

SPRINGFIELD TOWNSHIP
WORKSESSION MEETING AGENDA
APRIL 3, 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. 2014 Municipal Budget
6. Review of Department Reports
7. Review of Bills
8. Review Correspondence
9. Township Officials' Business
 - Application for Raffle License-Springfield Township Home & School Assoc.
10. Public Comment
11. Executive Session
 - No. 2014-04-01 – Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meeting Act, N.J.S.A. 10:4-12 (Personnel)
12. Adjournment

**TOWNSHIP COUNCIL MEETING
APRIL 3, 2014**

The meeting of the Springfield Township Council was called to order by Mayor McDaniel with Council Members David Frank (arrived at 8:12 PM), John Hlubik, Mr. Marinello and Peter Sobotka present. 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.”

Mayor McDaniel led the salute to the Flag.

2014 BUDGET DISCUSSION

Mr. McDaniel asked the Manager if it is correct to say that the budget would increase about \$80,000 and that health insurance has gone up which accounts for almost all of the increase in the tax levy. Mr. Keller stated the significant increases are health insurance, snow removal, bond principal and the special emergency done for the tax revaluation. These increases are equal to about 6 cents.

Mr. Keller added that the decreases were the reserve for uncollected taxes, payment on notes, interest on bonds and notes. He added that the difference between the increases and decreases leaves about 3.76 cents of the total increase, which is attributable to the decline in ratables and we would have to make up for that. The \$80,000 that was for snow removal is not likely to be the same next year and there is still \$890,000 in deferred school taxes that could be used to offset the money needed to cover snow removal and limit the tax increase to 2 cents. He recommends using it for the snow removal since we are not likely to see that cost again next year. Mr. McDaniel stated that that would just about wipe out the levy increase if we did this. Mr. Sobotka asked if there are increases in salaries and Mr. Keller stated that are increases in salary in the budget but that should be discussed in closed session. Mr. Keller stated that there are other ups and downs in the budget but they are really minor changes.

Mr. Sobotka asked if there is only one person taking the waiver for health insurance and Mr. Keller responded that the number may come down because one of the new hires will be taking a waiver.

Mr. McDaniel mentioned that we decreased road repairs and he is concerned because of the sever weather this winter and Mr. Keller responded that we have all the roads listed in the Bond Ordinance so if we need to make significant repairs we can possibly use the Bond money. Mr. Keller added that we added some money to cover ambulance service.

Mr. Keller stated that there is a problem on Paddock Drive that may need to be addressed. Mr. McDaniel stated that there is a pothole that needs to be fixed but there are a number of cracks on the road that should also be filled as well. Mr. Keller stated that we may have to look at a small contract to address areas like that. Mr. McDaniel stated that the Engineer suggested having the contractor that is awarded the road project do the repairs at the time he does the other work.

Mr. Sobotka stated that the PERS went down and Mr. Keller responded both the pension contributions went down and that is because of the contributory requirements by the employees. Mr. Keller added that we are within all the CAPS so there is not a problem there.

Mr. Sobotka asked if the money in the reserve column goes into surplus and Mr. Keller responded that it would go to surplus next year not this year.

Mr. Hlubik asked if we would get any money back from the State for snow removal and Mr. Keller stated that we would not but they are allowing it to be considered outside the CAP.

Council decided to further discuss the Budget next week.

REVIEW OF DEPARTMENT REPORTS

Mr. McDaniel asked if we have any indication of the status of construction violations, specifically the house down the street and Mr. Keller responded that the owner is in the

process of getting a contractor to demolish the section of the house where the roof is collapsing. Mr. McDaniel added that there is a building outside of Springfield Acres where the windows are out and Mr. Keller stated that he would advise the Construction Office.

Mr. Sobotka asked about the cost of the new boots and Chief Trout responded that you can get boots that are about \$100 cheaper but they would only last about a year and the boots ordered generally last about five years.

Council decided to hold the reports until next week.

REVIEW OF BILLS

Mr. Marinello asked why we are paying for an armor car service and why can't the police take the deposit. Mr. Marinello was advised that the closest branch for this bank is about a half hour away and this bank was chosen because they offered the best rates and fees.

Council decided to hold the bills until next meeting.

REVIEW OF CORRESPONDENCE

1. Correspondence from NJ DOT regarding Safe Routes to School-Mr. Keller stated that we do not qualify because you have to have a certain number of students walking to school. Mr. Marinello stated that if we could get the grant money maybe students would walk to school. Mr. Sobotka stated that we discussed this before and you would need to have crossing guards at each intersection where the kids would be crossing.
2. Letter from Rakestraw Union Sunday School requesting a sewer connection-Mr. Marinello asked where the Church was and Chief Trout responded that it was on Old York Rd. Council discussed that if they allow the Church to connect to the sewer line then the Township would have to allow anyone who requested the same.
3. Correspondence from Brian Guest with the Draft Littering Ordinance-Mr. Marinello asked if we could include the signs that are all over Township as litter. Council discussed that it would be a good idea and asked to have the Solicitor include these temporary signs in the definition of litter. Mr. Sobotka showed a State Statute where the fines for dumping went up to \$50,000 and he asked if the Township could mimic this Statute. Council discussed that there is a difference between litter and dumping.

Mr. Hlubik stated that people are dumping grass and brush in the ditches and the water is running under the roads and that can cause issues and repairs to the road. Mr. Hlubik asked if you actually have to witness the action and Chief Trout responded that if you can't identify the person driving the car then it would probably get thrown out by a Judge. He added that there has to be a positive identification.

Mr. Frank arrived at 8:12 PM.

Mr. Sobotka asked if this Ordinance would pertain to the debris from the Columbus Farmer's Market and would they be held responsible. Mr. McDaniel stated that the Market cleans up the debris from their property each week and Mr. Sobotka stated that it is not adequate and they do not provide enough trash cans or maintenance workers. Mr. Marinello stated that the debris coming from the Market would be more of an accident and Mr. Sobotka responded that it is not accidental because they do not provide enough trash cans. Mr. Sobotka stated that he went to Court with the Market and they were ordered to do certain things and they are not doing them. Mr. Hlubik asked if this Ordinance addresses intentional incidents and Mr. Sobotka responded that intentional is not listed in the definition of litter. Mr. Hlubik stated that

some towns are banning the use of plastic bags in local stores and Mr. Sobotka mentioned that he wanted to do that but the rest of Council did not agree to institute the Ordinance.

Mr. McDaniel asked if the Police have ever caught anyone dumping and Chief Trout responded once about 10 years ago. He also added that there was another incident back in the 90s where some construction debris was dumped by the Mansfield border and there were some envelopes with addresses mixed in so they went to the address and made the people clean it up even though they denied doing the dumping. Chief Trout stated that when amending the Ordinance you have to make sure the State Statute would not supersede the Municipal Ordinance. Mr. McDaniel stated that we still need to discuss with the Solicitor about Dumping, Utilities poles, signs and the definition of liter so there would be no introduction next week.

5. Correspondence from Denis Germano regarding a fee increase for professional services-Council stated that his will be discussed in executive session under contract negotiation

6. Brian Guest – Processing Abandoned Car Titles. Council stated that this can be held to next week.

7. Resolution for Open Space Tax-Mr. McDaniel stated that he had the Clerk pull this so Council could see that this tax will only be for another 6 years.

8. Resolution instituting lifetime health benefits-Mr. McDaniel also asked that this Resolution be pulled for Council to see how this policy is still impacting the budget today. Mr. Frank stated that it would be interesting to look at the Chapter Law that is referenced in the Resolution.

TOWNSHIP OFFICIAL'S BUSINESS

Mr. McDaniel asked if the Manager had any luck getting in touch with PSE&G to see if they would be interested in running gas lines into Springfield Acres since the Township is tearing up the roads anyway and Mr. Keller stated that he has reached out to them but has not gotten a response yet. Council discussed extending the gas line in other areas where the roads are being done.

Mr. McDaniel asked if there is any news yet on the Fire Truck and Mr. Kelller stated that we are still waiting for the signed contract. Mr. Marinello stated that we should give it another thirty days and then go to bid.

Mr. Sobotka stated that Pride in Springfield day is April 26th and Mr. Keller stated that he already called about getting the dumpster.

Mr. Sobotka asked if we could get another street light on Applegate Rd. and Mr. Keller responded that he could look into it but it is costly.

Mr. Sobotka made a motion seconded by Mr. Frank to approve the Raffle application for the Springfield Township Home and School Association. All were in favor. Motion carried.

Mr. McDaniel stated that he has been travelling the past couple of weeks and they have bike paths all over in Europe and they are being used.

PUBLIC COMMENT

Mr. Sobokta made a motion seconded by Mr. Hlubik to open public comment. All were in favor. Motion carried.

Mr. Lippincott, Saylor's Pond Road stated that snow removal has been significant and he asked if there was any application been filed with FEMA. Council discussed that an emergency has to

be declared and Mr. Lippincott stated that the Emergency Management Coordinator can declare a local emergency and it would be cover. Mr. Frank stated that as far as Council is aware FEMA is out of the snow business unless the Federal Government declares an emergency and Chief Trout added that during Sandy the FEMA representative that handled that paper work advised the Township that FEMA is out of the snow business. Chief Trout added that the Governor declared an emergency for about four of the storms and if there was money available to reimburse municipalities the Township would have been informed.

Mr. Lippincott stated that the there was some activity on Saylor's Pond Road and the County informed him that they are having difficulty getting Interstate Pipeline to mark out where the pipe is so that they can start the work on the bridge. The County indicated that when they begin the work the road would be closed for about three months. Mr. Lippincott stated that it appears the County is being tight lipped about what their plans are and in keeping the Township advised about what they are doing. Mr. Frank commented that it is the County's bridge and their project.

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. 2014-04-01 for the purpose of discussing contract negotiations. All were in favor. Motion carried. Mr. Frank stated that he will not be participating in discussion. Mr. McDaniel stated that Council would invite the public back in when they returned to public session. Council entered into executive session at 8:56 PM.

RESOLUTION 2014-04-01

**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:)

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: Zoning Board Appointment) ;

_____ 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 9:13 PM and the public was invited back.

Mr. Hlubik made a motion seconded by Mr. Sobotka to adjourn the meeting. All were in favor. The meeting was adjourned at 9:13 PM.

Respectfully submitted,

Patricia A. Clayton
Township Clerk