

TOWNSHIP OF SPRINGFIELD
COUNCIL MEETING AGENDA
7:30 PM
SEPTEMBER 13, 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:
 August 9, 2017 Regular Session
6. Public Comment on Agenda Items
7. Ordinances for First Reading
 No. 2017-05 – Ordinance of the Township of Springfield Amending and Supplementing a Portion of Chapter 215 of the Township Code Entitled Flood Plain District
8. Ordinances for Public Hearing
 No. 2017-04 – Ordinance Amending Chapter 144 of the Township Code Entitled Peace and Good Order to Help Protect Local Businesses
9. Resolutions
 No. 2017-09-01 – Resolution Granting an Amusement License Pursuant to Chapter 45 of the Code of the Township of Springfield to Haunted Endeavors, LLC on Property of the Columbus Farmers Market
 No. 2017-09-02 – Resolution Cancelling Taxes on Property Owned by a Non-Profit Conservation Organization
 No. 2017-09-03 – Resolution Authorizing Transfers of Funds Within the Open Space Trust
10. Unfinished Business
11. Monthly Reports Submitted for Approval
12. Bills Submitted for Approval
13. Correspondence
14. Solicitor's Report
15. Manager's Report
16. Township Officials' Business
 - Review of Planning Board recommendations for Commercial Truck Ordinance
 - Review of Planning Board recommendations for Farm Labor Housing
17. Public Comment*
18. Adjournment

**TOWNSHIP COUNCIL MEETING
SEPTEMBER 13, 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 Township 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 August 9, 2017 regular meeting. All were in favor, except Mr. Frank who abstained. Motion carried.

PUBLIC COMMENT ON AGENDA ITEMS

Mr. McDaniel opened public comment on agenda items.

Seeing no one for public comment Mr. Sobotka made a motion seconded by Mr. Hlubik to close public comment. All were in favor. Motion carried.

ORDINANCES FOR FIRST READING

Mr. Sobotka made a motion seconded by Mr. Frank to introduce Ordinance No. 2017-05 on first reading. Mr. Frank confirmed with the Solicitor that the municipality doesn't really have much choice and it is something required by the DEP for each municipality to adopt so that residents may obtain flood insurance. Mr. McDaniel asked what would happen if the Township did not adopt the Ordinance and Mr. Morris responded residents would not be able get flood insurance. Mr. Marinello asked if the maps changed and Mr. Morris stated that the maps basically stayed the same. Mr. Marinello asked if this would restrict anyone who owns property now and Mr. Morris responded that it would not affect properties or structures that already exist. Mr. Sobotka asked if it had anything to do with wetlands and Mr. Morris responded they are two different things.

All in favor. Motion carried. Mr. McDaniel mentioned it would go to planning board and then public hearing will be at the October 11, 2017 Council meeting.

ORDINANCE NO. 2017-05

**AN ORDINANCE OF THE TOWNSHIP OF SPRINGFIELD AMENDING AND
SUPPLEMENTING A PORTION OF CHAPTER 215 OF THE TOWNSHIP CODE
ENTITLED FLOOD PLAIN DISTRICT**

ORDINANCES FOR PUBLIC READING

Motion made by Mr. Frank and seconded by Mr. Sobotka to open the public hearing on Ordinance 2017-04. 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.

Mr. Frank clarified that this is just a way to allow someone to plead down to a municipal Ordinance and not get into a bunch of trouble. Mr. Marinello voiced his opinion that it is overly broad and unconstitutional. Mr. Morris stated that he has not seen it overly used. Mr. Frank stated we could ask for a report of how often it is being enforced to see if it is being abused. Mr. Marinello asked who could sign the complaint and Mr. Morris responded that anyone could. Mr. Marinello stated any property owner could sign a complaint and Mr. Morris responded they could also sign a trespassing summons. Mr. Morris added that any complaint would have to go to the Judge for probable cause. Mr. Sobotka stated that if we seeing it being abused Council can revisit the Ordinance. Mr. Marinello stated he does not like an overly vague statute that anyone can use. Mr. Frank stated that the purpose of this is to aid the prosecutor to have a local downgrade from a criminal charge. Mr. Hlubik asked who makes the determination to proceed with this or the more serious charge and Mr. Morris responded it would be the prosecutor. Mr. Frank recommended striking "may" so that someone must prove that the type of behavior actually occurred. Mr. Marinello asked if there was a legitimate protest of a business and a property owner says you are hurting my business and Mr. Frank responded that it has to be wrongful and a protest is not wrongful. Mr. Marinello asked if someone came to the Wawa holding a sign saying he got a bad sandwich and Wawa asked him to leave and he did could the person now get a citation and Mr. Frank responded it is not wrongful and Mr. Morris also stated that it is not interference. Mr. Frank made a motion seconded by Mr. Hlubik to amend the Ordinance to strike the word "may". Mr. Marinello asked who makes the determination of legitimate business and it was discussed that it would be the Judge and if it is not a legitimate business this Ordinance would not apply.

Motion made by Mr. Frank and seconded by Mr. Sobotka to adopt Ordinance 2016-04 as amended. Roll Call: Mr. Frank – yes; Mr. Hlubik – yes; Mr. Marinello – no; Mr. Sobotka - yes and Mr. McDaniel - yes. Motion carried.

ORDINANCE 2017-04

AN ORDINANCE AMENDING CHAPTER 144 OF THE TOWNSHIP CODE ENTITLED PEACE AND GOOD ORDER TO HELP PROTECT LOCAL BUSINESSES

WHEREAS, the Township Police Department has requested that the governing body review the Peace and Good Order ordinance to expand the police power to assist local businesses that experience an influx of disorderly behavior within their establishments; and

WHEREAS, the purpose of this ordinance is provide an enforcement power which is authorized pursuant to the New Jersey Home Rule Act; and

WHEREAS, the ordinance is not pre-empted by the New Jersey Criminal Code as the Home Rule Act specifically permits ordinances to maintain order, prevent vice and to preserve the peace and good order;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Township Counsel of

the Township of Springfield, County of Burlington, State of New Jersey that Chapter 144 of the Code of the Township of Springfield, be and is hereby amended and supplemented to add the following new activity within the list of prohibited conduct in Chapter 144:

“144-13 No person shall wrongfully interfere with legitimate business activity within the Township by means of activity which cause pecuniary loss to the business or disrupt the normal business operations.”

AND BE IT FURTHER ORDAINED AND ENACTED, that any provisions of the Township Code that are inconsistent with the foregoing amendment are repealed to the extent of any inconsistency;

AND BE IT FURTHER ORDAINED AND ENACTED that this Ordinance shall take immediately upon publication according to law.

RESOLUTIONS

Motion made by Mr. Sobotka and seconded by Mr. Frank to approve Resolution No. 2017-01-01. Mr. Frank asked if there have been any issues and Chief Trout responded there have not been any. All were in favor. Motion Carried.

RESOLUTION 2017-09-01

RESOLUTION GRANTING AN AMUSEMENT LICENSE PURSUANT TO CHAPTER 45 OF THE CODE OF THE TOWNSHIP OF SPRINGFIELD TO HAUNTED ENDEAVORS, LLC ON PROPERTY OF THE COLUMBUS FARMERS MARKET

WHEREAS, the Springfield Township Council received an application from Haunted Endeavors, LLC (the “Operator”) for an amusement license pursuant to Chapter 45 of the Township Code to operate a limited seasonal “haunted maze” and ancillary activities (the Amusement) on a portion of the property of the Columbus Farmers Market; and

WHEREAS, the owners of the Columbus Farmers Market have given their consent to this application; and

WHEREAS, the Amusement is proposed to operate on October 6, 7, 8, 13,14, 20, 21, 22, 27, 28 and 29; and

WHEREAS, the Amusement will operate from 7:00 p.m. to 11:00 p.m. on the aforementioned dates with the ticket sales booth open from 6:30 p.m. to 10:30 p.m. on those dates; and

WHEREAS, the Operator has supplied the appropriate application and supporting documentation pursuant to Chapter 45 of the Township Code ; and

WHEREAS, the Operator, among other things, (1) has operated similar Amusements for over 10 years without an injury claim or police incident; (2) provides adequate private security during operations; (3) has employees on-site during operations trained in crowd control and emergency evacuation of the mazes; (3) utilizes flame retardant treatments and sprays on all combustible construction materials; (4) complies with all fire marshal requirements regarding fire extinguishers and fire safety; (5) will provide adequate lighting as approved by the construction code official; (6) will provide plainly marked emergency exits so that customers are never more than 50 feet from an exit; (7) will provide not less than three employees to assist and direct

motor vehicles in entering, parking and exiting the site; and (8) will comply with all other commitments set forth in the application materials and testimony; and

WHEREAS, the Operator will provide an all risk general liability insurance policy for the events in an amount not less than \$2,000,000.00 with the township named as an additional insured; and

WHEREAS, the Operator has agreed to meet all plan, lighting and other requirements of the township construction code official in addition to those of the fire marshal; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Springfield, County of Burlington and State of New Jersey, hereby grants the issuance of an Amusement License for the dates and times set forth above subject to the conditions expressed above, the Operator’s written submissions and testimony before the Township Council;

AND BE IT FURTHER RESOLVED that the installation of the mazes shall be inspected and approved by the construction code official and fire marshal prior to opening;

AND BE IT FURTHER RESOLVED that the fully paid liability insurance policy with evidence of premium payment shall be provided to the Township Clerk not less than fourteen (14) days prior to the first date of the event.

Motion made by Mr. Sobotka and seconded by Mr. Frank to approve Resolution No. 2017-09-02. Mr. McDaniel asked what the law is for this and Mr. Morris responded that it is being used as open space and also it is a non-profit being used as a non-profit. All were in favor. Motion Carried.

RESOLUTION 2017-09-02

RESOLUTION CANCELLING TAXES ON PROPERTY OWNED BY A NON-PROFIT CONSERVATION ORGANIZATION

WHEREAS, the property identified as Block 702 Lot 2 is owned by the Rancocas Land Conservation Group, Inc., and

WHEREAS, the Rancocas Land Conservation Group, Inc. has made application for the exemption on the property identified above; and

WHEREAS, in accordance with Title 54, (54:4-3.64) the Commissioner of the Department of Environmental Protection has certified that the property and the property owner are qualified under the Act; and

WHEREAS, the Tax Assessor has reviewed the Application and found it to be in order.

NOW THEREFORE, BE IT RESOLVED that the following taxes and any interest thereon be can cancelled in accordance with the reasons set forth above:

Block: 702 Lot: 2
Owner: Rancocas Land Conservation Group, Inc.
Amount: \$148.40 + Interest (2017)
74.20 (2018 Preliminary)

Motion made by Mr. Sobotka and seconded by Mr. Frank to approve Resolution No. 2017-09-03. Mr. Frank asked if we have ever done this before and Mr. Keller stated we have never done the transfer but we have used the money for the maintenance of parks. Mr. Keller stated that we may be a little under budget because we have a new contract and it has been a wet year so the grass has been getting cut more often. All were in favor. Motion Carried.

RESOLUTION NO. 2017-09-03

**A RESOLUTION AUTHORIZING A TRANSFER OF FUNDS
WITHIN THE OPEN SPACE TRUST**

WHEREAS, there are insufficient funds in the following appropriation accounts for the Township of Springfield, Burlington County:

			Amounts to be Transferred to:
Account	7-20-54-375-002-002	Open Space Trust Fund-Maintenance of Lands for Recreation and Conservation-Other Expenses	\$ 5,000.00
Total			\$ 5,000.00

and WHEREAS, transfers are permitted by law to be made between appropriation accounts.

NOW, THEREFORE, BE IT RESOLVED, that the amounts listed above shall be transferred TO their respective accounts and the following amounts be transferred FROM their respective accounts:

			Amounts to be Transferred From:
Account	7-20-54-916-002-002	Acquisition of Farmland	\$ 5,000.00
Total			\$ 5,000.00

The Treasurer is hereby authorized and directed to make said transfers.

UNFINISHED BUSINESS

Mr. Morris talked to Mr. Brown the owner of the property on Route 206 that was going to be an AT&T store and he was ready to come in to the Board to get approval for a deli at that site but he indicated that he was since then received an offer to purchase his property by a developer who is also interested in two other properties at that triangle. He indicated he is willing to sell so he is waiting to see what the other two property owners do.

MONTHLY DEPARTMENTAL REPORT

CLERK REPORT OF LICENSES

August 2017

Dog Licenses Issued 4
Licenses assessed late fee 35.00
Total Licenses Issued Year to Date -341
Kennel licenses sold this month 0
Replacement dog licenses sold this month - 0
Service Dog 0
Police Dog

Total amount collected \$79.00

CONSTRUCTION OFFICIAL'S REPORT

August 2017

Building Permits & Application Fees	\$6,983.00
CCO Fees	550.00
COAH	
Re-Inspection	
 Total	 \$7,533.00

TREASURER'S REPORT – CURRENT ACCOUNT

August 2017

Year to Date Revenue	\$7,894,614.40
Year to Date Expended	\$2,798,709.23

POLICE REPORT

August 2017

The Springfield Township Police Department responded to a total of **507** complaints. They are sorted in the following manner:

- 416 General Police Complaints
- 1 Domestic Incidents
- 8 Criminal Investigations
- 24 MVAs
- 29 Medical Emergencies
- 25 Activated Alarms

0 Abandoned 911 Calls
 4 Assists to Outside Departments
 3 Assists to Our Department
 124 Motor Vehicle Stops
 16 Arrests
 10 Warrants
 3 DWI
 3 Criminal

Tickets Issued: 78 Mileage 9465

**Zoning Report
 August 2017**

Violations 7

**TAX COLLECTOR
 AUGUST 2017**

<u>TAXES</u>		
2017	TAX PAYMENTS	\$ 1,224,451.85
PRIOR	TAX PAYMENTS	\$ 250.00
FUTURE	TAX PAYMENTS	\$ 36,204.87
	INTEREST ON TAXES	\$ 795.50
	TOTAL TAXES	\$ 1,261,702.22
<u>LIENS</u>		
MUNICIPAL LIEN	REDEMPTIONS	
MUNICIPAL LIEN	RECORDING FEES COLL	
MUNICIPAL LIEN	LIEN SEARCH FEES COLL	
	TOTAL LIENS	\$ -
<u>MISC.</u>		
	200' LIST FEES	\$ 50.00
	DUPLICATE TAX BILL FEES	
	TAX SEARCH	
	MISC	
	TAX SALE COSTS - PRIOR TO SALE	
	RETURN (NSF) CHECK FEES	\$ (2,532.75)
	TOTAL MISC. PAYMENTS	\$ (2,482.75)
<u>RETURN ITEMS</u>		
	RETURNED CHECKS	
	TOTAL	\$ -
TOTAL RECEIPTS FOR THE MONTH:		\$ 1,259,219.47

AMERICA EMERGENCY SQUAD, INC.
August 2017

Total Calls Dispatched	24
Average Response time	9.10
Total Transports	15

ENDEAVOR EMERGENCY SQUAD, INC.
August 2017

Total Calls Dispatched	11
Average Response Time	11.70
Total Transports	7

MUNICIPAL COURT
July 2017

Monthly fines, Title 39 Split, Contempt of Court, Court Costs, Criminal Fines	\$7,447.16

Motion made by Mr. Frank and seconded by Mr. Hlubik to accept the monthly reports.

Mr. Sobotka is concerned about the tax collection as compared to last year and it was discussed that today was the last day for the grace period of the 3rd quarter so that is not indicated in the August report.

Mr. Frank noticed an increase in response time and he is wondering if Endeavor is spreading themselves a little too thin by taking on too many towns. Mr. Keller responded it is still better then what it was.

Mr. Sobotka notices there were ten tickets issued at the Jacksonville-Smithville Rd and Chief Trout responded these were just general enforcement.

All were in favor. Motion carried.

BILL LIST

VENDOR	CHECK NO.	AMOUNT PAID
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CURRENT

Burlington County Treasurer	11935	\$447,234.07
AGT Battery Supply LLC	11936	\$1,062.59
Auto Shine Car Wash	11937	\$63.00
Banc3 Inc.	11938	\$150.00
Burlington County Treasurer	11939	\$10,091.58
Casa Payroll Services	11940	\$220.00
Patricia A Clayton	11941	\$46.48
Comcast	11942	\$144.85
Constellation New Energy Inc.	11943	\$263.66
Cooper Power Slystems Inc.	11944	\$845.00
Dante Guzzi Engineering	11945	\$129.94
Denis C. Germano, Esq.	11946	\$727.50
H. Eggleston & Son, LLC	11947	\$16,628.20
Expel Exterminating Experts Inc	11948	\$50.00
Galls/Quartermaster	11949	\$240.94
Garden State Removal Co.	11950	\$7,149.92
Heritage Business Systems, Inc.	11951	\$75.00
Hurley's Auto Repair	11952	\$665.91
JCP&L	11953	\$1,367.08
J. Paul Keller	11954	\$465.68
Mansfield Townslhip	11955	\$9,583.33
Mr. Bob Portable Toilets	11956	\$494.00
Municipal Emergency Serv Inc.	11957	\$1,237.07
National Time Systems, Inc.	11958	\$58.60
Networks Plus	11959	\$513.30
New Jersey American Water Co.	11960	\$258.94
NJ State Assoc Chiefs of Police	11961	\$2,100.00
NJSHBP	11962	\$32,203.86
NJ League of Municipalities	11963	\$80.00
Norther Burlington Cnty Reg School	11964	\$371,254.04
Office Business Systems Inc.	11965	\$794.00
Parker McCay, P.A.	11966	\$1,300.93
Pedroni Fuel Company	11967	\$2,154.13
Pitney Bowes Postate by Phone	11968	\$1,008.50
Martin Poinsett	11969	\$100.00
PSE&G	11970	\$4,240.62
Service Master Building Service	11971	\$295.00
Sirak Auto Supply Inc	11972	\$25.98
Sir Speedy	11973	\$79.50
Springfield Township Board of Ed	11974	\$283,736.00
Staples Advantage	11975	\$141.44
Verizon Wireless	11976	\$571.52
Vital Communications, Inc.	11977	\$205.00
W.B. Mason Co., Inc.	11978	\$113.99
Xtel Communications, Inc.	11979	\$405.02
Sharon N Wolfe	11980	\$4,730.83

COAH

CGL&H LLC	7201	\$207.90
Parker McCay, P.A.	7202	\$228.00

CAPITAL FUND ACCOUNT

Dante Guzzi Engineering	7202	\$3,600.17
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DEVELOPER ESCROW

Banc3 Inc.	7372	\$1,387.50
Dante Guzzi Engineering	7373	\$1,154.90
Denis C. Germano, Esq.	7374	\$1,395.00
John Pinto	7375	\$455.00
Pure Healing Chiropractic	7376	\$1,020.00

DOG ACCOUNT

MGL Printing Solutions	7201	\$296.00
New Jersey Dept of Health	7202	\$10.80

RECREATION ACCOUNT

N.B.I.A.A.	7188	\$806.07
Sherwin-Williams Company	7189	\$535.44

OPEN SPACE TRUST

Springfield Township -Capital	7150	\$150,000.00
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TOTAL \$1,366,403.78

Motion made by Mr. Frank and seconded by Mr. Sobotka to pay all the bills except for the attorneys. All were in favor. Motion carried.

Motion made by Mr. Sobotka and seconded by Mr. Hlubik to pay the attorneys. All were in favor, except Mr. Frank and Mr. McDaniel who abstained. Motion carried.

CORRESPONDENCE

1. Best Practices Survey- Mr. Frank noticed there was an article in the newspaper and Springfield was mentioned as a small group of six towns in the County who have elected officials take benefits. Mr. Sobotka stated there was also an article as to whether any of the candidates for Governor would continue this practice and whether it was a good tool. Mr. McDaniel stated that Council has discussed the issue of health benefits before and Mr. Frank stated he does not feel it is appropriate for elected officials to take health benefits. Mr. Frank feels we should have a standard and Mr. Frank made a motion seconded by Mr. Hlubik to set that standard for next year whether by Ordinance or Resolution to eliminate this benefit for elected officials. All were in favor, except Mr. Sobotka who opposed the motion.

- Motion carried. Mr. Keller will put that in motion and Mr. McDaniel suggested noting this in the comment section for that item on the survey
2. BC Freeholders-County Recycling Program. Mr. Keller stated there will be a meeting this month and he does know they are hiring more people at the center to do quality control. Mr. McDaniel stated the challenge is educating the public. Mr. Keller stated that here people do seem to call to see what they can and can't recycle if they have a question. Mr. Frank would think the really careless people would just stick everything in the trash and not even recycle.
 3. George Morris-Drone regulations -Council discussed that they do not want to institute any new laws at this time regarding this matter.
 4. BC-Farmland Preservation ATL. Mr. Frank stated he does not see anything on the list that shouldn't be. Mr. Frank made a motion seconded by Mr. Sobotka to send a letter that we appreciate their engagement and support for the program and this list is great.

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

SOLICITOR'S REPORT

Nothing additional to report. Mr. Frank made a motion seconded by Mr. Hlubik to accept the report. All were in favor. Motion carried.

MANAGER'S REPORT

Mr. Keller stated that he recommends as well as the Police Chief increasing the manpower for the police department. Mr. Frank made a motion seconded by Mr. Marinello to increase the manpower for full-time officers and further to invite the new officer here for a swearing in. All in favor. Motion carried.

Mr. Keller stated the current ordinance regarding police promotional exams just states a member of the police department with 5 years' experience which would include PT and even the clerk if you read the Ordinance broadly. Mr. Marinello responded that he believed that the reason this was done was to account for someone who did work part time hours here before becoming a full-time officer. Mr. Keller does not agree because it does not seem fair to someone that served 5 years full-time and also there is an economic impact of a 20-30 thousand pay increase. Mr. Frank stated that he would think if they are qualified then it does not matter what it costs to promote them. Mr. Keller stated that if it is not changed he feels it may be problem and we could create a situation. Mr. Keller also stated there is a level of experience that comes with full-time service as opposed to part-time. Chief Trout agrees that it should be changed because you could have someone who is only PT that has been here over five years and is now eligible to take the test and the department currently has this situation. Mr. Frank stated that it is not automatic that they will get the job there is other criteria to satisfy other than passing the written test. Mr. Keller stated that the experience from past testing is that you do not get a wide pool to pick from. Mr. Marinello does see the issue of the part-time officer who have been here 5 years being eligible. Mr. Frank suggested five years' experience with three years full-time experience. Mr. Morris would suggest five years with fifty percent being full-time. Mr. Sobotka stated that you could now have someone with less experience who can pass the test and become the sergeant. Mr. Frank made a motion seconded by Mr. Marinello to amend the police promotional Ordinance to now be for 5 years' experience with at least half of those years being full-time. All were in favor of introducing

Ordinance 2017-06 and the motion carried. Mr. McDaniel mentioned public hearing will be at the October 11, 2017 Council meeting.

Mr. Keller went over the next year's numbers for the road program. Mr. Keller was able to negotiate with Burlington Township on the Neck Rd. project and they will contribute 50 percent of the cost. Mr. Keller asked to delay this discussion until next meeting because he does not have the information available for Gilbert Rd. Mr. Keller added that the Bond Ordinance will need to be amended to authorize an additional 1 million dollars. Mr. McDaniel asked what the annual budget impact will be and Mr. Keller will get this information as well for next month. Mr. Frank stated that we really don't have too much of an option because the roads need to be addressed. Mr. Frank stated that we should speak to Westampton regarding Gilbert Rd. to see if they want to go into the project with us because they have a small portion that needs to be addressed. Mr. Keller stated that he does need an answer on the State Aid Application and Council agreed to submit for Neck Rd and Folwell Station Rd. Council discussed how high the cost for Oxmead Rd. were and Mr. Keller responded it is in really bad shape. Mr. Frank suggested grinding it up and making it a dirt road since we only have one resident on our portion. Mr. McDaniel asked if the issues this year with the road project was an Engineering issue or a contractor issue and Mr. Keller responded that he understands the issue with this year was the contractor was spread too thin and could not come back and address the issues in a timely fashion and the contractor is on notice. Mr. Frank asked if we could reject them if they are the low bidder and Mr. Morris responded you would need to have a hearing before the bid goes out and allow the contractor a chance to explain himself. Mr. Morris added you could still bring him in just for a discussion. Mr. Marinello stated that the contractor has addressed the issue but his concern is why the Engineer did not picking up on these problems instead of Council and the Manager having to bring it to the Engineer's attention. Mr. Marinello stated that this seems to be a consistent problem with this Engineer because we had this problem with Folwell Station Rd. too and Mr. Frank corrected Mr. Marinello that Folwell Station Rd. was T&M not Guzzi Engineering. Mr. Frank suggested bringing the Engineer in and Mr. Sobotka stated that he has asked the Engineer about supervision and the engineer's response is that indicated that he has qualified people out overseeing these projects. Mr. Frank mentioned that you cannot really have 24 hours supervision and Mr. Hlubik feels each step should be inspected. Mr. Keller stated that if Council did not put up a stink about the way this project was done the Engineer would have approved it as is Council discussed not submitting Neck Rd. for State Aid because of the deal with Burlington Township and they agreed to submit just Folwell Station Rd. Mr. McDaniel asked Mr. Morris if he sees this problem with engineers in other towns and Mr. Morris stated that Southampton had similar issues and now they use multiple Engineers. Mr. Frank stated that the last time we did that was with the bike path and there were issues and he feels there is also value in consistency and having a contact for the engineer. Mr. Frank stated that he is concerned with the design of that project and he is not satisfied with that either. Mr. Morris asked if they have liquidated damages clause in the contract and added that if there is this type of clause it is the Engineer's responsibility to stay on top of those items and send out letters if the contractor is not meeting the targets.

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

TOWNSHIP OFFICIAL'S BUSINESS

- Review of Planning Board recommendations for Commercial Truck Ordinance. Mr. Frank thinks we need to have a definition of a pick-up truck because we exempt them throughout the Ordinance and he gave his opinion of the definition of a pick-up truck as a bed that was manufactured by the vehicle manufacturer with sides and integral fenders without storage. Mr. Marinello stated that dodge manufactures a pick up that has storage. Mr. Frank does not want the definition to be vague. Mr. Frank feels the weight limits are too high and should be

knocked down to 14,000 lbs. Mr. Marinello stated that you are not required to have a CDL unless you are over 26,000 lbs. and the Planning Board was trying to keep it consistent with this requirement. Mr. Frank feels this Ordinance is meant to be the plumber exception and 18,000 lbs. is a lot of truck, way bigger than these types of vehicles. He thinks the weight limit on these types of trucks would be fine with a weight limit of 14,000 lbs. Mr. Frank stated you should look at the manufacturer gross vehicle weight and Mr. Marinello asked how you are going to check the manufacturer gross vehicle weight. Mr. Frank asked how you know what is on the registration and Mr. Marinello responded you could go onto motor vehicles and check that. Mr. Frank stated that to focus on a registered vehicle weight is not a real indicator of the scale of the vehicle. Mr. Marinello stated all manufacturers have their own gross vehicle weight. Mr. Frank feels in the villages it should be 11,000 and 14,000 everywhere else. It was discussed that non-commercial trucks are not regulated and this ordinance pertains to only commercial trucks. Mr. Marinello stated that trucks of this weight are already being parked here and the Board was trying to allow for this. Mr. Frank stated he will support the Ordinance if the definition of pick-up truck is included and the weight limit is lowered. Mr. Marinello is not in favor of lowering the weight limit and making it a manufacturer gross weight because when the Zoning Officer or a police officer go out to enforce the can be denied looking in the door to see the manufacturer's gross weight. Mr. Marinello feels this Ordinance is to deregulate the burden of the people already bringing their vehicles home. Mr. Frank feels some restrictions are necessary to protect the neighbors as well. Mr. McDaniel stated that it looks like someone who has a two axle trailer could park this vehicle in the back yard and it was noted that this was only a definition and later in the Ordinance is excluded these vehicles from being parked on a property. Mr. Frank stated that by using the gross registered weight it would actually exclude people because people register the weight of their vehicles to include trailers so if you use the manufacturer's gross weight you avoid this problem. Mr. Frank reiterated that he would like to see the weight to be 14,000 and 12,000 in hamlets. Mr. Frank also stated that the section regarding garages needs to be cleaned up as well to say it houses trucks that are otherwise permitted. Mr. Sobotka asked about major repairs being done on these vehicles and also would like it to say no product should be stored outside. Mr. Frank stated that the standard of no product being stored outside is already there and not being changed. Mr. Frank suggested the Ordinance state that routine maintenance could be done but no repairs. It was discussed whether changing brakes would be allowed as routine maintenance. Mr. Sobotka has a problem with parking in rear and side yards and people driving over their lawns. Mr. Marinello stated you are already allowed to drive over your lawn if you choose. Council discussed there are a lot of ways to trash up a property and they would rather see these vehicles parked in rear or side yards. Mr. Sobotka recommended that they must exit by an existing driveway and Mr. Frank responded they must get a road opening permit if they create a new driveway so that is a non-issue. Mr. Frank recommended putting it on for next month for introduction. Mr. Marinello stated he would like to see a couple of pick-up trucks that may be over 14,000 and Mr. Frank stated that we are exempting pick-up trucks. It was discussed single rear axle should be included to as well.

- Review of Planning Board recommendations for Farm Labor Housing. Mr. Frank stated it is vastly improved. Mr. Frank stated that the land under agricultural building are farmland assessed but the buildings are not so if you have an Ag Labor housing unit he is not sure how the Assessor would handle that but he thinks it would be as an Agricultural building. He added that on the two that exist in other towns he is aware of the land under the housing being farmland assessed. Mr. Frank is good with the rest of the Ordinance. Mr. Sobotka asked if we will be contacting ICE if the workers do not have proper ID and Mr. Frank does not feel we are required to report that. Mr. Marinello stated that this section just has to do with proving they are farm labor workers to insure that the unit is not being used as a boarding house. He added it is just showing workers are on the payroll and they have documentation to prove they are that person on the payroll. Mr. McDaniel feels we need to clarify the type of documentation to tie it to the I9 form. Mr. McDaniel would also like to see the Ordinance clearly define the documents needed prove who is on the payroll and he added that he would

like payroll records defined as consistent with what is provided to the State. Mr. Marinello asked why we are getting involved if they are being paid under the table and he added that he does not feel that we have authority over how people are paid. Mr. Marinello feels we are trying to get the farmers better housing not to regulate how they are paid. Mr. Sobotka would like to see two contact people and Mr. Marinello responded that we are going to be lucky if we can get one contact that can speak English. Mr. McDaniel wants I9s and NJ income tax records and Mr. McDaniel does not feel the farms that have workers living in substandard conditions are going to comply with this Ordinance anyway and Mr. Frank added that he does not believe the type of farm owners not doing things the right way for payroll purposes are the target and they are going to be enforced upon for failure to comply and the farmers that have good business models are the ones that are going to comply Mr. Hlubik stated that we should build the Ordinance for the people that want to comply and deal with the others in another manner. Council agreed to the changes and will be ready for introduction next month.

Mr. Sobotka reminded everyone that Fire Prevention Day is October 1st at the Jacksonville Fire Co.

Mr. Sobotka stated that there were a number of towns that took advantage of grants for DWI enforcement and he would like our police department to try and get this funding.

Mr. McDaniel would like to see the Manager follow up on the PILOT payment from Wrightstown for the new buildings they have gotten approval to add.

PUBLIC COMMENT

Hearing no one for public comment, 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 adjourn the meeting. The meeting was adjourned at 10:13 PM. All were in favor.

Respectfully submitted,

Patricia A. Clayton
Township Clerk