

SPRINGFIELD TOWNSHIP
WORKSESSION MEETING AGENDA
MARCH 6, 2014
7:30 PM

1. Meeting called to order by the Mayor
2. Reading of the Sunshine Notice
3. Salute to the Flag
4. Roll Call: Mr. Frank, Mr. Hlubik, Mr. Marinello, Mr. McDaniel, Mr. Sobotka
5. Ordinances for Public Hearing:
 - No. 2013-04 – Ordinance Amending Certain Provisions of the Code of the Township of Springfield Regarding Appointment of Regular Police Officers
6. Review of Department Reports
7. Review of Bills
8. Review Correspondence
9. Township Officials' Business
 - Application for Use of Parks filed by Northern Burlington Soccer Club
10. Public Comment
11. Executive Session
 - No. 2014-03-01 – Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meeting Act, N.J.S.A. 10:4-12 (Contract Negotiations and Personnel)
12. Adjournment

**TOWNSHIP COUNCIL MEETING
MARCH 6, 2014**

The meeting of the Springfield Township Council was called to order by Mayor McDaniel with Council Members David Frank, John Hlubik (entered 7:35 PM) and Peter Sobotka present. Anthony Marinello was absent. Also present was Township Manager Mr. 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 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.”

ORDINANCES FOR PUBLIC HEARING

Motion made by Mr. Sobotka and seconded by Mr. Frank to open the public hearing on Ordinance 2014-02. All were in favor. Motion carried.

Hearing no one for public comment, Mr. Sobotka made a motion seconded by Mr. Frank to close the public hearing. All were in favor. Motion carried.

Mr. Sobotka stated that no person should be more than two years removed from their previous employment because they would need to go through the training again.

Mr. Hlubik entered at 7:35 PM.

Motion made by Mr. Sobotka and seconded by Mr. Frank to adopt Ordinance 2014-02. Roll Call: Mr. Frank – yes, Mr. Hlubik – yes, Mr. Sobotka - yes and Mr. McDaniel - yes. Motion carried.

ORDINANCE NO. 2014-02

**AN ORDINANCE AMENDING CERTAIN PROVISIONS
OF THE CODE OF THE TOWNSHIP OF SPRINGFIELD
REGARDING APPOINTMENT OF REGULAR POLICE OFFICERS**

WHEREAS, the Township Council has determined that it is in the interest of the public health, safety and welfare to provide for those occasions when a regular police officer may be appointed who has satisfactorily served in the department of another community; and

WHEREAS, officers who are fully qualified and certified should not be required to re-sit for a written examination; and

WHEREAS, adding flexibility to the hiring process will be beneficial to the Township as well as the department;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township of Springfield in the County of Burlington and State of New Jersey as follows:

Section One. New Section. A new section is hereby added to the Code of the Township of Springfield to read as follows:

§5-61.1

N. Waiver of written examination.

Notwithstanding other provisions of this Section 5-61.1:

1. Regular Police Officers currently in good standing with or released in good standing due to a reduction in force from another New Jersey Police Department meeting all of the requirements §5-61.1(A) and (B) may have the requirement for a written examination waived provided

that the score from their original written examination, if any, is available for consideration and provided, further, that the candidate has successfully completed the required training pursuant to N.J.S.A.52:17B-66 *et seq.* The Chief of Police, notwithstanding the lack of a prior written examination or unavailability of the written examination score may grant a waiver if he is otherwise satisfied that the candidate possesses the requisite knowledge, the candidate has not less than two (2) years of experience as a full time Police Training Commission certified officer and that a reasonable basis for waiving the written examination exists. Candidates who have had the requirement of a written examination waived, in addition to meeting the requirements of §5-61.1(A) and (B) shall also be required to meet the requirements of §5-61.1(C)2, (D), (E), (F), (G), (H), (I), and (J)

2. Candidates who have received a waiver of the written examination pursuant to this section and passed their physical agility examination shall be eligible to proceed to the oral interview phase of the appointment process upon satisfactory passing of the background examination notwithstanding that a list of ten (10) candidates may not have been established.

Section Two. Repealer. Any Ordinance or parts of Ordinances inconsistent with the foregoing are hereby repealed to the extent of such inconsistency.

Section Three. Survival. Should any portion of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining portions of this Ordinance shall remain in full force and effect.

REVIEW OF DEPARTMENT REPORTS

Council decided to hold the reports until next week.

REVIEW OF BILLS

Council decided to hold the bills until next meeting.

REVIEW OF CORRESPONDENCE

1. Correspondence from Rosemary Kay re: new dates for Farm Fair – Mr. Frank asked the Chief if he was aware of the new dates and Chief Trout responded yes. Mr. Frank asked if this would increase the time the police department is needed and Chief Trout responded that the department would be able to handle the additional days without any problems.
2. Correspondence from Beth McManus re: COAH Update – Mr. McDaniel stated that he hopes to have a report from the Solicitor next week.
3. Correspondence from the County of Burlington Re: pothole mitigation - Mr. Keller stated that since we don't have a public works department it would actually cost the Township money to participate in this program. Mr. Frank asked if we participate in the cooperative for cold patch and Mr. Keller stated that he does not believe we do currently but will look into it.
4. Correspondence from Lourdes Hospital indicating that they will be terminating the agreement to provide EMS coverage to the Township - Mr. McDaniel stated that Lourdes will terminate their EMS coverage on July 6, 2014 and we will discuss alternate contracting options in executive session under contract negotiations.

TOWNSHIP OFFICIAL'S BUSINESS

- Application for Use of Parks filed by Northern Burlington Soccer Club. Mr. Sobotka made a motion seconded by Mr. Frank to approve the application. All were in favor. Motion carried.

Mr. McDaniel stated that he attended a meeting about the Joint Base MDL with a number of other Mayors and Jim Saxton about the Base being targeted for possible closure. Mr. McDaniel added that it is believed that one of the bases on the east coast would be closed and further that since Dover and the Joint Base are so close it would most likely be one of them. Mr. Frank stated that this Base is larger and Mr. Sobotka added that it also has the Federal Prison. Mr. McDaniel stated that Mr. Saxton is a lobbyist now and he did scare the audience. Mr. Frank stated that it would be a great cargo airport if they opened it up to commercial air traffic even if the Base was closed. He added that a cargo airport may be a better use and it would not be subject to the constant uncertainty of the Government.

Mr. McDaniel stated that there was discussion of controlled development around the base and a couple properties in Springfield may benefit from that. Mr. Hlubik added that there is Farmland Preservation money available specifically for these types of property.

Mr. McDaniel asked the Manager if he heard anything from the Construction office about the house with the collapsing roof on the corner and he was advised that a violation has went out. Mr. Frank asked to have a copy of the notice.

PUBLIC COMMENT

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

Mr. Frank made a motion seconded by Mr. Sobotka to approve Resolution No. 2014-03-01 for the purpose of discussing personnel and contract negotiations. 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 7: 55 PM.

RESOLUTION 2014-03-01

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

WHEREAS, 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: Contract Negotiations-EMS Contract)

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);

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 PM and the public was invited back in 8:26 PM.

Council discussed the vacancy on Zoning Board. Mr. McDaniel stated that we currently have an applicant at the Zoning Board that would like a full voting membership for a use variance and two members need to recuse themselves so since the Board is down a member in order to have a full voting membership that vacant position would need to be filled. Council discussed that for a Use Variance you need to have five affirmative votes of the full voting membership so most applicants would like a full voting body to be available to hear and vote on the application. It was discussed that you can pull a member of the Planning Board if a quorum is not available and in this instance there is a quorum but the applicant would like the full voting body available.

Mr. Frank made a motion seconded by Mr. Hlubik to adjourn the meeting. All were in favor. The meeting was adjourned at 8:33 PM.

Respectfully submitted,

Patricia A. Clayton
Township Clerk