

TOWNSHIP OF SPRINGFIELD
COUNCIL MEETING AGENDA
7:30 PM
SEPTEMBER 23, 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. Resolutions
 - No. 2020-09-05 – Resolution Rescinding Resolution 2020-08-07 Authorizing the Person to Person Transfer of Plenary Retail Consumption License No. 0334-33-003-003 From Superior Holding Group LLC to B&G Restaurant Associates, Inc.
 - No. 2020-09-06 – Resolution Renewing Certain Alcohol Beverage Licenses for License Year 2020-2021 (Superior Holding Group LLC)
6. Unfinished Business
 - Burlington County Farmland Preservation ATL
7. Public Comment*
8. Township Officials' Business
9. Adjournment

**TOWNSHIP COUNCIL MEETING
SEPTEMBER 23, 2020**

The meeting of the Springfield Township Council was called to order by Mayor McDaniel with Council Members David Frank; Anthony Marinello and Peter Sobotka present. Absent was John Hlubik Also present was 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 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.

RESOLUTIONS

Motion made by Mr. Frank and seconded by Mr. Sobotka to approve Resolution No. 2020-09-05. Ms. Clayton explained that when reviewing application she was mistaken in thinking they had provided the Transfer Tax Clearance Certificate which is required before application can be approved. She added that this will rescind the prior resolution adopted approving the transfer from Superior Holding to B&G Restaurant and the next resolution will approve the annual

renewal which needs to be done by September 30th for Superior Holding and once the Transfer Tax Clearance Certificate Township Council can reconsider the transfer at a later meeting. All were in favor. Motion carried.

RESOLUTION NO. 2020-09-05

RESOLUTION RESCINDING RESOLUTION 2020-08-07 AUTHORIZING THE PERSON TO PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 0334-33-003-003 FROM SUPERIOR HOLDING GROUP LLC TO B&G RESTAURANT ASSOCIATES, INC.

WHEREAS, an application had been filed for a Person-to-Person Transfer of Plenary Retail Consumption License Number 0334-33-003-003, heretofore issued to Superior Holding Group LLC for premises located at 1493 A Route 206, Springfield Township, New Jersey requesting to transfer to B&G Restaurant Associates, Inc.; and

WHEREAS, the application was missing a Transfer Tax Clearance Certificate for B&G Restaurant Associates, Inc. which should have been provided as part of the application prior to approval of the Person-to Person Transfer; and

WHEREAS, this deficiency was inadvertently missed in the review process and the application for the Person to Person Transfer was approved by Resolution No. 2020-08-07 at a Township Council Meeting held on August 12, 2020 in error; and

WHEREAS, the State of New Jersey cannot process the Person to Person Transfer without a Transfer Tax Clearance Certificate; and

NOW THEREFORE, BE IT RESOLVED by the Springfield Township Council that Resolution No. 2020-08-07 authorizing the Person to Person Transfer of Plenary Retail Consumption License No. 0334-33-003-003 from Superior Holding Group LLC to B&B Restaurant Associates, Inc. is hereby rescinded; and

FURTHER BE IS RESOLVED, that the Superior Holding Group LLC shall remain as the licensee of Plenary Retail Consumption License Number 0334-33-003-003 until a Transfer Tax Clearance Certificate is presented by B&G restaurant Associates, Inc. as part of the application previously submitted.

Motion made by Mr. Frank and seconded by Mr. Sobotka to approve Resolution No. 2020-09-06. All were in favor. Motion carried.

RESOLUTION 2020-09-06

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 CONSUMPTION LICENSE

0334-33-003-003 Superior Holding Group LLC Routes 206 & 537
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.

UNFINISHED BUSINESS

Burlington County ATL- Ms. Clayton advised Council that the Planning Board recommended that the Flynn Tucker Property be moved to the priority status from alternate. Mr. Sobotka made a motion seconded by Mr. Marinello to have the Clerk send a letter to the County Farmland Preservation recommending the Flynn Tucker be made priority on the ATL.

PUBLIC COMMENT

Mr. Pantano, 7 Huntington Drive stated that the agenda was not on the website. Ms. Clayton checked the website and realized that the document did not correctly get posted and she will make sure it is fixed tomorrow.

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

TOWNSHIP OFFICIALS BUSINESS

Mr. Sobotka asked Council to look section 99-1 of the Township Code concerning the fire inspector because the Township doesn't have one and uses the State Fire Marshall so he thinks this Ordinance needs to be amended. Mr. Keller will review the Ordinance.

Mr. Frank asked Mr. Sobotka if he called the State Fire inspector to have them look at certain food trucks and Mr. Sobotka responded he did. Mr. Frank asked if Mr. Sobotka represented himself as a Council member or a resident when he made the call and Mr. Sobotka indicated he did represent himself as an elected official. Mr. Marinello thought the discussion was that the Fire Marshall did the inspections of the Market regularly so why the complaint. Mr. Sobotka stated that he wants them to inspect the Market on weekends. Mr. Frank expressed his displeasure that when he heard from residents asking why the Council is sending out the Fire Marshall to inspect their establishments he had to explain Council did not. He added he is unhappy with Mr. Sobotka representing himself as if it was what Council wished and Mr. Marinello added especially after last meeting's discussion that the State was handling the market inspections according to their guidelines. Mr. Sobotka responded that he was concerned about the safety because of the virus and making sure those guidelines were being followed Mr. Sobotka added as a resident who goes to the Market he wants to make sure

these food trucks are being inspected on the weekends. Mr. Sobotka added that his concerns were addressed because a fire inspector was sent out on Sunday. Mr. Marinello asked if the Township gets a bill from the State if they call to have a State Fire Inspector go out on a weekend and Mr. Keller responded he is not aware of any billing. There was discussion that the State Fire Marshall is in the Township all the time and Mr. Frank added that when discussing the food truck ordinance Council was okay with the level of inspections and his concern is that Mr. Sobotka did not represent himself as a resident but as a member of Council acting on behalf of the Council as a whole.

Mr. Keller stated he has been having discussions with the Clerk about opening the building back up to the public and one idea was to install a counter in the hallway with a door to allow access for Council Meetings when they go back to being in person. He wanted Council's thoughts before he gets pricing for a counter, work station and door and a protective door for the building/zoning office. There was discussion that this would address the COVID issue and security issues of taking cash with open doors. Mr. Keller wants to just know if Council is okay with exploring options to open to the public without allowing access to the whole building. Mr. Keller stated that he will look into different alternatives as well and present those alternatives to Council prior to moving forward.

Mr. McDaniel said we got \$100,000 park grant and he went out with the Engineer to look at some options. While they were out looking at where to go with the bike path Mr. Brewer who owns one of the farms on Jobstown-Juliustown Rd. came out and indicated that he owns the property out to the middle of the road including the railroad right of way so this would need to be looked at. Mr. Frank stated the Brewer Farm was supposed to be preserved about 8 years ago and it fell through because the County could not see a way to get to the property other than through the Township railroad right of way. Mr. Frank added that he has some information on this and will share with the Solicitor but he thinks the Township owns the road and railroad right of way. Mr. Keller stated you will need a title search and Mr. Frank responded that he has the title search and Mr. Brewer owns up to the railroad right of way according to that search. Mr. McDaniel stated that Mr. Noll did look at the tax map and it doesn't look like the railroad right of way goes all the way down. Mr. McDaniel stated there is always an option of making a bike lane but he thinks the point is to have the trees between the roadway and the bike path. There was discussion of beginning on the portion of the road where the Pettit and Helis Farms are and the path would have to go about 3 quarters of a mile before it got to the Brewer Farm. Mr. McDaniel stated that the frontage at the Brewer Farm may get the Township the most path for their money. Mr. Frank stated The Township may have to commit some dollars to survey work. Mr. Sobotka asked if the Township puts out the money for the project first then gets reimbursed by the grant and Mr. Keller responded yes the Township would be reimbursed and the money is there to move forward and get reimbursed. Mr. Marinello asked if the Township could go through with constructing a portion of the project while settling the possible dispute with Mr. Brewer and Mr. McDaniel responded we could certainly start at the end of the road where the Pettit and Helis farms are. Mr. Frank stated the Pettit farm was preserved so he can get the survey work from the County to see the railroad right of way. Mr. McDaniel mentioned notifying both property owners to see if they have any issues prior to getting started. Mr. Keller would need a cost estimate and engineering estimate from Mr. Noll.

Mr. Keller stated he has become aware that some Counties may have gotten money from the State under the Cares Act and have distributed some of the funds to the municipalities in their County. He asked Mr. McDaniel to contact the County to see if Burlington County got any money and if they will be disbursing any funds to the municipalities.

Mr. Sobotka stated that a private citizen has put up signs that say dangerous intersection around 68 and Mt. Pleasant Rd. Mr. Keller stated if they are personal signs they are illegal.

Mr. Sobotka wants to know if there is anything the Township can do on the Mt. Pleasant side to improve the intersection and Mr. Frank responded that the intersection is a State highway and changes would need DOT approval so the Township can look at it and make recommendations to the State. Mr. McDaniel has been through that intersection and it is an easy intersection and Mr. Keller added he was just out there yesterday and there are no site issues. Mr. Sobotka would like the Manager to look at the number of accidents at that intersection this past year. Mr. McDaniel stated that the signs there are illegal and should be removed immediately. Mr. Frank added that at Route 68 and CR 537 there are a ton of illegal signs at that intersections. Mr. Marinello suggested having the police remove the signs again.

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 8:28 PM.

Respectfully submitted,

Patricia A. Clayton
Township Clerk