

December 3, 2013
Regular Meeting

The Regular Meeting of the Evesham Township Council was called to order by Mayor Brown at 6:36p.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. Proper Notification has been given to both the Central Record and the Burlington County Times, by publishing same on January 17, 2013 and January 11, 2013, respectively, and also 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, Deputy Manager of Operations
Kohl, Deputy Manager of Community
Affairs Vandenberg, Director of Community
Development Jamanow, Township Clerk
Bergh, Deputy Township Clerk Schmitt

APPROVAL OF MINUTES

Regular Meeting - September 17, 2013
Executive Session - September 17, 2013
Regular Meeting - October 1, 2013

On motion by Deputy Mayor Hackman, seconded by Councilman DiEnna, 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.

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.

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

Motion Carried 5-0.

Mayor Brown introduced the Township Professional to those in attendance.

PROCLAMATIONS

Retirement of Nick Matteo - 47 Years of Service

Mayor Brown gave a brief biography of Nick Matteo's forty-five years of dedicated service to the Township of Evesham. Mayor Brown stated that Nick Matteo is one of the greatest guys this town has ever seen and thanked him for his service and devotion to the community.

Nick Matteo introduced his family and spoke briefly on how he began his service with the Evesham Township Police Department and his eventual promotion to Police Chief. Nick thanked the Township of Evesham for allowing him to serve the community and for everything the community has done for him and his family.

Mayor Brown read the Proclamation into record and congratulated Nick on a happy and healthy retirement.

Beeler Elementary School - 5th Grade Student Government

Mayor Brown invited the 5th grade student government representatives from Beeler Elementary School to come forward and asked each student to introduce themselves along with the government position they held. Mayor Brown stated that he is very proud of each student and commended their leadership role. Mayor Brown read the Proclamation into record and congratulated the students on behalf of the Evesham Township Council.

Mayor Brown then invited the students onto the dais to partake in the process of government and to demonstrate how laws are enacted.

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

Public Hearing on this Ordinance was previously held on November 12, 2013.

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There being no comments, Mayor Brown closed the Public Hearing.

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

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

Motion Carried 5-0.

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

Mayor Brown opened the public hearing.

Mr. Richard Hoff, Esq. of Bisgaier Hoff, 21 Tanner Street, Haddonfield, New Jersey approached the dais, representing his client Evesham LLC. Mr. Hoff stated his objections to what he termed an unlawful adoption of this Ordinance.

On motion by Deputy Mayor Hackman, seconded by Councilman DiEnna, it was moved to close the public hearing on Ordinance No. 28-11-2013.

Recorded Vote: All Ayes

Motion Carried 5-0.

On motion by Deputy Mayor Hackman, seconded by Councilman DiEnna, it was moved to adopt Ordinance No. 28-11-2013.

Council Comments

Mayor Brown explained to the students the purpose of a Public Comment and the process of law making.

Councilman D'Andrea requested clarification from Township Solicitor Gillespie and Director of Community Development Jamanow that proper procedure was being followed, of which both confirmed.

Councilman DiEnna requested, going forward, that the names of the properties be listed along with the Block and Lot numbers,

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in order to make identification of the affected properties clearer to the residents.

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

Motion Carried 5-0.

Mayor Brown called for a recess at 7:23p.m. Council resumed at 7:37p.m.

PRELIMINARY PUBLIC COMMENT ON AGENDA ITEMS ONLY

Daniel Daley of 16 Denver Road, Marlton, NJ requested clarification on what the Township was rezoning in Ordinance No. 31-12-2013.

Mayor Brown explained that the Township had purchased this property approximately 10 years ago and is now in need of revenue. Mayor Brown continued to say that one way to obtain revenue would be to sell the property and build homes to generated reoccurring tax revenue.

Councilman D'Andrea stated that the sale of this property is part of the equation to reducing the Township's expenses related to the repayment of tax appeals.

John Boyle of Boyle Trucking, 130 Sharp Road, Marlton, NJ stated that as a tax payer he is against the rezoning of this property because it opposes the Township's Master Plan. Mr. Boyle stated that changing the zoning eliminates industrial parcels in the Township and diminishes ratables. Mr. Boyle also voiced concerns over the location of his trucking business which operates 24 hours a day, 7 days a week and the noise complaints that may be generated from potential homeowners. Mr. Boyle requested that Council consider his issues before proceeding with this Ordinance.

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

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 DiEnna, it was moved to close the public hearing on Ordinance No. 29-12-2013.

Recorded Vote: All Ayes

Motion Carried 5-0.

On motion by Deputy Mayor Hackman, seconded by Councilman DiEnna, it was moved to adopt Ordinance No. 29-12-2013.

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

Motion Carried 5-0.

ORDINANCES - FIRST READING

Ordinance No. 30-12-2013 - An Ordinance of the Township of Evesham Amending Chapter 62 "Subdivision and Site Plan Design Standards"

On motion by Deputy Mayor Hackman, seconded by Councilman DiEnna, it was moved to introduce Ordinance No. 30-12-2013 with the earliest possible Public Hearing and adoption date of December 17, 2013.

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

Motion Carried 5-0.

Ordinance No. 31-12-2013 - An Ordinance of the Township of Evesham, County of Burlington, State of New Jersey Rezoning Certain Portions of the IP - Industrial Park Zone in the Vicinity of Sharp Road and Evesboro - Medford Road

On motion by Deputy Mayor Hackman, seconded by Councilman DiEnna, it was moved to introduce Ordinance No. 31-12-2013 with the earliest possible Public Hearing and adoption date of December 17, 2013.

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

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Motion Carried 5-0.

RESOLUTIONS

Resolution No. 346-2013 - Resolution Amending the List of
Equipment Purchases for the 2012 Capital Program

Councilman DiEnna asked for clarification on the equipment being purchased and if it included wireless devices.

Township Manager Cromie stated that the equipment is all new and state of the art, however it is not wireless.

On motion by Deputy Mayor Hackman, seconded by Councilman DiEnna, it was moved to adopt Resolution No. 346-2013.

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

Motion Carried 5-0.

CONSENT AGENDA

Resolution No. 324-2013 - Award of Contract for Professional
Engineering and Construction Management Services - 2013 Road
Program - Resurfacing of Main Street Parking Lot

Resolution No. 347-2013 - Amendment to Contract Roof Structure
Replacement and Related Work at the Rear Deck - Indian Spring
Country Club (Base Bid and Alternate #1) and Authorization of
Change Order No. 1 With Respect Thereto

Resolution No. 348-2013 - Award of Contract for Road and Storm
System Repairs and Excavating Services - Department of Public
Works

Resolution No. 349-2013 - Resolution Authorizing the Award of a
Contract for the Purchase of Playground Equipment for Two Tot
Lots in the Ravenscliff Development Through the State of New
Jersey Cooperative Purchasing Program I-NJCP - Department of
Public Works (Recreation Department)

Resolution No. 350-2013 - A Resolution Amending Resolution
Number 253-2013 Authorizing the Purchase of Automotive Parts
Through the State of New Jersey Cooperative Purchasing Program
I-NJCP

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Resolution No. 351-2013 - Refund of Overpayment of Taxes - Block 37, 11.01 (Tax Court Judgment)

Resolution No. 352-2013 - Resolution Authorizing the Cancellation and Refund of Taxes - 100% Totally and Permanently Disabled Veteran - Block 51.48, Lot 1, Qual C0045

Resolution No. 353-2013 - Authorizing Person-To-Person Transfer of Plenary Retail Distribution Liquor License No. 0313-44-012-002 - From Two West Maple Associates LP to Akshar Krupa, Inc.

Resolution No. 354-2013 - The Office of Juvenile Justice and Delinquency Prevention (OJJDP) Enforcing the Underage Drinking Laws State Block Grant Program Resolution Approving Participation and Accepting Award from the State of New Jersey Division of Alcoholic Beverage Control Program

Resolution No. 355-2013 - Reduction of Performance Guarantee - Marlton Square Shopping Center (Trader Joe's) - Block 4.01, Lots 12 & 19.08 - On-Site Improvements

Resolution No. 356- 2013 - Reduction of Performance Guarantee - Marlton Square Shopping Center (Trader Joe's) - Block 4.01, Lot(s) 12 & 19.08 - Landscaping Improvements

Resolution No. 357-2013 - Resolution Directing Tax Collector to Remove Properties from Tax Sale Pending Settlement of Tax Court Litigation

Resolution No. 358-2013 - Resolution Amending Resolution No. 307-2013 to Authorize the Execution of an Agreement between the Township of Evesham and the Evesham Fire District

Mayor Brown called for any separations.

Councilman Zeuli requested that Resolution No. 357-2013 be separated.

One motion by Councilman DiEnna, seconded by Deputy Mayor Hackman, it was moved to adopt Resolution No. 324-2013, Resolutions No. 347-2013 through Resolutions No. 356-2013 and Resolution No. 358-2013.

Recorded Vote on Resolution No. 324-2013, Resolutions No. 347-2013 through Resolutions No. 356-2013 and Resolution No. 358-2013.

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

Motion Carried: 5-0.

One motion by Deputy Mayor Hackman, seconded by Councilman DiEnna, it was moved to adopt Resolution No. 357-2013,

Recorded Vote on Resolution No. 357-2013.

AYE: DiEnna, Hackman, Zeuli, Brown
NAYE: XXX
ABSTAIN: Zeuli

Motion Carried: 4-0-1

PUBLIC COMMENT

None.

STAFF COMMENTS

Director of Community Development Jamanow informed Council that she has received confirmation that Rastelli's Market Fresh will soon take occupancy of the former Genuardi's Family Market.

Township Engineer Staszewski updated Council with regard to the ongoing road programs.

COUNCIL COMMENTS

WORK SESSION

Discussion of 2014 Calendar of Meetings and confirmation of Re-Organization date.

Mayor Brown explained the new meeting schedule proposed for 2014; there would be one evening meeting per month and two day meetings. The Township Clerk will report during the evening meeting as to actions taken at the day meetings. Mayor and Council will present Proclamations and other recognitions at the evening meetings along with additional Township business. The Reorganization Meeting was confirmed for January 6, 2014 at 5:00p.m.

Township Clerk Bergh congratulated Deputy Township Clerk Schmitt on passing the Registered Municipal Clerk's examination.

Mayor Brown mentioned that he recently had a meeting with the builder's trades concerning revising the language in the Township bid specifications, similar to what the County has been

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using successfully for some time. Mayor Brown requested that a work session be added to the December 17th agenda to discuss this issue.

Councilman DiEnna commented that the low bid is not always the best price and revising the Township bid specifications to include direct hire will help to ensure quality contractors.

Council DiEnna also commented that he would like to give recognition to the permanently disabled veteran referenced in Resolution No. 352-2013.

Mayor Brown recognized Shannon Caulfield as a new employee with the Township of Evesham, assigned to Public Relations, and requested that the staff reach out to her with news and information.

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

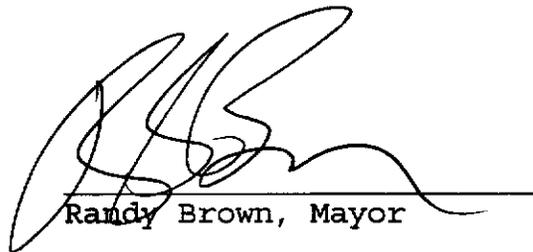
Recorded Vote: AYE: All Ayes.
NAY: XXX
Abstain: XXX

Motion Carried 5-0.

Meeting adjourned at 8:27p.m.



Mary Lou Bergh, Township Clerk



Randy Brown, Mayor



Maggie Schmitt, Deputy Township Clerk

Submitted: January 12, 2013

Approved: 1/28/14

