

**TOWNSHIP OF CHERRY HILL  
TOWNSHIP COUNCIL  
CAUCUS MEETING**

**MUNICIPAL BUILDING  
JANUARY 26, 2009  
7:00 PM**

**MINUTES**

IN ACCORDANCE WITH SECTION 5 OF THE OPEN PUBLIC MEETINGS ACT, CHAPTER 231 P. L. 1975, NOTICE OF THIS MEETING WAS POSTED ON THE TOWNSHIP BULLETIN BOARD DESIGNED FOR THAT PURPOSE. NOTICE WAS MAILED TO THE OFFICIAL NEWSPAPERS AS PROVIDED BY RESOLUTION ADOPTED ON JANUARY 2, 2008.

**ROLL CALL:**

**COUNCILMAN FRANK FALCONE  
COUNCILWOMAN SARA LIPSETT  
COUNCILWOMAN SHELLEY ADLER  
COUNCILWOMAN JOYCE KURZWEIL ABSENT  
COUNCILMAN DENNIS GARBOWSKI  
COUNCIL VICE PRESIDENT N. JOHN AMATO  
COUNCIL PRESIDENT STEVEN POLANSKY**


**Council President Polansky reviewed the agenda. There was a discussion about the proposed Wawa store, which was not a matter before council at this time, however an application has been submitted to Community Development to be considered by the Planning Board.**

**ADOPTED: FEBRUARY 9, 2009**



**COUNCIL PRESIDENT**

**ATTEST:**



**NANCY L. SAFFOS, RMC  
TOWNSHIP CLERK**



## APPROVAL OF MINUTES

On a motion by Council Vice President Amato, seconded by Councilman Falcone, the minutes of the Council Meeting of January 5, 2009 and January 12, 2009 were approved by the following vote:

**AYE:** Councilman Falcone, Councilwoman Lipsett, Councilman Garbowski, Council Vice President Amato and Council President Polansky

**ABSTAIN:** Councilwoman Adler

## COMMUNICATIONS– TEMPORARY PERMITS – CORRESPONDENCE

**There were applications for raffle/bingo licenses for the following:**

PTA James Johnson School Rosa Middle School	Raffle	01/30/09
PTA Bret Harte School @ 1709 Queen Anne Rd	Raffle	02/07/09
Christ the King Church Woodcrest Country Club	Raffle	03/07/09
Congregation Temple Emanuel of Cherry Hill	Raffle	03/15/09
Woodland Civic Association @ 524 Beechwood Ave, CH	Raffle	04/18/09
Jewish Federation of Southern New Jersey @ 1301 Springdale Rd	Raffle	04/25/09
Camden Catholic High School Mothers Club @ 300 Cuthbert Rd	Raffle	05/02/09
Jewish Federation of SNJ @ 1301 Springdale Rd	Raffle	05/03/09
Greek Ladies Philoptochos Society Inc St Irene of St Thomas	Raffle	05/13/09
Lions Club of Cherry Hill @ Kings Highway	Raffle	05/27/09

**There was application for Temporary Use Permit for the following:**

Caliope Bledy (D's Dawgs) @ High School East	Charity 5K Run	05/31/09
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**There was an application for a Public Amusement License for the following:**

Congregation M'hor Shalom One Day Outdoor Music  
850 Evesham Rd & Arts Festival 05/31/09

**On a motion by Councilwoman Adler, seconded by Councilman Falcone, the applications detailed above were approved by the following vote:**

**AYE: Councilman Falcone, Councilwoman Lipsett, Councilwoman Adler, Councilman Garbowski, Council Vice President Amato and Council President Polansky**

#### **REPORTS FROM MAYOR/DEPARTMENT HEADS**

**COMMENTS FROM THE MAYOR:** See Attachment

#### **ORDINANCES ON SECOND READING**

NONE

#### **RESOLUTIONS:**

2009-1-25 RESOLUTION AUTHORIZING PAYMENT OF BILLS

**On a motion by Council Vice President Amato, seconded by Councilwoman Lipsett the bill list in the amount of \$ 6,068,820.16 was approved by the following vote:**

**AYE: Councilman Falcone, Councilwoman Lipsett, Councilwoman Adler, Councilman Garbowski, Council Vice President Amato and Council President Polansky**

2009-1-26 RESOLUTION ENDORSING THE TOWNSHIP OF CHERRY HILL'S APPLICATION FOR REIMBURSEMENT FOR THE #3 AND #9 BRIAR LANE PROPERTIES FOR THE CAMDEN COUNTY OPEN SPACE, FARMLAND, RECREATION AND HISTORIC PRESERVATION TRUST FUND

2009-1-27 RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO ADJUST CONTRACT QUANTITIES AND LINE ITEMS FOR THE 2008 ROAD MAINTENANCE PROGRAM

2009-1-28 RESOLUTION AUTHORIZING THE EXTENSION OF CONTRACT FOR A WIRELESS PHONE PLAN FOR USE BY THE TOWNSHIP OF CHERRY HILL

2009-1-29 RESOLUTION AUTHORIZING THOMAS G. GLOCK, TAX ASSESSOR TO FILE TAX APPEALS, ASSESSOR'S APPEALS AND ROLL BACK TAX APPEALS ON BEHALF OF THE TOWNSHIP

2009-1-30 RESOLUTION APPOINTING TOWNSHIP TAX APPRAISER

2008-1-31 RESOLUTION APPOINTING BOND COUNSEL

2008-1-32 RESOLUTION APPOINTING TOWNSHIP LABOR ATTORNEY

2009-1-33 RESOLUTION APPOINTING TOWNSHIP PLANNING BOARD ATTORNEY

2009-1-34 RESOLUTION APPOINTING TOWNSHIP RENT CONTROL ATTORNEY

- 2009-1-35 RESOLUTION APPOINTING TOWNSHIP ZONING BOARD ATTORNEY
- 2009-1-36 RESOLUTION APPOINTING TOWNSHIP PLANNING BOARD ENGINEER
- 2009-1-37 RESOLUTION APPOINTING TOWNSHIP ZONING BOARD ENGINEER
- 2009-1-38 RESOLUTION APPOINTING TOWNSHIP SPECIAL PROJECTS ENGINEER
- 2009-1-39 RESOLUTION APPOINTING CONSULTING MUNICIPAL ENGINEER
- 2009-1-40 RESOLUTION APPOINTING TOWNSHIP CONSULTING PLANNER
- 2009-1-41 RESOLUTION APPOINTING TOWNSHIP AFFORDABLE HOUSING ATTORNEY
- 2009-1-42 RESOLUTION APPOINTING TOWNSHIP AUDITOR
- 2009-1-43 RESOLUTION TO REJECT TAX APPEAL ATTORNEY REQUEST FOR PROPOSALS AND TO REQUEST NEW PROPOSALS
- 2009-1-44 RESOLUTION APPOINTING MEMBER TO THE CHERRY HILL TOWNSHIP PUBLIC LIBRARY BOARD OF TRUSTEES
- 2009-1-45 RESOLUTION APPOINTING MEMBERS TO THE CULTURAL ARTS ADVISORY BOARD
- 2009-1-46 RESOLUTION APPOINTING MEMBERS TO THE SENIOR CITIZENS ADVISORY BOARD
- 2009-1-47 EMERGENCY TEMPORARY APPROPRIATION

**On a motion by Council Vice President Amato, seconded by Councilwoman Lipsett, the consent Agenda (Resolutions 2009-1-25 thru 2009-1-47) was approved by the following vote:**

**AYE: Councilman Falcone, Councilwoman Lipsett, Councilwoman Adler (ABSTAIN on Resolutions 2009-1-29 and Resolution 2009-1-47), Councilman Garbowski, Council Vice President Amato and Council President Polansky**

#### **ORDINANCES ON FIRST READING**

2009-1 AN ORDINANCE AMENDING ORDINANCE 95-36 ENTITLED "REVISED GENERAL ORDINANCES, TOWNSHIP OF CHERRY HILL" CHAPTER VI (GENERAL LICENSING)

**On a motion by Councilman Garbowski, seconded by Councilwoman Lipsett, Ordinance 2009-1 was approved on first reading by the following vote:**

**AYE: Councilwoman Lipsett, Councilwoman Adler, Councilman Garbowski, Council Vice President Amato and Council President Polansky**

**NAY: Councilman Falcone**

2009-2 ORDINANCE AMENDING ORDINANCE 95-36 ENTITLED "REVISED GENERAL ORDINANCES, TOWNSHIP OF CHERRY HILL", CHAPTER V (POLICE REGULATIONS) SECTION 5-13 (ALARM SYSTEMS)

**On a motion by Councilman Garbowski, seconded by Councilwoman Lipsett, Ordinance 2009-2 was approved on first reading by the following vote:**

**AYE: Councilman Falcone, Councilwoman Lipsett, Councilwoman Adler, Councilman Garbowski, Council Vice President Amato and Council President Polansky**

**PUBLIC COMMENTS:**

**Fred Astmann 8 Anvil Court** See Attachment

**Doris Carey 11 North Riding Drive** See Attachment

**Aive Arbely 2 Jade Lane** "I did not prepare myself to say anything. I was not aware that you are allowed to speak over here. First of all in America we say that you get what you pay for. We pay quite high taxes – whatever. But I want to say on behalf of my family and I and also for a lot of people in Cherry Hill, I want to say thank you very much for the wonderful job that you are doing in Cherry Hill. I have lived over here for over 18 years. We love it. Every year it is getting better and better. Thank you very much."

**COMMENTS OF COUNCIL:**

**Councilman Falcone** "I would like to congratulate Ayelet on the great job you have done. It is great to see your family here supporting you; your friends that have all worked with you and are continuing the good work. Hopefully it spreads to other people doing good things just like you. Tonight we introduced an ordinance and I ask that my fellow council people take the time over the next few weeks to look closely at it before we vote on it regarding the increasing of fees. These are very difficult times out there for people in the business communities and to be tripling and quadrupling fees during a time when people are just trying to make ends meet. It is very difficult for the businesses and the businesses are comprised of residents who live in this community. And, these costs will just get passed on to the residents. I would like to thank everyone for being here tonight and congratulations on the Greek holiday. Thank you."

**Councilwoman Lipsett** "I would also like to congratulate Ayelet and you can plant trees anywhere that we allow. Steve Musilli will give you lots of locations. And thanks to your Dad for coming. Bring him back every week. I see that Mr. Kloury left but thanks to him for bringing the New Years bread and congratulations to Dennis. He needs a lot of good luck this year. And Doris, we love to hear about your deer solutions. Thank you."

**Councilwoman Adler** "I also want to congratulate our honoree Ayelet. I just want to let Doris know that I had coincidentally picked up a copy of the Washington Post recently when I was there in the past couple of weeks and there was a big front page article about Montgomery County's struggle with deer right now and that they are actually doing bow and arrow hunting. So, I will have to get that article. I had lost it on the train. It was a very long article about the problem that is facing suburbia right now with the deer. Thanks."

**Councilman Garbowski** "Yes, I would like to congratulate Ayelet too. She is a very inspiring lady and with people like you I guess that there is hope for the environment. I would also like to thank Assad. I hope his predictions for good fortune come to light for me. I would also like to talk about the process we went through for selecting our professionals. I was really pleased. We got a lot of documentation. I think that the committees did an excellent job. I think that we got the best professionals for city of Cherry Hill for the tax dollars."

**Council Vice President Amato** "First, I want to congratulate Ayelet. I am one of the oldest people here but when I sit here, Ayelet, and I look at you, I know that the future of Cherry Hill and America is in good hands because of the things that you and other young people like you do. And I want to thank the gentleman for the bread even though I did not get the coin. That's it."

**Council President Polansky** “Congratulations Ayelet. Your family is obviously very proud of you. They have done a wonderful job raising you. Obviously the township has recognized the importance of recycling. But the work of recycling has to start with our children in the elementary, middle and high schools because they are the ones that encourage their teachers and their families. And they are the ones that are going to have to face the issues if we don’t address these problems now, as they become adults. I would encourage you, if you have not already, to speak with Lori Bronstein from Sustainable Cherry Hill. You and her together can do a great deal to expand our recycling in the schools and to encourage our students elsewhere through out Cherry Hill to increase their recycling. I think it would make a lot of sense to work together in planting trees on some of the open space areas. Some of the areas are not necessarily preserved as open spaces but they also may be a worthwhile project. Mr. Kloury has left but we really appreciate him coming in this evening to celebrate the Greek New Year. I have got a couple of other comments. Most of you know that most of the council members have accepted a 10% reduction in their pay in recognition of what we have asked our township employees to bear some of the pain of these tough economic times. Obviously it is difficult on our residents and out tax payers. Every one of us sitting up here are residents. But we think that it is important to lead by example and what we have done is that we have taken the reduction. Initially it is for six months. At the end of June we will examine where we are as a township. We will examine where we are as a country, as a nation, where we are economically and if ties continue to be as they are currently and we have not begun to turn around, we take the cut for another six months and then we will once again evaluate what needs to be done. The experts in the field cannot agree where this economy is going or when it is going to turn around. So, we will continue to reevaluate this on an ongoing basis. Fred, I recognize the frustration. Hopefully that meeting with the Chief will occur soon. I wish it was as easy as council saying well, we want to put these lights on flash after a certain period of time or that we want the no turn on red signals down. It is not that easy. There is an awful lot of red tape and it’s just as frustrating from up here as it is from out there. But we will continue to work on that. I do remember a time when all of the lights in town used to go to flasher at a certain time of night. Now I do not know, number one if it is feasible and number two if the current lights that we have are even capable or such a program. It may be after eleven or after midnight but these are all things that need to be looked at and those we have to deal with. We will examine them but I can’t promise that it will be done as fast as you or I would like it to. Doris, the issue with the deer came to a head as I came on council and the problem, while it may have improved for the farms, has not improved for the rest of the township. As you may remember, we changed the ordinance so that if the farmer desired, he could get the state permit required to allow hunting on farm because he was losing 90 to 100% of his crop. Instead, he elected to go a different route and they erected basically, deer fencing and I think it looks as if they are doing something similar over at the Stafford Farm over in Voorhees at the corner of Evesham Road. The problem is that when you put up that deer fence, they are still there. If they are not eating the farmers’ crops they are eating your plants. It is a continuing problem and I think that perhaps, and I will leave this to the administration, but perhaps we need to consult again with the people over at Rutgers and get some suggestions to see what can be done. The Mayor indicates that the residents can also talk with Rutgers about individual problems that they are having on their properties. And last but not least I am very glad that the New Jersey Supreme Court has accepted the township’s appeal seeking to enforce the sex offender ordinance that was enacted in the township. As those of you who attend frequently know that the appellate division declared both our ordinance as well as those of other townships unconstitutional. I believe that it is appropriate for a township to pass a reasonable ordinance that is intended to protect the children in the township. Our children are our most defenseless residents. They require extra protection and we need extra vigilance to ensure their safety. Hopefully the New Jersey Supreme Court, as they examine this ordinance, will recognize that it is a valid and rational basis for the township to enact this ordinance. The court has already recognized that sex offenders, as well as other criminals who have finished their sentence can, at times, be forced to remain in prison because they continue, unlike other criminals, to present a significant danger to the community. What we are trying to do is to protect our community and by limiting their ability to reside near schools, near parks, near places of recreation and places of worship, I think that we are taking reasonable and rational steps to attempt to protect the children. Thank you all very much for coming out tonight.”

**ADOPTED: FEBRUARY 9, 2009**



**COUNCIL PRESIDENT**

**ATTEST:**



**NANCY L. SAFFOS, RMG  
TOWNSHIP CLERK**



To: Members of the Media  
From: Dan Keashen, Director of Communications  
Date: January 26, 2009  
Re: Statement from Mayor Bernie Platt

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Please see the statement below from Mayor Bernie Platt regarding sex offender free zones and pay reductions.

“Thanks for coming out tonight. I want to take a second to update everyone on the status of our sex offender free zones.

Late last week the state Supreme Court agreed to hear Cherry Hill’s case to preserve our local law. This legislation provides an extra layer of protection for our Township’s children and families. I believe this ordinance was critical to strengthening Megan’s Law and to preserving home rule for the municipality.

At the end of the day I believe letting sex offenders live near children is like giving a bottle of vodka to an alcoholic.

Furthermore, I’m happy to report that this case will be fought at no cost to the Cherry Hill taxpayer.

On another note, at the beginning of this month I started to take a reduced salary.

I personally dropped my salary 10 percent and a majority of Town Council members and the Township business administrator are also giving back 10 percent of their salary.

This universal belt tightening throughout Town Hall is something we have to do. Tonight, I want to tell everyone that as this modern day depression moves forward, we will continue to streamline government services for the future.

The fiscal health of Town Hall is built on hard choices and I believe these reductions are something we are morally obligated to do. Thank you.”

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# FREDERICK K. ASTMANN

8 ANVIL COURT • CHERRY HILL, NEW JERSEY 08003-2231

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Cherry Hill Council

January 26, 2009

Fred Astmann, 8 Anvil Court, back to continue my concerns over the traffic lights. I have spoken here many times, I understand the Villagio residents have submitted their concerns, and I am waiting for a meeting that Chief Jones is trying to arrange with some of us residents and the engineering department.

Let me cite some of the recent Green initiatives that have appeared in our local papers:

Sustainable Cherry Hill ready to green things up

Taking Green Action

Think globally, act locally

Car idle pollution no joke

Idling engines cause environmental problems

Going Green all the rage

Embodying the commitment, innovation and determination to tackle green issues

Virtually everyone in this room is in agreement that the stoplights are a disaster. I have been trying to get a meeting where the residents are involved. Unless all these newspaper articles are smoke and mirrors I do not see any direct action or initiative by Council to get on board to practice what is being preached. These lights have done far more harm than good. They have infuriated every resident. They are contributing to pollution and preventable waste every day. They back up traffic 20-30 cars at a time every cycle. The engineers must have known that the intersection is simply too complex to be able to control properly. A much simpler system, in operation only several hours a day, would have sufficed. But our over-complex rules, regulations, warrants, and dictates have created another governmental bureaucracy thrust on the public, and unwilling to admit the problem and take some corrective action. *massive*

Government is supposed to represent the people. It has the responsibility of correcting this failure. Council and Mayor have vowed to be leaders in the Green initiative. I want to know specifically what Council is doing. Please give me some answers in your comments.

*Also - Deer population problem at the Springdale / old Orchard / church property. Has never been this bad. Anvil Court area we now get 6-12 deer at a time that have devoured our shrubbery + plantings. This has been addressed in past years - can anyone speak to the state of what the true position is,*

1/26/09

*Open Spaces*

*Tax Ratables*

An area that can help control taxes is open space. Due to a typographical error the open space tax on the referendum was listed as 1 cent instead of 2 cents as was planned. In the future we can assist in lowering taxes two more ways. First we can increase the 1 cent to 2 as originally designated and second we can make sure that no opportunity is missed to acquire open space especially when there is no cost involved.

Open space doesn't add to the cost of the infrastructure while developed land does. Open space does not require more police, firefighters, teachers, public works employees, thus adding more payroll and pensions which drive up taxes. I am not against any of these people or their professions but Cherry Hill is built out.

An even bigger problem is our tax rate tables with all commercial properties added on the racetrack and no increase in income to the town.

Cherry Hill is now considered an edge city. What city has low tax rates? Cities are built on tax ratables and I would like to know how many cities have lower tax rates because of them? These are points to ponder aren't they? With more tax ratables, I see higher taxes due to additions to our infrastructure that are not supported by the additions of these tax ratables. The services for the residents stay the same yet adding more tax ratables, may I reiterate, increases the need for more service employees along with their extra benefits along with more lighting, traffic signals, roads, and sometimes schools and firehouses ..... and the taxes go up.

In conclusion OPEN SPACE adds to the beauty and tranquility of any town or city without raising taxes.

*Doris Carey*