

TOWNSHIP OF SPRINGFIELD
COUNCIL MEETING AGENDA
7:30 PM
JANUARY 8, 2014

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:
 - December 5, 2013 Work Sessions
 - December 11, 2013 Regular Sessions
6. Public Comment on Agenda Items*
7. Ordinances for First Reading:
 - No. 2014-01 – Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A:4-45.14)
8. Resolutions
 - No. 2014-01-13 – Resolution of the Springfield Township Council Appointing a Deputy Emergency Management Coordinator
9. Monthly Reports Submitted for Approval
10. Bills Submitted for Approval
11. Correspondence
12. Solicitor's Report
13. Manager's Report
14. Township Officials' Business
15. Public Comment*
16. Executive Session
 - No. 2014-01-14 0 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
17. Adjournment

TOWNSHIP COUNCIL MEETING
JANUARY 8, 2014

The meeting of the Springfield Township Council was called to order by Mayor McDaniel with Council Members David Frank (arrived at 8:23 during executive session), John Hlubik, Anthony Marinello and Peter Sobotka present. Also present were Township Manager Paul Keller and Solicitor Brian Guest.

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 6, 2014:

- 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 December 5, 2013 work session. All were in favor. Motion carried.

Mr. Sobotka made a motion seconded by Mr. Hlubik to approve the minutes of the December 11, 2013 regular session. All were in favor. Motion carried.

PUBLIC COMMENT ON AGENDA ITEMS

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

ORDINANCES FOR FIRST READING

Motion made by Mr. Sobotka and seconded by Mr. Hlubik to introduce Ordinance 2014-01. All were in favor. Motion carried.

ORDINANCE 2014-01

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

RESOLUTIONS

Motion made by Mr. Sobotka and seconded by Mr. Marinello to approve Resolution No. 2014-01-13. Mr. Keller advised Council that the person is willing to perform the duties and the salary is set in the current salary Ordinance. All were in favor. Motion carried.

RESOLUTION 2014-01-13

A RESOLUTION OF THE SPRINGFIELD TOWNSHIP COUNCIL APPOINTING A DEPUTY EMERGENCY MANAGEMENT COORDINATOR

WHEREAS, the effective operation of the government of Springfield Township requires that various appointments be made; and

WHEREAS, there is currently a need for a Deputy Emergency Management Coordinator to assist in the planning, activating, coordinating of the Emergency Management operations within the municipality; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of Springfield Township assembled in public session this 8th day of January, 2014, as follows:

1. Andrew Eaton is hereby appointed Deputy Emergency Management Coordinator for a term expiring 12/31/2014.

MONTHLY DEPARTMENTAL REPORT

CLERK REPORT OF LICENSES
December 2013

Dog Licenses Issued - 0
Licenses assessed late fee \$0
Total Licenses Issued Year to Date - 430
Kennel licenses sold this month 0
Replacement dog licenses sold this month - 0

Total amount collected - 00

TREASURER'S REPORT - CURRENT ACCOUNT
December 2013

Year to Date Revenue	\$11,655,991.64
Year to Date Expended	\$ 3,053,432.68
Total Available Revenues	\$8,602,558.96

TAX COLLECTOR'S REPORT
DECEMBER 2013

2013 TAX PAYMENTS	\$176,898.17
PRIOR YEAR TAX PAYMENTS	\$1,964.19
FUTURE PAYMENTS	\$24,365.51
INTEREST ON TAXES	\$5,651.20
TOTAL TAX PAYMENTS	\$208,879.07
 MISC. COLLECTIONS	 \$146.71
200' LIST FEES	\$10.00
DUPLICATE TAX BILL FEES	\$5.00
COST OF SALE	\$1,689.49
TOTAL MISC. PAYMENTS	\$1,704.49
 NSF RETURNED CHECK	
TOTAL RECEIPTS FOR THE MONTH:	\$210,730.27

CONSTRUCTION OFFICIAL'S REPORT
December 2013

Building Permits & Application Fees	\$5,490.00
Development Fees	-0-
CO/CCO Fees	\$300.00
Re-inspection-CCO	50.00
Plan Review	-0-
Violations	-0-
COAH	-0-
Total	\$5,840.00

POLICE REPORT
November 2013

The Springfield Township Police Department responded to a total of 493 complaints. They are broken down in the following manner:

396 General Police Complaints
 2 Domestic Incidents
 14 Criminal Investigations
 27 MVAs
 18 Medical Emergencies
 26 Activated Alarms
 6 Abandoned 911 Calls
 4 Assists to Outside Departments
 5 Assists to Our Department
190 Motor Vehicle Stops
 10 Arrests
 2 Warrants
 2 DWI
 6 Criminal

Tickets Issued: 141
Mileage: 11073

POLICE REPORT
December 2013

The Springfield Township Police Department responded to a total of **433** complaints. They are broken down in the following manner:

327 General Police Complaints
 0 Domestic Incidents
 3 Criminal Investigations
 37 MVAs
 20 Medical Emergencies
 37 Activated Alarms
 3 Abandoned 911 Calls
 6 Assists to Outside Departments

7 Assists to Our Department
 106 Motor Vehicle Stops
 7 Arrests
 5 Warrants
 1 DWI
 1 Criminal

Tickets Issued: 77
 Mileage: 11053

ZONING OFFICER'S REPORT
 December 2013

6 - Violations
 0 - Court Appearance
 1 - Site Visit

MANAGER'S REPORT
 December 2013

Township Council Meetings - 2
 Attended Burlco Jif Mtg December 17, 2013
 Commenced the preparation of the 2014 Municipal Budget
 Miscellaneous contacts that required action and resolution - 14

MUNICIPAL COURT
 November 2013

Monthly fines, Title 39 Split, Contempt of Court, Court Costs, Criminal Fines	\$9,601.26
Public Defender Fees	200.50
Parking Offenses Act	2.00

December 2013

Monthly fines, Title 39 Split, Contempt of Court, Court Costs, Criminal Fines	\$8,003.22
Public Defender Fees	230.00

Mr. Sobotka asked about the mileage discrepancy from a few months ago and the Chief said he will have to look into it and he will have to figure out which month it was.

Mr. Sobotka made a motion seconded by Mr. Hlubik to file the reports. Mr. Marinello asked if cars 2117 and 18 will be replaced soon and the Chief responded that they are due to be replaced in 2015. All were in favor. Motion carried.

BILL LIST

VENDOR	CHECK NO.	AMOUNT PAID
CURRENT		
Auto Shine Car Wash	9608	\$36.00
Belson Outdoors Inc.	9609	\$1,531.10
Ruth Ann Bice	9610	\$314.70
Burlington Cleaners	9611	\$166.10
Burlington County Treasurer	9612	\$8,318.84
Casa Payroll Service	9613	\$195.00
Central Jersey Waste & Rec. Inc.	9614	\$6,958.33
Comcast	9615	\$178.92
Courier Times, Inc.	9616	\$160.98
Dunbar Armored, Inc.	9617	\$145.90
East River Energy, Inc.	9618	\$2,906.65
Eggleston & Son, Inc	9619	\$17,475.55
EJA Capacity Ins.	9620	\$4,918.00
Galls/Quartermaster	9621	\$147.94
GFOA of New Jersey	9622	\$90.00
Haar Electric Inc.	9623	\$420.00
Hess Corp.	9624	\$255.64
Hurley's Auto Repair	9625	\$422.78
JCP&L	9626	\$1,652.54
J. Paul Keller	9627	\$923.92
Kevin Anderson's Well Drilling	9628	\$1,289.00
Language Services Assoc.	9629	\$94.50
Michael Malloy	9630	\$314.70
MGL Printing Solutions	9631	\$174.00
Mr. Bob Portable Toilets	9632	\$1,137.14
Muni Clerks Assn Burlington	9633	\$75.00
New Jersey American Water Co.	9634	\$242.44
NJ Conference of Mayors	9635	\$295.00
NJ League of Municipalities	9636	\$392.00
Northern Burl Cnty Reg School	9637	\$307,402.00
Parker McCay, P.A.	9638	\$6,271.24
Pitney Bowes Inc	9639	\$300.00
Martin Poinsett	9640	\$100.00
Professional Property App Inc.	9641	\$38,461.00
Pro Vision Inc.	9642	\$1,328.59
PSE&G	9643	\$4,349.83
RW Tire Corp.	9644	\$813.66
Judith M. Schetler	9645	\$314.70
Sirak Auto Supply	9646	\$74.98

Springfield Twp Board of Ed	9647	\$281,883.12
State of New Jersey	9648	\$125.00
Staples Advantage	9649	\$124.50
TCTA	9650	\$100.00
Verizon Wireless	9651	\$655.39
Waterway, Inc.	9652	\$2,344.08
Xtel Communications, Inc.	9653	\$416.43
NJSHBP	9654	\$28,487.90

COAH

Parker McCay, P.A.	7124	\$87.50
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DEVELOPERS ESCROW

Dante Guzzi Engineering	7226	\$439.60
Denis C. Germano, Esq.	7227	\$28.00
Lippincott & Jacobs	7228	\$434.79

DOG TRUST

Animal Care Equipment	7123	\$547.31
MGL Printing Solutions	7124	\$381.00

OPEN SPACE TRUST

Lippincott & Jacobs	1721	\$500.00
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TOTAL \$727,203.29

Mr. Sobotka made a motion seconded by Mr. Hlubik to pay the bills. All were in favor. Motion carried.

CORRESPONDENCE

1. Letter from Burlington County regarding energy aggregation. Mr. Sobotka stated that the County is requesting someone attend the January 16th meeting. Mr. Marinello stated that he would be available if the Mayor or Deputy can not attend. Mr. Keller stated that we are already in a larger energy aggregate and this will not be able to match the one we are currently in.

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

ENGINEER REPORT

None

SOLICITOR REPORT

Mr. Guest stated that he has only one issue for executive session.

MANAGER'S REPORT

Mr. Keller stated that he has two items for executive session.

TOWNSHIP OFFICIAL'S BUSINESS

Mr. Sobotka stated that the neighbors on Applegate and Georgetown Roads were invited by Johnson Farms to an open house on December 18th at the Springfield location and it was very well done. He added that it was a chance for the residents to meet the owners and see the facility.

Mr. Sobotka asked about the road work that needs to be done on Applegate Rd. and he stated that Mr. Eggleston showed him the two estimates that were submitted for the work. Mr. Keller responded that they are waiting until the spring and he will need to get another quote due to the amount of Mr. Eggleston's quotes. Mr. McDaniel asked where we stand with the major road projects and Mr. Keller responded that the Engineer has the final specs and we should be ready to go out to bid soon.

Mr. McDaniel asked about the bike path project and Ms. Clayton responded that the bid opening is next Wednesday and we can act on the bids in February.

PUBLIC COMMENT

Ms. Janice Myers, 2122 Jacksonville-Jobstown Rd. had the first accessory apartment in the Township and according to the terms of the mortgage the lien expired in January of this year and she is requesting that the Township take steps to remove the lien from her property. Ms. Myers asked how viable a program like this is in a town like Springfield and Mr. Sobotka stated that with the limitations of transportation and access to employment these types of programs do not work well in rural communities. Ms. Myers stated that not having public transportation was a big problem for low income people wanting to take advantage of the accessory apartment program in a rural community. Mr. Sobotka thanked her for the ten years she gave to this program. Mr. McDaniel stated that affordable housing is still an issue the Township has to deal with immediately.

Mr. Hancock asked when the road projects will start and Mr. Keller responded that they will begin in the spring. Mr. Hancock stated black top does not do well in cold weather and June would be better than in April.

Mr. Hancock stated that when the bridge was out on Jacksonville-Jobstown Rd. trucks were using Smithville Rd. as an alternate and it really tore the road up.

Mr. Hancock questioned whether or not the property owner that is taking up the trees on Jacksonville-Jobstown Rd. and 206 knows about the pipeline because it looks like they are working right on top of it. Mr. Guest responded that it would be on the deed as an easement. Mr. Hlubik added that he would call the owner tomorrow and advise them.

Mr. Hancock would like to see the pipeline company come to the township and advise the Township what they are doing to improve it. He added that it was obsolete 20 years ago. Mr. Guest stated that it would fall under federal regulations and Mr. Keller added that the line is inspected frequently and we get copies of the inspections.

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

Mr. Sobotka made a motion seconded by Mr. Hlubik to approve Resolution No. 2014-01-14 for the purpose of discussing contract negotiations, potential litigation, attorney-client privilege and personnel matters. All were in favor. Motion carried. Mr. McDaniel stated that Council would invite the public back in when they returned to public session. Council entered into executive session at 8:04 PM.

RESOLUTION 2014-01-14

**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, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting, and

WHEREAS, the Governing Body of Springfield Township has deemed it necessary to go into closed session to discuss certain matters which are exempted from the Public; and

WHEREAS, the regular meeting of this Governing Body will reconvene;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of Springfield Township will go into closed session for the following reason(s) as outlined in N.J.S.A. 10:4-12:

_____ Any matter which, by express provision of Federal Law, State Statute or Rule of Court shall be rendered confidential or excluded from discussion in public (Provision relied upon: _____);

_____ Any matter in which the release of information would impair a right to receive funds from the federal government;

_____ Any matter the disclosure of which constitutes an unwarranted invasion of individual privacy;

_____ Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body (Specify contract: _____);

_____ Any matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed;

_____ Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection;

_____ Any investigations of violations or possible violations of the law;

Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer (If pending or anticipated litigation, the matter is:) (If contract negotiation the nature of the contract and interested party is: potential litigation / attorney-client privilege-COAH)

Under certain circumstances, if public disclosure of the matter would have a potentially negative impact on the Township's position in the litigation or negotiation, this information may be withheld until such time that the matter is concluded or the

circumstances no longer present a potential impact);

X Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting (Subject to the balancing of the public's interest and the employee's privacy rights under *South Jersey Publishing*, 124 N.J. 478, the employee(s) and nature of discussion is: Hiring of Officers) ;

_____ Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility;

BE IT FURTHER RESOLVED that the Township Council hereby declares that its discussion of the aforementioned subject(s) may be made public at a time when the Township Attorney advises the Township Council that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Township or any other entity with respect to said discussion. That time is currently estimated as the time of said matter. (Estimated date: upon authorization by the Township Solicitor) or upon the occurrence of Litigation resolved);

BE IT FURTHER RESOLVED that the Township Council, for the aforementioned reasons, hereby declares that the public is excluded from the portion of the meeting during which the above discussion shall take place and hereby directs the Township Clerk to take the appropriate action to effectuate the terms of this resolution.

Council returned to public session at 8:45 PM and the public was invited back in.

Mr. Frank made a motion seconded by Mr. Hlubik to authorize the filing of a declaratory judgment action in Superior Court seeking a protective order under the Affordable Housing rules which would support and protect the actions the Township has taken to build affordable housing and against a builder's remedy lawsuit. All were in favor. Motion carried.

Mr. Sobotka made a motion seconded by Mr. Frank to adjourn the meeting. The meeting was adjourned at 8:56 PM. All were in favor.

Respectfully submitted,

Patricia A. Clayton
Township Clerk