested that Council reevaluate the street lighting at the intersection of Duke and Princess Avenues because there has been an increase in vandalism in this area.

Director of Community Development Jamanow stated that Township Ordinance dictates the minimum number of street lights required.

Mayor Brown suggested that Ms. Bulza measure out the current distance between the street lights and report back to the Township Manager who will follow up on the situation.

Donata Kratz of 286 Conestoga Drive, Marlton, New Jersey addressed Council with concerns over upgrading the parks in the township and inquired if residents would be notified prior to the commencement of any project.

Mayor Brown commented that prior to beginning any projects community meetings would be scheduled and residents would be notified.

Tom Donahue of 201 Cheyenne Trail, Medford Lakes, New Jersey addressed Council with concerns over drainage issues resulting from the new construction at Route 73 and Dutch Road which abuts the property he owns.

Director of Community Development Jamanow said that although this site has already received Planning Board approval, she will reevaluate the situation and see if the drainage could be adjusted.

#### STAFF COMMENTS

Deputy Manager of Community Affairs Vandenberg stated that the summer camp will be extended one additional week to accommodate the September 9<sup>th</sup> school opening.

#### COUNCIL COMMENTS

Councilman D'Andrea stated that the 4<sup>th</sup> Annual Marlton Soccer Summer Classic is being held August 16<sup>th</sup> to August 18<sup>th</sup> to support funding for the turf fields.

Mayor Brown invited everyone to participate in National Night Out currently be held outside in the Municipal Complex parking lot.

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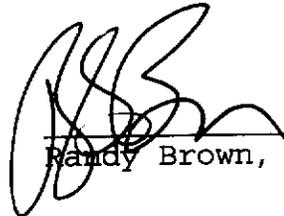
On motion by Councilman D'Andrea, seconded by Councilman DiEnna,  
it was moved to adjourn the meeting.

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

Motion Carried 4-0.

Meeting adjourned at 8:08p.m.

Maggie Schmitt, deputy for  
Lori Friddell, Township Clerk

  
Randy Brown, Mayor

Maggie Schmitt  
Maggie Schmitt, Deputy Township Clerk

Submitted: September 12, 2013

Approved: November 12, 2013