

TOWNSHIP OF SPRINGFIELD  
COUNCIL MEETING AGENDA  
7:30 PM  
October 9, 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:
  - September 11, 2013 – Regular Council Meeting
6. Public Comment on Agenda Items\*
7. Resolutions
  - No. 2013-10-01 – Resolution Authorizing Use of Competitive Contracting Procedures for Concession with Respect to Abandoned and Junk Car Title Services.
  - No. 2013-10-02 – Resolution Supporting the Use of a “No Passing Zone” on Route 206 in Springfield Township as Recommended by New Jersey Department of Transportation
  - No. 2013-10-03 – Resolution Authorizing the Advertising for Bids to Lease Certain Land(s) Owned by the Township of Springfield
  - No. 2013-10-04 – Resolution of the Township Council of Springfield to Refund Escrow Monies
  - No. 2013-10-05 – Resolution of the Township of Springfield, County of Burlington, State of New Jersey Authorizing the Township Engineer to Go Out to Bid for the 2014 Road Reconstruction Project.
  - No. 2013-10-06 – Resolution Determining the Form and Other Details of Not to Exceed \$3,000,000 Principal Amount of Refunding Bonds of the Township of Springfield, in the County of Burlington, New Jersey and providing for the Sale and the Delivery of Such Bonds
  - No. 2013-10-07 – Resolution Amending Resolution No. 2013-02-02 for a Special Emergency Appropriation – NJS40A:4-53
8. Monthly Reports Submitted for Approval
9. Bills Submitted for Approval
10. Correspondence
11. Engineer’s Report
12. Solicitor’s Report
13. Manager’s Report
14. Township Officials’ Business
15. Public Comment\*
16. Executive Session

No. 2013-10-08 – 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 (Litigation)

17. Adjournment

**TOWNSHIP COUNCIL MEETING  
SEPTEMBER 11, 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 September 11, 2013 regular session. All were in favor. Motion carried.

**PUBLIC COMMENT ON AGENDA ITEMS**

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

**RESOLUTIONS**

Motion made by Mr. Sobotka and seconded by Mr. Frank to approve Resolution No. 2013-10-01. All were in favor. Motion carried.

**RESOLUTION 2013-10-01**

**RESOLUTION AUTHORIZING USE OF COMPETITIVE CONTRACTING  
PROCEDURES FOR CONCESSION WITH RESPECT TO  
ABANDONED AND JUNK CAR TITLE SERVICES**

**WHEREAS**, the Township Council has desires to utilize a service for processing both good and junk titles to cars abandoned within the Township and towed by the Township Police Department; and

**WHEREAS**, such services are generally provide at the cost of the applicable towing agency or motor vehicle owner and are, therefore, in the nature of a concession; and

**WHEREAS**, the Township Attorney has prepared a Request for Proposals with respect to such services, a true copy of which is annexed hereto; and

**WHEREAS**, N.J.S.A. 40A:11-4.3.b. requires the Township to designate a qualified purchasing agent, administrator or legal counsel to administer the competitive contracting process in a manner consistent with the provisions of N.J.S.A. 40A:11-4.4 and 4.5;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Springfield that the Township Manager is hereby designated and authorized to administer the competitive contracting process for the anticipated award of a contract to provide for abandoned car title services to the Township of Springfield.

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Motion made by Mr. Sobotka and seconded by Mr. Frank to approve Resolution No. 2013-10-02. All were in favor. Motion carried.

**RESOLUTION 2013-10-02**

**RESOLUTION SUPPORTING THE CONTINUATION  
OF A "NO PASSING ZONE" ON ROUTE 206 IN THE TOWNSHIP OF  
SPRINGFIELD AS RECOMMENDED BY THE NEW JERSEY  
DEPARTMENT OF TRANSPORTATION**

**WHEREAS**, the New Jersey Department of Transportation (NJDOT) recently completed a traffic improvement study which included those portions of Route 206 in Springfield Township; and

**WHEREAS**, the NJDOT investigation revealed certain updates and improvements were needed within the study area in order to meet and conform to current design standards; and

**WHEREAS**, although the "no passing" centerline pavement markings in Springfield Township meet and conform to current design standards, NJDOT is, nevertheless, seeking a Resolution of Support for the Route 206 study area for recommended improvements from all towns within the study area; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Springfield, County of Burlington and State of New Jersey, that it supports the NJDOT recommendations for a "No Passing Zone" within the study area including the continuation of the existing "No Passing Zone" within the Township;

**AND BE IT FURTHER RESOLVED** that a true certified copy of this Resolution shall be forwarded to NJDOT by the Township Clerk.

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Motion made by Mr. Sobotka and seconded by Mr. Hlubik to approve Resolution No. 2013-10-03. All were in favor except Mr. Frank who abstained. Motion carried.

**RESOLUTION 2013-10-03**

**RESOLUTION AUTHORIZING THE ADVERTISING FOR BIDS TO LEASE CERTAIN LAND(S) OWNED BY THE TOWNSHIP OF SPRINGFIELD**

**WHEREAS**, Block 402, Lot 3 on the Tax Map of Springfield Township and owned by the Township of Springfield Township, is not currently needed for public purposes; and

**WHEREAS**, it is in the best interest of the Township of Springfield to advertise for the property for lease to the highest bidder; and;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Springfield that the Township, County of Burlington, State of New Jersey, that the above referenced property shall be advertised for lease pursuant to all requirements and procedures in the Local Lands and Buildings Law (N.J.S.A. 40A:12-1 et seq.) and the terms of the Notice to Bidders for the Lease of Public Lands For Farming Purposes dated October 9, 2013.

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Motion made by Mr. Sobotka and seconded by Mr. Hlubik to approve Resolution No. 2013-10-04. All were in favor. Motion carried.

**RESOLUTION 2013-10-04**

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

WHEREAS, Mr. Mehmet Pamuk made payment to escrow account number T-22-12-004-100-999, which was established for the purpose of an engineering inspection for Block 1001 Lots 10; and

WHEREAS, Mr. Pamuk has requested the remaining balance in this escrow account in the amount of \$232.50 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-22-12-004-100-999 in the amount of \$232.50 be refunded to Mr. Pamuk.

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Motion made by Mr. Sobotka and seconded by Mr. Hlubik to approve Resolution No. 2013-10-05. All were in favor. Motion carried.

**RESOLUTION 2013-10-05**

**RESOLUTION OF THE TOWNSHIP OF SPRINGFIELD, COUNTY OF BURLINGTON, AND STATE OF NEW JERSEY AUTHORIZING THE TOWNSHIP ENGINEER TO GO OUT TO BID FOR THE 2014 ROAD RECONSTRUCTION PROJECT.**

**WHEREAS**, the Township Council of the Township of Springfield has approved a 2014 Road Reconstruction Project submitted by the Township Engineer; and

**BE IT RESOLVED** by the Township Council of the Township of Springfield that:

Section 1. That the Municipal Engineer, Dante Guzzi Engineering Associates is hereby authorized to advertise for bids for the 2014 Road Reconstruction Project.

Section 2. That the funds for the purposes of this Resolution are being utilized from Multipurpose Bond Ordinance 2013-02.

Section 3. That this Resolution shall take effect and be in force immediately upon its passage.

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Motion made by Mr. Sobotka and seconded by Mr. Frank to approve Resolution No. 2013-10-06. Mr. Keller stated that these are the same refunding bonds we tried earlier this year but this time we are guaranteed an interest rate that is much more in line with what we previously expected and the Township should save about \$10,000 a year in interest.

Roll Call: Mr. Frank- yes, Mr. Hlubik-yes; Mr. Marinello-yes; Mr. Sobotka-yes and Mr. McDaniel-yes. Motion carried.

**RESOLUTION NO. 2013-10-06**

**RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT TO EXCEED \$3,000,000 PRINCIPAL AMOUNT OF REFUNDING BONDS OF THE TOWNSHIP OF SPRINGFIELD, IN THE COUNTY OF BURLINGTON, NEW JERSEY AND PROVIDING FOR THE SALE AND THE DELIVERY OF SUCH BONDS**

BE IT RESOLVED 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 (referred herein as the "Township") hereby authorizes the sale, in one or more series, of an amount not to exceed \$3,000,000 Refunding Bonds (the "Bonds") by virtue of its final adoption by a two-thirds majority of its full membership on May 8, 2013 of a bond ordinance entitled, "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" (the "Bond Ordinance").

Section 2. The Bonds are hereby authorized to be sold to Roosevelt & Cross, Inc. in accordance with the purchase contract to be entered into by and between the Underwriter and the Township (the "Purchase Contract") pursuant to this resolution. The purchase price for the Bonds shall be as set forth in the Purchase Contract, plus unpaid accrued interest, if any, from the dated date of the Bonds to, but not including, the delivery date of the Bonds. The Mayor and/or Chief Financial Officer is hereby authorized to enter into the Purchase Contract on behalf of the Township with the Underwriter in a form satisfactory to McManimon, Scotland & Baumann, LLC, Bond Counsel for the Township ("Bond Counsel") for the sale of the Bonds to

the Underwriter in accordance with the provisions of this resolution. The signature of the Mayor and/or Chief Financial Officer on the Purchase Contract shall be conclusively presumed to evidence any necessary approvals.

Section 3. The Bonds are being issued to incur interest cost savings by redeeming all or a portion of the callable outstanding general improvement bonds of the Township originally issued in the principal amount of \$3,148,000, dated September 1, 2004, which bonds maturing on or after August 15, 2015 (the "Refunded Bonds") are redeemable at the option of the Township in whole or in part on any date on or after August 15, 2014 (the "Redemption Date") at par (the "Redemption Price"), plus in each case accrued interest, if any, to the Redemption Date.

Section 4. The Bonds shall be issued in accordance with the terms and the conditions set forth in the Purchase Contract within the parameters set forth herein:

(A) The Bonds shall be issued in a par amount determined to be necessary to pay costs of issuance and to provide for payment of the Redemption Price of the Refunded Bonds on the Redemption Date, and the interest due on the Refunded Bonds through the Redemption Date;

(B) The Bonds shall be dated such date as established in the Purchase Contract;

(C) The Bonds shall mature in the principal amounts on or about August 15 of each year, commencing on or about August 15, 2014 and thereafter or as otherwise set forth in the Purchase Contract and shall bear interest at interest rates per annum on the unpaid principal balance on each February 15 and August 15 until maturity or earlier redemption, commencing on or about February 15, 2014 or as otherwise set forth in the Purchase Contract;

(D) The Bonds shall be issued in the form of one bond for each maturity except if all or any portion of the Bonds are issued as term bonds;

(E) The Bonds shall be numbered consecutively from R-1 upward and shall mature in such principal amounts with such mandatory call features and with such mandatory sinking fund payments as set forth below and as determined in the Purchase Contract;

(F) The Bonds may be subject to optional redemption or not as set forth in the Purchase Contract;

(G) Depending on market conditions at the time of the sale, the Bonds may be issued in one or more series as determined by the Chief Financial Officer, in consultation with Bond Counsel and Phoenix Advisors, LLC (the "Financial Advisor").

Section 5. The Bonds shall be substantially in the following form with such additions, deletions and omissions as may be necessary for the Township to conform the Bonds to the requirements of the Purchase Contract.

**SAMPLE BOND FORM FOR INFORMATION  
ONLY – DO NOT COMPLETE OR SIGN**

REGISTERED  
NUMBER R- \_\_\_\_\_

REGISTERED  
\$ \_\_\_\_\_

UNITED STATES OF AMERICA  
STATE OF NEW JERSEY

TOWNSHIP OF SPRINGFIELD,  
IN THE COUNTY OF BURLINGTON

REFUNDING BOND

DATED DATE	MATURITY DATE:	RATE OF INTEREST PER ANNUM:	CUSIP:
___/___/2013	08/15/20__	_____ %	_____

TOWNSHIP OF SPRINGFIELD, IN THE COUNTY OF BURLINGTON, New Jersey (the "Township") hereby acknowledges itself indebted and for value received promises to pay to CEDE & CO., as nominee of The Depository Trust Company, which will act as Securities Depository, on the Maturity Date specified above, the principal sum of \_\_\_\_\_ DOLLARS (\$\_\_\_\_\_) and to pay interest on such sum from the Dated Date set forth above at the Rate of Interest Per Annum specified above semiannually on the fifteenth days of February and August in each year until maturity [or earlier redemption] commencing on February 15, 2014. Interest on this bond will be paid to the Securities Depository by the Township and will be credited to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company as of the February 1 and August 1 next preceding the date of such payments (the "Record Dates" for such payments). Principal of this bond, upon presentation and surrender to the Township, will be paid to the Securities Depository by the Township and will be credited to the participants of The Depository Trust Company.

This bond is not transferable as to principal or interest except to an authorized nominee of The Depository Trust Company. The Depository Trust Company shall be responsible for maintaining the book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants are responsible for maintaining records regarding the beneficial ownership interests in the bonds on behalf of individual purchasers.

[The bonds of this issue maturing prior to August 15, 20\_\_ are not subject to redemption prior to their stated maturities. The bonds of this issue maturing on or after August 15, 20\_\_ are redeemable at the option of the Township in whole or in part on any date on or after August 15, 20\_\_ upon notice as required herein at par, plus in each case unpaid accrued interest to the date fixed for redemption.]

Notice of redemption shall be given by mailing by fifteenth class mail in a sealed envelope with postage prepaid to the registered owners of the bonds not less than thirty (30) days, nor more than sixty (60) days prior to the date fixed for redemption. Such mailing shall be to the owners of such bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Township or a duly appointed Bond Registrar. Any failure of the Securities Depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any notice of redemption shall not affect the validity of the redemption proceedings. If the Township determines to redeem a portion of the bonds prior to maturity, the bonds to be redeemed shall be selected by the Township. The bonds to be redeemed having the same maturity shall be selected by the Securities Depository in accordance with its regulations.

If notice of redemption has been given as provided herein, the bonds or the portion thereof called for redemption shall be due and payable on the date fixed for redemption at the redemption price, together with unpaid accrued interest to the date fixed for redemption. Interest shall cease to accrue on the bonds after the date fixed for redemption. Payment shall be made upon surrender of the bonds redeemed.]

This bond is one of an authorized issue of bonds and is issued pursuant to the Local Bond Law of the State of New Jersey and a refunding bond ordinance of the Township finally adopted May 8, 2013 and entitled, "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."

The full faith and credit of the Township are hereby irrevocably pledged for the punctual payment of the principal of and the interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the constitution or the statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed and that the issue of bonds of which this is one, together with all other indebtedness of the Township, is within every debt and other limit prescribed by such constitution or statutes.

IN WITNESS WHEREOF, THE TOWNSHIP OF SPRINGFIELD, IN THE COUNTY OF BURLINGTON, NEW JERSEY has caused this bond to be executed in its name by the manual or facsimile signature of its Mayor and its Chief Financial Officer, its corporate seal to be hereunto imprinted or affixed, this bond and the seal to be attested by the manual signature of its Clerk, and this bond to be dated the Dated Date as specified above.

TOWNSHIP OF SPRINGFIELD, IN THE COUNTY OF BURLINGTON, NEW JERSEY

[SEAL]

ATTEST:

By: \_\_\_\_\_ (Facsimile)  
Mayor

By: \_\_\_\_\_  
Clerk

By: \_\_\_\_\_ (Facsimile)

Chief Financial Officer

**[END OF SAMPLE BOND FORM]**

Section 6. The Bonds shall have printed thereon a copy of the written opinion with respect to the Bonds that is to be rendered by the Township's Bond Counsel, complete except for omission of its date. The Township Clerk is hereby authorized and directed to file a signed duplicate of such written opinion in the Township Clerk's office. Alternatively, each Bond may be accompanied by the signed legal opinion or copy thereof.

Section 7. Bond Counsel and the Financial Advisor are authorized to arrange for the printing of the Bonds. The proper officials of the Township are hereby authorized and directed to execute the Bonds and to deliver them to the Underwriter in exchange for payment, including accrued interest from their date to the date of delivery, if any.

Section 8. The Chief Financial Officer is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with The Depository Trust Company, New York, New York as may be necessary in order to provide that the Bonds will be eligible for deposit with The Depository Trust Company and to satisfy any obligation undertaken in connection therewith.

Section 9. In the event that The Depository Trust Company may determine to discontinue providing its service with respect to the Bonds or is removed by the Township and if no successor Securities Depository is appointed, the Bonds which were previously issued in book-entry form shall be converted to Registered Bonds (the "Registered Bonds") in denominations of \$5,000, or any integral multiple thereof, except that an amount maturing in any one year in excess of the largest principal amount thereof equaling a multiple of \$5,000 will be in denominations of \$1,000, or any integral multiple thereof. The beneficial owner under the book-entry system, upon registration of the Bonds held in the beneficial owner's name, will become the registered owner of such Registered Bonds. The Township shall be obligated to provide for the execution and delivery of the Registered Bonds in certificate form.

Section 10. The Township hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986 (the "Code") in order to preserve the exemption from taxation of interest on the Bonds, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Bonds, and that it will refrain from taking any action that would adversely affect the tax exemption of the Bonds under the Code. The Township authorizes the Chief Financial Officer to act and determine on behalf of the Township whether the Bonds will be designated as "bank qualified" within the meaning of Section 265 of the Code.

Section 11. Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission, as amended and interpreted from time to time (the "Rule"), and provided that the Bonds are not exempt from the Rule and provided that the Bonds are not exempt from the following requirements in accordance with paragraph (d) of the Rule, for so long as the Bonds remain outstanding (unless the Bonds have been wholly defeased), the Township shall provide for the benefit of the holders of the Bonds and the beneficial owners thereof:

(a) On or prior to February 1 of each year, beginning February 1, 2014, electronically to the Municipal Securities Rulemaking Township's Electronic Municipal Market Access ("EMMA") system or such other repository designated by the SEC to be an authorized repository for filing secondary market disclosure information, if any, annual financial information with respect to the Township consisting of the audited financial statements (or unaudited financial statements if audited financial statements are not then available, which audited financial statements will be delivered when and if available) of the Township and certain financial information and operating data consisting of (1) Township and overlapping indebtedness including a schedule of outstanding debt issued by the Township; (2) the Township's most current adopted budget; (3) property valuation information; and (4) tax rate,

levy and collection data. The audited financial statements will be prepared in accordance with generally accepted accounting principles as modified by governmental accounting standards as may be required by New Jersey law;

(b) if any of the following material events occur regarding the Bonds, a timely notice not in excess of ten business days after the occurrence of the event sent to EMMA:

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;
- (7) Modifications to rights of security holders, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution, or sale of property securing repayment of the securities, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the obligated person;
- (13) The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material.

For the purposes of the event identified in subparagraph (12) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an obligated person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the obligated person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the obligated person.

(c) Notice of failure of the Township to provide required annual financial information on or before the date specified in this resolution shall be sent in a timely manner to EMMA.

(d) If all or any part of the Rule ceases to be in effect for any reason, then the information required to be provided under this resolution, insofar as the provision of the Rule no longer in effect required the provision of such information, shall no longer be required to be provided.

(e) The Chief Financial Officer shall determine, in consultation with Bond Counsel, the application of the Rule or the exemption from the Rule for each issue of obligations of the Township prior to their offering. Such officer is hereby authorized to enter into additional written contracts or undertakings to implement the Rule and is further authorized to amend

such contracts or undertakings or the undertakings set forth in this resolution, provided such amendment is, in the opinion of nationally recognized bond counsel, in compliance with the Rule.

(f) In the event that the Township fails to comply with the Rule requirements or the written contracts or undertakings specified in this resolution, the Township shall not be liable for monetary damages, remedy being hereby specifically limited to specific performance of the Rule requirements or the written contracts or undertakings therefor.

Section 12. The Township hereby approves the preparation and the distribution of the Preliminary Official Statement in the form to be approved by the Chief Financial Officer. Such Official Statement may be distributed in preliminary form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission on behalf of the Township by the Chief Financial Officer. The Preliminary Official Statement shall be prepared in final form in connection with the issuance of the Bonds, and the Chief Financial Officer is authorized to execute any certificates necessary in connection with the distribution of the Official Statement. Final Official Statements shall be delivered to the Purchaser within the earliest of seven business days following the sale of the Bonds or to accompany the Purchaser's confirmations that request payment for the Bonds. Bond Counsel and/or the Financial Advisor are further authorized to arrange on behalf of the Township for a rating for the Bonds from Standard & Poor's and/or Moody's Investors Service, and all such actions taken to date are hereby ratified.

Section 13. The Chief Financial Officer, with the advice of the Financial Advisor and Bond Counsel, is authorized to arrange for bond insurance if advantageous based on the advice of the Financial Advisor to be provided at a premium not to exceed 75 basis points of the amount of principal and interest payable in order to obtain the best possible rates and the most cost effective financing and is authorized to take all steps on behalf of the Township necessary to do so.

Section 14. The Chief Financial Officer, with the advice of the Financial Advisor and Bond Counsel, shall arrange for paying agent services or redemption agent services with a banking institution if any portion of the Bonds are term bonds requiring a sinking fund.

Section 15. The Chief Financial Officer is also authorized and directed to pay the costs of issuance in connection with the sale of the Bonds pursuant to a certificate of the Chief Financial Officer to be executed upon delivery of the Bonds in an aggregate amount not to exceed the amount outlined in the Bond Ordinance.

Section 16. The Chief Financial Officer shall take all steps necessary to call the Refunded Bonds on the Redemption Date, at par, plus any unpaid accrued interest thereon and to take all steps necessary for the investment of the proceeds of the Refunded Bonds necessary to arrange for such redemption. The Financial Advisor and/or the Underwriter on behalf of the Township are authorized to reserve and purchase open market treasury securities and/or United State Treasury—State and Local Government Series (SLGs) for deposit with the escrow agent if required. All of the principal amount and interest earnings on the open market treasury securities and/or SLGs, as well as cash, if necessary, will be used to pay the interest due on the Refunded Bonds through the Redemption Date and pay the Redemption Price on the Refunded Bonds on the Redemption Date. The Township Council hereby authorizes TD Bank, N.A. to serve as escrow agent and authorizes the Mayor and/or the Chief Financial Officer to enter into an Escrow Deposit Agreement with such escrow agent in order to provide instructions regarding the deposit of the open market treasury securities and/or SLGs and cash, if any.

Section 17. The Township Council hereby authorizes Holman & Frenia, P.C. to serve as verification agent to confirm the accuracy of the arithmetical and mathematical computations supporting (i) the accuracy of the interest cost savings and the sufficiency of the amount in the escrow account to pay the interest due on the Refunded Bonds through the Redemption Date and pay the Redemption Prices on the Redemption Date; and (ii) the calculations of yield supporting the conclusion of Bond Counsel that the Bonds are not "arbitrage bonds" as such meaning is set forth in the Code.

Section 18. The Mayor, Chief Financial Officer and other appropriate representatives of the Township are hereby authorized to take all steps necessary to provide for the issuance of the Bonds and the redemption of the Refunded Bonds, including preparing and executing such agreements and documents on behalf of the Township and taking all steps necessary or desirable to implement the requirements of this resolution, such agreements, and documents as may be necessary and appropriate and the transactions contemplated thereby.

Section 19. This resolution rescinds and supersedes the resolution of the Township adopted on June 17, 2013 and entitled, "Resolution Determining the Form and Other Details of General Improvement Refunding Bonds in a Principal Amount not Exceeding \$3,000,000 of the Township of Springfield, in the County of Burlington, New Jersey and Providing for the Sale and the Delivery of Such Bonds."

Section 20. This resolution shall take effect immediately.

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Motion made by Mr. Sobotka and seconded by Mr. Hlubik to approve Resolution No. 2013-10-07. Mr. Keller explained that this is necessary to cover additional costs related to the preparation of the tax map due to the problems encountered by the State review. He added that we included additional money in case anything else comes up.

Roll Call: Mr. Frank- yes, Mr. Hlubik-yes; Mr. Marinello-yes; Mr. Sobotka-yes and Mr. McDaniel-yes. Motion carried.

**RESOLUTION 2013-10-07**

**RESOLUTION AMENDING RESOLUTION NO. 2013-02-02 FOR A  
SPECIAL EMERGENCY APPROPRIATION – NJS40A:4-53**

WHEREAS, Resolution No. 2013-02-02 was adopted at a meeting of the Governing Body on February 13, 2013 for an Emergency Appropriation to meet certain extraordinary expenses incurred, or to be incurred, for the preparation and execution of a complete program of revaluation of real property for the use of the local assessor; and

WHEREAS, Resolution No. 2013-03-07 was adopted on March 13, 2013 amending Resolution No. 2013-02-02 to provide for the cost associated with the preparation of the tax maps that are required to be approved by the State prior to conducting a revaluation of real property ; and

WHEREAS, it has been found necessary to amend the Emergency Appropriation to meet certain additional extraordinary expenses incurred, or to be incurred, for the preparation of tax maps and the preparation and execution of a complete program of revaluation of real property for the use of the local assessor and,

WHEREAS, NJSA 40A:4-53 provides that it shall be lawful to make such appropriation, which appropriation and/or the "special emergency notes" issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act.

NOW, THEREFORE BE IT RESOLVED, (by not less than two-thirds of all governing body members affirmatively concurring) that in accordance with the provisions of NJSA 40A:4-55:

1. That Resolution 2013-03-07 amended Resolution 2013-02-02 to include the additional cost of \$10,000 for the preparation of tax maps to be included in the emergency appropriation.

2. That Resolution 2013-02-02 be further amended to include the additional cost of \$20,000 for the preparation of tax maps and execution of a complete program of revaluation of real property to be included in the emergency appropriation.
3. An emergency appropriation is hereby made for the preparation of tax maps and the preparation and execution of a complete program of revaluation of real property for the use of the local assessor in the amended total amount of \$159,500.
4. That the emergency appropriation shall be provided for in the budgets of the next succeeding years by the inclusion of not less than \$31,900.
5. That the "emergency note", not in excess of the amount appropriated pursuant to law, be authorized.
6. That such note shall be executed by Chief Financial Officer, Dianne Kelly.
7. That said note shall be dated when executed, may be renewed from time to time provided that such note and any renewals shall mature and be paid in the amount of not less than one-fifth of the total amount appropriated by this resolution in each year after the authorization.
8. Those two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services; however, no approval is required from the Division.

**MONTHLY DEPARTMENTAL REPORT**

CLERK REPORT OF LICENSES  
SEPTEMBER 2013

Dog Licenses Issued – 1  
 Licenses assessed late fee \$0  
 Total Licenses Issued Year to Date - 429  
 Kennel licenses sold this month 0  
 Replacement dog licenses sold this month - 0  
  
 Total amount collected - \$7.00

TREASURER'S REPORT – CURRENT ACCOUNT  
SEPTEMBER 2013

Year to Date Revenue	\$8,814,548.74
Year to Date Expended	\$2,491,641.24
Total Available Revenues	\$6,322,907.50

CONSTRUCTION OFFICIAL'S REPORT  
SEPTEMBER 2013

Building Permits & Application Fees	\$4,253.00
Development Fees	-0-
CO/CCO Fees	\$550.00
Re-inspection-CCO	-0-

Plan Review	2,452.00
Violations	-0-
COAH	-0-
Total	\$7,255.00

**POLICE REPORT  
SEPTEMBER 2013**

The Springfield Township Police Department responded to a total of 530 complaints. They are broken down in the following manner:

425 General Police Complaints  
 0 Domestic Incidents  
 5 Criminal Investigations  
 25 MVAs  
 29 Medical Emergencies  
 37 Activated Alarms  
 3 Abandoned 911 Calls  
 6 Assists to Outside Departments  
 5 Assists to Our Department  
 192 Motor Vehicle Stops  
 8 Arrests  
     6 Warrants  
     1 DWI  
     1 Criminal

Tickets Issued: 131  
 Mileage: 12434

**ZONING OFFICER'S REPORT  
SEPTEMBER 2013**

4 - Violations  
 0 - Court Appearance  
 Multiple Sites Visits

**MANAGER'S REPORT  
SEPTEMBER 2013**

Meetings-2  
 Grants - 3  
 Miscellaneous contacts that required action and resolution-10

**MUNICIPAL COURT  
SEPTEMBER 2013**

Monthly fines, Title 39 Split, Contempt of Court, Court Costs, Criminal Fines	\$13,494.05
Public Defender Fees	28.00
Parking Offenses Act	4.00

Mr. Frank commented that the tax collector's report is not very clear as to what quarters are being recorded. Mr. Sobotka questioned the \$2,000 difference in the money brought in and the money disbursed. Council asked that the Tax Collector review the report and address the inaccuracies.

Mr. Frank made a motion seconded by Mr. Sobotka to file the reports with the exception of the Tax Collector's report until it can be clarified. All were in favor. Motion carried.

**BILL LIST**

<b>VENDOR</b>	<b>CHECK NO.</b>	<b>AMOUNT PAID</b>
<b>CURRENT</b>		
All- Green Turf Management Corp.	9470	\$4,090.00
Arctic Coolers Inc.	9471	\$237.00
Auto Shine Car Wash	9472	\$90.00
Ruth Ann Bice	9473	\$314.70
Burlington Cleaners	9474	\$278.65
Burlington County Treasurer	9475	\$7,932.34
Casa Payroll Services	9476	\$186.00
Central Jersey Waste & Rec. Inc	9477	\$6,958.33
Comcast	9478	\$177.18
Courier Times, Inc	9479	\$89.22
DCRP-Defined Cont Ret Pgm	9480	\$85.29
Dunbar Armored, Inc.	9481	\$184.30
East River Energy, Inc.	9482	\$2,927.25
H. Eggleston & Son, LLC	9483	\$4,610.00
Expel Exterminating Experts, Inc.	9484	\$140.00
Ford Motor Credit Company	9485	\$4,607.45
Hess Corporation	9486	\$16.70
Hurley's Auto Repair	9487	\$2,102.36
Jacksonville Fire Co.	9488	\$6,250.00
JCP&L	9489	\$1,695.63
John L. Kraft, Esq. LLC	9490	\$25.00
Juliustown Volunteer Fire Co.	9491	\$12,500.00
J. Paul Keller	9492	\$968.07
Michael A. Malloy	9493	\$314.70
Mansfield Township	9494	\$9,583.33
Municipal Clerks Assoc. of NJ	9495	\$25.00
Monmouth County Sheriffs Office	9496	\$200.00

Mr. Bob Portable Toilets	9497	\$780.00
New Jersey American Water Co.	9498	\$242.44
NJSHBP	9499	\$26,255.36
NJ League of Municipalities	9500	\$470.00
Northern Burl Cnty Reg School	9501	\$307,402.00
Parker McCay PA	9502	\$3,085.28
Pitney Bowes Postage by Phone	9503	\$300.00
Martin Poinsett	9504	\$100.00
PSE&G	9505	\$4,590.23
Judith M. Schetler	9506	\$314.70
Sirak Auto Supply, Inc.	9507	\$27.52
Sirchie Fingerprint Labs, Inc.	9508	\$182.73
Springfield Township Board of Ed	9509	\$281,883.09
State of New Jersey Treasurer	9510	\$100.00
Staples Advantage	9511	\$222.69
Verizon Wireless	9512	\$1,341.94
Vital Communications Inc.	9513	\$204.00
Xtel Communications, Inc.	9514	\$398.87
<b>DEVELOPERS ESCROW</b>		
Denis C. Germano, Esq.	7217	\$539.00
Arthur Puglia	7218	\$500.00
<b>DOG ACCOUNT</b>		
New Jersey Dept. of Health	7117	\$1.20
<b>COAH ACCOUNT</b>		
Parker McCay, P.A.	7120	\$1,102.50
<b>CAPITAL</b>		
North American Pipeline SVCLLC	7115	\$1,400.00
Springfield Twp Patrolmen's	7116	\$3,248.53
<b>OPEN SPACE</b>		
Lippincott & Jacobs	7115	\$3,312.50
<b>RECREATION ACCOUNT</b>		
Peter Hughes	7119	\$980.50
<b>TOTAL</b>		<b>\$705,573.58</b>

Mr. Sobotka questioned the amount for the portable toilets. He stated that there are only three toilets at fields currently so the cost should be less than indicated on the bill list.

Mr. Sobotka also questioned the amount for vehicle repair and Mr. Marinello stated that he had spoken to the Chief and it was for repairs to vehicle that occurred over the winter.

Mr. Sobotka made a motion seconded by Mr. Frank to pay the bills except the attorneys and to hold the Mr. Bob's bill until the amount can be verified. 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. Sobotka stated that Council has correspondence that the Federal Government may be removing the tax-exempt status on interest for Municipal Bonds and this could cause problems for municipalities.

Mr. Frank made a motion seconded by Mr. Sobotka to file the correspondence.

Mr. Keller stated that Council needs to address the correspondence on the Cell Tower Lease issue from last week. Mr. Keller stated that we need to address whether the Township could amend the terms of the contract as requested without bidding and Mr. Guest stated that he believes the Township would need to do public bidding. Mr. Frank asked about the extension of the original terms and Mr. Guest stated that would need to be bid again as well if an extension was not provided in the original bid. Mr. Keller stated the current lease is until 2038. Mr. Sobotka asked would if the company would be required to take the tower down at the end of the lease and Mr. Guest responded that he has not reviewed the lease but most are written that the tower must be removed. Mr. Frank stated that we should respond that we can't accommodate their request because we are a public entity and it would need to be bid but the Council would be open to rebidding the lease. All were in favor. Motion carried.

### **ENGINEER REPORT**

Mr. Frank stated that he met with the Mayor, Engineer, Scout Zachary Snyder and his advisor and they came up with some ideas for the project Mr. Snyder would like to do at the Jacksonville Park. He added the discussed plantings in the retention pond to make it look better, improvements in the butterfly garden, assembling the benches for the pavilion and cleaning up by the sign. Mr. McDaniel stated that everything they discussed would be low maintenance. Mr. Sobotka asked if they addressed the grass issue with the Engineer and Mr. Sobotka added that they did some kind of aeration but he is not sure it was done adequately. Mr. Frank stated that the Engineer seemed to agree that it was not adequate and he will be addressing that matter. Mr. McDaniel stated that he agrees that the Engineer will be addressing that matter but he added that he got the feeling it will not look like a nice lawn during the first year. Mr. McDaniel stated that they noticed a whole lot of poison ivy by the basketball court and we will need someone to get in there and clean that area out. Mr. Frank stated that there are some trees we may want to remove and he will reach out to Master Gardeners to see if they can advise us on which trees to remove. Mr. Sobotka asked if the work being done by the Mr. Snyder would be adequate enough to satisfy his Eagle Scout project requirements. Mr. Frank stated that if he does the plantings in the basin that will be a lot of work and his advisor was talking about 100 plants.

Mr. Hlubik stated that in a retention basin over time you get mulberry and cherries and that will be a maintenance issue and Council agreed. Mr. McDaniel stated that if you get the correct plants in the basin it should keep some of that out.

Mr. Sobotka asked if we got any word on the completion date and Mr. McDaniel stated no.

### **SOLICITOR REPORT**

Mr. Guest stated that he had nothing to report except one matter that would be for closed session.

### **MANAGER'S REPORT**

Mr. Keller stated that we got information for the CDBG and the Township will not qualify because it does not meet the guidelines. He added that the only thing Springfield would qualify for would be a barrier free project. Mr. McDaniel asked what defines a neighborhood and Mr. Keller responded that when they talk about neighborhoods they are referring to urban areas and for Springfield Township it would be 5 percent of the population.

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

Mr. Marinello asked about the bidding for the fire truck and Mr. Guest stated that he is working on the specs and it should be ready for the next meeting for Council to authorize going out to bid which would allow for the bids to be due in December. Mr. Keller pointed out that he asked for the specs from Chief Bercy in January and just received them in September and now he is calling every day for a status.

Mr. Sobotka stated that on Nov. 2<sup>nd</sup> the Recreation Committee will be having a 5k run at Fairgrounds.

Mr. McDaniel stated that it was in the paper that the County park grants were awarded and they need additional information from Springfield but it was anticipated that we would receive one. He added that Mr. Keller and he have both been trying to get a response about what information is missing but have been unable to get a response.

### **PUBLIC COMMENT**

Mr. Johnson, 1778 Burl-Jacks Rd. stated that on September 20<sup>th</sup> at 4:10 4 waste management trucks went down Jacksonville-Hedding Rd. Mr. McDaniel stated that if they are not going to the landfill they are allowed to use that road. Mr. Guest agreed that was true and it will need to be determined if they are actually going to the landfill. Mr. Johnson recommended having an officer go out there between 2 and 4 pm every once in a while and he added that they are headed toward the landfill. Council asked Mr. Keller to discuss with the Chief about enforcing the Ordinance. Mr. McDaniel stated that maybe they already issued summons to carriers. Mr. Marinello asked if we are required to put signs up with the ordinance number and Mr. Guest responded that the town was to put signs up but it is not required to enforce.

Mr. Johnson stated that a good job was not done on the Jacksonville Park and there will be a mosquito problem there and Mr. McDaniel responded that he would have to direct Mr. Johnson to the DEP with his complaints because those are the regulations the Township had to follow for the basins. Mr. Johnson stated that we should at least spray and Mr. McDaniel responded that we can contact the County about spraying.

Mr. Johnson asked if Resolution No. 2013-10-05 included Smithville Rd. and Council responded no. Mr. McDaniel stated that we took the roads that the Engineer prioritized and this project will include Jobstown-Juliustown Rd. because that is how the EMS goes to Juliustown and Springfield Acres because there are some issues with the drainage system that could cause a collapse. Mr. McDaniel added that Smithville Rd. is on the list for future road projects.

Mr. Johnson stated that in the police blotter section of the paper he saw about a burglary in Mansfield Township and he would like to see our police department send this kind of information to the papers every once in a while. Mr. Sobotka stated that they discussed this before and the last Chief did not want to do this for certain reasons. Mr. Frank stated that if we are going to do this it should be a policy that the Council adopts.

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. Hlubik to approve Resolution No. 2013-10-08 for the purpose of discussing litigation. Mr. Frank stated that he is going to recuse himself from this is matter. All were in favor. Motion carried. Council entered into executive session at 8:30 PM. Mayor McDaniel stated that Council would invite the public back in when they returned to public session.

### **RESOLUTION 2013-10-08**

#### **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: (Litigation).

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Springfield, assembled in public session on October 9, 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 9:01 PM and the public was invited back in.

Mr. Marinello made a motion seconded by Mr. Sobotka to adjourn the meeting. The meeting was adjourned at 9:02 PM. All were in favor.

Respectfully submitted,

Patricia A. Clayton  
Township Clerk