

COUNCIL SPECIAL MEETING AGENDA
10:00 AM
AUGUST 20, 2020

1. Meeting called to order by Mayor McDaniel
2. Reading of the Sunshine Notice
3. Salute to the Flag
4. Roll Call: Mr. Frank, Mr. Hlubik, Mr. Marinello, Mr. McDaniel and Mr. Sobotka
5. Executive Session

No. 2020-08-08 – 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 (Personnel – Tax Assessor interview)

6. Resolutions

No. 2020-08-05 – Resolution of the Springfield Township Council Appointing a Tax Assessor (tabled from August 23, 2020 meeting)

No. 2020-08-09 – Resolution Authorizing Sale of Municipally-Owned Property No Longer Needed for Public Use

7. Public Comment*
8. Adjournment

**SPECIAL TOWNSHIP COUNCIL MEETING (HELD ELECTRONICALLY)
AUGUST 20, 2020**

The meeting of the Springfield Township Council was called to order by Mayor Denis McDaniel with Council Members David Frank (arrived at 10:10 AM), John Hlubik and Peter Sobotka were present. Absent was Council Member Anthony Mariello. Also present was the Township Manager Paul Keller.

The Sunshine Notice was read:

“Public Notice of this meeting, pursuant to the Open Public Meetings Act, has been given by the Springfield Township Council in the following manner on May 1, 2020

- Posted written notice on the official bulletin board at the Municipal Building, 2159 Jacksonville-Jobstown Road, Jobstown, New Jersey;
- Transmitted notice to the Burlington County Times and Trenton;
- Filed written notice with the clerk of Springfield Township; and
- Mailing written notice to each person who has requested copies of the regular meeting schedule and has prepaid any charges fixed for such service.
- Posting on the municipal website and municipal building front entrance a notice of electronic meeting and instructing public on how to participate.”

Mayor McDaniel led the salute to the Flag.

Mr. McDaniel explained the purpose of this meeting.

RESOLUTIONS

Mr. Sobotka made a motion seconded by Mr. Hlubik to approve Resolution No. 2020-08-09. Roll Call: Mr. Hlubik – Yes; Mr. Sobotka – Yes and Mr. McDaniel – Yes. Motion carried.

RESOLUTION 2020-08-09

RESOLUTION AUTHORIZING SALE OF MUNICIPALLY-

OWNED PROPERTY NO LONGER NEEDED FOR PUBLIC USE

WHEREAS, N.J.S.A. 40A:11-36 authorizes a local government to sell its surplus personal property and/or equipment, if no longer necessary for public use, to the highest bidder; and

WHEREAS, N.J.S.A. 40A:11-36(4) provides that if after publication of the sale, no bids are received, the local government may sale its surplus property at private sale; and

WHEREAS, the Township currently owns a 1992 Spa Rescue Pumper Truck which is no longer needed for public use; and

WHEREAS, the Township held two auctions, the first from August to September of 2016, with a minimum bid of \$25,000 and the second during April of 2017, with a minimum bid of \$10,000 and received no bids at either auction; and

WHEREAS, the Township has received an offer of sale for \$4,500 from Engineer Fire (USA), LLC who shall repurpose the truck for the use of a small fire department in South America.

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Springfield, County of Burlington, State of New Jersey, that the Township Administrator, Township Clerk and Township Solicitor are hereby authorized and directed to take such action as is necessary to negotiate the private sale of the below described equipment:

A. Equipment Offered

- 1. 1992 SPA RESCUE PUMPER TRUCK 4S7ET9F0XNC005543—15,768 miles

BE IT FURTHER RESOLVED that the following conditions shall apply to said sale:

- 1. The purchaser shall be responsible for the removal and shipment of the equipment.
- 2. The sale of all equipment is strictly "AS IS." The Township makes no representations or warranties regarding the condition of the equipment or its suitability for any purpose.
- 3. The full sale price shall be paid to the Township by the close of business on the day that the equipment is retrieved by the buyer, with payment made by cash, certified check, or money order.
- 4. The buyer shall be permitted to inspect the equipment prior to purchase.
- 5. The Township Clerk, Administrator, and Solicitor are hereby authorized to take such steps, and execute any documents necessary, in order to effectuate this Resolution.

Mr. Sobotka made a motion seconded by Mr. Hlubik to approve Resolution No. 2020-08-08. All were in favor. Motion carried. Council entered into executive session at 10:07 AM.

RESOLUTION 2020-08-08

RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting, and

WHEREAS, the Governing Body of Springfield Township has deemed it necessary to go into closed session to discuss certain matters which are exempted from the Public; and

WHEREAS, the regular meeting of this Governing Body will reconvene;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of Springfield Township will go into closed session for the following reason(s) as outlined in N.J.S.A. 10:4-12:

_____ Any matter which, by express provision of Federal Law, State Statute or Rule of Court shall be rendered confidential or excluded from discussion in public (Provision relied upon: _____);

_____ Any matter in which the release of information would impair a right to receive funds from the federal government;

_____ Any matter the disclosure of which constitutes an unwarranted invasion of individual privacy;

_____ Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body (Specify contract: _____);

_____ Any matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed;

_____ Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection;

_____ Any investigations of violations or possible violations of the law;

_____ Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer (If pending or anticipated litigation, the matter is:) (If contract negotiation the nature of the contract and interested party is:)

Under certain circumstances, if public disclosure of the matter would have a potentially negative impact on the Township's position in the litigation or negotiation, this information may be withheld until such time that the matter is concluded or the circumstances no longer present a potential impact);

Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting (Subject to the balancing of the public's interest and the employee's privacy rights under *South Jersey Publishing*, 124 N.J. 478, the employee(s) and nature of discussion is: Interview for Tax Assessor Position) ;

_____ 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 11:18 AM and there was no one from the public present.

Mr. Frank made a motion seconded by Mr. Hlubik to approve Resolution No. 2020-08-05 appointing Mr. Buscemi as the Tax Assessor. All were in favor except Mr. Sobotka who opposed. Motion carried.

RESOLUTION 2020-08-05

A RESOLUTION OF THE SPRINGFIELD TOWNSHIP COUNCIL APPOINTING A TAX ASSESSOR

WHEREAS, Dennis Bianchini, has served as Springfield Township Tax Assessor from January 1, 2020 through his resignation of August 1, 2020; and

WHEREAS, there is now a vacancy in the position of Springfield Township Tax Assessor and N.J.S.A. 40A:9-146 states that every municipality shall appoint a Tax Assessor; and

WHEREAS, Richard L. Buscemi is a certified Tax Assessor; and

WHEREAS, it has been agreed that Richard L. Buscemi will perform the duties of Tax Assessor for the Township of Springfield as required by Statute at a salary to be set by the Township;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of Springfield Township, that Richard L. Buscemi is hereby appointed as Springfield Township Tax Assessor effective August 20, 2020 for a term commencing August 20, 2020 through June 30, 2021, with all of the duties, responsibilities and authority as set forth by Statute.

PUBLIC COMMENT

No public present.

Mr. Sobotka made a motion seconded by Mr. Frank to adjourn the meeting. All were in favor. The meeting was adjourned at 11:20 A.M.

Respectfully submitted,

Patricia Clayton
Township Clerk