

TOWNSHIP OF SPRINGFIELD  
COUNCIL MEETING AGENDA  
7:30 PM  
FEBRUARY 23, 2022

1. Meeting called to order by the Mayor
2. Reading of the Sunshine Notice
3. Salute to the Flag
4. Roll Call: Mr. Eaton, Mr. Frank, Mr. Marinello, Mr. McDaniel, Mr. Sobotka
5. Public Comment
6. Resolutions
  - No. 2022-02-02 – Resolution Concurring in the Mansfield-Springfield-Southampton Municipal Court Appointments (tabled from February 9, 2022)
  - No. 2022-02-05 – 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 (Litigation-Affordable Housing)
7. Adjournment

**TOWNSHIP COUNCIL MEETING  
FEBRUARY 23, 2022**

The meeting of the Springfield Township Council was called to order by Mayor Marinello with Council Members David Frank, Andrew Eaton, Mr. McDaniel 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 5, 2022:

- 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 Marinello led the salute to the Flag.

**PUBLIC COMMENT**

As no public was present, Mr. Sobotka made a motion seconded by Mr. Frank to close public comment. All were in favor. Motion carried.

Ms. Clayton asked Council to consider a bill in the amount of \$942.50 for Planner Leah Furey-Bruder for a Zoning Board application. She explained that this bill was inadvertently not processed and she would like to make payment to Ms. Furey-Bruder as soon as possible since it was a Township oversight and she added that this payment would be made out of the Applicant’s escrow account. Mr. Frank made a motion seconded by Mr. McDaniel authorize the payment of \$942.50 to the Planner. All were in favor. Motion carried.

**RESOLUTIONS**

Motion made by Mr. Frank and seconded by Mr. Sobotka to approve Resolution No. 2022-02-02. All were in favor. Motion carried.

**RESOLUTION 2022-02-02**

**RESOLUTION CONCURRING IN THE MANSFIELD-SPRINGFIELD-SOUTHAMPTON MUNICIPAL COURT APPOINTMENTS**

**WHEREAS**, the Springfield is a participant in the Mansfield-Springfield-Southampton Shared Municipal Court; and

**WHEREAS**, as the host agency, Mansfield Township has the authority to appoint the Municipal Court Judge, Prosecutor and Public Defender; and

**WHEREAS**, the Administrative Office of the Court requests that partnership communities concur in the appointments; and

**NOW THEREFORE BE IT RESOLVED** by the Township Council of the Township of Springfield, County of Burlington, State of New Jersey that Springfield Township concurs in Mansfield Township's appointment of The Honorable R. Douglas Hoffman, George M. Morris, Esq., Municipal Prosecutor and James Fattorini, Esq., Public Defender.

Mr. Morris mentioned that there is now public present if Council would like to consider opening public comment again. Mr. Frank made a motion seconded by Mr. Sobotka to reopen public comment. All were in favor motion carried. Mr. Marinello asked if there was anyone in the public that would like to comment and hearing no one for comment, Mr. Frank made a motion seconded by Mr. McDaniel to close public comment. All were in favor. Motion carried.

Mr. Frank made a motion seconded by Mr. McDaniel to approve Resolution No. 2021-02-05 to discuss affordable housing litigation. All were in favor. Motion carried. Mr. Marinello advised the public that formal action is not likely but is possible after executive session and Mr. Morris added that he expects the executive session to be about a half hour long. Public were placed back in waiting room and Council entered into executive session at 7:38 PM.

**RESOLUTION 2022-02-05**

**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: affordable Housing litigation) (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:);

\_\_\_\_\_ 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 8:14 PM and the public was let back into the meeting from the waiting room.

Mr. Frank made a motion seconded by Mr. Sobotka to authorize the Township to enter into an agreement of sale for 1245 Old York Road. All were in favor. Motion carried.

Mr. Frank made a motion seconded by Mr. Sobotka to adjourn the meeting. The meeting was adjourned at 8:16 PM. All were in favor. Motion carried.

Respectfully submitted,

Patricia A. Clayton  
Township Clerk