

TOWNSHIP OF SPRINGFIELD
COUNCIL MEETING AGENDA
7:30 PM
January 10, 2018

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:
 - December 13, 2017 Regular Session
 - January 2, 2018 Reorganization Meeting
6. Public Comment on Agenda Items
7. Ordinances for First Reading:
 - No. 2018-01 – Ordinance Prescribing and Providing for the Employment and Compensation of the Officials and Employees of the Township of Springfield
8. Resolutions
 - No. 2018-01-13 – Resolution Authorizing Burlington County Mosquito Control Commission to Perform Aerial Application for Mosquito Control over Springfield Township During 2018
 - No. 2018-01-14 – 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
9. Monthly Reports Submitted for Approval
10. Bills Submitted for Approval
11. Unfinished Business
 - 210 Wrightstown-Georgetown Rd. Proposed Convenience Store with Fuel Sales
12. Correspondence
13. Solicitor's Report
14. Manager's Report
15. Township Officials' Business
16. Public Comment*
17. Adjournment

**TOWNSHIP COUNCIL MEETING
JANUARY 10, 2018**

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 4, 2018:

- a. Posting written notice on the official bulletin board at the Municipal Building, Jobstown, NJ
- b. Transmitting written notice to the Burlington County Times and the Trenton 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 December 13, 2017 Regular session as amended. All were in favor. Motion carried.

Mr. Sobotka made a motion seconded by Mr. Frank to approve the minutes of the January 2, 2018 Reorganization as amended. All were in favor. Motion carried.

PUBLIC COMMENT ON AGENDA ITEMS

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

ORDINANCES FOR FIRST READING

Mr. Frank made a motion seconded by Mr. Sobotka to introduce Ordinance No. 2018-01 on first reading. All in favor. Motion carried. Public hearing will be at the February 14, 2018 Council meeting.

ORDINANCE 2018-01

AN ORDINANCE PRESCRIBING AND PROVIDING FOR THE EMPLOYMENT AND COMPENSATION OF THE OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF SPRINGFIELD

RESOLUTIONS

Motion made by Mr. Sobotka and seconded by Mr. Hlubik to approve Resolution No. 2018-01-13. Mr. Frank stated that we get notice of this every year. Mr. Marinello asked if they provide information of what needs to be sprayed and Mr. Frank responded that he believes they must publish it. All were in Favor. Motion carried.

RESOLUTION 2018-01-13

RESOLUTION AUTHORIZING BURLINGTON COUNTY MOSQUITO CONTROL COMMISSION TO PERFORM AERIAL APPLICATION FOR MOSQUITO CONTROL OVER SPRINGFIELD TOWNSHIP DURING 2018

WHEREAS, the Burlington County Mosquito Control Commission has requested authorization from Springfield Township to perform aerial applications of pesticides for larval mosquito control over portions of the Township during 2018; and

WHEREAS, all pesticides and aircraft to be used in this procedure are those approved for aerial application by both State and Federal governments; and

WHEREAS, prior to performing aerial applications over Springfield Township, the Burlington County Mosquito Control Commission will notify Burlington Central Communications.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of Springfield Township, County of Burlington and State of New Jersey that the Mayor is hereby authorized to execute the authorization for aerial mosquito control with the Burlington County Mosquito Control Commission.

Mr. Frank explained that this resolution was not on the agenda but he would like to ask Council to consider it and he further explained that it relates to beekeeping regulations and asked the Council to consider passing this resolution opposing the new regulations. Mr. Frank made a motion seconded by Mr. Marinello to amend the agenda to add Resolution No. 2018-01-15. All were in favor. Motion carried. Mr. Frank explained the details of the new regulations and why they are detrimental to the beekeeping community. Mr. Sobotka asked if there are any health hazards related to property owners having hives on their property and Mr. Frank responded that there are not. Mr. McDaniel stated Springfield Township is an agricultural community and bees are an important part of agriculture. Mr. Hlubik asked if this is law now and Mr. Frank responded that it is not law and he hopes that it can be stopped. Mr. Frank stated this would go up to the Department of Agriculture and it would get published as the municipalities opposition and he believes there are about 35 municipalities doing the same.

Motion made by Mr. Frank and seconded by Mr. Marinello to approve Resolution No. 2018-01-15. Council discussed this resolution would go to the Department of Agriculture, the Assemblyperson Danser who introduced it, the Governor's office and all local legislative offices. All were in favor. Motion carried.

RESOLUTION NO. 2018-01-15

A RESOLUTION OF THE TOWNSHIP COUNCIL OF
SPRINGFIELD TOWNSHIP CONCERNING
DRAFT BEEKEEPING REGULATIONS

WHEREAS, by way of P.L.2015, Chapter 76 c. 40:48-1.5, the New Jersey Legislature, in an effort to support beekeeping, adopted a statute that preempts adoption of local municipal standards concerning the breeding or keeping of honey bees or any activities related thereto; and

WHEREAS, the new law provides for adoption by the New Jersey Department of Agriculture of Regulations creating standards to implement the Departments' responsibility to regulate apiary activities; and

WHEREAS, the new law allows the Department of Agriculture to delegate enforcement of its new regulatory authorities to municipalities that adopt the Department's standards by reference; and

WHEREAS, by way of a Rule Proposal dated November 20, 2017, cited as 49 N.J.R. 3565 the Department of Agriculture has published draft Regulations seeking to implement its new authorities under P.L.2015, Chapter 76 c. 40:48-1.5; and

WHEREAS, the Township Council of the Township of Springfield, having reviewed the draft Regulations wishes to express its views concerning those Regulations to the Department of Agriculture and State Board of Agriculture; and

WHEREAS, the Township Council finds that the standards in the draft Regulations would impose extreme and unnecessary restrictions on the keeping of honeybees within the Township of Springfield; and

WHEREAS, the Township Council finds that the extreme and unnecessary restrictions on the keeping of honeybees would have a negative social, economic and environmental impact on Springfield Township whose residents enjoy local honey produced by our beekeepers and appreciate the pollination services provided by local beekeepers to local gardens, farms, parks and wildlife habitats; and

WHEREAS, Township Council finds that the waiver provisions set forth in the draft regulations would be unworkable due to vague definitions and the lack of a local funding mechanism for conducting waiver hearings; and

WHEREAS, the Township Council finds that as-of-right hive location standards are so

extremely restrictive that there would be an unmanageable flood of waiver applications that would make local administration of the waiver hearings an unwelcome burden on the municipality; and

WHEREAS, the Township Council finds that the draft Regulations are so profoundly flawed that mere editing will not rescue them from inflicting unnecessary damage to our community;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of Springfield Township as follows:

- A. The Council recommends that the draft Regulations should be entirely withdrawn.
- B. The Council recommends that a new drafting effort be initiated that includes experts on agriculture, bees and beekeeping, municipal law, municipal planning, and municipal land use regulation.
- C. That the Township Council has determined that Springfield Township will not adopt by reference or undertake to be the enforcing agency for such profoundly flawed regulatory standards.

BE IT FURTHER RESOLVED by the Township Council of Springfield Township that the Township Manager shall forward a copy of this Resolution to the New Jersey Department of Agriculture within ten (10) days of the adoption of this Resolution.

MONTHLY DEPARTMENTAL REPORT

CLERK REPORT OF LICENSES

December 2018

Dog Licenses Issued - 0
Licenses assessed late fee 0
Total Licenses Issued Year to Date -340
Kennel licenses sold this month 0
Replacement dog licenses sold this month - 0
Service Dog 0
Police Dog 0

Total amount collected \$0

**POLICE REPORT
DECEMBER 2018**

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

- 407 General Police Complaints
 - 2 Domestic Incidents
 - 9 Criminal Investigations
 - 34 MVAs
 - 23 Medical Emergencies
 - 26 Activated Alarms
 - 3 Abandoned 911 Calls
 - 3 Assists to Outside Departments
 - 2 Assists to Our Department
- 50 Motor Vehicle Stops
 - 7 Arrests
 - 1 Warrants
 - 3 DWI
 - 3 Criminal

Tickets Issued: 36

Mileage 8003

**TAX COLLECTOR
DECEMBER 2018**

	<u>DECEMBER</u>		<u>2016</u>
	<u>TAXES</u>		
2018	TAX PAYMENTS	\$	165,431.78
PRIOR	TAX PAYMENTS	\$	0.00
FUTURE	TAX PAYMENTS	\$	81,444.64
	INTEREST ON TAXES	\$	5,626.05
	TOTAL TAXES	\$	<u>252,502.47</u>

	<u>LIENS</u>		
MUNICIPAL LIEN	REDEMPTIONS		
MUNICIPAL LIEN	RECORDING FEES COLL		
MUNICIPAL LIEN	LIEN SEARCH FEES COLL		
	TOTAL LIENS	\$	<u>-</u>

MISC.

200' LIST FEES	\$	10.00
DUPLICATE TAX BILL FEES		
TAX SEARCH		
MISC	\$	889.51
TAX SALE COSTS - PRIOR TO SALE		
RETURN (NSF) CHECK FEES		
TOTAL MISC. PAYMENTS	\$	<u>899.50</u>

RETURN ITEMS

RETURNED CHECKS	\$	523.33
TOTAL	\$	<u>523.33</u>
	=	

TOTAL RECEIPTS FOR THE MONTH:

\$ 252,878.65

**TREASURER'S REPORT – CURRENT ACCOUNT
DECEMBER 2018**

Year to Date Revenue	\$12,800,386.11
Year to Date Expended	\$ 3,898,735.06

**AMERICA EMERGENCY SQUAD
DECEMBER 2018**

Total Calls Dispatched	13
Average Response Time	9.61
Total Transports	11

**ENDEAVOR EMERGENCY SQUAD
DECEMBER 2018**

Total Calls Dispatched	16
Average Response Time	10.27
Total Transports	9

**CONSTRUCTION OFFICIAL'S REPORT
DECEMBER 2018**

Permit Fees	\$3,161.00
CCO Fees	450.00
COAH	0.00
Re Inspection	0.00
Total	\$3,611.00

**ZONING REPORT
DECEMBER 2018**

**MUNICIPAL COURT
DECEMBER 2018**

Monthly fines, Title 39 Split, Contempt of Court, Court Costs, Criminal Fines	\$5,761.42
POAA Monies Public Defender	\$2.00

Motion made by Mr. Frank and seconded by Mr. Sobotka to file the reports we have. Mr. Sobotka asked why the Columbus Farmers Market did not hire any officers for the month of December and Chief Trout responded that they normally do not in December due to the weather.

Mr. McDaniel asked about the fatal accident and Chief Trout responded that it was in front of Pandora Diner. Mr. Sobotka asked that the Mayor and Deputy Mayor be informed of motor vehicle deaths or serious fires. Chief Trout explained that the pedestrian was crossing 206 from the Diner.

All were in favor. Motion carried.

BILL LIST

VENDOR	CHECK NO.	AMOUNT PAID
CURRENT		
State of New Jersey Treasurer	12138	\$75.00
Springfield Township-Capital	12139	\$40,000.00
Alfa Tronics Inc.	12140	\$51.80
America Emergency Squad	12141	\$7,650.00
Auto Shine Car Wash	12142	\$22.50
Burlington Cleaners	12143	\$142.85
Casa Payroll Service	12144	\$552.00
Comcast	12145	\$144.85
Constellation Newenergy Inc.	12146	\$258.45
Denis C. Germano, Esq.	12147	\$787.50
Draeger Sasfety Diagnostics Inc.	12148	\$179.00
Econo Signs LLC	12149	\$1,113.42
H. Eggleston & Son, Inc	12150	\$25,970.40
Endeavor Emergency Squad	12151	\$7,650.00
Expel Exterminating Experts Inc.	12152	\$50.00
Fedex	12153	\$140.04
Garden State Removal Company	12154	\$7,149.91
Heritage Business Systems Inc	12155	\$75.00
Hurley's Auto Repair	12156	\$3,270.25
JCP&L	12157	\$1,493.14
Burl Co. Munic. J.I.F.	12158	\$37,250.00
Kelly Winthrop LLC	12159	\$35.00

J. Paul Keller	12160	\$484.44
Michael A. Malloy	12161	\$110.00
Networks Plus	12162	\$693.33
New Jersey American Water Co.	12163	\$258.94
NJSHBP	12164	\$31,659.18
NJ League of Municipalities	12165	\$416.00
Northern Burl Cnty Reg School	12166	\$366,643.00
Parker McCay, P.A.	12167	\$840.84
Pedroni Fuel Company	12168	\$1,630.94
Pitney Bowes Postage by Phone	12169	\$503.50
Martin Poinsett	12170	\$100.00
PSE&G	12171	\$4,158.45
QC Laboratories	12172	\$65.50
R W Tire Corp	12173	\$571.44
Judith M Schetler	12174	\$333.00
Servicemaster Building Service	12175	\$295.00
Sirak Auto Supply Inc.	12176	\$10.49
Springfield Twp Board of Ed	12177	\$352,802.00
Staples Advantage	12178	\$956.12
Verizon Wireless	12179	\$572.93
Virtua at Work	12180	\$22.70
W.B. Mason Co. Inc.	12181	\$181.14
XTEL Communications, Inc.	12182	\$420.57

DEVELOPERS ESCROW

Banc 3 Inc.	7388	\$750.00
Denis C. Germano, Esq.	7389	\$247.50

COAH ACCOUNT

Parker McCay, P.A.	7205	\$190.00
Parker McCay, P.A.	7207	\$76.00

TOTAL \$899,054.12

Mr. Sobotka made a motion seconded by Mr. Frank to pay the bills except the Attorneys. 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.

UNFINISHED BUSINESS

210 Wrightstown-Georgetown Rd. Proposed Convenience Store with Fuel Sales will be covered in Solicitor's report.

SOLICITOR REPORT

Mr. Morris reached out to the representative from WAWA and they are very interested in discussing a redevelopment concept for the areas they are looking at and they would like to meet with a representative of Council and some professionals from the Township and they would post an escrow to cover cost. Mr. McDaniel stated that Mr. Frank would be a good representative from Council because of his Land Use experience.

Mr. Morris stated that the Tax Collector has discretion to not send delinquent tax payers under \$100 to the tax sale. Council agreed this would be a good policy to implement. Mr. Sobotka expressed concern that it is an unnecessary step for the tax collector to have to take since tax payers are notified numerous times that they are delinquent. Mr. Frank made a motion seconded by Mr. Hlubik to make it a policy not to list tax payers under \$100 on tax sale. All were in favor, except Mr. Sobotka who opposed the motion. Motion carried.

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

CORRESPONDENCE

Mr. Sobotka made a motion seconded by Mr. Frank to file the correspondence.

Mr. Frank stated that he would like to discuss the Annual Report from the Zoning Board because the Board is asking for a policy decision. Mr. Frank stated the Zoning Board sends an annual report to the Council of the use variances they granted so that Council can determine if they need to make changes to the Zoning Ordinances and it is assumed that if the Council does not take action then they like the Ordinance the way it is. He added that when you keep granting the same Use Variances and the Zoning Board has been granting these for farms to have multiple uses based on what the County Ag. Board has established as appropriate uses. The Board through its Solicitor in this letter is asking if the Council is okay with the standard they have been applying and if not then Council may want to consider changing the Ordinance to add acceptable uses. Mr. McDaniel stated that we could also list uses that are not allowed and Mr. Morris did not recommend this option. Mr. Hlubik stated that it seems to be working the way the Board has been addressing these requests so why change it. Mr. Frank stated that Mr. Germano is asking for permission to continue to do what they are doing. Mr. Hlubik stated that they should be allowed to continue as is. Mr. Frank made a motion seconded by Mr. Marinello that Council addressed this particular report and decided not to take any action to amend our Ordinances. All were in favor. Motion carried. Council asked Mr. Morris to draft a letter to the Zoning board. All in favor of filing the Correspondence. Motion carried.

MANAGER'S REPORT

Mr. Keller contacted the BC Soil Conservation District and they will charge \$50 per basin report so the total would be about \$500 total. Mr. Sobotka made a motion seconded by Mr. Hlubik to proceed with the shared services with the Soil Conservation District. All in favor. Motion carried.

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

TOWNSHIP OFFICIAL'S BUSINESS

Mr. Sobotka stated that we do not clear the walking paths in the parks but we clear the lot so is the Township opening itself up to a liability. Mr. Morris responded a Township can't protect everyone from themselves so he does not see an issue. Mr. Morris added that you can close the park when it snows. Mr. Keller stated that it would be total waste of money to clear the walking path and Mr. Morris added that if you take an action then you need to go back and salt and plow when it drifts.

Mr. McDaniel stated that Habitat for Humanity will be having the ground breaking on February 6th and that the Lieutenant Governor has been invited to attend and if she attends then he would like to have a good representation by Council. Mr. Frank and Mr. McDaniel stated that the discussion with her could be about agricultural labor housing and rehabs.

Mr. McDaniel stated that the federal government has passed new tax laws that will cap the amount of property taxes that can be claimed to \$10,000. The State is talking about creating these non-profits to get around the law. Mr. Marinello why the State could not just get to the bottom of why we have the highest property taxes and correct it. Mr. Frank stated part of the problem is we are so structured into the problem that sometimes we have to play a game like this or we would not have municipal services. Mr. Frank added that NJ also has great schools and they are expensive and there are other states that have schools you would not want to send your kids too. Mr. McDaniel brought up the fact that there are a lot of military kids in the Regional School District and the burden falls on the municipalities not the Federal Government. Mr. Frank stated that Northern Burlington does get some Federal funding and Mr. McDaniel stated that it does not cover the operating and capital expenses.

PUBLIC COMMENT

Hearing no 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. Hlubik to approve Resolution No. 2018-02-14 for the purpose of discussing matters of personnel. All were in favor. Motion carried. Council entered executive session at 8:26 PM.

RESOLUTION 2018-01-14

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);

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 Township Engineer candidates) ;

_____ Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility;

BE IT FURTHER RESOLVED that the Township Council hereby declares that its discussion of the aforementioned subject(s) may be made public at a time when the Township Attorney advises the Township Council that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Township or any other entity with respect to said discussion. That time is currently estimated as the time of said matter. (Estimated date: upon authorization by the Township Solicitor) or upon the occurrence of Litigation resolved);

BE IT FURTHER RESOLVED that the Township Council, for the aforementioned reasons, hereby declares that the public is excluded from the portion of the meeting during which the above discussion shall take place and hereby directs the Township Clerk to take the appropriate action to effectuate the terms of this resolution.

Council returned to public session at 9:03 PM and no public was in attendance.

Mr. Frank made a motion seconded by Mr. Sobotka to adjourn the meeting. The meeting was adjourned at 9:03 PM. All were in favor.

Respectfully submitted,

Patricia A. Clayton
Township Clerk