

TOWNSHIP OF SPRINGFIELD  
COUNCIL MEETING AGENDA  
7:30 PM  
MARCH 8, 2017

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:  
February 8, 2017 Regular Session
6. Budget Discussion
7. Safety Discussion
8. Public Comment on Agenda Items
9. Ordinances for Public Hearing:  
No. 2017-02 – Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank
10. Resolutions  
No. 2017-03-01 – Resolution Authorizing the Execution of a Contract with Lexisnexis Claims Solutions, Inc. for E-Crash –Electronic Police Record Portal Services  
No. 2017-03-02 – Resolution Canceling Taxes on Property Owned by a Totally Disabled Veteran  
No. 2017-03-03 – Resolution Authorizing an On-Line Auction of a Fire Truck  
No. 2017-03-04 – Resolution of Acceptance of the Grant #P-7055-17 Under the State of New Jersey Safe and Secure Communities Program Administered by the Division of Criminal Justice, Department of Law and Public Safety
11. Unfinished Business
  - Flynn Property
  - Farm Labor Housing
  - Verizon Wireless request
12. Monthly Reports Submitted for Approval
13. Bills Submitted for Approval
14. Correspondence
15. Solicitor's Report
16. Manager's Report
17. Township Officials' Business
  - Approval of Raffle License – Central Jersey Tractor Pullers Association
18. Public Comment\*
19. Executive Session

No. 2016-03-05 - 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 (attorney-client privilege)

20. Adjournment

**TOWNSHIP COUNCIL MEETING  
MARCH 8, 2017**

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 George Morris.

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 5, 2017:

- 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 February 8, 2017 regular sessions. All were in favor except Mr. Frank who abstained. Motion carried.

**BUDGET DISCUSSION**

Mr. Keller stated that the budget presented has a 4 cent increase. Mr. Sobotka asked if the school's budgets have been adopted and Mr. Keller responded that he did not know. Mr. Keller stated the increase was mainly due to debt service. Mr. Keller added that there will need to be a small decrease in construction revenue because last year's revenue was based on the money that came in from the solar farm project and the Township did not have any large projects like that last year. There was discussion on the pension payments and that there is a \$20,000 increase in the pension payment.

Mr. Frank asked how the open space is recorded in the budget on page 1 it is \$73,204.72 and in the anticipated revenue it is \$40,000. Mr. Keller stated that some things were charged there for improvements to the parks. Mr. Frank would just like further clarification on this issue.

Mr. McDaniel stated that while construction revenue is down there is an increase in salaries. Mr. Keller stated that the increase in salaries is because of a residential project that is getting underway and it will require more work for inspectors.

Mr. McDaniel stated that for the Court we are anticipating the revenue to be flat and the cost to be flat. He stated the contract is up this year and he has talked to a couple of elected officials and he is pushing to keep it flat and try and get a 5 year contract.

Mr. McDaniel asked why the receipt from delinquent taxes is down and Mr. Keller responded because the tax collection rate was up. Mr. Frank asked why we are still reserving \$300,000

and asked if that number a mandated number. Mr. Keller responded that it is a formula the Auditor use. Mr. Frank thinks if our tax collection rate is up shouldn't this number go down more.

Mr. Keller pointed out the ambulance service went up \$1,000 per the contract.

Mr. McDaniel asked if there is a school tax deferral being used and Mr. Keller responded that it is not being used for this budget.

Mr. Frank asked if we are transitioning into long term financing and Mr. Keller responded he will follow up.

Mr. Keller stated we could introduce next month. Mr. Sobotka asked what is the average increase for the homeowner and it was discussed it would be about \$480. Mr. McDaniel stated that there is nothing we can do about debt service or the police pension costs.

Chief Trout reported that Saylor's Pond Rd is closed for a jet fuel leak.

Council decided to introduce at work session.

### **SAFETY DISCUSSION**

It was discussed that the Township received about \$1,800 award for safety.

### **PUBLIC COMMENT ON AGENDA ITEMS**

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

### **ORDINANCES FOR PUBLIC HEARING**

Motion made by Mr. Sobotka and seconded by Mr. Frank to open the public hearing on Ordinance 2017-02. All were in favor. Motion carried.

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

Motion made by Mr. Frank and seconded by Mr. Sobotka to adopt Ordinance 2016-02. Roll Call: Mr. Frank - yes; Mr. Hlubik - yes; Mr. Marinello - yes; Mr. Sobotka - yes and Mr. McDaniel - yes. Motion carried.

### **ORDINANCE 2017-02**

#### **CALENDAR YEAR 2017**

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

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 0.5% unless authorized by

ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Mayor and members of Township Council of the Township of Springfield in the County of Burlington finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Mayor and members of Township Council hereby determines that a 3.0% increase in the budget for said year, amounting to \$78,884.97 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Mayor and members of Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to the final appropriation in either of the next two succeeding years;

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and members of Township Council of the Township of Springfield, in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of the Township of Springfield shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$92,032.47, and that the CY 2017 municipal budget for the Township of Springfield be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

## **RESOLUTIONS**

Motion made by Mr. Sobotka and seconded by Mr. Frank to approve Resolution No. 2017-03-01. Chief Trout explained the need for this agreement and that there is no fee to the Township. He added that people can still come in to the station for a police report but they have the option of going to LexisNexis to obtain it as well and pay their fee. All in favor. Motion carried.

### **RESOLUTION 2017-03-01**

#### **RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH LEXISNEXIS CLAIMS SOLUTIONS, INC. FOR E-CRASH – ELECTRONIC POLICE RECORD PORTAL SERVICES**

**WHEREAS**, the Township's Police Department relies upon the use of specialized computer software to generate necessary reports and documents in performance of their duties; and

**WHEREAS**, LexisNexis Claims Solutions, Inc. provides the eCrash electronic software that meets the needs of the Township's Police Department; and

**WHEREAS**, this Contract is under the bid threshold pursuant to N.J.S.A. 40A:11-3; and

**WHEREAS**, this Contract may be awarded without public bidding for two (2) years; and

**WHEREAS**, the Township Attorney has slightly amended the form of Agreement provided by LexisNexis Claims Solutions, Inc. to provide for the eCrash services, which Agreement is attached hereto and made a part hereof;

**WHEREAS**, the Township Council deems it to be in the best interest of the Township of Springfield to adopt this Resolution and authorize the Mayor and Clerk to execute the attached Agreement with LexisNexis Claims Solutions, Inc.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Springfield, County of Burlington, State of New Jersey, that the attached Agreement between the Township of Springfield and LexisNexis Claims Solutions, Inc., be and the same is hereby approved, and the Mayor and Clerk are hereby authorized and directed to execute the attached Agreement;

\*\*\*\*\*

Motion made by Mr. Sobotka and seconded by Mr. Frank to approve Resolution No. 2017-03-02. All were in Favor. Motion carried.

**RESOLUTION 2017-03-02**

**A RESOLUTION CANCELING TAXES ON PROPERTY OWNED BY A TOTALLY DISABLED VETERAN.**

**WHEREAS, JOHN W. FLYNN** is the owner and resident of **436 LEWISTOWN ROAD, Block 1804, Lot 5**; and,

**WHEREAS, JOHN W. FLYNN** has applied for property tax exemption as a Totally Disabled Veteran pursuant to NJSA 54:3.30 et seq.; and,

**WHEREAS, JOHN W. FLYNN** has been certified by the Veterans Affairs to wartime service-connected disability of 100%.

**WHEREAS**, the Tax Assessor has reviewed the said application and found it to be satisfactory.

**NOW THEREFORE BE IT RESOLVED**, the 2017 taxes should be canceled as of the date of application of JANUARY 1, 2017.

**NOW THEREFORE BE IT RESOLVED**, by the Springfield Township Council that the Tax Collector is hereby authorized to cancel the **“2018” 1<sup>st</sup> & 2<sup>nd</sup> quarters taxes** for Lot 5 in Block 1804 and that a certified copy of this resolution shall be forwarded to the Tax Assessor and Tax Collector.

\*\*\*\*\*

Motion made by Mr. Frank and seconded by Mr. Sobotka to approve Resolution No. 2017-03-03. Mr. Keller explained that Westampton returned the truck because it need about \$5,000 worth of work. All were in Favor. Motion carried.

**RESOLUTION 2017-03-03**

**AUTHORIZING AN ON-LINE FIRE TRUCK AUCTION**

**WHEREAS**, the Local Unit Technology Pilot Program and Study Act, P.L. 2001, c. 30, authorizes the Department of Community Affairs, Division of Local Government Services (“Division”) to waive various provisions of the Local Public Contract Law to assist municipalities in selling surplus personal property no longer needed for public use through on-line actions; and

**WHEREAS**, the Division has approved internet-based vendors for online auctions of surplus personal property including eBay.com, GovDeals.com, PropertyRoom.com and usgovbid.com because these vendors have met the requirements of the Division to offer their services for selling municipal personal property online, including acquiring Business Registration Certificates; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-36, the governing body must pass a Resolution authorizing the sale identifying certain items as noted below and must further hold such sales not less than seven (7) days or more than fourteen (14) days after the latest publication of advertisement.

**NOW THEREFORE BE IT RESOLVED** by the Township Council of the Township of Springfield, County of Burlington, State of New Jersey, that the Township will sell the following surplus through an online auction using GovDeals.com found at [www.GovDeals.com](http://www.GovDeals.com) unless the sale of such property is sold through a negotiated sale to another Governmental Agency:

Year	Model	VIN	Mileage	Minimum Bid
1992	SPA RESCUE PUMPER TRUCK	4S7ET9F0XNC005543	15,768	\$10,000.00

1. This surplus sale is being conducted pursuant to Local Finance Notice 2008-9.
2. The terms and conditions of the agreement entered into with GovDeals.com are available on the vendor’s website and available in the Township Clerk’s Office.
3. The Division requires that a copy of this Resolution be sent to it for the municipal use of GovDeals.com, rather than any other vendor, because of GovDeals.com’s operates under State Contract A70967.

4. The Township shall advertise the auction in a legal newspaper advertisement in the *Burlington County Times* and shall include, at minimum, (1) an announcement that the sale is being held on-line; (2) include the internet address for GovDeals.com; (3) include a general description for the personal property to be sold; and (4) include a statement that bidders must pre-register with GovDeals.com.
5. The Township authorizes GovDeals.com to continue or re-open a sale after the close of the auction in the event the minimum reserve price was not met and those bidders who participated in the original bid must be notified of the continuance or re-opening.

\*\*\*\*\*

Motion made by Mr. Sobotka and seconded by Mr. Frank to approve Resolution No. 2017-03-04. All were in Favor. Motion carried.

**RESOLUTION 2017-03-04**

**NEW JERSEY  
SAFE AND SECURE COMMUNITIES PROGRAM  
RESOLUTION OF ACCEPTANCE**

**A RESOLUTION OF ACCEPTANCE OF THE GRANT #P-7055-17 UNDER THE STATE OF NEW JERSEY SAFE AND SECURE COMMUNITIES PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY**

WHEREAS, the Township of Springfield previously adopted Resolution No. 2017-01-14 Approving Participation with the State of New Jersey in a Safe and Secure Communities Program Administered by the Division of Criminal Justice, Department of Law and Public Safety applying for funding of approximately \$25,000.00 with a match of \$90,898.00 for an approximate project total cost of \$115,898.00 for a project under the Safe and Secure Communities Program, and

WHEREAS, the Springfield Township has received notification of award from the New Jersey Department of Law and Public Safety, and

THEREFORE, BE IT RESOLVED by the Springfield Township Council that

1. As a matter of public policy Springfield Township accepts the Subaward No. P-7055-17 in the amount of \$25,000 for the period of March 1, 2017 through February 28, 2018.
2. The project is a joint effort between the Department of Law and Public Safety and the Township of Springfield, for the purpose described in the application
3. The Attorney General will receive funds on behalf of the applicant.
4. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
5. The Division of Criminal Justice shall initiate allocations to the applicant as authorized by law.

**UNFINISHED BUSINESS**

Mr. Morris stated that Mr. Flynn has received a certificate of approval but not a certificate of occupancy. Mr. Rosenberg responded to Mr. Morris that Mr. Flynn will pay the additional \$2,500 fine when he gets a certificate of occupancy. Mr. Morris sent a second letter to see when exactly he will pay the \$2,500 since he is in violation of the agreement.

Mr. Frank stated that he will have something together on farm labor housing for the work session.

Mr. Morris stated he is still going back and forth with Verizon on their request. He added that in a neighboring town Verizon just asked if they could bring in as is built for approval after they install the boxes on the polls. Mr. Morris added that this would enhance the wireless service in the area. Mr. Frank feels they are an eye sore and intrusive and it is an expansion of a use. Mr. Frank stated that under Federal and State law we are not allowed to charge them a fee only a \$2,000 escrow for Township review of the agreement. Mr. Sobotka asked if there are any environmental issues and Mr. Morris responded there do not seem to be any. Mr. Morris said he would ask the representative to come to the next regular meeting.

### **MONTHLY DEPARTMENTAL REPORT**

#### **CLERK REPORT OF LICENSES**

**February 2017**

Dog Licenses Issued - 32  
Licenses assessed late fee 27  
Total Licenses Issued Year to Date -303  
Kennel licenses sold this month 0  
Replacement dog licenses sold this month - 0  
Service Dog  
Police Dog  
  
Total amount collected \$475.00

#### **CONSTRUCTION OFFICIAL'S REPORT**

**February 2017**

Building Permits & Application Fees	\$9,433.00
CCO Fees	300.00
COAH	3,124.50
Re-Inspection Fees	00
Total	\$12,857.50

#### **Zoning Report February 2017**

Violations 5



**TAX COLLECTOR  
FEBRUARY 2017**

**FEBRUARY**

**2017**

**TAXES**

<b>2017</b>	TAX PAYMENTS	\$ 2,025,035.35
PRIOR	TAX PAYMENTS	\$ 97,874.98
FUTURE	TAX PAYMENTS	\$ -
	INTEREST ON TAXES	\$ 9,517.49
	<b>TOTAL TAXES</b>	<b><u>\$ 2,132,427.82</u></b>

**LIENS**

MUNICIPAL LIEN	REDEMPTIONS	\$ 3,058.35
MUNICIPAL LIEN	RECORDING FEES COLL	\$ 8.00
MUNICIPAL LIEN	LIEN SEARCH FEES COLL	\$ 12.00
	<b>TOTAL LIENS</b>	<b><u>\$ 3,078.35</u></b>

**MISC.**

200' LIST FEES	\$ 10.00
DUPLICATE TAX BILL FEES	
6% YEP	\$ 2,095.70
6% YEP AT TAX SALE	\$ 984.88
TAX SALE COSTS - PRIOR TO SALE	\$ 589.81
TAX SALE COSTS - AFTER SALE	\$ 714.28
RETURN (NSF) CHECK FEES	
<b>TOTAL MISC. PAYMENTS</b>	<b><u>\$ 4,394.67</u></b>

**RETURN ITEMS**

RETURNED CHECKS	\$ 1,663.84
<b>TOTAL</b>	<b><u>\$ 1,663.84</u></b>

**TOTAL RECEIPTS FOR THE MONTH:**

<b>\$ 2,138,237.00</b>
------------------------

**AMERICA EMERGENCY SQUAD, INC.  
February 2017**

Total Calls Dispatched	24
Mutual Aid received	3
Average Response time	7.47
Total Transports	11

**ENDEAVOR EMERGENCY SQUAD, INC.**

**December 2016**

Total Calls Dispatched	24
Average Response Time	10.29
Total Transports	11

**Endeavor Emergency Squad**  
January 2017

Total Calls Dispatched	6
Average Response Time	12.60
Total Transports	5

**MUNICIPAL COURT**  
**FEBRUARY 2017**

Monthly fines, Title 39 Split, Contempt of Court, Court Costs, Criminal Fines	\$5,331.06
Parking Adjudication Act	2.00

Motion made by Mr. Sobotka and seconded by Mr. Hlubik to file the reports. All were in favor.  
Motion carried.

**BILL LIST**

<b>VENDOR</b>	<b>CHECK NO.</b>	<b>AMOUNT PAID</b>
<b>CURRENT</b>		
Auto Shine Car Wash	11628	\$30.00
Bowman & Company LLC	11629	\$7,886.60
Burlington Cleaners	11630	\$81.45
Burlington County Treasurer	11631	\$40.00
Burlington County Treasurer	11632	\$7,247.67
Casa Payroll Services	11633	\$199.00
Constellation Newenergy Inc.	11634	\$1,843.07
Courier Times, Inc.	11635	\$709.02
Denis C. Germano	11636	\$2,370.00
Eastern Armored Services, Inc.	11637	\$194.00
H. Eggleston & Son, LLC	11638	\$16,220.50
Expel Exterminating Experts Inc.	11639	\$50.00
Galls/Quartermaster	11640	\$289.15
Garden State Removal Company	11641	\$7,149.91
Good Impressions, Inc.	11642	\$250.00
Heritage Business Systems Inc.	11643	\$75.00
Hughes Tree Service	11644	\$1,000.00
Hurley's Auto Repair	11645	\$646.92

Internal Affairs Assoc of Burl.	11646	\$50.00
ID Wholesaler	11647	\$219.00
JCP&L	11648	\$1,564.96
J Paul Keller	11649	\$600.78
Mansfield Township	11650	\$19,166.66
Matthew Bender & Co., Inc.	11651	\$139.00
Mid- Atlantic Salt LLC	11652	\$600.00
Morpho Trak LLC	11653	\$2,944.00
National Time Systems, Inc.	11654	\$58.00
Networks Plus	11655	\$433.33
New Jersey American Water Co.	11656	\$258.94
NJ Municipal Management Assoc.	11657	\$220.00
NJ State Assoc Chiefs of Police	11658	\$275.00
NJSHBP	11659	\$32,203.86
NJ League of Municipalities	11660	\$90.00
Northern Burl Cty Reg School	11661	\$531,915.79
Parker McCay, P.A.	11662	\$1,053.50
Pedroni Fuel Company	11663	\$2,148.66
Martin Poinsett	11664	\$100.00
Protective Services Group Inc.	11665	\$368.00
PSE&G	11666	\$4,188.14
QC Laboratories	11667	\$65.50
Ready Solutions LLC	11668	\$412.50
Servicemaster Building Service	11669	\$295.00
South Jersey Energy	11670	\$174.71
Springfield Township Board of Ed	11671	\$270,069.00
Staples Advantage	11672	\$54.40
Virtua at Work	11673	\$181.60
Vital Communications Inc.	11674	\$105.00
W.B. Mason Co., Inc.	11675	\$36.99
Xtel Communications, Inc.	11676	\$385.29

**CAPITAL FUND ACCOUNT**

<b>Advanced Electronic Design Inc.</b>	7195	\$47,118.00
Dante Guzzi Engineering	7196	\$6,747.00

**DEVELOPERS ESCROW**

Banc3 Inc.	7354	\$187.50
Dante Guzzi Engineering	7355	\$470.56
Denis C. Germano, Esq.	7356	\$607.50

**RECREATION**

Shawn Fitzpatrick	7173	\$175.60
Mansfield Township Recreation	7174	\$183.00
Melissa Knox	7175	\$55.00

**DOG TRUST**

Burlington CTY Treas-Animal	7190	\$10.00
-----------------------------	------	---------

New Jersey Dept of Health	7191	\$68.40
---------------------------	------	---------

**COAH ACCOUNT**

Dante Guzzi Engineering	7193	\$330.00
-------------------------	------	----------

<b>TOTAL</b>		<b>\$972,612.46</b>
--------------	--	---------------------

Mr. Frank made a motion seconded by Mr. Hlubik to pay the bills except for the attorneys. All in favor. Motion carried.

Mr. Marinello made a motion seconded by Mr. Hlubik to pay the attorneys. All in favor except Mr. Frank who abstained. Motion carried.

**CORRESPONDENCE**

1. Nancy Bonsall – Pet Store Ordinance. Council did not wish to take any action
2. George Morris – Verizon Wireless. Previously discussed.
3. William Tilghman – Waiver of property tax fees. Mr. Frank stated that he does not believe we can waive interest and Mr. Morris agreed the Township does not have that authority. Mr. Keller stated that he will respond accordingly.
4. George Morris- Verizon Wireless. Previously discussed
5. BURLCO JIF- 2016 Safety Incentive Program Awards. Mr. Frank congratulated for the teams efforts.
6. NJ DOT – Repaving Route 206. Chief Trout explained it is almost the whole length of the road in Springfield.
7. NJ Residents Against Puppy Mills Press Release

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

**SOLICITOR REPORT**

Mr. Morris stated that he has one item for Executive session.

**MANAGER’S REPORT**

Mr. Keller had nothing to report.

**TOWNSHIP OFFICIAL’S BUSINESS**

Mr. Sobotka made a motion seconded by Mr. Hlubik to approve the Raffle License submitted by Central Jersey Tractor Pullers Association. All were in favor, except Mr. Frank and Marinello who abstained. Motion carried.

Mr. Sobotka wants to change the speed limit on Columbus-Jobstown Rd. once the road is reconfigured and asked how we would go about doing that. It was discussed the speed limit is currently 40 miles and Mr. Keller stated the Engineer would have to do a study in order to lower the speed. Mr. Frank stated the curve will slow people down and there will be a sign that the road curves warning people.

Mr. Hlubik was approached that there is no speed limit on Warner Road and it was discussed that it would be 50 mile per hour if not posted. Mr. Keller responded there may already be a speed limit in the Ordinance book and if so we can post it.

It was discussed that the Engineer should only attend a meeting if asked by the Manager.

**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. 2016-03-05 for the purpose of discussing matters of attorney-client privilege. All were in favor. Motion carried. Mr. McDaniel stated that Council would invite the public back in when they returned to public session and action would be taken. Council entered into executive session at 8:44 PM.

**RESOLUTION 2017-03-05**

**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: ) ;

\_\_\_\_\_ 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 8:52 PM and the public was invited back in.

Motion made by Mr. Frank and seconded by Mr. Sobotka to approve Resolution No. 2016-03-06 with minimum bid of \$2,500 for 15 years with the option for 3 – five year term renewals and a rent increase of a minimum of 5% annum. All were in favor. Motion carried.

## **RESOLUTION 2017-03-06**

### **AUTHORIZING THE TOWNSHIP OF SPRINGFIELD TO PUBLICLY BID A LEASE FOR A PORTION OF BLOCK 402, LOT 3 TO ALLOW A CELLULAR COMMUNICATION COMPANY TO LOCATE EQUIPMENT ON THE ADJACENT MOBILE TOWER**

**WHEREAS**, the Township owns lands at Block 402, Lot 3 (hereinafter the “Property”) a portion of which is used for a cellular communications tower; and

**WHEREAS**, the existing lease of approximately 300 square feet at the base of the tower is expiring and the Township desires to either renew a lease relationship with the current tenant or secure a new tenant; and

**WHEREAS**, the Local Lands and Buildings Law, N.J.S.A. 40A:12-13 requires that all public property be advertised and sold at public sale to the highest bidder; and

**WHEREAS**, the Township Committee of the Township of Springfield desires to put a portion of the Property out to bid, with a minimum monthly bid of twenty-five hundred dollars (\$2,500.00) for a land lease in order to facilitate further co-location on the existing Cellular Tower; and

**WHEREAS**, the Township may reject all bids if the governing body, in its sole discretion, determines such rejection to be in accordance with law; and

**NOW THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Springfield, County of Burlington, State of New Jersey as follows that the Township Clerk and Township Solicitor are hereby authorized to prepare, advertise and notice bid specifications and a land lease in order to lease a portion of Block 402, Lot 3 (i.e. 1590 Burlington-Jacksonville Road) at the base of the existing cellular tower to facilitate the successful bidder’s co-location of an antenna on that tower, in accordance with the following terms:

1. The minimum bid shall be for \$2,500.00 per month;
2. The initial term shall be for fifteen (15) years, with three (3) five-year term renewals, and upon the 6<sup>th</sup> and 11<sup>th</sup> anniversary and each renewal, the rate of rent shall be increased by a minimum of 5% annum;
3. This portion of the Property is not needed for public use during the anticipated term of the lease;
4. The Township reserves the right, within the two consecutive meetings following the bid opening, to reasonably evaluate the bid and to award to the highest bidder or to reject all bids consistent with the Local Lands and Buildings Law.;
5. The portion of the property is leased "as is" with no warranties, promises or guarantees attendant to the sale;
6. The Township Clerk is hereby authorized and directed to advertise a sale of said property by way of sealed bids by advertising twice in consecutive weeks that last advertisement no less than seven (7) days before opening;
7. The successful bidder, if any, shall execute and return to the Township the Land Lease within thirty (30) working days of receipt of same. If this condition is not met, the deposit submitted by the successful bidder, if any, will be forfeited and retained by the Township; and

8. The Township Solicitor is authorized to negotiate any terms of the lease which do not affect the length of the lease term, the bid price or the escalation rate.
9. The successful bidder, if any, shall be required to obtain any local, county, state and federal approvals at its sole cost.

Mr. Sobotka made a motion seconded by Mr. Hlubik to adjourn the meeting. All were in favor. Motion carried. The meeting was adjourned at 8:54 PM.

Respectfully submitted,

Patricia A. Clayton  
Township Clerk