

SPRINGFIELD TOWNSHIP
WORKSESSION MEETING AGENDA
FEBRUARY 7, 2013
7:30 PM

1. Meeting called to order by the Mayor
2. Reading of the Sunshine Notice
3. Salute to the Flag
4. Roll Call: Mr. Frank, Mr. Hlubik, Mr. Marinello, Mr. McDaniel, Mr. Sobotka
5. Review of Department Reports
6. Review of Bills
7. Review Correspondence
8. Township Officials' Business
 - Approval of Raffle –Springfield Twp. Home & School Assoc.
 - Animal Kingdom
9. Public Comment
10. Executive Session
 - No. 2013-02-01 – Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meeting Act, N.J.S.A. 10:4-12 (Personnel-Appointments)
11. Adjournment

**TOWNSHIP COUNCIL MEETING
FEBRUARY 7, 2013**

The meeting of the Springfield Township Council was called to order by Mayor McDaniel with Council Members David Frank, John Hlubik Anthony Marinello and Peter Sobotka present. Also present were Township Manager Mr. Keller and Township Engineer Dan Guzzi.
The Sunshine Notice was read:

“Public notice of this meeting pursuant to the Open Public Meetings Act has been given by the Springfield Township Council in the following manner on January 3, 2013:

- a. Posting written notice on the official bulletin board at the Municipal Building, Jobstown, NJ
- b. Transmitting written notice to the Register News and the Burlington County Times
- c. Filing written notice with the Clerk of Springfield Township
- d. Mailing written notice to each person who has requested copies of the regular meeting schedule and who has prepaid any charges fixed for such services.”

REVIEW OF DEPARTMENT REPORTS

Mr. Guzzi advised Council that at the Jacksonville Park they are still waiting on PSE&G and he added that they submitted the card back in October. Also he stated that there are some punch list items that will need to be done in the spring.

Mr. Guzzi stated that at the Juliustown Park the large play structure was installed, as well as the walking path. He added that they are waiting for equipment for the exercise stations and that the sign had been ordered

Mr. Guzzi gave an update as to the municipal building doors. He stated that the lights on the outside of the building have been adjusted down and a Stanley representative was out for the door. He added that the power assist is there and will work but both doors will stay open and the cold or hot air will come in, which is why it was turned off. It will still work if the handicap button is pushed.

Mr. Sobotka asked if the problem with the deliveries for the park equipment has been settled and Mr. Guzzi responded that he has tried but sometimes the equipment does come to the building instead of to the site. Mr. McDaniel clarified that under the terms of the contract it would be the contractor's responsibility to make arrangements to have the deliveries to the site and be there to accept them.

Mr. Guzzi stated that on Juliustown-Georgetown Rd. they went down and marked the trees in the right of way. If it is marked with an S it is all the way in the right of way and if it has a line it is right on the line of the right of way. Mr. McDaniel stated that some of the trees on this road that are in the right of way are leaning. Mr. Frank added that there are a bunch of trees on Mt. Pleasant Rd. that are the same way. Mr. McDaniel stated that there are some lumps of dirt in that area and Mr. Guzzi added that there were some trees that fell and were removed and that is probably from the stump. Mr. McDaniel stated that we can look at this as a capital project and Mr. Keller intervened to say that removal of trees does not qualify as a capital project. Council discussed that they could remove the trees as part of a road project, if they were adding drainage as part of that project.

Mr. Frank clarified that there is not a way to have the power assist open one door at a time and Mr. Guzzi responded that you could not do this and even if you could the same problem with the one door staying open and the air coming in would remain. Mr. Guzzi stated that he could look into other manufacturer to see if the controls are different.

Mr. Frank made a motion seconded by Mr. Sobotka to accept the Engineer's report. All were in favor. Motion carried.

Mr. Frank stated that there was a Mayors Advisory that discussed municipalities that contract with private ambulance suppliers and he asked the Manager to take a look at it to make sure we don't have any problems with our Lourde's agreement.

Mr. McDaniel stated that if you look at the Court report for January the tickets are down a lot. Mr. McDaniel added that there were only 97 tickets written by Springfield which means our officers are only writing three tickets a day. Mr. Frank stated that if you look at the trend in 2012 we are right up there. He added that you have to look at a few months not one month because there could be a missed court day that month. Mr. McDaniel stated that we need to look at this for terms of the budget and Mr. Marinello stated that tickets are not a revenue source. Mr. McDaniel disagreed because it is in the budget. Mr. Frank stated that if you look at the real numbers we are about the same as previous years. He added that if you look at

the trend we are on target. Mr. Frank continued that we should be writing tickets for public safety not as a revenue source.

REVIEW OF BILLS

Council decided to hold the bills until next meeting.

REVIEW OF CORRESPONDENCE

#1 – Correspondence from Denis Germano, Esq. regarding the Zoning Board’s Annual Resolutions. Mr. Frank stated that Mr. Germano pointed out an inconsistency with a definition in the Zoning Ordinance as to the height of a building. Mr. Frank stated that this issue came up a few years ago because it was not so easy for people to build basements because there were very high water tables. The concern was that people were putting their footings on grade to stay above the water table and forming a basement and essentially building a three story building and then piling up fill around that building. He added that Council tried to write an Ordinance that referenced the original grade and allowed people to build a two and a half story home above that. He added that the inconsistency in the code book was just an oversight and he feels that Council should correct the inconsistency. Mr. Frank stated that the measurement should be from the original grade and the Ordinance should be consistent throughout the code. He added that the two variances that were granted by the Zoning Board were exactly what Council was trying to avoid when they wrote the Ordinance.

#2 – Correspondence from Burlington County regarding the Municipal Alliance Program- Mr. Keller stated that this is the same program as in previous years so he would not suggest getting involved.

#3 – Correspondence from Mr. Brian Guest, Esq. Animal Kingdom – Mr. Frank asked if the Manager knew the exact nature of the violations and Mr. Keller responded that he did not. He added that Mr. Guest was called in to review the matter and advise the township so Mr. Guest should be able report on it next week.

#4 – Correspondence from Mr. Brian Guest, Esq. regarding Folwell Station Rd. – Mr. Keller stated that Mr. Guest will report on this next week as well.

TOWNSHIP OFFICIAL’S BUSINESS

Mr. Sobotka made a motion seconded by Mr. Hlubik to approve the bingo license for the Springfield Township Home and School Assoc. All were in favor except Mr. Frank who abstained. Motion carried.

Council discussed the Animal Kingdom and Mr. McDaniel started by saying that the things going out there are bothering him. He was contacted a couple of weeks ago a reporter about the two escaped baby Hyenas. He contacted the Chief as a result of that call and found out that Fish and Wildlife responded to the incident and one Hyena was hit by a car and the other was returned to the zoo and the fencing was corrected before the Fish and Wildlife left. Mr. McDaniel stated that where there are babies there are mom hyenas and they are very dangerous animals and can do harm to both other animals and humans. He added that in the last twelve years the zoo have amassed hundreds of citations and in 2012 they were issued 50 violations and this was a year after the two fires. Mr. Sobotka stated that the violations ranged from what they are allowing people to feed the animals to an animal biting a child. Mr. McDaniel stated that there is just a pattern of violations on numerous levels. He has asked the solicitor to look at this and see what we can do. Mr. McDaniel stated that he is not suggesting we do anything tonight but he would like Council to think about it. Mr. shut them down. Mr. Marinello stated that there are only a few zoos in the State and he would suggest seeing how those towns regulate them. Mr. Hlubik stated that if it is regulated by State or

Federal USDA then their regulations would trump the municipality. Mr. McDaniel stated that Mr. Guest recommended that the Township notify the USDA that the Township is concerned about the zoo. Mr. Marinello asked how fish and wildlife got involved and Chief Trout responded that the police notified them. They called Great Adventure first to see what level of danger this animal posed to the Township and they said unless the Hyena lived in the wild for a substantial amount of time then they suggested tracking it so the police department called fish and wildlife and they tracked it back into the zoo. Chief Trout stated that they were notified about the hyenas when the one was hit by the car. Mr. McDaniel stated that the newspaper article mentioned that back in October three adult hyenas got loose for a short amount of time. Mr. Marinello asked if when they got approvals were there any restrictions to the type of animals and Mr. McDaniel responded that there were but hyenas were not one of them. Mr. McDaniel asked if we could create an Ordinance to license a zoo and Mr. Frank responded that the Solicitor would have to make that determination. Mr. Marinello would suggest meeting with the USDA to see what our options are. He added that the USDA may only have say as to safety of animals and not to the safety of the facility. Mr. Frank again stated that the Solicitor will advise Council on this.

Mr. Sobotka reminded everyone that there would be a blood drive on March 23rd from 10 to 2.

Mr. Keller confirmed that the final numbers for the Bond are \$3,100,000 for roads, \$300,000 for fire trucks, \$350,000 for building maintenance and \$100,000 for police vehicles. He added that the down payment is 5 percent of the 4 million which would be 200,000 and you have to apply to the local finance board for a waiver and they now require that towns put down some portion of that before they will give the waiver. Mr. Keller suggested adding \$10,000 for the down payment and soft cost to the total of the projects listed above and that will get us to the 4 million. Mr. McDaniel asked what would happen if there becomes a need for affordable housing and Mr. Keller responded could amend the Ordinance if need be. Mr. McDaniel asked if we have to list the roads and Mr. Keller stated that you did have to list the roads. Mr. Keller advised the Council that the Ordinance should be ready to introduce next Wednesday. Mr. Sobotka asked about the pending storm and expressed concern with the current temporary budget for snow plowing and Mr. Keller responded that we should be fine but if we had to we could amend the temporary budget.

Mr. McDaniel asked about the budget and Mr. Keller responded that we should have it in about two weeks and he will send it out for review at that time.

Mr. McDaniel asked if Mr. Keller heard anything about the Hilltop. Mr. McDaniel received a call from the Hilltop and they told him that Twin Oaks had withdrawn their offer. Mr. Frank called Mr. Guest and Mr. Guest was unaware of this situation but he reached out to his contact at Twin Oaks but had not heard back. Mr. Hlubik asked if there were other groups like Twin Oaks and Mr. McDaniel responded that there are but we have to confirm the validity of the story first and find out what the problem is if the deal did fall through.

Mr. Marinello asked if all the tow companies paid their annual fee in and was advised that they had.

PUBLIC COMMENT

Mr. Lawrence, 377 Juliustown Rd. stated that they brought a huge tractor trailer down to the Juliustown Park with equipment and he was amazed that the driver got out.

Mr. Lawrence stated that the reason that the tickets may have gone down is that word has gotten out that you can't speed through Springfield.

Hearing no further comments, Mr. Frank made a motion seconded by Mr. Sobotka to close public comment. All were in favor. Motion carried.

Mr. Sobotka made a motion seconded by Mr. Frank to approve Resolution No. 2013-02-01. All were in favor. Motion carried. Council entered into executive session at 8:51 PM. Mayor McDaniel stated that Council would invite the public back in when they returned to public session.

RESOLUTION 2013-02-01

**RESOLUTION PROVIDING FOR A MEETING NOT OPEN
TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS
OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12**

WHEREAS, The Township Council of the Township of Springfield is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., and

WHEREAS, The Open Public Meetings Act, N.J.S.A. 10:4-12 provides that an Executive Session, not open to the public, may be held for certain specific purposes when authorized by a Resolution, and

WHEREAS, it is necessary for the Township Council of the Township of Springfield to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12: Personnel (Appointments).

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Springfield, assembled in public session on February 7, 2013 will go into an Executive Session closed to the public for the discussion of matters relating to the specific item designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Council that the public interest will no longer be served by such confidentiality.

Council returned to public session at 9:15 PM and the public was invited back in.

Mr. Sobotka made a motion seconded by Mr. Frank to adjourn the meeting. All were in favor. The meeting was adjourned at 9:16 PM.

Respectfully submitted,

Patricia A. Clayton
Township Clerk