

TOWNSHIP OF SPRINGFIELD  
COUNCIL MEETING AGENDA  
7:30 PM  
SEPTEMBER 9, 2020

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 12, 2020 regular session
  - August 20, 2020 special meeting and executive session
6. Public Comment on Agenda Items
7. Resolutions
  - No. 2020-09-01 – Resolution Renewing Certain Alcohol Beverage Licenses for the License year 2020-2021
  - No. 2020-09-02 – Resolution of the Township Council of the Township of Springfield Amending Resolution 2020-08-05 Concerning the Appointment of a Tax Assessor
  - No. 2020-09-03 – Resolution of the Springfield Township Council Appointment a Chief Financial Officer
8. Monthly Reports Submitted for Approval
9. Bills Submitted for Approval
10. Unfinished Business
  - Discussion of food truck and tree ordinances
11. Correspondence
12. Solicitor's Report
13. Manager's Report
14. Public Comment\*
15. Executive Session
  - No. 2020-09-04 – Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12 (attorney-client privilege-taxation matter)
16. Township Officials' Business
17. Adjournment

**TOWNSHIP COUNCIL MEETING  
SEPTEMBER 9, 2020**

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 6, 2020:

- 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 a made a motion seconded by Mr. Frank to approve the August 12, 2020 regular session and August 20, 2020 special and executive sessions minutes. All were in favor. Motion carried.

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

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

### **RESOLUTIONS**

Motion made by Mr. Frank and seconded by Mr. Sobotka to approve Resolution No. 2020-09-01. All were in favor. Motion carried.

### **RESOLUTION 2020-09-01**

#### **RESOLUTION RENEWING CERTAIN ALCOHOL BEVERAGE LICENSES FOR THE LICENSE YEAR 2020-2021**

BE IT RESOLVED, by the Township Council of the Township of Springfield in the County of Burlington, and State of New Jersey as follows:

WHEREAS, due and proper application, accompanied by the proper fee has been made by each of the following persons to renew the Alcoholic Beverage License now outstanding in the name of such person of the class and for the premises hereinafter described, and no written objections having been filed opposing any of such applications, and no reason appearing to the contrary, but rather it appearing that each such application is duly qualified, the premises suitable and public necessity and convenience require such renewal.

NOW, THEREFORE, the said Township Council does hereby approve each application and does hereby authorize the issuance of each of the following alcoholic beverage license of the class and bearing the numbers indicated below, each license to be for the license year 2020-2021 and to be effective July 1, 2020 to wit:

#### **PLENARY RETAIL DISTRIBUTION LICENSE**

0334-44-001-003 Chandel & Co. Inc. 2683 Route 206  
Mount Holly, NJ 08060

BE IT FURTHER RESOLVED, that the Township Clerk is hereby authorized and directed on behalf of the Township to issue each of the licenses above and to file a certified copy of this Resolution with the Division of Alcoholic Beverage Control.

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Motion made by Mr. Sobotka and seconded by Mr. Marinello to approve Resolution No. 2020-09-02. Mr. Sobotka asked if this means he gains tenure and Mr. Morris replied no not until next appointment. All were in favor. Motion carried.

**RESOLUTION 2020-09-02**

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF  
SPRINGFIELD AMENDING RESOLUTION 2020-08-05 CONCERNING  
THE APPOINTMENT OF A TAX ASSESSOR**

**WHEREAS**, on August 20, 2020, the Springfield Township Council adopted Resolution 2020-08-05 appointing Richard L. Buscemi as the Springfield Township Tax Assessor for a four year term commencing August 20, 2020 through June 30, 2021; and

**WHEREAS**, N.J.S.A. 40A:9-148 provides that “[e]very municipal tax assessor ... shall hold his office for a term of 4 years from the first day of July next following his appointment; and

**WHEREAS**, the appointment of Richard L. Buscemi should have been effective immediately through June 30, 2021 with a consecutive four year term of office commencing July 1, 2021 and terminating June 30, 2025; and

**WHEREAS**, the Township of Springfield desires to amend the term of office contained in Resolution 2020-08-05 to comply with the provisions of N.J.S.A. 40A:9-148.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Council of the Township of Springfield, County of Burlington and State of New Jersey that Resolution 2020-08-05 is hereby amended to reflect that Richard L. Buscemi be appointed as Springfield Township Tax Assessor, effective immediately, with a consecutive four year term of office commencing July 1, 2021 and terminating June 30, 2025.

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Motion made by Mr. Frank and seconded by Mr. Marinello to approve Resolution No. 2020-09-03. All were in favor. Motion carried.

**RESOLUTION 2020-09-03**

**A RESOLUTION OF THE SPRINGFIELD TOWNSHIP  
COUNCIL APPOINTING A CHIEF FINANCIAL OFFICER**

**WHEREAS**, Dianne Kelly has served as the Springfield Township Chief Financial Officer since January 1, 2010; and

**WHEREAS**, Dianne Kelly has decided to resign as Chief Financial Officer as of September 30, 2020; and

**WHEREAS**, Yolaika Medina currently holds the position of Treasurer since October 19, 2019; and

WHEREAS, Yolaika Medina is also a Chief Financial Officer certified by the State of New Jersey, Department of Community Affairs, Division of Local Government Services; and

WHEREAS, the Township Council has decided to combine the positions of Chief Financial Officer and Treasurer effective October 1, 2020; and

WHEREAS, it is has been agreed that Yolaika Medina will perform the duties of Chief Financial Officer and Treasurer njsa 40A:9-140.1for Springfield Township 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 Yolaika Medina is hereby appointed as Springfield Township Chief Financial Officer for a four (4) year term effective October 1, 2020 through September 30, 2024, with all of the duties, responsibilities and authority as set forth by Statute.

### **MONTHLY DEPARTMENTAL REPORT**

#### **CLERK REPORT OF LICENSES August 2020**

Dog Licenses Issued 2  
Licenses assessed late fee 0  
Total Licenses Issued Year to Date -265  
Kennel licenses sold this month 0  
Replacement dog licenses sold this month - 0  
Service Dog 0  
Police Dog  
  
Total amount collected \$20.00

#### **TREASURER'S REPORT – CURRENT ACCOUNT August 2020**

Year to Date Revenue	\$9,388,598.78
Year to Date Expd.	\$2,509,722.51
Available Revenue	\$6,878,876.27

#### **CONSTRUCTION OFFICIAL'S REPORT August 2020**

Permit Fees	\$8311.00
CCO Fees	950.00
Total	\$9261.00

**ZONING OFFICER'S REPORT  
August 2020**

Violations – 2  
Court Summons 1

**BOARD OF HEALTH  
July 2020**

- 1 Private Water Well Testing
- 2 Water Well Applications

**POLICE REPORT  
August 2020**

The Springfield Township Police Department responded to a total of 443 complaints. They are sorted in the following manner:

294	General Police Complaints
2	Domestic Incidents
6	Criminal Investigations
21	Motor Vehicle Accidents
27	Medical Emergencies
34	Activated Alarms
11	Abandoned 911 Calls
2	Assists to Outside Departments
1	Assists to Our Departments
39	Motor Vehicles Stops
6	Arrest
1	Warrant
2	DWI
4	Criminal

Tickets Issued: 38    Mileage 35371

**AMERICA EMERGENCY SQUAD  
August 2020**

Total Calls for the Month	19
Average Response Time	9.94
Total Transports	10

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

**BILL LIST**

<b>VENDOR</b>	<b>CHECK NO.</b>	<b>AMOUNT PAID</b>
<b>CURRENT</b>		
Allied 100 LLC	13775	\$152.10
Auto Shine Car Wash, Inc.	13776	\$103.00
Burlington Cleaners	13777	\$198.90
Burlington County Treasurer	13778	\$9,541.45
Casa Payroll Services	13779	\$244.00
Patricia A Clayton	13780	\$26.90
Comcast	13781	\$158.35
Courier Times, Inc.	13782	\$77.72
Direct Enerby Business	13783	\$14.23
Dog Waste Depot	13784	\$132.99
Econo Signs, LLC	13785	\$113.70
Environmental Resolutions, Inc.	13786	\$217.50
Eurofins QC Inc.	13787	\$135.00
Exotic Landscape Design & Cons.	13788	\$34,795.00
Expel Exterminating Experts Inc.	13789	\$50.00
Galls/Quartermaster	13790	\$596.26
Garden State Removal Co.	13791	\$7,261.66
Heritage Business Systems Inc.	13792	\$75.00
Herman's Trucking	13793	\$179.50
Hurley's Auto Repair	13794	\$1,023.96
JCP&L	13795	\$1,373.83
J. Paul Keller	13796	\$615.42
Lights and Sirens, Inc.	13797	\$542.62
Municipal Emergency Serv Inc.	13798	\$2,174.38
National Time Systems, Inc.	13799	\$65.70
Networks Plus	13800	\$812.00
New Jersey American Water Co.	13801	\$264.11
NJ Motor Vehicle Services	13802	\$60.00
NJSHBP	13803	\$27,682.27
Norther Burlington Cnty Reg School	13804	\$324,764.00
Parker McCay, P.A.	13805	\$2,840.00
Martin Poinsett	13806	\$100.00
PowerDMS Inc.	13807	\$1,449.28
PSE &G	13808	\$4,193.84
Raymond Coleman Heinold LLP	13809	\$1,050.00
ROK Brothers Inc.	13810	\$117.56
R W Tire Corp	13811	\$987.20
Service Master Building Service	13812	\$295.00
Sirak Auto Supply Inc	13813	\$98.68
Sprague Operating Resource LLC	13814	\$1,112.27

Springfield Township Board of Ed	13815	\$275,281.00
Staples Business Advantage	13816	\$1,090.41
Verizon Wireless	13817	\$1,319.91
Vital Communication, Inc.	13818	\$205.00
Westampton Car Wash	13819	\$100.00
Xtel Communications, Inc.	13820	\$416.31
Gateway Mortgage Company	13821	\$4,068.32

**COAH**

Parker McCay P.A.	7239	\$5,441.00
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**CAPITAL FUND ACCOUNT**

Environmental Resolutions, Inc.	7269	\$4,231.20
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**DEVELOPER ESCROW**

ACT Engineers, Inc.	7518	\$1,880.00
Parker McCay, P.A.	7519	\$120.00
Raymond Coleman Heinold LLP	7520	\$660.00
Celeste Kinney	7521	\$345.00

**RECREATION ACCOUNT**

Sherwin Williams Company	7264	\$297.50
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**OPEN SPACE TRUST**

Exotic Landscape Design & Cons.	7188	\$6,445.00
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**DOG ACCOUNT**

MGL Printing Solutions	7251	\$269.00
New Jersey Dept of Health	7252	\$2.40

<b>TOTAL</b>		<b>\$727,867.43</b>
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Mr. Frank made a motion seconded by Mr. Sobotka to pay the bills. All were in favor. Motion carried.

**UNFINISHED BUSINESS**

Mr. McDaniel reported we got a park grant from the County this year. He added that the County has speculated they might reconfigure the intersection at Monmouth Rd in next 5 years so it would not seem like a good idea to continue that bike path project but maybe pick it up on Juliustown Rd so it is not getting torn up if the County does reconfigure the intersection at a later date. There was discussion of getting an easement from Helis and discussion of other possibilities to get the path to where the Township would like it to go.

Tree Ordinance- Mr. Morris stated he does not even know why we have this Ordinance at this point and he is sure it is probably never enforced and advised Council they could repeal the Ordinance. Mr. Marinello made a motion seconded by Mr. Hlubik to repeal this Ordinance. Mr. Frank and Mr. Sobotka stated that section 194-3 has to do with line of sight and Mr. McDaniel mentioned 194-2 has to do with dangerous trees. Council went over what sections they would keep. Mr. Marinello made a motion and seconded by Mr. Frank to introduce an Ordinance to repeal all but sections 194-2 and 194-3. All were in favor. Motion carried. Mr. McDaniel stated that adoption would be next month.

Food Truck-Council went over Ordinance and made suggested revisions. There was discussion that no license would be needed but Mr. Morris expressed concern that the Township would not know how long the truck was at a site if you want to limit how long they can be in one place. Mr. Morris suggested still having a license or registration process through the Zoning Officer even if Council does not want to charge a fee and Council agreed they preferred a registration. Mr. Morris will revise accordingly. Mr. McDaniel asked if we want to provide proof of insurance with registration and it was discussed that the requirement for a half million general liability policy will be kept in. Mr. McDaniel said the food truck registration would be waived for the Columbus Farmers Market and Mr. Sobotka did not agree because if you are a food truck it does not matter where you are and he does not feel the Market should not be exempt from the rules. Mr. Frank did not agree with Mr. Sobotka because it is already a retail establishment and they are already Board of Health inspected. Mr. Sobotka does not agree with waiving the registration for the Market because they are not getting inspected on weekends and he also wants to make sure fire inspections are getting done. Mr. Morris stated the Market would definitely be inspected by the State Fire Marshall on regular basis and Mr. Sobotka responded he would like to see that in writing and Mr. Morris advised Mr. Sobotka that he could file an OPRA request with the State Fire Marshall's office to obtain that information. Mr. Frank stated the purpose of this Ordinance is to regulate where food trucks can set up and for how long to make sure they will not interfere with a brick and mortar establishment and not to restrict it at the Market. He added that the County Board of Health and State Fire Marshall are responsible for their own regulations. Mr. Morris confirmed that Mr. Frank wants exemption from registration for the Market and Mr. Sobotka does not want the Market to be exempt. Mr. Marinello, Mr. Hlubik and Mr. McDaniel are all in agreement with the exemption and Mr. McDaniel added he would exempt the fairgrounds as well. Council discussed hours of operation being 7 am to 10 pm hours of operation and that letter c should be cut from the Ordinance. Mr. McDaniel wanted to add that permission should be needed if request is for a food truck on Township owned land. Mr. Keller asked if they would be required to wait for a Township Council meeting for approval of the registration and it was discussed that that that the Manager would have the authority to authorize food trucks on Township property. Mr. Keller added that a certificate of insurance naming township as additionally insured should also be required on municipal property. Other items discussed were deleting requirement for zoning approval, requiring a restroom with hand washing facilities and requirement for applicant to be responsible for trash clean up. It was also discussed that if the State Fire Marshall requires something it is not needed in this Ordinance. George will revise the Ordinance and the Clerk will poll as to whether it will go on the next agenda for introduction or under unfinished business.

Mr. Marinello asked about opening the municipal building and there was discussion about how to open building and changing the message on the phone line to communicate that calls will be returned within 24 hours.



## **CORRESPONDENCE**

1. Memo from Planning Board regarding Affordable Housing. Mr. McDaniel explained that the Township needs to establish a format to determine the figures to satisfy the Township's affordable housing requirement
2. Burlington County Farmland Preservation – ATL. Mr. Frank would like to hear from the Planning Board and then Council can make a recommendation before October 16 as requested in the letter. Mr. Frank would question why the Flynn Tucker property is on the list as an alternative because of the soils are good and Mr. Hlubik responded maybe it is because it is close to Wrightstown and sewer service. Mr. Frank stated he will call Mr. Wilson at Farmland preservation tomorrow and see why.

Mr. Frank made a motion seconded by Mr. Sobotka to file the correspondence and pick up the Farmland Preservation ATL at the next meeting. All were in favor. Motion carried.

## **SOLICITOR REPORT**

Mr. Morris wrote the letter regarding the municipal aid agreement with the County for 911 services and the response from the County was just a copy of the signed agreement. Mr. Frank suggested sending it to JIF and Mr. Keller stated that was actually an issue brought up to the JIF from other municipalities.

Motion made by Mr. Frank and seconded by Mr. Sobotka to accept the Solicitor's report. All were in favor. Motion carried.

## **MANAGER REPORT**

Mr. Keller stated that the Governor is stealing 12 million from the recycling program in the State budget and moving it to State parks maintenance and Mr. Keller recommended the Council Members contact the State legislative representatives regarding the issue. Mr. Keller stated some towns could be hurt in the money they receive from the tonnage grant from this. Mr. Morris suggested sending this to NJLM as they might want to get involved and Mr. Keller responded that they are already involved.

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

## **PUBLIC COMMENT**

Mr. Zach McDaniel stated it was an interesting conversation tonight.

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

Mr. Frank is recusing himself from executive session discussions. Mr. Marinello made a motion seconded by Mr. Hlubik to approve Resolution No. 2020-08-08. All were in favor. Motion carried. Mr. McDaniel advised the public that formal action may be taken after executive session and Council entered into executive session at 9:20 PM.

## **RESOLUTION 2020-09-04**

**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 9:40 PM and there was no one from the public present.

### **TOWNSHIP OFFICIALS BUSINESS**

Mr. Marinello wanted to say that unfortunately the Memorial Day Ceremony that was originally postponed until Labor Day is now officially postponed until next year.

Mr. Sobotka made a motion seconded by Mr. Frank to adjourn the meeting. All were in favor. Motion carried and the meeting was adjourned at 9:41 PM.

Respectfully submitted,

Patricia A. Clayton  
Township Clerk