

TOWNSHIP OF EVESHAM
Planning Board
Special Meeting Minutes

21 June 2016

7:00 pm

Municipal Building

Call to Order

Chairwoman Marrone made the call to order at 7:05 pm.

Flag Salute

Statement of Conformance with Open Public Meetings Act

Chairwoman Marrone made the statement of conformance with the Open Public Meeting Act and the Municipal Land Use Legislation

Roll Call

Present: Marrone, McGoe, Parikh, Zeuli, Vassallo, Menichini, Brown

Also Present: Furey, Jamanow, Platt, Gillespie, Czerniecki, Kinney, Bittner

Absent: Cortland, Marandolo, Foster, Student, DiEnna

Meeting Minutes: Minutes have been continued to the July 7th meeting.

Unfinished/New Business

1. Evesham Township Board of Education

Presentation of the Evesham Township Board of Education's Consolidation Plan and Plan to close the FV Evans School

William Donio, Attorney

- Mr. Donio states that this meeting is part of the mediation agreement of public record between Evesham Township Council, Evesham Board of Education, and the Evesham Township Planning Board. This meeting will end the lawsuit, and will not be adversarial in nature. This meeting is done as a courtesy, and was found to be the best for all parties involved.
- Mr. Donio notes that there are two petitions involving the Florence V. Evans school closing decision before the New Jersey Commissioner of Education. Notes that this decision is under litigation due to these petitions.
 - One petition is from the Evesham Township Council.
 - One petition is from Evesham Township residents.
- Notes that the Board of Education did have information before making its decision to close the school. All information is in public record under the Open Public Records Act. States that the decision to close a school is not easy.
- Mr. Donio states that the Commissioner of Education makes the final decision on the school closure. The BOE does not believe they need to come before the Planning Board, but are doing so as a courtesy.

Witnesses:

John Scavelli, Superintendent of Evesham Schools

Mr. Scavelli Testimony:

- Presentation is from the February/March Board of Education Meeting to explain the proposal for the FV Evans School Closing.
- Notes that there is a declining school enrollment on a national scale. People are having less children, and population is not being replaced. States that in the past 13 years, each 8th grade graduating class declines in numbers every year. Economic downturn in 2008 still has impacts on the housing market, still not stable.
- Class size is difficult to maintain. The more children in a building can establish a stronger class size and is easier to maintain.
- Discusses enrollment increments. Highest enrollment was from 2002-2003, where it was 5,436 pupils. In 2015-2016, enrollment was 4,440. Notes that preschool is already factored in, they do gain pupils throughout the year.
- Evesham Township historical birth rate data has dropped since 1990.
- Discusses the Whitehall Associates data for projecting enrollment.
 - Estimates provided have usually been correct. Study estimates have been within 1% of actual data.
 - Whitehall uses the “Cohort Survival Method.”
 - Study predicts 5 years going out and updates every single year.
- Township data provided added about 309 more students to study. This data has still given a projected decline in enrollment however.
- NJ Department of Education: Facility Efficiency Standards.
 - Measures the school building to student capacity. School buildings should have a 90% utilization rate.
 - Architect would go into each building and create a new FES number based on school closure.
- Mr. Platt asks Mr. Scavelli a point of clarification on when the FES study was done. Mr. Scavelli responds that the FES was done in 2005 with the Long Range Facility Plan.
- Mr. Scavelli discusses how the BOE has been dealing with declining enrollment.
 - School has lost approximately \$6.7 million from state aid, and defeated budgets have contributed to a further \$9.3 million loss. The BOE receives less money from the Township Council.
 - Measures such as changing of a healthcare plan and salary freeze has been implemented.
 - In 2011, the Purple House at the Middle School was closed.
 - Eliminated teacher positions.
 - Numbers for enrollment that were projected in 2011 has been correct.
- In 2012, BOE created a strategic plan that established 23 goals and objectives.
 - Restructuring committee was created to address the declining enrollment. Various solutions were developed, some of which have been implemented. Repurposing the FV Evans School was discussed in 2013 and in 2011 after defeated budgets.
- Consolidation Plan:
 - BOE would go from 7 to 6 schools.
 - Students would be grouped by sending zones. Teachers would also be re-zoned.
 - Estimated \$1.4 million in savings.
 - Redistricting students will assist enrollment at Marlton Elementary School and Jaggard Elementary School.

- Middle School will now be divided. Students north of Rt. 70 will attend DeMasi Middle School. Students south of Rt. 70 will attend Marlton Middle School.
- Under the consolidation plan, all schools will still remain under FES capacity and under the peak in 2002-2003. Beeler Elementary School is the only exception.
- Class size will remain similar. Students will be at 20 per classroom or less in elementary school settings.
- No impact on staffing.
- Evans School Plan
 - No plans to sell the building.
 - Options are to possibly rent the building to a private school for kids with disabilities, local colleges, church groups, and tutoring services.
 - Currently a private school is interested in renting the building. This cannot go through until the state gives its final approval, and the BOE undergoes a RFP.
 - Mr. Platt asks Mr. Scavelli to explain the RFP process to members of the public. Mr. Scavelli explains.
 - Benefits to Closing:
 - All instructional programs will remain.
 - Provide equity across all schools in the district.
 - Staff will be reassigned based on the proportion to students.
 - Reduces travel time for Arts teachers.
 - Kids will know more peers going into Middle School.
 - Transportation and building use efficiency is improved.

Mr. Platt asks Mr. Donio if they have any other individuals to speak, Mr. Donio replies that they do not. This testimony was done as a courtesy.

End Board of Education's Testimony

Planning Board Professional Comments:

Leah Furey-Bruder Testimony:

- Notes that as a planner, she has undergone the standard process as is done with all applicants. Reviewed not the educational impacts, but the community impacts.
- Discusses the Municipal Land Use Law and the School Facilities Construction Act. Discusses the role of the Planning Board in the Board of Education.
- Mr. Platt clarifies that the Planning Board can review and make findings.
- Discusses the need for meaningful input between BOE and Planning Board before decisions are made. This can allow both entities to establish a vision for the community.
- According to the Whitehall Associates study, the BOE has assumed that enrollment will decline.
- Discusses upcoming development and enrollment statistics.
- Mr. Platt asks when the decision was to close the school, Ms. Furey-Bruder responds March 17th.
- States that there is a continued interest from developers to build in Evesham.
 - 475 housing units are approvable and are in the pipeline to be built. These homes are consistent with the Master Plan. These households will produce varying student yields.

- Whitehall Associates updated their report after the Planning Board sent projections. On April 27th, they had an updated of 217 additional students.
 - Mayor Brown asks Ms. Furey-Bruder about the details of the meeting. She replies that they eventually cancelled.
- Sundance Associates also projected demographics based on approved or approvable housing. Projection estimated market absorption from each developer. Study goes beyond the five year projection model.
 - Mayor Brown asks for Leah to go over Mr. Sundale's resume. Ms. Furey-Bruder gives resume of Mr. Sundale. He works with many school districts and lives locally.
 - Mayor Brown asks the location of Whitehall Associates. Ms. Furey-Bruder responds that she is not sure. Mr. Platt says that it is in Kinnelon, NJ.
 - Chairwoman Marrone asks if Leah is confident with Sundance study, she responds affirmatively.
 - Mr. Platt asks about the Cohort Model Study. Ms. Furey-Bruder clarifies.
- Mr. Sundale also projects a decline, but net development impact has made a difference.
- Ms. Furey-Bruder discusses what the Planning Board has to determine.
- 2010 Fair Share Plan, COAH obligation bases how many housing units must be designated to be affordable. Once information comes in, this number will be updated.
- Based on study, it does not make sense to close the F.V. Evans school.
- Mayor Brown asks for clarification regarding housing turnover. Ms. Furey-Bruder responds that number of resales are going up, and number of days that houses are on the market is going down. Additionally, since 2000 there has been the creation of over 60 restricted family homes. These homes reduce the number of average kids per household and skews data. Mr. Platt reviews and clarifies the housing turnover rates to the Planning Board.
- States that the Whitehall study gives no mention of age restricted homes. There was a housing boom in the 1980s. Children are moving out of their parents homes which will create another housing boom. Evesham's population is stabilizing as it gets older. States that there will be unintended consequences with closing the FV Evans School. A school closure will negatively impact revitalization of downtown areas, and bring up other negative impacts.
- Ms. Furey-Bruder states that she has looked at other areas, believes there are other ways for the BOE to gain revenue. States that the Harvest Road property is zoned institutional which could help the BOE. The BOE could also move the administration building to Evans, and work on redevelopment plan for the existing building as it is already in the redevelopment zone. Recommends the planning board not to agree yes to the proposal.

End Planning Board Professional Testimony.

Board Comment:

- Chairwoman Marrone states that the Planning Board can ask clarifying questions to the BOE.
- Mayor Brown asks to ask members of the BOE in the audience questions. Mr. Donio states that he cannot as it would be a violation of the ethics act. Mentions that the Planner

testimony is not really needed as it is a courtesy presentation. Mr. Donio states that he will not have the meeting turn into a public spectacle.

- Mayor Brown reads the School District Policy on School Closures which was dated June 2002. Asks if school board members saw this policy. Mr. Donio states that they went over the policy and have followed policy. Mr. Donio reiterates that the presentation is one out of courtesy, and the BOE is not obligated to answer questions.
- Discussion between Mr. Platt and Mr. Donio ensues. Terms of the mediation agreement are discussed. Mr. Platt notes that Mr. Scavelli and members of the BOE have left the meeting.

Meeting Recesses at 8:58pm. Resumes at 9:05pm.

- Mr. Donio states that there will be no further presentations by the BOE. Mr. Platt states that Mr. Scavelli is supposed to answer questions. Mr. Donio says it is Mr. Scavelli's discretion to answer questions as he sees fit.
- Mr. Parikh asks about analysis on possibly re-opening the school after a few years. Mr. Donio says they made that decision pursuant to the school closure decision. BOE believes they acted with knowledge.
- Mr. Platt asks questions regarding the following:
 - FES Capacity Study and the Long Range Facility Plan in 2005. States that the 2009 Long Range Facility Plan was not brought to the Planning Board, but we know about it. Asks why the FES capacity study was done in conjunction with the 2009 facilities plan. Mr. Donio states that there is no record involved, and this is just a courtesy presentation. There is no need to recognize a record. Discussion ensues.
 - Final approval from the State Department of Education. Discusses emails from April 26th and clarifies statement. Discussion ensues.
- Mr. McGoey asks about the numbers obtained by the Department of Education vs. the enrollment figures. Mr. Donio clarifies question.
- Mayor Brown asks the following questions:
 - Were the 9 school board members aware of the policy regarding school closure. Mr. Donio says the school closure decision is under litigation, so he cannot comment.
 - Asks about the amended letter sent to the County Superintendent on May 13th. Mr. Donio responds that he cannot answer due to active litigation regarding decision.
 - Asks about Beeler elementary school and that under the consolidation plan it would be 25 students within capacity. Mr. Donio says he will not answer due to the report being not from the BOE itself. Mayor Brown asks what the plan is for Beeler School if it goes over capacity. Mr. Donio says he will not answer question due to litigation.
 - Asks why Whitehall Associates did not change their study. Mr. Donio says that the study speaks for itself.
- Ms. Marrone asks about enrollment figures in regards to estimates with new housing and housing resale. Mr. Donio says he cannot comment due to litigation.

- Mayor Brown asks when the Board of Education received the Whitehall Report, and if any Board Comments were taken. Mr. Donio says the matter is under litigation and cannot comment. However, all meetings of the BOE can be viewed under the Open Public Meetings Act.

End Board Comment

Public Comment:

Dave Silver, 20 Heather Drive

- Discusses FES capacity.
- Mentions need for entities to work together and build a strong relationship. They need to work together and have a mediator assist.
- States that communication is key, and all entities should meet together quarterly to best assist the town.

Max Ingrahm, 44 South Locust Ave:

- The school board distances themselves from the community, they are not transparent. Thinks that everyone should be working together.
- Discusses issues such as tax implications, rental costs, reopening fees of the school, etc.
- States that the BOE did not explicitly state specific cost saving efficiencies.
- Not convinced of the proposal.

Ken Mills, 119 Meadow Lane:

- Asks if the Planning Board can say yes or no on the Board of Education's decision to close the FV Evans School.
- Asks if a copy of the mediation agreement will be available to the public.
- Asks when the Planning Board voted to enter the lawsuit at a public session.
- Mr. Platt says he will answer Mr. Mills questions after the public comment portion has ended.

Beth Garofala, 32 Euston Road:

- Is upset about the impact the school closing will have on children.
- Emphasis should be put on education and the children as opposed to numbers.

Amy Domanski, 103 Westminster Avenue

- Very frustrated at the lack of transparency. Says that nobody on the BOE replies to comments.
- States that the first time the public saw the presentation was March 17th when the decision to close FV Evans was made. The public was not given the opportunity to evaluate the decision, no information was given.

Mark Logan, 59 Weaver Drive:

- Disappointed BOE members walked out on the children tonight.
- Reads the School District's policy/mission statement.

- Questions the methodology of the school closing decision. Thinks the process has been awful for residents.
- Everyone should be ashamed of this moment, states everyone should set a good example for the kids.

Barry Woods, 51 Longhurst Road:

- Glad to see numbers from the demographer study being brought forth.
- BOE should be ashamed by walking out, showed true colors.
- States that the biggest challenge is for the BOE members who voted yes for the closure to realize they made a mistake and re-vote. States that acting as a landlord is a bad decision.

Jennifer Mihalecsko, 19 Euston Road

- Thanks Board for opportunity to speak
- States that BOE preyed on fear of other parents in other schools in regards to this decision.
- States that when asked about programs, the BOE said they could not comment because it would upset the teachers.

End Public Comment Portion

Ms. Marrone answers Mr. Mill's questions:

- Planning Board cannot make decisions, just give recommendations.
- Board Secretary can provide agreement under OPRA
- At the June 2nd meeting during open session is when the settlement was voted upon.

Ms. Marrone Comments:

- States that it is the opinion of the Planning Board that an informed decision was not made. Wishes the Planning Board can do more but they cannot. All about transparency and open meetings.

Mr. McGoeey states that the members of the BOE walked out and nobody would comment.

Mayor Brown thanks Mr. Donio for staying. Superintendent and other BOE officials walked out on us. Asks the public to not lose sight of the vision, and that there are four other BOE members still present. States that there is only one more vote needed to obtain a re-vote on the school closure. The Planning Board cannot force them to re-vote, only Board members can make a vote. Thanks all members of the public for coming out tonight, and thanks Ms. Marrone for her leadership.

Mr. Platt Summary:

- Thanks all members of the public for coming.
- Task is based on a courtesy review by the Board of Education.
- Received information from a PowerPoint presentation by the BOE and a review letter from the Township Planner and demographer.

- Duty of the Planning Board is one of a land use task.
- Make findings and recommendations based on the following:
 - Consistency with land use law and master plan
 - Valid information from the Township Planner
 - Recommendation on the school closure plan/consolidation plan.
- Process is done by the way of a vote. The findings and recommendations will go to the Board of Education and will be sent to the Superintendent/Commissioner of Schools.

Mr. McGoey makes a recommendation that the Planning Board find the BOE's presentation inconsistent with the master plan. Recommends that the plan be tabled until it addresses the Planning Board concerns.

Second: Mr. Parikh

Ayes: McGoey, Menichini, Parikh, Vassallo, Zeuli, Brown, Marrone

Communications/Organization:

Next meeting will be on July 7th and it will be a re-organization meeting.

Resolutions:

PB 15-17

Motion: Vassallo

Second: Zeuli

Ayes: Zeuli, Vassallo, Marrone

PB 16-07

Motion: McGoey

Second: Zeuli

Ayes: Marrone, McGoey, Vassallo, Zeuli

Meeting adjourned at 10:12 pm.