

TOWNSHIP OF SPRINGFIELD
COUNCIL MEETING AGENDA
7:30 PM
NOVEMBER 6, 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
6. Monthly Reports Submitted for Approval
7. Bills Submitted for Approval
8. Correspondence
9. Township Officials' Business
 - Rail Trail, next phase
10. Public Comment*
11. Executive Session

No. 2014-11-01 – 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
NOVEMBER 6, 2014,**

The meeting of the Springfield Township Council was called to order by Mayor McDaniel with Council Members John Hlubik, Anthony Marinello and Peter Sobotka present. Absent was Council Member David Frank. 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.

REVIEW OF DEPARTMENT REPORTS

Mr. McDaniel commented that there are 2 EMTs from the Squad handling all the calls.

Mr. Sobotka made a motion seconded by Mr. Marinello to hold the reports until next week.

REVIEW OF BILLS

Mr. Sobotka asked if the \$4,111.15 for Affordable Housing is for the motion that the Township filed. Mr. Keller stated it is probably related to attorney’s fees. Mr. Sobotka asked what would happen if there is a decision in the legal action at the State level regarding COAH rules and if that decision could possibly override any order we get from the Superior Court.

Council agreed to hold the bills until next week.

REVIEW OF CORRESPONDENCE

1. Evesham Twp. – Municipal Partner Golf Program Request for Resolution –Mr. Sobotka attended a golf outing and recommended we go ahead and move forward with this resolution and agreement as there is no cost to the Township. Mr. Keller added that it can go on the Best Practices Survey as a shared service. Mr. McDaniel stated that he sees no harm.
2. Burlington County- County Park Grant. Mr. McDaniel stated that we will take the \$75,000 and discuss later in the meeting what to do with the money
3. Memo from the Clerk regarding 2015 Appointments and Meeting Dates. Mr. Sobotka stated that he will work on getting some more members for the Recreation Committee
5. Planning Board-Farm Labor Housing. Mr. Sobotka asked for an estimate of the costs related to moving forward with the Planning Board review of this Ordinance.
6. BURLCO JIF – 2014 Dividend. Mr. Sobotka made a motion seconded by Mr. Hlubik to put the money towards the 2015 dividend.

TOWNSHIP OFFICIAL’S BUSINESS

Rail Trail, next phase-Mr. McDaniel stated that \$75,000 does not get us a lot more for a bike trail. Mr. McDaniel stated that we could clear some of the trail moving forward and just leave it as a walking path. Mr. Keller stated that he would have to see if we could do that with the money. Mr. McDaniel stated that another idea is using it at the corner if we are successful in getting the project to realign the road done by the County. Mr. Sobotka asked when we will have the appraisals on the two properties and Mr. Keller responded that he should have them by next week and plans to meet with one of the property owners as soon as he gets the appraisals.

Mr. Sobotka spoke to Mr. Keller about the condition of the potholes on Mt. Pleasant Rd. and showed Council pictures. Mr. McDaniel asked if we have any feedback from our contractor and Mr. Keller stated that the road needs to get reconstructed and added that Neck Rd. is in the same condition. Mr. Keller recommended doing it as part of the paving next year. Mr. Keller stated that there are multiple issues that need to be addressed.

PUBLIC COMMENT

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

Mr. Sobotka made a motion seconded by Mr. Hlubik to approve Resolution No. 2014-11-01 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 7:55 PM.

**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: Construction Fines) (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);

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: Interview of potential candidates for Zoning Board Appointments) ;

_____ 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 8:20 PM and the public was invited back.

Mr. Sobotka made a motion seconded by Mr. Marinello to adjourn the meeting. The meeting was adjourned at 8:20 PM. All were in favor.

Respectfully submitted,

Patricia A. Clayton
Township Clerk