

TOWNSHIP OF SPRINGFIELD
COUNCIL MEETING AGENDA
7:30 PM
AUGUST 13, 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:
 July 9, 2014 Regular Session
6. Public Comment on Agenda Items*
7. Resolutions
 - No. 2014-08-01 – Resolution Awarding a Contract for the Purchase of One(1) Conventional Chassis Tanker Truck
 - No. 2014-08-02 – Resolution to Extend the Grace Period for Third Quarter Tax Payment
 - No. 2014-08-03 – Resolution of the Township of Springfield, County of Burlington, State of New Jersey, of Preliminary Approval of Farmland Preservation Application
8. Monthly Reports Submitted for Approval
9. Bills Submitted for Approval
10. Correspondence
11. Solicitor's Report
12. Manager's Report
13. Township Officials' Business
 - Request for an Amusement Permit –Columbus Farmer's Market
14. Public Comment*
15. Executive Session
 - No. 2014-08-04 – Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provision of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12
16. Adjournment

**TOWNSHIP COUNCIL MEETING
AUGUST 13, 2014**

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 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 July 9, 2014 regular session. All were in favor. Motion carried.

PUBLIC COMMENT ON AGENDA ITEMS

Hearing no comments, Mr. Sobotka made a motion seconded by Mr. Hlubik 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. 2014-08-01. Mr. Keller advised Council that only one bid was received and Chief Bercy stated that this is the truck Jacksonville Fire Company wanted. Council asked how long it takes to get the truck and once received how long to get it operational. Chief Bercy responded that it takes about six months to receive the truck and then there will be some training before the truck can be used. Mr. Sobotka contacted the Better Business Bureau and this Company has an A plus rating. Mr. McDaniel asked what the make of the truck is and Chief Bercy responded that it is a FireVac. Mr. Marinello asked if it is titled to the Township and Mr. Keller stated yes it would be. All were in favor. Motion carried. Mr. Frank asked what will happen with the old truck and Chief Bercy responded that it would be sold.

RESOLUTION 2014-08-01

RESOLUTION AWARDING A CONTRACT FOR THE PURCHASE OF ONE (1) CONVENTIONAL CHASSIS TANKER TRUCK

WHEREAS, the Township Council received bids for the Purchase of one (1) Conventional Chassis Tanker Truck, or Approved Equal; and

WHEREAS, the Township Treasurer has certified that funds are available for this purpose;
and

BE IT RESOLVED, by the Township Council of Springfield that after receipt of one bid proposal that the contract for the Purchase of one (1) Conventional Chassis Tanker Truck, or Approved Equal be awarded to Reberland Equipment, Inc. for an amount of \$308,136.00; and

BE IT FURTHER RESOLVED, that the Mayor and the Clerk upon receipt of the executed contract and an acceptable performance guarantee in the amount specified are hereby authorized to execute the said contract on behalf of the Township of Springfield; and

BE IT FURTHER RESOLVED, that notice of the award of this contract be published as required by law.

Motion made by Mr. Sobotka and seconded by Mr. Frank to approve Resolution No. 2014-08-02. All were in favor. Motion carried.

RESOLUTION 2014-08-02

**A RESOLUTION TO EXTEND THE GRACE PERIOD
FOR THIRD QUARTER TAX PAYMENTS**

WHEREAS, in accordance with Resolution 2014-01-01, the Township Council of the Township of Springfield has established rates of interest for delinquent taxes; and

WHEREAS, New Jersey Statute requires that tax bills must be mailed at least twenty-five (25) days before the third installment of taxes is due; and

WHEREAS, there was a delay with the County Budget approval which affected the Burlington County Tax Board in striking a tax rate, causing the Township to be delayed in receiving, preparing and mailing the tax bills; and

WHEREAS, the Township tax bills will be mailed on August 14, 2014;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Springfield does hereby change the collection for the third quarter tax installment period as follows: Taxes will be due on or before September 8, 2014 after which any unpaid third quarter taxes will be assessed interest charges that will be calculated from August 1, 2011.

Motion made by Mr. Sobotka and seconded by Mr. Frank to approve Resolution No. 2014-08-03. Mr. Frank stated that it is his understanding that farm is what we call the Ing Farm and he is strongly in favor. All were in favor. Motion carried.

RESOLUTION NO. 2014-08-03

**A RESOLUTION OF THE TOWNSHIP OF SPRINGFIELD, COUNTY
OF BURLINGTON, STATE OF NEW JERSEY, OF PRELIMINARY
APPROVAL OF FARMLAND PRESERVATION APPLICATIONS**

WHEREAS, the Township of Springfield is committed to preserving, to the extent possible, farmland within the Township for the benefit of the citizens of the Township of Springfield as well as for the county of Burlington and for the State of New Jersey; and

WHEREAS, the Burlington County Agriculture Development Board has accepted the applications of 22 Century Investment, LLC farm, Block 701 Lots 7.04; into the Farmland Preservation Easement Purchase Program; and

WHEREAS, the county requests that the Township of Springfield provide the necessary municipal cost share at five percent (5%); and

WHEREAS, it is in the best interests of the citizens of the Township of Springfield to approve the applications of the above one farms for consideration into the current round of the Farmland Preservation Easement Purchase Program:

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Springfield, County of Burlington, and State of New Jersey that they support preservation of the properties listed above through the Burlington County Farmland Preservation Program; and

BE IT FURTHER RESOLVED that the Township Council of the Township of Springfield hereby confirms its willingness to provide the necessary municipal cost share needed to acquire the easements for the above mentioned landowners who accept the county's offer.

MONTHLY DEPARTMENTAL REPORT

CLERK REPORT OF LICENSES
July 2104

Dog Licenses Issued – 5
Licenses assessed late fee 0
Total Licenses Issued Year to Date - 399
Kennel licenses sold this month 4
Replacement dog licenses sold this month - 0

Total amount collected \$56.00

TREASURER'S REPORT – CURRENT ACCOUNT
July 2014

Year to Date Revenue	\$5,471,314.27
Year to Date Expended	\$1,575,979.71
Total Available Revenues	\$3,895,334.56

TAX COLLECTOR'S REPORT
JULY 2014

2014 TAX PAYMENTS	\$	75,346.41
PRIOR YEAR TAX PAYMENTS	\$	746.96
FUTURE TAX PAYMENTS		
INTEREST ON TAXES	\$	1,541.13
TOTAL TAX PAYMENTS	\$	77,634.50
MUNICIPAL LIEN REDEMPTION	\$	-

200' LIST	\$	-
DUPLICATE TAX BILL FEES	\$	-
TOTAL MISC. PAYMENTS	\$	-
NSF - RETURNED CHECK	\$	-
TOTAL RECEIPTS FOR THE MONTH:	\$	77,634.50

CONSTRUCTION OFFICIAL'S REPORT
July 2014

Building Permits & Application Fees	\$4,516.00
Development Fees	-0-
CO/CCO Fees	650.00
Re-inspection	-0-
Plan Review	-0-
Violations	1,000.00
COAH	-0-
Total	\$6,166.00

POLICE REPORT
JULY 2014

The Springfield Township Police Department responded to a total of **611** complaints. They are broken down in the following manner:

- 491 General Police Complaints
- 0 Domestic Incidents
- 7 Criminal Investigations
- 29 MVAs
- 44 Medical Emergencies
- 29 Activated Alarms
- 3 Abandoned 911 Calls
- 8 Assists to Outside Departments
- 13 Assists to Our Department
- 191 Motor Vehicle Stops
- 12 Arrests
- 7 Warrants
- 0 DWI
- 5 Criminal

Tickets Issued: 130

Mileage 8683

ZONING OFFICER'S REPORT
July 2014

- 10 Violations
- 0 Court Appearance
- 1 Site Visits

MANAGER'S REPORT
JULY 2014

1. Attended Township Council Meetings on July 9, 2014
2. Received and responded to 15 miscellaneous contacts that required action and resolution
3. Attended BURCO recycling coordinators meeting July 17, 2014
4. Attended BURLCO JIF meeting held in Hainesport on July 15, 2014
5. Attended BURLCO JIF Finance Committee meeting held in Lumberton on July 29, 2014

MUNICIPAL COURT
JULY 2014

Monthly fines, Title 39 Split, Contempt of Court, Court Costs, Criminal Fines	\$10,175.77
Public Defender Fees	\$150.00

Motion made by Mr. Sobotka and seconded by Mr. Hlubik to file the reports.

Mr. McDaniel asked if everyone got the EMS report and Mr. Marinello commented that there seems to be some holes due to some volunteers being in training. He added that it warrants some watching. Mr. McDaniel agrees that we need to keep an eye on it. He also added that we may want to provide some guidance as to the format of the report being submitted because it is difficult to read the report submitted. Mr. Marinello would also like them to indicate who took each mutual aid call. Mr. Sobotka asked about the money budgeted for first aid and ambulance services and Mr. Keller explained that the \$25,000 in First Aid is the stipend and the \$33,000 for ambulance service was money budgeted if the Township ended up having to pay for service.

Mr. Frank is pleased that the Zoning Officer is busy.

All were in favor. Motion carried

BILL LIST

Mr. Sobotka made a motion seconded by Mr. Frank to pay the bills, except for the Attorneys. Mr. Sobotka asked about the bill for flares and what the shelf life is for them. He added that wouldn't it be better to use battery operated flares. Chief Trout responded that this is the normal expense for an order and the last time they were purchased was last year and his experience with the battery operated flares is that when you go to use them the batteries are dead.

Mr. McDaniel asked about the payment to Jobstown Pizza and Chief Trout responded that it was for the DARE class and they have a budget line item for it. Mr. Sobotka stated that he has

never seen a child wear their DARE t-shirt so we may not want to order them if they are not going to wear them. 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

1. Letter from NJ Transit regarding putting a bus stop on Rte. 68. Mr. Frank stated that there are geographic issues because their North and South bound locations are on Fort Dix. Mr. McDaniel stated that he is not sure why you would put the stop there because there is nothing in that area and the people at the hotel they are trying to accommodate would have to walk a half mile. Mr. Marinello asked why not have the stop at the hotel and Mr. Frank responded that it may have to do with sight distance. Mr. Guest stated that they are asking for approval but they are the ones that make the decision where to put a stop. Mr. Frank made a motion seconded by Mr. Marinello to send a letter that Council welcomes a bus stop but Council believes that the area they are suggesting is on Fort Dix so Council is not sure if the Township has jurisdiction and Council feels it would be better at or closer to the hotel and as an extension of an already existing route. All were in favor. Motion carried.
2. Letter from NJ Dept. of Agriculture regarding Gypsy moth. Mr. Frank made a motion seconded by Mr. Sobotka to allow the survey and provide a copy of the Township map as requested.
3. Letter from Dick Toone regarding a Car Show. Mr. Sobotka made a motion seconded by Mr. Frank to approve the request to hold a car show at Veteran's Park. All were in favor. Motion carried.

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

SOLICITOR REPORT

Mr. McDaniel asked if there is any action on the COAH motion and Mr. Guest responded that there is a meeting tomorrow with Mr. Morgan and the Fair Share Housing but there is nothing else new.

Mr. Sobotka made a motion seconded by Mr. Marinello to accept solicitor's report. All were in favor. Motion carried.

MANAGER'S REPORT

Mr. Keller stated that we went out for quotations for IT services and received a complete proposal from Networks Plus for \$5200 which is already in the budget.

Mr. Keller stated that a contract was negotiated with the police for the 2% increase with all other conditions remaining the same. Mr. Marinello asked if they wanted more years and Mr. Keller responded they would but that would be hard to do with the CAP restriction. Mr. Sobotka made a motion seconded by Mr. Hlubik to approve the contract. All were in favor. Motion carried.

Mr. Keller stated that Central Jersey has requested to pick up the entire Township on one day instead of two and there would be no change in cost. Mr. Guest would like to look at the contract just to make sure it would not need to be rebid but he does not feel that it would need to be. Mr. Marinello stated that he would prefer Wednesday because if there are any weather issues there is a chance to get it picked up the next day instead of the next week.

Mr. Sobotka made a motion seconded by Mr. Frank to accept the manager's report. All were in favor. Motion carried.

TOWNSHIP OFFICIAL'S BUSINESS

Mr. Sobotka stated that he would like to propose banning plastic bags at the market to cut down on the litter since representatives from the Market are present tonight. Mr. Sobotka would like to change the Ordinance to ban the plastic bags in the Township. Mr. Frank and Mr. Marinello both stated that this is a bit extreme and would suggest a subcommittee to research the towns that have adopted similar Ordinances and to meet with business owners to see the impact on them if this were implemented. Mr. Frank added that he would like to be on the committee if one is established.

Mr. McDaniel stated that the final paving for Springfield Acres should have been done today.

Mr. McDaniel asked Mr. Guzzi about the stop sign on Folwell and he is going to get a quote from the contractor to move the stop sign. Mr. Keller stated that Mr. Guzzi is also going to get a quote for Paddock to correct that issue as part of this contract since the contractor is here doing other road work. Mr. Frank would like to have it televised and see what damage exists. Mr. Keller stated that we could do that but we do not have enough money left in this contract to do the whole project that would be needed on Paddock.

Mr. Marinello asked about the paving at White Rd. and Mr. Keller responded that it was paved pursuant to the specs. Mr. Keller added that there was a drainage issue in that area and when he was out there he checked the paving in that area and the thickness seemed fine. Mr. Frank added that the issue was with the sub-base not the thickness. Mr. Keller stated that he has the report on the sub-base and the paving and he will forward it to Council.

Request for an Amusement permit by the Columbus Farmers Market.

Mr. Frank recused himself. Mr. McCrink is the attorney for the Columbus Farmers Market and the Market has been looking into a haunted maze for a few years and due to safety concerns they wanted to make sure the group they chose to work with would provide for the safety they wanted. He added that the company they are partnering with has been doing this on a much smaller scale for nine years.

Charles Pratt and Clarke Dish were sworn in by Mr. Guest. Mr. McCrink stated that Mr. Pratt is the co-owner of the Market and Mr. Dish is co-owner of Haunted Endeavor's.

Mr. Dish stated that they have been producing the Haunted maze at the Mt. Holly prison for nine years and have worked with Mr. Casey the construction official for Springfield since he is also the Construction Official in Mt. Holly. Mr. Dish stated that they have had no injuries or incidents in the years they have been doing this event in Mt. Holly. He added that they estimate about 300 cars and the market has parking for 1500 and the road in and out is well lite.

Mr. McCrink asked why they are moving from the prison and Mr. Dish responded that at the prison it was inside the walls and it was one entrance which led to long lines.

Mr. Dish stated that they will have four mazes and they will hire two private security personnel but all their staff is trained in safety and how to handle emergency incidents. He added that they will have well over 20 radios on site and zone leaders and there will be four radios in each maze. Mr. Dish added that there will be 10 employees in each maze and one outside letting the customers in and then they will have additional floaters. Mr. McDaniel asked if the employees are actors or security and Mr. Dish responded that the actors are trained in emergency situations and how to get everyone out of the maze. He added that he has a manual for safety.

Mr. Sobotka asked about lighting and Mr. Dish said there would be emergency lighting. Mr. Marinello asked if there is a fire department on site and Mr. Dish responded no because it is not required but they do use flame retarded paint. Mr. Marinello asked if there were fire extinguishers and Mr. Dish responded that each door has a fire extinguisher and the fire marshall wanted them there for the fire officials use and they were more concerned about evacuation. Mr. Dish stated that they were also in the ticket booths and command centers. Mr. Dish did train the actors to use the extinguishers but they were told not to use them. Mr. Marinello expressed concern because he has seen these kind of events get out of control. Mr. Sobotka asked if there is a maximum capacity and Mr. Dish stated at the prison the capacity was based on the courtyard not the maze. Mr. Dish stated that they allow groups of 5-6 people and there will be no more than 4-5 groups at a time. Mr. Marinello expressed concern that they have some plan to regulate how many people are in the maze at the same time especially since this venue is larger than at the prison.

Mr. Sobotka asked about cost of a ticket and Mr. Dish stated that the price will be \$25.00 for a ticket and there will be coupons available as well.

Mr. Hlubik asked if the maze is covered and Mr. Dish stated that it is open and they don't run the event in bad weather. Mr. Guest asked if the panels go to the ground and how they are attached to the post. Mr. Dish responded yes they go to the ground and they are bracketed and you can't push the wall over if you are trying to get out.

Chief Trout stated that it was discussed having an officer on site.

Mr. McDaniel asked if the LLC was for profit and Mr. Dish responded that it is for profit but they do raise money for organization. Mr. Dish provided Council with the names of the two members of the LLC and added that they are both NJ residents.

Mr. Sobotka asked about the traffic in and out and Mr. McCrink indicated that the Market has agreed to open both exists if necessary. Mr. Dish stated they will have traffic personnel on site as well.

Mr. Dish testified as to the safety instruction and added that they have a dress rehearsal and they include what to do in case of an emergency as part of that rehearsal. Even though they have never had an incident, Mr. Dish added that they have had alarms go off and personnel responded quickly. Mr. Dish stated that every actor gets an air horn if there is an emergency or if a customer touches an actor.

Mr. Dish stated that the company has a 2 million dollar policy and the event will have another 2 million dollar policy naming the Market and Township as additionally insured.

Mr. Dish stated that the State Fire Official also does inspections in addition to the Township Construction officials. Mr. McCrink asked how they compensate their volunteers and Mr. Dish stated that they take them to other events or donate to a charity of their choice.

Mr. Dish stated that he is a very safe person and he has a good relationship with the State because he is so cautious and goes over what is required by law.

Mr. Sobotka asked about selling stuff at the site and Mr. McCrink stated the Market would be selling items and have vendors out there.

Mr. Pratt stated that he choose this company because of the aspect of no roof on the maze and their record of safety. They contacted their fire expert, Mr. Reinhart, to review the information presented by Mr. Dish and he felt they run a good, clean and safe operation. He also stated that the State Fire Official is always on site at the Market. Mr. Pratt stated that they would like to expand this event next year and include hayrides and pumpkin picking. He added that they want to promote the Market as a family friendly place to visit.

Mr. Sobotka asked about clean up and Mr. Pratt responded that the trash should be very limited and there will be no plastic bags and he added there will be plenty of trash receptacles.

Mr. Sobotka asked if this will be competition with the Johnson Farmers Market and Council acknowledged that it would be.

Mr. McDaniel asked about traffic and Mr. Pratt stated that they will try and get people to go out at the light but they can't close the other exit so cars will be able to get out that exit as well. Mr. Pratt indicated that the event will be in the back of the site. Mr. Guest asked if a sign can be placed directing northbound traffic out at the light and Mr. Pratt responded that they do have a sign they put out on Market days and they have tried to get a light at the other entrance but the State will not agree. Mr. Sobotka made a motion seconded by Mr. Marinello to approve the permit. Mr. Guest recommended memorializing the approvals. Mr. Keller added that a condition of approval should be that signed and sealed Engineer plans showing emergency exits and lighting be provided to the Construction Official and if they are providing temporary lighting a lighting plan as well. Mr. Guest stated that the approval can be given tonight conditioned on the signed and sealed plans as discussed. Mr. Keller stated that if signed engineered plans are provided then that places the liability on the professional not the Township. All were in favor. Motion carried.

Mr. McDaniel asked if there are any plans for the property between the County and Market properties and Mr. Pratt responded that they have been in discussions of purchasing the connecting property to join the County parking area and the Market. Mr. Pratt also stated that the front of the property is in the view shed and the back of the property is in wetlands so there is not much you can do there commercially. Mr. McDaniel stated that he believes there is a recognition on the Planning Board that the buildings precede the 500 ft. view shed requirement and they are open to allowing certain uses there. Mr. Pratt stated that he has talked to some wine growers about having a winery. Mr. McDaniel stated that it is a historic house but it is not a good location for a house so an adaptive reuse would be the best idea.

Mr. Pratt stated that he understands the concerns about the plastic bags and they do provide paper bags to their vendors but they don't have the room in their vehicles for the amount of bags they will need and the plastic bags take up so much less space. They have doubled the amount of trash cans and they have bought a truck and dumpsters for cardboard. He added that they do clean up across the street and the Wawa has the same problem. Mr. McCrink asked that if you do form a committee to look at the issue they have some input prior to adoption of the Ordinance.

Mr. Ackerman, co-owner of the Market, stated that regarding the traffic they are willing to pay for a traffic light and the Township has been involved but the problem is the State will not allow it. He welcomes it if the Township can get the State to allow a permanent light that would only run on Thursdays and Sundays.

Mr. Ackerman stated that they were involved in a lawsuit from a lady who claimed she got tangled in a plastic bag and got injured. As a result Mr. McCrink asked Mr. Ackerman if there was anything they could do about it so they contacted the County Recycling center who came out and did a study and recommended changes and they got an approval of compliance and they are one of the biggest recyclers of cardboard. Mr. Ackerman stated that they beefed up the personnel to address the trash on an hourly basis instead of waiting until the next day. They have tried to address it as best as they can but have no control over the weather or the direction the wind blows. Mr. Ackerman stated that to ban plastic bags would impact businesses and he thinks the Township has to be realistic. He added that he is not a fan of the plastic bags. Mr. McDaniel stated that on a windy day there are bags caught on the fence and Mr. Pratt stated they have someone constantly going back and forth picking them off the fence. Mr. McDaniel stated that in Washington DC they charge for plastic bags to encourage people to bring their own bags.

Mr. Hlubik stated that there was a concern about Johnson's Farm and them exiting on Juliustown-Georgetown Rd. and Mr. Johnson advised him that the use of that road is only for this year and they are going to work on getting approval for another entrance on Monmouth Rd.

Mr. Frank stated that he is not being very successful in negotiating for the purchase of the property at the corner of Columbus-Jobstown Rd. and Jacksonville-Jobstown Rd. but there is another property next to it that is for sale.

PUBLIC COMMENT

Mr. Hancock is a certified asphalt technologist and he took pictures in Springfield Acres because they were going down eight inches on clay so they had to stop the project and redo the work and now the Township is going to pay for a quarter of the project twice. He added that he does not have faith in the Engineer. He stated that if they had done cores they would have avoided this problem. Mr. Hancock stated the coring should have been done prior to the project and while the engineer did do coring they only went down five inches with the coring. Mr. Frank asked about which area was done inadequately and Mr. Hancock responded from his house down. Council asked where the area is that is of concern and Mr. Hancock stated that they fixed the problem but they had to do it twice so the Township is going to pay more for the project. Mr. McDaniel asked if there have been any change orders and Mr. Keller responded that the project will cost less than contracted for. Mr. Hancock also stated that they were supposed to have an Engineer out there but they only had a young intern and they are also using plastic covers on the storm drains. Mr. Keller responded that those were put in under Stormwater Management Plan.

Mr. Hancock stated that Council should be happy they didn't go into TDR with what is going on in Chesterfield. Mr. Hancock stated that taxes there are going through the roof.

Mr. Hancock stated that he came in couple months ago and the hedges were over his head. Mr. Keller responded that it was scheduled to be cut and by taking it upon himself to cut them he put Township at risk of liability.

Mr. Lippincott thanked Mr. Keller because the trash company took his trash cans with the trash and Mr. Keller contacted the trash company and they were returned.

Mr. Lippincott stated that since they started work on the bridge on Saylor's Pond Rd. there have been plenty of running trucks sitting around but no one doing anything.

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

Mr. Frank made a motion seconded by Mr. Sobotka to approve Resolution No. 2014-08-04 for the purpose of discussing personnel. 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 9:53 PM.

RESOLUTION 2014-08-04

**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: _____);

X 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;

X 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: Shared Services)

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: Shared Services) ;

_____ 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 10:42 PM and the public was invited back in.

Mr. Sobotka made a motion seconded by Mr. Frank to adjourn the meeting. The meeting was adjourned at 10:43 PM. All were in favor.

Respectfully submitted,

Patricia A. Clayton
Township Clerk