

TOWNSHIP OF SPRINGFIELD  
COUNCIL MEETING AGENDA  
7:30 PM  
MAY 8, 2013

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. Minutes submitted for approval:
  - March 7, 2013 – Work Session
  - April 4, 2013- Work Session
  - April 10, 2013 – Regular and Executive Sessions
6. Hunting Lease Auction
7. Public Comment on Agenda Items\*
8. Ordinances for Public Hearing:
  - No. 2013-03 – Refunding Bond Ordinance of the Township of Springfield, In the County of Burlington, New Jersey, Providing for the Refunding of All or a Portion of the Outstanding Callable General Improvements Bonds of the Township, Dated September 1, 2004, Issued in the Original Principal Amount of \$3,148,000, Appropriating \$3,000,000 Therefor and Authorizing the Issuance of \$3,000,000 Refunding Bonds of the Township for Financing the Cost Thereof.
9. Resolutions
  - No. 2013-05-01 – Resolution Approving Participation with the State of New Jersey in a Safe and Secure Communities Program Administered by the Division of Criminal Justice, Department of Law and Public Safety
  - No. 2013-05-02 – Resolution Memorializing Award of Contract for Mowing of Grass and Trimming at Miscellaneous Locations in the Township of Springfield
  - No. 2013-05-03 – Resolution Memorializing Award of Contract for Mowing of Grass and Trimming Along Municipally Owned Roads
  - No. 2013-05-04 – Resolution of the Township Council of Springfield to Refund Escrow Monies
  - No. 2013-05-05 – Resolution of the Township Council of Springfield to Refund Residential Development Fees
  - No. 2013-05-06 – Resolution Opposing Assembly Bill 2756: Workers Compensation for Surviving Spouses
  - No. 2013-05-07 – Resolution Opposing Assembly Bill 1196: First Responders' Workers' Compensation Presumption
10. Monthly Reports Submitted for Approval
11. Bills Submitted for Approval
12. Correspondence
13. Solicitor's Report
14. Manager's Report

15. Township Officials' Business

16. Public Comment\*

17. Executive Session

No. 2013-05-08 – 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 (Potential Litigation and Personnel)

18. Adjournment

### **TOWNSHIP COUNCIL MEETING MAY 8, 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 Solicitor Brian Guest and Township Manager Keller.

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.”

Mayor McDaniel led the salute to the Flag.

Mr. Sobotka made a motion seconded by Mr. Hlubik to approve the minutes of the March 7, 2013 work session. All were in favor. Motion carried.

Mr. Sobotka made a motion seconded by Mr. Frank to approve the minutes of the April 4, 2013 work session. All were in favor. Motion carried.

Mr. Sobotka made a motion seconded by Mr. Frank to approve the minutes of the April 10, 2013 regular and executive sessions. All were in favor. Motion carried.

### **HUNTING LEASE**

Mr. Guest went over the terms of the auction. Mr. Guest called for bids. Mr. John Burton, President of Capitol Rod and Gun Club, Inc., made a bid of \$4500.00. The auction was closed as no other bids were heard. Motion made by Mr. Sobotka and seconded by Mr. Frank to accept the bid made by Capitol Rod and Gun Club, Inc. for \$4,500. All were in favor. Motion carried.

### **PUBLIC COMMENT ON AGENDA ITEMS**

Mr. Johnson asked why Resolution numbers 2 and 3 could not be combined. Mr. Frank stated that they were for two different bids.

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

### **ORDINANCES FOR PUBLIC HEARING**

Motion made by Mr. Sobotka and seconded by Mr. Frank to open the public hearing on Ordinance 2013-03. All were in favor. Motion carried.

Hearing no one for public comment, the public hearing was closed on a motion by Mr. Frank and seconded by Mr. Sobotka. All were in favor. Motion carried.

Motion made by Mr. Frank and seconded by Mr. Hlubik to adopt Ordinance 2013-03.

Roll Call – Mr. Frank-Yes; Mr. Hlubik – Yes; Mr. Marinello – Yes Mr. Sobotka - Yes and Mayor McDaniel – Yes. Motion carried.

### **ORDINANCE 2013-03**

**REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF SPRINGFIELD, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF THE OUTSTANDING CALLABLE GENERAL IMPROVEMENT BONDS OF THE TOWNSHIP, DATED SEPTEMBER 1, 2004, ISSUED IN THE ORIGINAL PRINCIPAL AMOUNT OF \$3,148,000, APPROPRIATING \$3,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,000,000 REFUNDING BONDS OF THE TOWNSHIP FOR FINANCING THE COST THEREOF.**

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF SPRINGFIELD, IN THE COUNTY OF BURLINGTON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The Township of Springfield, in the County of Burlington, New Jersey (the "Township") is hereby authorized to refund all or a portion of the outstanding callable General Improvement Bonds of the Township issued in the original principal amount of \$3,148,000 and dated September 1, 2004 (the "2004 Bonds"). The 2004 Bonds maturing on or after August 15, 2015 (the "Refunded Bonds") may be redeemed at the option of the Township in whole or in part on any date on or after August 15, 2014 (the "Redemption Date") at a redemption price equal to 100% of such Refunded Bonds, plus unpaid accrued interest, if any, to the Redemption Date.

Section 2. In order to finance the cost of the purpose described in Section 1 hereof, negotiable refunding bonds (the "Refunding Bonds") are hereby authorized to be issued in the aggregate principal amount not to exceed \$3,000,000 pursuant to the Local Bond Law of the State of New Jersey.

Section 3. An aggregate amount not exceeding \$90,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of Refunding Bonds authorized herein.

Section 4. The supplemental debt statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the \$3,000,000 amount of the Refunding Bonds authorized by this refunding bond ordinance and that an amount representing the \$2,693,000 principal amount of the bonds to be refunded will be deductible from gross debt. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

Section 5. The purpose of the refunding is to effect an interest cost savings for the Township.

Section 6. No Local Finance Board approval is required as the issuance of the Refunding Bonds will comply with the requirements of N.J.A.C. 5:30-2.5.

Section 7. The Mayor, the Chief Financial Officer, the Township Clerk and other appropriate representatives of the Township are hereby authorized to prepare such documents, to publish such notices and to take such other actions as are necessary or desirable to enable the Township to prepare for the sale and the issuance of the Refunding Bonds authorized herein and to provide for the redemption of the 2004 Bonds referred to in Section 1 hereof.

Section 8. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption.

## **RESOLUTIONS**

Motion made by Mr. Sobotka and seconded by Mr. Frank to approve Resolution No. 2013-05-01. All were in favor. Motion carried.

### **RESOLUTION 2013-05-01**

#### **NEW JERSEY SAFE AND SECURE COMMUNITIES PROGRAM RESOLUTION OF PARTICIPATION**

#### **A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN A SAFE AND SECURE COMMUNITIES PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY**

WHEREAS, the Township of Springfield wishes to apply for a project under the Safe and Secure Communities Program, and

WHEREAS, the Springfield Township Council has reviewed the application and has approved said request, and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Applicant Unit of Government, for the purpose described in the application;

THEREFORE, BE IT RESOLVED by the Springfield Township Council that

1. As a matter of public policy the Springfield Township wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General will receive funds on behalf of the applicant.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
4. The Division of Criminal Justice shall initiate allocations to the applicant as authorized by law.

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Motion made by Mr. Sobotka and seconded by Mr. Frank to approve Resolution No. 2013-05-02. All were in favor. Motion carried.

**RESOLUTION 2013-05-02**

**RESOLUTION MEMORIALIZING AWARD OF CONTRACT FOR MOWING OF GRASS AND TRIMMING AT MISCELLANEOUS LOCATIONS IN THE TOWNSHIP OF SPRINGFIELD**

**WHEREAS**, the Township Council received bids for mowing of grass and trimming at miscellaneous locations in the Township of Springfield; and

**WHEREAS**, the Township received three (3) bids; and

**WHEREAS**, All-Green Turf Management, Corp. was the apparent low bidder at a total per session price of \$1,055.00 for the 1<sup>st</sup> year and \$1,111.00 for the 2<sup>nd</sup> year; and

**WHEREAS**, the bid packet of All-Green Turf Management, Corp. was reviewed by the Township Attorney and found to be in good order and in compliance with the specifications; and

**WHEREAS**, there are funds available for this purpose.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Springfield that All-Green Turf Management, Corp. be and is hereby awarded the contract for the Mowing of Grass and Trimming at Miscellaneous Locations in the Township of Springfield at a total per session price of \$1,055.00 for the 1<sup>st</sup> year and \$1,111.00 for the 2<sup>nd</sup> year.

**BE IT FURTHER RESOLVED** that the Mayor and Township Clerk are hereby authorized to execute any and all documents in furtherance of this bid award.

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Motion made by Mr. Frank and seconded by Mr. Sobotka to approve Resolution No. 2013-05-03. All were in favor. Motion carried.

**RESOLUTION 2013-05-03**

**RESOLUTION MEMORIALIZING AWARD OF CONTRACT FOR MOWING OF GRASS AND TRIMMING ALONG MUNICIPALLY OWNED ROADS**

**WHEREAS**, the Township Council received bids for mowing of grass and trimming along municipally owned roads; and

**WHEREAS**, the Township received one (1) bid; and

**WHEREAS**, H. Eggleston and Son, LLC was the apparent low bidder at a total per hour price of \$75 for the 1<sup>st</sup> year and \$80 for the 2<sup>nd</sup> year; and

**WHEREAS**, the bid packet of H. Eggleston and Son, LLC was reviewed by the Township Attorney and found to be in good order and in compliance with the specifications; and

**WHEREAS**, there are funds available for this purpose.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Springfield that H. Eggleston and Son, LLC be and is hereby awarded the contract for the Mowing of Grass and Trimming Municipally Owned Roads at a total per hour price of \$75.00 for the 1<sup>st</sup> year and \$80.00 for the 2<sup>nd</sup> year.

**BE IT FURTHER RESOLVED** that the Mayor and Township Clerk are hereby authorized to execute any and all documents in furtherance of this bid award.

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Motion made by Mr. Sobotka and seconded by Mr. Hlubik to approve Resolution No. 2013-05-04. Mr. Frank stated that this is for a house that was to be built on Jacksonville-Smithville Rd. that only had a foundation complete and now the owner has sold the property to SERV who has an agreement with the Township to develop a group home on the property. All were in favor. Motion carried.

**RESOLUTION 2013-05-04**

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF SPRINGFIELD TO REFUND ESCROW MONIES**

WHEREAS, Nicholas Persichetti made payment to escrow account number T-22-09-021-000-185, which was established for the purpose of a driveway and certificate of occupancy inspection for Block 601 Lots 3.05; and

WHEREAS, Mr. Persichetti is no longer the owner of the property and has requested the remaining balance in this escrow account in the amount of \$108.70 be refunded to him; and

WHEREAS, the Engineer has confirmed there are no outstanding invoices.

NOW, THEREFORE BE IT RESOLVED by the Springfield Township Council that the balance remaining in escrow account T-22-09-021-000-185 in the amount of \$108.70 be refunded to Mr. Persichetti.

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Motion made by Mr. Sobotka and seconded by Mr. Hlubik to approve Resolution No. 2013-05-05. Mr. Frank confirmed that this money would come out of the COAH Trust Fund. All were in favor. Motion carried.

**RESOLUTION 2013-05-05**

**A RESOLUTION OF THE TOWNSHIP COUNCIL  
OF SPRINGFIELD TO REFUND RESIDENTIAL DEVELOPMENT FEES**

WHEREAS, Nicholas Persichetti purchased a Block 601, Lot 3.05 for the purposes of building a residential building; and

WHEREAS, Springfield Township Ordinances provide for the collection of a residential development fee to used for the sole purpose of providing low- and moderate-income housing on all new construction; and

WHEREAS, Mr. Persichetti made payment to the Township of Springfield Township for residential development fees for Block 601 Lots 3.05 in the amount of \$3,150.00; and

WHEREAS, Mr. Persichetti never completed the new construction and has since sold the property to SERV, a non-profit developer, for the purpose of building a group home; and

WHEREAS, there currently exists an Affordable Housing Agreement between the Township of Springfield and SERV for the development of a group home for four (4) developmentally disabled adults that would qualify for four (4) affordable housing credits; and

WHEREAS, Mr. Persichetti has requested that the residential development fee in the amount of \$3,150.00 be refunded to him.

NOW, THEREFORE BE IT RESOLVED by the Springfield Township Council that the residential development fee in the amount of \$3,150.00 be refunded to Mr. Persichetti.

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Motion made by Mr. Sobotka and seconded by Mr. Hlubik to approve Resolution No. 2013-05-06. Mr. Frank stated that this legislation would add an additional benefit to an already substantial benefit that officers receive under PFRS. Mr. McDaniel added that this would come out of the pension fund which is insolvent. Mr. Marinello was asking if this benefit would get paid out for all spouses or just to those whose spouse died in the line of duty and Mr. Keller responded that is the problem it is all encompassing. All were in favor. Motion carried.

**RESOLUTION 2013-05-06**

**A RESOLUTION OPPOSING ASSEMBLY BILL 2756: WORKERS COMPENSATION FOR  
SURVIVING SPOUSES**

WHEREAS, public safety employees and all other public and private sector workers should be adequately compensated for on-duty accidents and illnesses; and

WHEREAS, the widows of police officers and firefighters already receive benefits that are not available to the surviving spouses of other public and private sector workers; and

WHEREAS, surviving spouses of police officers and firefighters receive an enhanced non-contributory life insurance benefit from the Police and Fire Retirement System (PFRS) in

the amount of 3.5 times annual compensation while the benefit for everyone else is 1.5 times; and

WHEREAS, further, spouses of police officers and fire fighters killed on the job also receive over \$325,000 from the Federal Government under the Public Safety Officers Benefits Act (PSOB); and

WHEREAS, under current law, certain dependents including spouses, children and under some circumstance parents may apply for Workers' Compensation dependent benefits of 70% of the employee's average earnings; and

WHEREAS, a spouse who remarries loses the dependent benefit after receiving a basic minimum award determined by a formula in the statute and the other eligible dependents split the spouse's award; and

WHEREAS, under the proposed A-2756, the widow of a police officer or firefighter will receive the benefit for life but this extension will not be available to the surviving spouses of other public or private sector workers;

NOW, THEREFORE BE IT RESOLVED by the Township Council of Springfield Township, Burlington County that the legislature be urged to reject A-2756 as currently written and that the workers' compensation system treat equally all public and private sector workers.

BE IT FURTHER RESOLVED that the Municipal Clerk shall send copies of this resolution to the Senate President, Assembly Speaker, members of the legislative delegation representing the municipality, and the Governor.

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Motion made by Mr. Sobotka and seconded by Mr. Hlubik to approve Resolution No. 2013-05-07. Mr. Frank asked how we became aware of these and Mr. Keller stated that it was brought to our attention by the JIF. Mr. Keller stated that this bill would increase our cost for coverage by double. All were in favor. Motion carried.

#### **RESOLUTION 2013-05-07**

#### **A RESOLUTION OPPOSING ASSEMBLY BILL 1196: FIRST RESPONDERS' WORKERS' COMPENSATION PRESUMPTION**

WHEREAS, public safety employees and volunteers should be adequately compensated for on-duty accidents and illnesses; and

WHEREAS, New Jersey's current Workers' Compensation law is already one of the broadest in the country; and

WHEREAS, A-1196 as currently written will make it almost impossible to contest claims from injuries and illnesses caused off-the-job; and

WHEREAS, this bill places the burden of proof on governmental employers to establish that an injury or illness, such as cancer, heart attack or hyper tension did not occur on the job; and

WHEREAS, the actuary for the Municipal Excess Liability Joint Insurance Fund (MEL) has estimated that A-1196 could easily double municipal Workers' Compensation expense; and

NOW, THEREFORE BE IT RESOLVED by the Township Council of Springfield Township, Burlington County that the legislature be urged to reject A-1196 and urges the supporters of this legislation to work with the MEL and representative of other units of government to develop less expensive ways to improve compensation to first responders.

BE IT FURTHER RESOLVED that the Municipal Clerk shall send copies of this resolution to the Senate President, Assembly Speaker, members of the legislative delegation representing the municipality, and the Governor.

**MONTHLY DEPARTMENTAL REPORT**

CLERK REPORT OF LICENSES  
APRIL 2013

Dog Licenses Issued – 18  
 Licenses assessed late fee \$205.00  
 Total Licenses Issued Year to Date - 413  
 0 Kennel licenses sold this month  
 Replacement dog licenses sold this month - 0  
  
 Total amount collected - \$326.00

TREASURER’S REPORT – CURRENT ACCOUNT  
APRIL 2013

Year to Date Revenue	\$3,112,987.50
Year to Date Expended	848,378.82
Total Available Revenue	\$2,264,608.68

TAX COLLECTOR’S REPORT  
APRIL 2013

2013 TAX PAYMENTS	\$ 77,028.41
PRIOR YEAR TAX PAYMENTS	\$ 11,368.03
FUTURE TAX PAYMENTS	
INTEREST ON TAXES	\$ 2,110.29
<b>TOTAL TAX PAYMENTS</b>	<b>\$ 90,506.73</b>
200' LIST FEES	\$ 20.00
DUPLICATE TAX BILL FEES	
<b>TOTAL MISC. PAYMENTS</b>	<b>\$ 20.00</b>
<b>TOTAL RECEIPTS FOR THE MONTH:</b>	<b>\$ 90,526.73</b>

CONSTRUCTION OFFICIAL’S REPORT  
APRIL 2013

Building Permits & Application Fees	\$6502.00
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Development Fees	3040.50
CO/CCO Fees	500.00
Re-inspection-CCO	25.00
Plan Review	-0-
Violations	-0-
Total	\$10067.50

**POLICE REPORT  
APRIL 2013**

The Springfield Township Police Department responded to a total of **385** complaints. They are broken down in the following manner:

- 298 General Police Complaints
  - 0 Domestic Incidents
  - 7 Criminal Investigations
  - 20 MVAs
  - 19 Medical Emergencies
  - 30 Activated Alarms
  - 5 Abandoned 911 Calls
  - 6 Assists to Outside Departments
  - 4 Assists to Our Department
- 223 Motor Vehicle Stops
  - 3 Arrests
    - 2 Warrants
    - 1 DWI
    - 0 Criminal

Tickets Issued: 206  
Mileage: 11899

**ZONING OFFICER'S REPORT  
APRIL 2013**

- 6 - Violations
- 1 - Court Appearance
- 2 - Sites Visits

**MANAGER'S REPORT  
APRIL 2013**

Meetings-5  
Miscellaneous contacts that required action and resolution-7  
Filed Stormwater management Report

**MUNICIPAL COURT  
APRIL 2013**

Monthly fines, Title 39 Split, Contempt of Court, Court Costs, Criminal Fines	\$13,760.39
Public Defender Fees	205.00
Parking Offenses Act	.00

Mr. Frank commented that Court revenue was down and Mr. Sobotka added that it is down about \$15,000 from last year. Chief Trout stated that he is not sure why the decline and he does not think it is the result of a decline in work from his department. Chief Trout stated that it could be from a difference in the amount of fines being imposed or due to the State Police not writing as many tickets as they are also understaffed.

Mr. Sobotka stated that the tax collection rate is up slightly.

Mr. Sobotka made a motion seconded by Mr. Frank to file the reports. All were in favor. Motion carried.

### BILL LIST

VENDOR	CHECK NO.	AMOUNT PAID
<b>CURRENT</b>		
Petty Cash	9196	\$75.00
Able Cleaning Service	9197	\$325.00
Auto Shine Car Wash	9198	\$18.00
Burlington Cleaners	9199	\$59.00
County of Burlington	9200	\$22.50
Burlington County Treasurer	9201	\$405,610.76
Burlington County Treasurer	9202	\$8,587.84
Casa Payroll Services	9203	\$175.50
Central Jersey Waste & Rec.	9204	\$6,958.33
Comcast	9205	\$102.00
Cooper Power Systems Inc	9206	\$845.00
Copi-Rite, Inc.	9207	\$386.49
Courier Times, Inc.	9208	\$298.50
Dante Guzzi Engineering	9209	\$1,866.38
Dunbar Armored, Inc.	9210	\$158.40
East River Energy, Inc.	9211	\$3,343.32
H Eggleston & Son, LLC	9212	\$4,902.63
Galls An Aramark Company	9213	\$325.28
Haar Electric Inc.	9214	\$250.00
Hess Corporation	9215	\$349.79
Home Depot Credit Services	9216	\$20.19
Hurley's Auto Repair	9217	\$1,755.67
JCP&L	9218	\$1,504.56
J. Paul Keller	9219	\$1,016.39
Lifesavers Inc.	9220	\$126.00
Lights and Sirens, Inc.	9221	\$1,346.36
Danielle Lippincott	9222	\$121.60
Mansfield Township	9223	\$9,583.33
Matthew Bender & Co.	9224	\$66.00

Motorola, Inc.	9225	\$340.00
Mr. Bob Portable Toilets	9226	\$454.00
New Jersey American Water Co	9227	\$242.44
New Jersey Planning Officials	9228	\$180.00
NJSHBP	9229	\$23,203.51
NJ League of Municipalities	9230	\$55.00
Northern Burl Cnty Reg School	9231	\$291,362.66
NRG Business Solutions	9232	\$69.27
Parker McCay, PA	9233	\$4,851.51
Martin Poinsett	9234	\$100.00
Protective Services Group Inc	9235	\$117.00
Professional Accountants	9236	\$125.00
Professional Government Educa	9237	\$90.00
PSE&G	9238	\$4,096.97
Ready Solutions LLC	9239	\$1,300.00
Registrar's Association of NJ	9240	\$98.00
Ron's Termite & Pest Control	9241	\$70.00
R W Tire Corp.	9242	\$430.16
Sirak Auto Supply Inc.	9243	\$44.53
Sirchie Fingerprint Labs, Inc.	9244	\$59.95
SJShore Marketing LLC	9245	\$328.00
Peter Sobotka	9246	\$131.54
South Jersey Continuing Educ.	9247	\$100.00
Springfield Township Board of Ed	9248	\$277,308.00
State Treasurer-Cert Unit	9249	\$50.00
Stokleys, Inc	9250	\$269.00
Thomson-West	9251	\$384.00
Verizon Wireless	9252	\$320.08
Xtel Communications, Inc.	9253	\$416.50

#### **COAH**

Clarke Caton Hintz PC	7107	\$52.00
Parker McCay, P.A.	7108	\$1,811.76

#### **DEVELOPERS ESCROW**

Dante Guzzi Engineering	7209	\$313.00
Lippincott & Jacobs	7210	\$13.50
Dimitrios Theodoropoulos	7211	\$2,853.00

#### **RECREATION**

CRS/WholesaleBaseball Equipmt	7110	\$517.40
Mansfield Township	7111	\$122.00
New Egypt Agway	7112	\$181.84
Kenneth Granderson	7113	\$70.00

#### **DOG TRUST**

New Jersey Dept. of Health	7111	\$28.20
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#### **OPEN SPACE TRUST**

H. Eggleston & Son, LLC	7107	\$1,020.00
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TOTAL		\$1,063,779.64
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Mr. Sobotka made a motion seconded by Mr. Frank to pay the bills, except the attorneys. All were in favor. Motion carried.

Mr. Sobotka made a motion seconded by Mr. Hlubik to pay the attorneys. All were in favor, except Mr. Frank who abstained. Motion carried.

### **CORRESPONDENCE**

Mr. McDaniel stated that COAH had its first meeting in two years and in that meeting they voted to take money from municipalities Affordable Housing Fund if the municipalities have not spent the funds and they want it by May 22, 2013. Mr. McDaniel added that for an agency that did not meet for two years and now they give towns about two weeks to come up with some complex answers. Mr. McDaniel stated that in essence the state is stealing the town's money.

### **SOLICITOR REPORT**

Mr. Guest stated that he did give Council a letter regarding the processing of junk titles if Council wishes to move forward with this process. Motion made by Mr. Sobotka and seconded by Mr. Frank to go out to RFP to allow for junk titles to be done by an outside company instead of by the police department.

Mr. Sobotka asked about the Mt. Laurel use variance application that was discussed in the League magazine where someone used inherently beneficial use for developing low income housing even though a town had satisfied its affordable housing obligation and he asked if the Township would be protected under its substantive certification. Mr. Guest responded that this decision is troubling and it is hard to say if the town would be protected. Mr. McDaniel stated that whatever rules are passed by the legislature then get challenged and the rules just end up changing. Mr. Frank asked if it is possible that the Governor is taking the money to make the situation so bad that it goes away.

### **MANAGER'S REPORT**

Mr. Keller stated that the Stormwater Management report has been filed and there are points the township receives for discussing it at a meeting.

Mr. McDaniel stated that the Governor's office called to say we are getting some additional money from the Clean Communities.

Mr. Sobotka made a motion seconded by Mr. Hlubik to accept the Manager's report. All were in favor. Motion Carried.

### **TOWNSHIP OFFICIAL'S BUSINESS**

Mr. Marinello got a call about a sinkhole by 294 and 287 Arneys Mt. -Pemberton Rd. and it is a County road so he asked the Manager to contact the County.

Mr. McDaniel asked if we are safe to tell engineer to proceed to with a design for the Columbus Jobstown Rd. bike path because the Engineer needs an update as to where Council stands. Council agreed that the Engineer should be advised to proceed.

Mr. McDaniel received a call from the County to see what the Township's concerns are about the Farm Fair site. It was discussed about the water on the site and Mr. Frank stated that the County Wastewater Management map was posted online and the Mayor's comments were rejected at this time. Mr. McDaniel reminded them that they were suppose to come back with what limitations they would offer if a permanent water hookup was granted and they did not remember that part of the discussion.

Mr. Sobotka stated that on May 27<sup>th</sup> at 10 am would the Memorial Day Ceremony in Veteran's Park.

Mr. Sobotka asked that since we have a couple of new cars could the police park a car across the street while school is in session.

### **PUBLIC COMMENT**

Mr. Johnson asked when the Jacksonville Park would be done. Mr. Keller stated that by the end of the month and Mr. Frank added that the pond will be cleaned out.

Mr. Johnson stated that the Waste Management Co. and Woolston are using Hedding Rd. to get to the landfill. Mr. Johnson has tried to get the County to take care of the problem but they have not done anything. Mr. McDaniel asked if we could send a letter reminding the companies that they should not be using this road to get to the landfill. Mr. Marinello asked how it is enforced and Mr. Guest stated that he believes it is in the County Waste Management plan that the trucks must use 295 to get to the landfill. Mr. Guest added that for the police to issue a summons they would have to witness the truck using the local roads. Mr. Marinello questioned whether it is an enforceable regulation even then. Mr. McDaniel stated that we can get some letters out to those companies and asked the Solicitor to come up with an Ordinance or Statute that the police department can use to enforce this. Mr. Johnson stated that it is mostly in the afternoon going toward the landfill.

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

Mr. Sobotka made a motion seconded by Mr. Hlubik to approve Resolution No. 2013-05-08 for the purpose of discussing potential litigation and personnel. All were in favor. Motion carried. Council entered into executive session at 8: 13 PM. Mayor McDaniel stated that Council would invite the public back in when they returned to public session.

### **RESOLUTION 2013-05-08**

#### **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: (Potential Litigation and personnel).

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Springfield, assembled in public session on May 8, 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 9:20 PM and the public was invited back in.

Motion made by Mr. Frank and seconded by Mr. Sobotka to authorize the Solicitor to settle the Bungi Realty fines as authorized in executive session. All were in favor. Motion carried.

Motion made by Mr. Frank seconded by Mr. Sobotka to authorize the Solicitor to settle with T&M regarding the malpractice claims as authorized in executive session. All were in favor. Motion carried.

Mr. Guest stated that the tax appeals will be heard on May 28<sup>th</sup> and he added that there are about 20 and the assessor is working to settle them. Mr. Keller stated the tax maps are at the State for review so we can move forward with revaluation soon.

Mr. Sobotka made a motion seconded by Mr. Frank to adjourn the meeting. The meeting was adjourned at 9:22 PM. All were in favor.

Respectfully submitted,

Patricia A. Clayton  
Township Clerk