

November 12, 2013
Regular Meeting

The Regular Meeting of the Evesham Township Council was called to order by Mayor Brown at 6:32p.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 Township Manager of Finance
Shanahan, Deputy Township Manager of
Operations Kohl, Deputy Township Clerk
Schmitt, Recording Secretary Recigno

APPROVAL OF MINUTES

Regular Meeting - August 6, 2013
Executive Session - August 6, 2013
Regular Meeting - August 20, 2013
Special Meeting - September 10, 2013

On motion by Councilman DiEnna, seconded by Councilman D'Andrea, it was moved to approve the above minutes separating the Regular Meeting and Executive Session of August 6, 2013

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

Motion Carried 5-0.

Regular Meeting and Executive Session of August 6, 2013

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

Motion Carried 4-0-1

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Mayor Brown requested a motion to move Preliminary Public Comment on Agenda Items Only to after the Proclamations.

On motion by Deputy Mayor Hackman, seconded by Councilman DiEnna, it was moved to move Preliminary Public Comment on Agenda Items Only to after the Proclamations.

Recorded Vote: All Ayes

Motion Carried 5-0.

Mayor Brown introduced Council and the Township Professionals to those in attendance. Mayor Brown also recognized Mary Lou Bergh, who was in the audience, as the new Township Clerk.

Mayor Brown spoke about being considered for the congressional spot that will be vacated by John Ruynan, saying he was honored to be considered and thanked everyone for their support.

PROCLAMATIONS

Evans Elementary School - 5th Grade Student Government

Mayor Brown introduced the members of the student government and had them speak about their campaigns and what their platform was during the student elections.

Marlton Elementary School - Ms. Suboleski's Third Grade Class - Evesham Green Team Eco Challenge Participants

Mayor Brown introduced Ms. Suboleski and Ms. Vassallo, from the Environmental Commission and asked Ms. Vassallo to speak about the Eco Challenge. Ms. Vassallo stated that the challenge was sponsored by NorthWest Earth Institute where participants had 15 days to change one thing about the planet.

Mayor Brown then introduced the team and had some of them describe what they did when they participated in the challenge.

COMMENDATIONS

Citizens Police Academy Graduates Recognition

Chief Chew gave an overview of the Citizens Police Academy and introduced Sgt. Ron Ritter, who oversees the program. Sgt. Ritter went into detail about what the participants take part in during the program and stated that it was a good way to bring about a better relationship with the public and the police department.

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Mayor Brown called for a recess at 7:18p.m. Council reconvened at 7:30p.m.

PUBLIC HEARING

Evesboro Downs Dog Park - Green Acres Change of Use in Accordance with N.J.A.C. 7:36-25.6(a)1

Councilman D'Andrea advised the residents present at the meeting that this concept to build a dog park at Evesboro Downs was not a done deal; the public hearing is to get the input from any resident affected by the project. Councilman D'Andrea stated that with all of the recreation being put into place, Council thought having some sort of passive recreation would be welcomed. He stated that he hears from many residents that a dog park would be appreciated. Councilman D'Andrea also said that there were many locations that Council felt would be ideal but most of them are in a Pinelands designated area. He said the biggest cost for this project would be fencing. At this point Councilman D'Andrea stated that based on feedback from concerned residents who approached him before the meeting, it was clear that the location at Evesboro Downs would not be a viable spot for the dog park.

Mayor Brown asked for some clarification on a letter that was distributed to Council and included as public record. Mayor Brown questioned the fact that the letter stated cages were being built at the site; Councilman D'Andrea stated that there would be no cages, fencing would separate the area, one for small dogs and one for big dogs.

Discussion followed on the details of the concerns in the letter.

Mayor Brown opened public hearing.

William Muldoon, 20 Merlot Court, stated one of the main concerns has to do with parking in the Vineyards at Greentree. Mr. Muldoon stated the Vineyards is a private community, with the streets belonging and maintained by the homeowners association; he stated that residents already experience non-residents of the community parking in their spaces because of the football field and fears it will become much worse if the dog park is constructed.

Kathy Clark, 12 Merlot Court, thanked Councilman D'Andrea for listening to residents and expressed her concerns about security and noise.

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James Giannone, 9 Merlot Court, stated that there is enough dog traffic at that location already and fears by putting an actual dog park there, the traffic and noise will increase. He suggested several areas in town that could be a better alternative.

Mike Giordano, 15 Medoc Court, stated he has lived in the Vineyards for 26 years and already feels the area around the development is overbuilt; he stated the noise would be intrusive and that he personally opposes the dog park in that location.

Kathy Devlin, 1 Birch Lane, stated she uses that area to walk her dog and stated the area is already an informal dog park which works for all the area residents; Ms. Devlin stated if it's not broken, don't fix it.

Mayor Brown advised the residents of the Vineyards at Greentree to discuss with their Board, the outcome of the public hearing and to advise the Township on their determination. He stated that a final decision will be made at the meeting of December 3rd.

On a motion by Deputy Mayor Hackman, seconded by Councilman DiEnna, it was moved to close public hearing on Evesboro Downs Dog Park.

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

Motion Carried 5-0

Mayor Brown called for a motion to table Council's decision on the dog park until the December 3rd meeting.

On a motion by Deputy Mayor Hackman, seconded by Councilman DiEnna, it was moved to table decision on the Evesboro Downs Dog Park until the meeting of December 3rd.

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

Motion Carried 5-0

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PRELIMINARY PUBLIC COMMENT ON AGENDA ITEMS ONLY

None.

WORK SESSION

1. Discussion of impact on Tax Appeals upon closing of Evans Elementary School

Mayor Brown asked for a consensus of Council to direct the Township Manager, CFO, Tax Assessor and Tax Collector to meet on the financial impact on property values and the rise of tax appeals if Evans School was to be closed.

There was Council consensus, and staff was directed to meet and report their findings by the end of the year.

2. Website Design and Registration - Discussion

Councilman D'Andrea spoke about other township entities that have a presence on Facebook, Twitter, etc. He feels that the Township's website is less than stellar and wants to bring easy access to residents in all forms of social media. Councilman D'Andrea stated that he met with township staff to discuss website design and three actions were agreed upon: Utilizing Community Pass, making a list of needs and wants and possibly creating a position of Public Information Officer, similar to that of the Police Department. Councilman D'Andrea also stated that a formalized proposal will be finalized and given to Council to review and approve so that staff can procure pricing to start the process of updating the website technology.

Mayor Brown agreed and stated that the Township is behind in technology.

ORDINANCES

SECOND READING

Ordinance No. 27-11-2013 - An Ordinance Granting Renewed Consent and Permission to South Jersey Gas Company to Use the Public Streets to Furnish Gas for Light, Heat and Power in the Township of Evesham

Mayor Brown requested a motion to open the Public Hearing.

On a motion by Deputy Mayor Hackman, seconded by Councilman DiEnna, it was moved to open the public hearing on Ordinance No. 27-11-2013.

Recorded Vote: All ayes

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Motion Carried: 5-0

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. 27-11-2013.

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

Motion Carried 5-0.

Township Solicitor requested that Council consider tabling the adoption of Ordinance No. 27-11-2013 for further investigation and discussion.

On motion by Deputy Mayor Hackman, seconded by Councilman DiEnna, it was moved to table adoption of Ordinance No. 27-11-2013.

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

Motion Carried 5-0.

ORDINANCES

FIRST READING

Ordinance No. 28-11-2013 - An Ordinance of the Township of Evesham, County of Burlington, State of New Jersey Adopting Redevelopment Plan for Certain Properties Known as Block 3, Lot 3; and Block 27.02, Lot 2

On motion by Deputy Mayor Hackman, seconded by Councilman DiEnna, it was moved to introduce Ordinance No. 28-11-2013 with the earliest possible Public Hearing and Adoption Date of December 3, 2013

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

Motion Carried 5-0.

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Ordinance No. 29-12-2013 - An Ordinance of the Township of Evesham Amending Chapter 11 of the Code of the Township of Evesham

On motion by Deputy Mayor Hackman, seconded by Councilman DiEnna, it was moved to introduce Ordinance No. 29-12-2013 with the earliest possible Public Hearing and Adoption Date of December 3, 2013

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

Motion Carried 5-0.

RESOLUTIONS

Resolution No. 322-2013 - Resolution Appointing Municipal Clerk
Mayor Brown stated that he, Township Manager Cromie, former Township Clerk Bonfrisco and Township Clerk Friddell interviewed applicants for the position of Township Clerk that was vacated by Lori Friddell when she accepted a position in another township. Mayor Brown stated that all were in agreement that Mary Lou Bergh was a good fit and Township Council is excited to have her.

Councilman DiEnna stated appreciation for Lori Friddell's service and that she will be missed but believes the transition will be seamless.

Deputy Mayor Hackman welcomed Ms. Bergh to the Township.

On motion by Deputy Mayor Hackman, seconded by Councilman DiEnna, it was moved to adopt Resolution No. 322-2013.

Recorded vote:

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

Motion Carried: 5-0.

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Resolution No. 323-2013 - Amendment to Contract and Authorization of Change Order No. 1 - 2012 Road Program Microsurfacing of Various Roads (Everington Road, Eustace Court, Eustace Terrace, Eustace Road, Emery Hill Court and Endsleigh Place) (Decrease in Contract Amount)

On a motion by Deputy Mayor Hackman, seconded by Councilman DiEnna, it was moved to adopt Resolution No. 323-2013

Recorded vote:

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

Motion Carried: 5-0.

CONSENT AGENDA

Resolution No. 319-2013 - Amendment of Contract for Professional Township Solicitor Services - General Legal Work - Tax Appeals, Redevelopment Matters and Litigation

Resolution No. 320-2013 - Amendment to Contract for Professional Planning Services Preliminary Investigation - Redevelopment Study

Resolution No. 321-2013 - Award of Contract for Professional Legal Services - Preliminary Investigation - Redevelopment Study

Resolution No. 325-2013 - Award of Contract for the Purchase of Fencing Material and Hardware

Resolution No. 326-2013 - Award of Contract for the Purchase of Various Hardware Supplies, Equipment and Related Accessories

Resolution No. 327-2013 - Award of Contract for the Purchase of One (1) 2014 or Current Model Year New and Unused Dump Truck with 16' Body, Liftgate, Snow Plow and Associated Equipment - Dept. of Public Works

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- Resolution No. 328-2013 - Renewal of Contract - 2014 Software Maintenance for the Evesham Township Police Department
- Resolution No. 329-2013 - Rejection of Bid - One (1) 2014 or Current Model Year New and Unused Tandem Axle Truck with Combination Dump Body, Snow Plow and Associated Equipment - Dept. of Public Works
- Resolution No. 330-2013 - Resolution Authorizing Competitive Contracting for an Event Organizer for Celebration of Public Events
- Resolution No. 331-2013 - Resolution Authorizing a Shared Services Agreement with the Evesham Township Municipal Utilities Authority ("ETMUA")
- Resolution No. 332-2013 - Authorizing Execution of a Right-of-Way Agreement Between the Township and Fiber Technologies Networks, L.L.C.
- Resolution No. 333-2013 - Resolution Supporting the Drive Sober or Get Pulled Over 2013 Year End Statewide Crackdown
- Resolution No. 334-2013 - Resolution Authorizing Governor's Council on Alcoholism and Drug Abuse Fiscal Grant Extension - January 1, 2014 to June 30, 2014
- Resolution No. 335-2013 - Resolution Establishing a Cash Management Plan Pursuant to N.J.S.A. 40A:5-14 et seq. (The Local Fiscal Affairs Law) (Designation of Bank Depositories)
- Resolution No. 336-2013 - Insertion of Special Items of Revenue in the Budget - Chapter 159, P.L. 1948 - Recycling Tonnage Grant
- Resolution No. 337-2013 - Appropriation Transfers (No. 1) - 2013 Municipal Budget

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- Resolution No. 338-2013 - Authorizing Release of Performance Bonds for Hayverhill Project
- Resolution No. 339-2013 - Reduction of Performance Guarantee - Reebadoorchee Rentals (Thomas Eves Manor) - Block 4.01, Lots 12 & 21 - On-Site Improvements
- Resolution No. 340-2013 - Release of Performance Guarantee - Reebadoorchee Rentals (Thomas Eves Manor) - Block 4.01, Lots 12 & 21 - Landscaping Improvements
- Resolution No. 341-2013 - Release of Performance Guarantee - West Jersey Hospital Expansion - Block 26, Lot(s) 5.01 & 5.02 - On-Site Improvements
- Resolution No. 342-2013 - Release of Performance Guarantee - Virtua Health Systems - MRI & Switch Gear Addition (90 Brick Road) - Block 26, Lot 5.01 - On-Site Improvements
- Resolution No. 343-2013 - Release of Performance Guarantee - Virtua Health Systems - MRI & Switch Gear Addition (90 Brick Road) - Block 26, Lot 5.01 - Landscaping Improvements
- Resolution No. 344-2013 - Release of Performance Guarantee - Liberty Property Trust (400, 402, 404 & 406 Lippincott Drive - Marlton Crossing) - Block 24.23, Lot(s) 2 & 3 - On-Site Improvements
- Resolution No. 345-2013 - Release of Performance Guarantee - Marlton Assembly of God - Phase II - On-Site Improvements

MOTIONS

Approval of Application for Special Permit for Social Affair Indian Mills Athletic Association Fundraiser - Gibson House
January 25, 2014 - 7:30p.m. - 10:30p.m.
Proceeds Accrue to fund Indian Mills Athletic Association War Eagle Baseball Team

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Mayor Brown called for any separations. Mayor Brown requested separation of Resolution No. 331-2013.

On motion by Councilman DiEnna, seconded by Deputy Mayor Hackman, it was moved to adopt Resolutions No. 319-2013 through Resolutions No. 330-2013 and Resolutions No. 332-2013 through Resolutions No. 345-2013 and the listed Motions.

Recorded vote on Resolutions No. 319-2013 through Resolutions 330-2013 and Resolutions No. 332-2013 through Resolutions No. 345-2013 and the listed Motions

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

Motion Carried: 5-0

On a motion by Deputy Mayor Hackman, seconded by Councilman DiEnna, it was moved to adopt Resolution No. 331-2013.

Recorded vote on Resolution No. 331-2013

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

Motion Carried 4-0-1

PUBLIC COMMENT

None.

STAFF COMMENTS

Deputy Township Clerk Schmitt reminded Council to discuss the 2014 Council calendar as well as confirm a date for Council Reorganization.

It was decided to hold Council Reorganization meeting on Monday, January 6, 2014 at 5:00 p.m. in the Municipal Building.

Discussion continued on reformatting the times of future council meetings. It was decided that a rough draft would be discussed at the December 3rd Council meeting.

Township Manager Cromie advised Council that RFP's were received for the parcel of land on Sharps Road and there appears to be interest in building town homes. Mayor Brown stated he feels

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single family homes would be a better option. Mayor Brown asked Township Solicitor Gillespie if it would be advisable to discuss this matter further at a future work session. The Township Solicitor agreed and suggested that the Township Planner also be present at that discussion. It was decided to add this matter to the work session of the meeting of December 3rd.

Township Engineer advised Township Council that the 2013 Road Program was almost complete and that the paving of the Cooper Avenue parking lot would be done by weeks end.

COUNCIL COMMENTS

Mayor Brown thanked Deputy Manager of Operations Tom Kohl for the work done at the hockey rinks.

Councilman D'Andrea congratulated Evesham for being named the 8th safest town in New Jersey of similar size.

Councilman DiEnna congratulated Mayor Brown and stated it was a great honor to be considered for a position in Congress.

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 5-0.

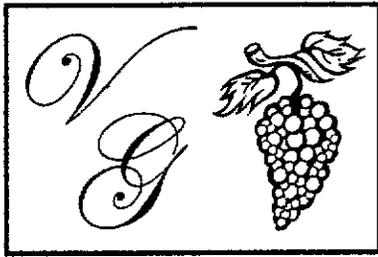
Meeting adjourned at 9:00p.m.

Maggie Schmitt Randy Brown
Maggie Schmitt, Deputy Township Clerk Randy Brown, Mayor

Gloria Recigno
Gloria Recigno, Assistant to the Township Manager

Submitted: November 14, 2013

Approved: 1/28/14



The Vineyards At Greentree

c/o Mamco

14000 Horizon Way, Suite 200 • Mt. Laurel, NJ 08054

Toll-Free Phone: 888-884-8490 • Fax: 856-234-5479

November 15, 2013

Mayor Randy Brown
Evesham Township Council
984 Tuckerton Road
Marlton, New Jersey 08053

RECEIVED

NOV 15 2013

**EVESHAM TOWNSHIP
CLERK'S OFFICE**

RE: Dog Cages / Run & Dog Park

Dear Mayor Brown,

The residents of the Vineyards at Greentree Development, during the council meeting on November 12, 2013, vehemently opposed and disagreed with the plan to place a set of dog runs / cages and a dog park adjacent to our development for the many reasons outlined in our letter to council on that date. In that letter, we outlined our reasons and suggested proposals for other locations.

Our community is in opposition to this site for all the reasons stated and wants the council to review them and hopefully move this site to one of the other proposed sites which would have little or no impact on our 177 families. The site at Kettlerun and Tomlinson Mill Road seems to be the most ideal.

Please let us know councils decision on this matter.

Sincerely,

Jonathan D. Wainwright Sr., President
Vineyards at Greentree Homeowner's Association

CC: Council Members: D'Andrea, DiEnna, Hackman, Zeuli
Mr. William Cromie, Twp. Manager

