

TOWNSHIP OF SPRINGFIELD  
COUNCIL MEETING AGENDA  
7:30 PM  
FEBRUARY 13, 2019

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:
  - November 14, 2018 Regular Session
  - January 9, 2019 Regular and Executive
6. Public Comment on Agenda Items
7. Ordinances for First Reading
  - No. 2019-02 – Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A:4-45.14)
8. Ordinances for Public Hearing
  - No. 2019-01 – Ordinance to Amend and Supplement Chapter 91 of the Township Code to Re-Establish Recreation Fees
9. Resolutions
  - No. 2019-02-01 – Resolution of the Township Council of Springfield To Refund Escrow Monies
  - No. 2019-02-02 – Resolution of the Springfield Township Council Authorizing the Release of a Maintenance Bond for John F. Melton for Site Improvements of Property Located at Block 503, Lot 16.05 (13 Petticoat Bridge Rd) In Springfield Township
  - No. 2019-02-03 – Resolution Authorizing the Execution of a Shared Services Agreement With Southampton Township to Provide for Shared Tax Collector Services
  - No. 2019-02-04 – Resolution Authorizing Burlington County Mosquito Control Commission to Perform Aerial Application for Mosquito Control Over Springfield Township During 2019
10. Monthly Reports Submitted for Approval
11. Bills Submitted for Approval
12. Unfinished Business
13. Correspondence
14. Solicitor's Report
15. Manager's Report
16. Public Comment\*
17. Township Officials' Business
  - Police Chief Salary
18. Executive Session

No. 2018-02-05 – 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 (Contract Negotiations, Pending Litigation)

19. Adjournment

**TOWNSHIP COUNCIL MEETING  
FEBRUARY 13, 2019**

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 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, 2019:

- 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. Frank made a motion seconded by Mr. Marinello to approve the November 14, 2018 regular session minutes. All were in favor, except Mr. Sobotka and Mr. McDaniel who abstained. Motion carried.

Mr. Sobotka made a motion seconded by Mr. Hlubik to approve the January 9, 2019 regular and executive session minutes. All were in favor, Mr. Frank who abstained. Motion carried.

**PUBLIC COMMENT ON AGENDA ITEMS**

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

**ORDINANCES ON FIRST READING**

Mr. Frank made a motion seconded by Mr. Sobotka to introduce Ordinance No. 2019-02 on first reading. Roll Call: Mr. Frank – yes; Mr. Hlubik – yes; Mr. Marinello – yes; Mr. Sobotka – yes and Mr. McDaniel - yes.

**ORDINANCE NO. 2019-02**

**CALENDAR YEAR 2019  
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO  
ESTABLISH A CAP BANK  
(N.J.S.A. 40A:4-45.14)**

**ORDINANCES FOR PUBLIC HEARING**

Motion made by Mr. Sobotka and seconded by Mr. Frank to open the public hearing on Ordinance No. 2019-01. All were in favor. Motion carried.

Hearing no comments, motion made by Mr. Frank and seconded by Mr. Hlubik to close the public hearing on Ordinance No. 2019-01. All were in favor. Motion carried.

Motion made by Mr. Sobotka and seconded by Mr. Frank to adopt Ordinance No. 2019-01. Roll Call: Mr. Frank – yes; Mr. Hlubik – yes; Mr. Marinello – yes; Mr. Sobotka – yes and Mr. McDaniel - yes.

**ORDINANCE NO. 2019-01**

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 91 OF THE TOWNSHIP CODE TO RE-ESTABLISH RECREATION FEES**

**WHEREAS**, the Township seeks to amend and supplement Chapter 91 of the Township Code entitled "Fees" to amend fees for recreational activities; and

**WHEREAS**, the Township further wishes to recognize the hard work and dedication of volunteers by waiving such fees in certain circumstances; and

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Township Council of the Township of Springfield, County of Burlington, State of New Jersey that Chapter 91 of the Township Code entitled "Fees" be and hereby is amended and supplemented at section 91-12 entitled "Recreation Fees" to read as follows:

**"§91-12. Recreation Fees**

A. The following fees are established per applicant for participation in Springfield Recreational activities as listed:

Soccer	
Kindergarten	\$50
1st and 2nd	\$75
3rd and 4th	\$75
5th and 6th	\$75
Basketball	
Kindergarten	\$50
1st and 2nd	\$65
3rd and 4th	\$80
5th and 6th	\$90
Baseball	
T-Ball	\$70
Rookie	\$80
Adult	\$40
Field/Park/Pavillion Use	\$0

B. Late Fee. In addition to the above, there shall be a \$10 per person late fee for all recreation sports when the application is received after the deadline set for submission.

C. Waiver of Fees.

1. It is the Township Council’s policy to waive fees :
  - a. For any family that demonstrates that they are an active participant in the free and reduced lunch program through the school system.
  - b. For the child or children on a team when his/her/their parent or guardian is the assigned coach for that team.
  - c. For all children in Springfield sports where the parent or guardian currently serves as a coordinator within the sports organization.
2. The Council may waive fees by Resolution for any individual family not fitting in one of the above categories upon a review and evaluation of the request. The Township Council may consider this request in executive session when the Health Insurance Portability and Accountability Act protects the requestor’s medical privacy.

D. Returned Check. A penalty fee of thirty-five (\$35.00) dollars per check will be charged for checks returned by the bank for insufficient funds. To maintain registration in the program, registrant must pay registration and penalty fee in cash, certified check or money order.

E. Amendment of Fees. The Fees contained in §91-12 inclusive may be modified from time to time by resolution of the Township Council. A copy of any modifying resolution shall be maintained by the Township Clerk and shall be available during normal business hours.

**RESOLUTIONS**

Motion made by Mr. Sobotka and seconded by Mr. Hlubik to approve Resolution No. 2019-02-01. All were in favor except, Mr. Frank who abstained. Motion carried.

RESOLUTION 2019-02-01

A RESOLUTION OF THE TOWNSHIP COUNCIL  
OF SPRINGFIELD TO REFUND ESCROW MONIES

WHEREAS, David Frank made payment to escrow account number T-22-18-003-602-017, which was established for the purpose of a Zoning Board Application for Block 602 Lot 17; and

WHEREAS, David Frank was granted approvals by the Zoning Board and has requested the remaining balance in this escrow account in the amount of \$1052.50 be refunded to them; and

WHEREAS, the Board Solicitor and Engineer have confirmed there are no outstanding invoices.

NOW, THEREFORE BE IT RESOLVED by the Springfield Township Council that the balance remaining in escrow account T-22-18-003-602-017 in the amount of \$1052.50 be refunded to David Frank.

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Motion made by Mr. Sobotka and seconded by Mr. Frank to approve Resolution No. 2019-02-02. All were in favor. Motion carried.

**RESOLUTION NO. 2019-02-02**

**A RESOLUTION OF THE SPRINGFIELD TOWNSHIP COUNCIL  
AUTHORIZING THE RELEASE OF A MAINTENANCE BOND FOR JOHN F. MELTON FOR  
SITE IMPROVEMENTS OF PROPERTY LOCATED AT BLOCK 503, LOT 16.05 (13  
PETTICOAT BRIDGE RD) IN SPRINGFIELD TOWNSHIP**

WHEREAS, JOHN F. MELTON posted a Maintenance Guarantee in the amount of \$8,928.93 for site improvements of property located at Block 503, Lot 16.05 (13 Petticoat Bridge Rd.) in Springfield Township, and

WHEREAS, an inspection of the site improvements by the Township Engineer found the improvements to be in in satisfactory condition; and

WHEREAS, in a letter dated January 21, 2019, the Springfield Township Engineer recommends the release of the Maintenance Guarantee in the amount of \$8,928.93.

NOW THEREFORE, BE IT RESOLVED by the Springfield Township Council to release JOHN F. MELTON. from their Maintenance Guarantee in the amount of \$8,928.93 as recommended by the Township Engineer.

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Motion made by Mr. Sobotka and seconded by Mr. Hlubik to approve Resolution No. 2019-02-03. Mr. Sobotka asked about workers compensation and Mr. Keller responded that both Townships are covered by the JIF and it would be against Springfield if person injured in Springfield. All were in favor. Motion carried.

**RESOLUTION 2019-02-03**

**RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT  
WITH SOUTHAMPTON TOWNSHIP TO PROVIDE FOR SHARED TAX COLLECTOR  
SERVICES**

**WHEREAS**, pursuant to N.J.S.A. 40A:65-1 et seq., any municipality of the state may enter into a contract with any other municipality for the joint provision within their jurisdiction of any service which any party to the agreement is empowered to render within its own jurisdiction; and

**WHEREAS**, the Township of Springfield desires to share Tax Collector services with the Township of Southampton; and

**WHEREAS**, Southampton has the same interest and will adopt a resolution on February 19, 2019 authorizing the execution of the agreement to share Tax Collector services; and

**WHEREAS**, the Township Council has reviewed the proposed shared service agreement and found the terms acceptable.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Springfield hereby approves the shared services agreement for shared tax collector services

with Southampton Township and authorizes the Mayor and Clerk to execute the agreement and such other documentation as required to implement the shared tax collector services.

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Motion made by Mr. Sobotka and seconded by Mr. Frank to approve Resolution No. 2019-02-04. Mr. Marinello asked if they provide a list of chemicals used. It was discussed that if they determine that it is need a second notification is provided to the Township with all pertinent information, including chemicals used. All were in favor. Motion carried.

**RESOLUTION 2019-02-04**

**RESOLUTION AUTHORIZING BURLINGTON COUNTY MOSQUITO CONTROL COMMISSION TO PERFORM AERIAL APPLICATION FOR MOSQUITO CONTROL OVER SPRINGFIELD TOWNSHIP DURING 2019**

**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 2019; 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.

**MONTHLY DEPARTMENTAL REPORT**

**CLERK REPORT OF LICENSES**

**January 2019**

Dog Licenses Issued	251
Licenses assessed late fee	\$0
Total Licenses Issued Year to Date	-251
Kennel licenses sold this month	0
Replacement dog licenses sold this month	- 0
Service Dog	0
Police Dog	
Total amount collected	\$2,602.00

**TREASURER'S REPORT – CURRENT ACCOUNT**  
**January 2019**

Year to Date Revenue	\$1,478,908.96
Year to Date Expended	\$347,774.52

**POLICE REPORT**  
**JANUARY 2019**

The Springfield Township Police Department responded to a total of **541** complaints. They are sorted in the following manner:

- 461 General Police Complaints
  - 0 Domestic Incidents
  - 5 Criminal Investigations
  - 22 MVAs
  - 25 Medical Emergencies
  - 25 Activated Alarms
    - 0 Abandoned 911 Calls
    - 3 Assists to Outside Departments
    - 1 Assists to Our Department
  - 56 Motor Vehicle Stops
    - 3 Arrests
      - 2 Warrants
      - 0 DWI
      - 1 Criminal

Tickets Issued: 38

Mileage 8453

**TAX COLLECTOR**  
**JANUARY 2019**

TAXES

<b>2019</b>	TAX PAYMENTS	\$ 1,374,410.16
PRIOR	TAX PAYMENTS	\$ 29,422.02
FUTURE	TAX PAYMENTS	
	INTEREST ON TAXES	\$ 1,265.15
	<b>TOTAL TAXES</b>	<b><u>\$ 1,405,097.33</u></b>

LIENS

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

**MISC.**

200' LIST FEES	\$	20.00
DUPLICATE TAX BILL FEES	\$	10.00
TAX SEARCH		
MISC	\$	2,568.84
TAX SALE COSTS - PRIOR TO SALE	\$	608.65
RETURN (NSF) CHECK FEES		
<b>TOTAL MISC. PAYMENTS</b>	<b>\$</b>	<b><u>3,207.49</u></b>

**RETURN ITEMS**

RETURNED CHECKS		
<b>TOTAL</b>	<b>\$</b>	<b><u>-</u></b>

**TOTAL RECEIPTS FOR THE MONTH:**

**\$ 1,408,304.82**

**AMERICA EMERGENCY SQUAD  
January 2019**

Total Calls Dispatched	23
Average Response Time	9.96
Total Transports	19

**ENDEAVOR EMERGENCY SQUAD, INC.  
DECEMBER, 2018**

Total Calls for the Month	16
Average Response Time	10.27
Mutual Aid Received (Incidents)	0
Total Transports	9

**CONSTRUCTION OFFICIAL'S REPORT  
January 2019**

Permit Fees	\$5,491.00
CCO Fees	250.00
Total	\$5,741.00

**ZONING REPORT  
January 2019**

Violations	0
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**MUNICIPAL COURT  
JANUARY 2019**

Monthly fines, Title 39 Split, Contempt of Court, Court Costs, Criminal Fines	\$9,176.93
POAA Monies Public Defender	--

Mr. Sobotka stated that there is a spike in the tax collection rate.

Mr. Sobotka stated that on the police report from an incident on January 20, 2019 the word by needs to be changed to buy.

Motion made by Mr. Frank and seconded by Mr. Marinello to accept and file the reports with the correction recommended by Mr. Sobotka. All were in favor. Motion carried.

**BILL LIST**

<b>VENDOR</b>	<b>CHECK NO.</b>	<b>AMOUNT PAID</b>
<b>CURRENT</b>		
Burlington County Treasurer	12805	\$427,517.18
Action Uniform Co. LLC	12806	\$173.00
Auto Shine Car Wash	12807	\$12.00
Burlington Cleaners	12808	\$184.50
Burlington County Soil Conserv	12809	\$250.00
Burlington Chevrolet	12810	\$737.64
Burlington County Treasurer	12811	\$10,150.03
Career Development Institute	12812	\$389.00
Casa Payroll Service	12813	\$290.00
Comcast	12814	\$146.85
Courier Times, Inc.	12815	\$112.90
Denis C. Germano, Esq.	12816	\$592.50
Eastern Armored Services, Inc.	12817	\$579.52
Econo Signs LLC	12818	\$1,571.30
H Eggleston & Son, LLC	12819	\$16,593.81
Environmental Resolutions, Inc.	12820	\$135.00
Expel Exterminating Experts Inc.	12821	\$50.00
FedEx Corporation	12822	\$121.77
Garden State Removal Company	12823	\$7,149.91
Home Depot Credit Services	12824	\$163.72
Hurley's Auto Repair	12825	\$337.96
Internal Affairs Assoc of Burl	12826	\$50.00
JCP&L	12827	\$1,246.72
Kelly Winthrop LLC	12828	\$70.00
J Paul Keller	12829	\$522.95
Jennifer Kelly, PHD LLC	12830	\$400.00
Mansfield Township	12831	\$9,583.33
Monmouth County Assessor's Assoc.	12832	\$70.00
Morton Salt Inc.	12833	\$2,412.17

Muni Clerks Assn Burlington	12834	\$75.00
National Time Systems, Inc.	12835	\$58.60
Networks Plus	12836	\$890.00
New Jersey American Water Co.	12837	\$264.11
NJ Conference of Mayors	12838	\$295.00
New Jersey Planning Officials	12839	\$370.00
NJ State Assoc Chiefs of Police	12840	\$275.00
NJSHBP	12841	\$29,284.48
NJ League of Municipalities	12842	\$115.00
Northern Burl Cnty Reg School	12843	\$465,485.10
Parker McCay, P.A.	12844	\$2,780.52
Pedroni Fuel Company	12845	\$1,483.91
Pitney Bowes	12846	\$150.00
Pitney Bowes Postage by Phone	12847	\$503.50
Martin Poinsett	12848	\$100.00
PSE&G	12849	\$4,421.64
R W Tire Corp	12850	\$497.60
Servicemaster Building Service	12851	\$295.00
Sirak Auto Supply, Inc.	12852	\$40.31
Springfield Twp Board of Ed	12853	\$271,851.00
State Toxicology Laboratory	12854	\$45.00
Staples Business Advantage	12855	\$57.87
Springfield Twp Fire Company	12856	\$6,250.00
The Rodgers Group LLC	12857	\$1,760.00
Timepayment Corp.	12858	\$107.64
Verizon Wireless	12859	\$610.63
Vital Communications, Inc.	12860	\$431.65
Xtel Communications, Inc.	12861	\$414.42

#### **DEVELOPERS ESCROW**

Banc3 Inc.	7436	\$1,162.50
Clarke Caton Hintz, PC	7437	\$2,479.42
David C Frank	7438	\$1,052.50
Denis C. Germano, Esq.	7439	\$630.00
Environmental Resolutions, Inc.	7440	\$727.50
Parker McCay, P.A.	7441	\$240.00

#### **RECREATION**

All About Appearance	7232	\$153.60
Main Street Awards	7233	\$344.50
N.B.I.A.A.	7234	\$2,650.00
Trenton Thunder	7235	\$320.00

#### **DOG TRUST**

Patricia A. Clayton	7232	\$59.28
Virginia L. Freck	7233	\$50.00
New Jersey Dept of Health	7235	\$439.20

**CAPITAL FUND ACCOUNT**

Arawak Paving Co., Inc.	7232	\$22,896.72
Dante Guzzi Engineering	7233	\$28.00
Environmental Resolutions, Inc.	7234	\$553.75
John M Trout	7235	\$2,490.00
McManimon Scotland & Baumann LLC	7236	\$1,548.82

**TOTAL** \$1,308,352.53

Mr. Frank made a motion seconded by Mr. Sobotka to pay the bills, except the attorneys and the escrow payment being paid to Mr. Frank. All were in favor. Motion carried.

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

**UNFINISHED BUSINESS**

None

**CORRESPONDENCE**

2. Proposed salary ordinance – Mr. Marinello commented that max salary of Sgt. is higher than the Lt. and this should be changed. Mr. McDaniel asked that the salary minimum for the police secretary should be lowered to what the retiring secretary was making. Mr. Morris stated that some of the hourly minimums are below the new minimum wage. It was discussed that it could be changed to read that the minimum hourly rate is the current State minimum wage.

Mr. Frank made a motion seconded by Mr. Hlubik to introduce Ordinance No. 2019-03 with the changes indicated above. All were in favor. Motion carried.

**ORDINANCE 2019-03**

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

3. Martin Livingston, Burlington County Engineer – Saylor's Pond Rd. Mr. Sobotka mentioned that the area where the accidents occurred was where the deer alert detection system was before and that was costly. Mr. McDaniel stated that the resident that requested the speed limit change is not happy and neither is he. Mr. McDaniel stated the person that complained lives on White Road is concerned because she has a child and has witnessed cars speeding and passing school buses in that area.

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

**SOLICITOR REPORT**

None

## **MANAGER'S REPORT**

None

## **PUBLIC COMMENT**

Mr. Hancock stated that Mr. Frank seems to think he can soil his name to cover up what Mr. Toone did on the TJM property. Mr. Frank told Mr. Hancock that Mr. Toone would sue Mr. Hancock for defamation of character. Mr. Frank acknowledged that Mr. Toone was on the TJM property which was posted with permission. Mr. Frank stated that he has never discussed business he conducts in his law business while at a Township Council meeting. Mr. Hancock went on to say that Mr. Frank can't defend Mr. Toone by insinuating things on Mr. Hancock and his family.

Mr. Tim Walker, Jobstown stated that the Board of Education meeting is going on right now and he wondered if there is a way to make sure there is no overlap of public hearings for both Township Council and the School Board. Mr. McDaniel responded that he agrees it is an issue but it would require one of the bodies to change their schedule. Mr. McDaniel thinks historically the Township has been the 2<sup>nd</sup> Wednesday and he believes the School did change their meetings to this night later. Mr. Frank added that it is hard to schedule meetings for the year and coordinate the professionals and Council or other Township Boards and finding nights that everyone is available and that don't conflict with each other. Mr. Walker suggested a resolution preventing the Boards from having the same meeting dates and time and Mr. McDaniel responded that they are two separate entities and the Council has no authority over the School Board. Mr. Frank stated that a resolution by Council would have no authority over the school but he added that Council can discuss with the School going forward to try and prevent the overlap. Mr. Marinello asked if Mr. Walker brought this up at the School because it may be easier for them to change because Council has to coordinate with the Planning and Zoning Boards and their meeting schedules as well.

Mr. Walker stated there have been some rumors about merging the school and the Township is currently reviewing the Master Plan and he asked how the Township and school could work together in reviewing the Master Plan to prevent this from happening. Mr. Walker suggested finding some development ideas that don't conflict with keeping with the rural makeup of the Township to help keep the school open. Mr. Frank responded that the Master Plan is not done by this entity but rather by the Planning Board. Mr. Frank stated that the Planning Board is primarily looking at the Zoning aspect and the issue of the viability of a school is far off to the side of the kinds of things that the Board looks at when doing a re-exam. Mr. Frank thinks there may be some rumors that may be fear mongering because he has not heard anything from the School itself that indicates a closing. There have been discussion at the State level of merging smaller schools and the current Governor has suggested requiring school districts to be K-12 but he has said he will not require towns to close current schools. Mr. Sobotka suggested Mr. Walker contact the Board about their plans and Mr. Sobotka is not here to update Mr. Walker on the School Board. Mr. Sobotka stated that no one including the School Board wants to see the school close. Mr. Walker did read the email about the loss of funding from the State but he would like Council to work with the School Board when planning the land uses to hopefully see the school board not lose more funding because of the number of students attending. Mr. Frank responded that the Planning Board looks at all aspects of land use to try and provide for some ratables and hopefully the two redevelopment areas will help with ratables. Mr. Frank added that this type of analysis is done all the time and in every Master Plan Reexamination but the Planning Board does not say the school has a falling population so build more houses to get the school numbers up. Mr. Frank added that he would hope the Planning does not use the school numbers as the driving factor in Planning. Mr.

Frank stated that it is more important to make sure we have an excellent school and that is the job of the School Board.

Mr. Walker asked about the affordable housing requirements. He said three houses being built now are very close to each other and while the wells and septic systems were approved he is wondering why we are jamming so many houses in a small area. Mr. Frank responded that we have an affordable housing obligation and we frankly don't know what that obligation is at this time but it is a constitutional obligation. Mr. Frank added that if the Township does not meet the requirement a developer could sue the Township and blow the lid off the Township's zoning and that is what happened in Mansfield with the Mapleton Development. Mr. Frank stated that there were two houses already there and they are proposing five or six which density wise is not much more than what is currently on Mr. Walker's lot which has three units. Mr. Walker stated that the regulations are up in the air and he understands that the requirement is still there but he is not sure that we need to get ahead by jamming so many units on one lot.

Mr. Hancock asked who was going to be responsible for the railroad right of way clean up and Mr. McDaniel responded that the Township would be because the Township owns it.

Mr. Eaton, Arneys Mt. Road wants to advise the Council that the School Board does have a sustainability committee and there will be a grand presentation and he hopes that people from the community will come out and give input. Mr. Eaton would like to see a liaison from Council there as well to participate in the discussions. Mr. Eaton also address the rumor that the school is going to close and he stated that when there are negotiations going on with the teachers sometimes there is false information that gets disseminated. Mr. McDaniel asked that the Clerk be informed when the meetings are going to be held for the sustainability committee.

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

### **TOWNSHIP OFFICIAL'S BUSINESS**

Mr. McDaniel stated that he went to Huen Electric and asked them to look at the lights in the parking lots and they did and offered to donate LED lights and the installation. He added that it was discussed they could do dusk to dawn sensors. Mr. Keller responded that when they come in it can be discussed the best way to handle that.

Mr. McDaniel stated that assuming we are going to do some PILOTS in these redevelopment areas he believes that Township should make the Springfield Township School whole even though the Township has the right to keep all the revenue.

Mr. McDaniel state that on Old York Road there are some folks that set off fireworks from time to time and he has done some research on it and Princeton Township's website has some information because they must have had some similar issues. Mr. McDaniel stated that State Law puts it on the Township to issue licenses for fireworks. Mr. Marinello stated we already have an Ordinance which says the Chief can issue a permit and Chief Trout added that there are State regulations that also regulate firework displays. Mr. Morris stated he could look at the Princeton Ordinance. Mr. Frank is also concerned that if the church is one of the places doing the fireworks there are Federal Laws saying you can't stop someone from exercising they religious beliefs/worship.

Mr. Sobotka stated that at the blood drive last month they collected 18 pints of blood. The Red Cross has asked that the Township do a blood drive more often and he is in agreement but it also requires community involvement.

Mr. Marinello asked about the improvements to the baseball fields that have been discussed in the past and Mr. Sobotka responded that the recreation committee is still trying to collect more information for getting this done. Mr. Sobotka stated that they will be proceeding with the score board this spring. Mr. Marinello suggested the recreation committee approaching Huen Electric for a bid on the lights they want to install. Mr. Hlubik stated that maybe if Huen Electric has other projects upgrading facilities maybe they would be willing to donate some used equipment from those other projects. Mr. Sobotka stated that years ago when this was discussed there was concern about the effects of the lighting on the neighbors. Mr. Sobotka stated that the lights would be for both the soccer and baseball fields.

Discussion on the Police Chief salary. Mr. Morris explained the circumstances that require an employee to receive a Rice Notice. Mr. Morris added that it puts the person on notice and they have a right to be present in open or closed session and have a right to address Council but Council can still deliberate in Executive Session. Chief Trout addressed Council that he has questions about his salary. His current salary does not even match the retiring Chief's salary in 2008 and he has been in the position of Chief for 11 years. He would like to see his salary to be more consistent with the neighboring towns. Mr. Sobotka asked Chief Trout to inform Council of his accomplishments. Chief Trout responded that he increased the rank structure, redid policy and procedures and has handled numerous emergencies including fires, airplane crashes and storms. Chief Trout also commented that he is not aware of many if any complaints about his job performance. He understands when he was appointed Chief that Council wanted to see him prove himself and he feels that he has done that and thought he would be compensated once he proved himself. Mr. Sobotka asked about disciplining for example for motor vehicle accidents. Chief Trout responded that he is not sure what internal affairs complaints have to do with his performance. Mr. Keller stated that the oversight has much improved over the prior chief who absolutely ignored personnel issues. Mr. Keller added that there is an improvement in professionalism with the entire police department as well. Mr. Keller stated that Management never hears any complaints about the department under this Chief. Mr. Marinello added that he agrees with Mr. Keller and he has not heard any complaints from residents or any of the officers about this Chief's running of the department. Mr. Marinello feels he has been doing an outstanding job for the past eleven years. Mr. Keller added that there have been no Union issues under this Chief or any issues with bickering or backstabbing among officers which you often see in other departments and this is a reflection of this Chief. Mr. Marinello also stated that this Chief has gone above and beyond in finding qualified new candidates to add to the force that fit well with this town and the department. Mr. Sobotka stated that if you look at the current Chief's salary along with his emergency management stipend and other aspects it is consistent with the other townships salaries and Chief Trout responded that he disagreed. Mr. McDaniel state that a few years ago we had a referendum of whether the Township wanted a Public Safety Director or a Chief and the public wanted a Chief even when advised a Chief would cost more money and he does feel the Chief is on the low end with respect to salary. Mr. McDaniel asked if Chief Trout is trying to get someone in the department ready to replace him upon his retirement should he choose to retire in 4 or 5 years and Chief Trout responded he would not leave the department in the shambles it was in when he took over as Chief. McDaniel would like to see the town become accredited and Chief Trout responded he is not against getting this done but the cost is about 30-50 thousand dollars and in most departments they have an officer assigned to just keeping up with the accreditation. Mr. McDaniel responded that he was not aware of the high costs and changed his mind if that process would cost that much money. Mr. Sobotka asked if the department is using the JIF training and Chief Trout responded yes the department does attend JIF trainings. Mr. Keller also mentioned that you have officers whose gross pay are making more than the Chief at the end of the year and Mr. Marinello added that the Chief is putting in the overtime hours for incidents but he is not being compensated for it. Mr. Sobotka asked about notifications of emergencies and Chief Trout responded that the current policy is that he notifies the Manger, Mayor and Deputy Mayor as soon as possible after the incident.

Mr. Marinello made a motion seconded by Mr. Frank to approve Resolution No. 2019-02-05 for the purpose of discussing pending litigation, contract negotiations and personnel. All were in favor. Motion carried. Council entered executive session at 9:09 pm. It was stated that action is not anticipated upon return to public session.

**RESOLUTION 2019-02-05**

**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: Recall Litigation)  
(If contract negotiation the nature of the contract and interested party is: Wawa project - Tighlmans Corner)

*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: Chief's Salary) ;

\_\_\_\_\_ 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 9:55 PM and no public was in attendance.

Mr. Hlubik made a motion seconded by Mr. Marinello to adjourn the meeting. The meeting was adjourned at 9:55 PM. All were in favor.

Respectfully submitted,

Patricia A. Clayton  
Township Clerk