

TOWNSHIP OF SPRINGFIELD
COUNCIL MEETING AGENDA
7:30 PM
MARCH 9, 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. Minutes submitted for approval:
 - February 9, 2022 Regular and Executive Sessions
 - February 23, 2022 Work and Executive Sessions
6. Public Comment on Agenda Items
7. Ordinances for Public Hearing
 - No. 2022-02 – Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A:4-34.14)
8. Resolutions
 - No. 2022-03-01 - Resolution Authorizing the Execution of Agreement of Sale for Block 301, Lot 4.01 commonly known as 1245 Old York Road
 - No. 2022-03-02 – Resolution Requesting Approval of an Item of Revenue and Appropriation Under NJSA 40A:4-87
 - No. 2022-03-03 – Resolution Authorizing Change Order for the 2021 Road Improvement Program
9. Monthly Reports Submitted for Approval
10. Bills Submitted for Approval
11. Unfinished Business
12. Correspondence
13. Solicitor’s Report
14. Manager’s Report
15. Public Comment*
16. Township Officials’ Business
 - Approval of Raffle License for the Central Jersey Pullers Association for Sept. 17, 2022
 - Approval of Raffle Licenses for the Springfield HAS for May 13, 2022
17. Executive Session
 - No. 2022-03-04 – Resolution Providing for a Meeting Not Open to the Public in Accordance With the Provisions of the New Jersey Open Public Meeting Act, N.J.S.A. 10:4-12
18. Adjournment

**TOWNSHIP COUNCIL MEETING
MARCH 9, 2022**

The meeting of the Springfield Township Council was called to order by Deputy Mayor Frank with Council Members Andrew Eaton, Mr. McDaniel and Peter Sobotka present. Absent was Anthony Marinello. 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."

Deputy Mayor David Frank led the salute to the Flag.

Mr. Frank asked for a moment of silence for what is going on in Europe and the people of Ukraine.

Mr. Sobotka made a motion seconded by Mr. Eaton to approve the February 9, 2022 regular and executive session minutes. All were in favor. Motion carried.

Mr. Sobotka made a motion seconded by Mr. Eaton to approve the February 23, 2022 regular and executive session minutes. All were in favor. Motion carried.

PUBLIC COMMENT ON AGENDA ITEMS

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

ORDINANCES FOR PUBLIC HEARING

Motion made by Mr. Sobotka and seconded by Mr. McDaniel open the public hearing on Ordinance 2022-02. All in favor. Motion carried.

Hearing no one from the public Mr. Sobotka made a motion seconded by Mr. McDaniel to close public hearing. All were in favor. Motion carried.

Motion made by Mr. Sobotka and seconded by Mr. McDaniel to adopt Ordinance No. 2022-02 on final reading. Roll Call: Mr. Eaton – yes; Mr. McDaniel - yes; Mr. Sobotka – yes and Mr. Frank – yes. Motion carried.

ORDINANCE NO. 2022-02

CALENDAR YEAR 2022

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

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and members of Township Council of the Township of Springfield in the County of Burlington finds it advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and members of Township Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$28,222.65 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Mayor and members of Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to the final appropriation in either of the next two succeeding years;

NOW THEREFORE BE IT ORDAINED, by the Mayor and members of Township Council of the Township of Springfield, in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the Township of Springfield shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$98,779.28, and that the CY 2022 municipal budget for the Township of Springfield be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

RESOLUTIONS

Motion made by Mr. Sobotka and seconded by Mr. McDaniel to approve Resolution No. 2022-03-01. Mr. McDaniel stated that this will allow us to research the property and see if it is suitable for an affordable housing site. All were in favor. Motion carried.

RESOLUTION 2022-03-01

RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENT OF SALE FOR BLOCK 301, LOT 4.01 COMMONLY KNOWN AS 1245 OLD YORK ROAD

WHEREAS, a land owner sued the municipality seeking to construct an inclusionary 220 unit apartment and townhome complex as part of a builder's remedy to provide affordable housing; and

WHEREAS, the Township evaluated the proposal and determined that the development runs completely contrary to the Township's hamlet style community and demonstrated significant engineering and planning deficiencies for such a large scale project; and

WHEREAS, in the course of negotiations to scale back such an unreasonable approach to

housing and to continue to promote appropriately scaled affordable housing projects which take into account the Township's dominant agricultural uses, preserved farmlands and overall rural living, the Township determined to acquire the property and develop a smaller, appropriate development similar to other projects the Township has successfully completed; and

WHEREAS, such acquisition remains contingent upon the appropriate due diligence and planning and engineering analysis and the agreement provides time to perform such work; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Springfield that the Mayor and Clerk are authorized to execute an Agreement of Sale for the purchase of Block 301, Lot 4.01 commonly known as 1245 Old York Road upon approval of the same by the Township Solicitor; and

BE IT FURTHER RESOLVED, upon execution of the agreement the Township Engineer, in coordination with Deputy Mayor is authorized to perform environmental due diligence at the aforementioned property.

Motion made by Mr. Sobotka and seconded by Mr. McDaniel to approve Resolution No. 2022-03-02. Mr. McDaniel stated that this allows the Township to use federal dollars from the American Recovery Act for our two EMS companies. All were in favor. Motion carried.

RESOLUTION NO. 2022-03-02

RESOLUTION REQUESTING APPROVAL OF AN ITEM OF REVENUE AND APPROPRIATION UNDER NJS A 40A:4-87

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount,

NOW THEREFORE BE IT RESOLVED, that the Council of the Township of Springfield, County of Burlington, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2022 in the sum of \$18,408.00 which item is now available as a revenue from the American Rescue Plan pursuant to the provisions of statute, and

BE IT FURTHER RESOLVED that the above is the result of funds derived from the American Rescue Plan in the amount of \$18,408.00 and shall be distributed as follows:

- Endeavor Emergency Squad Inc. - \$9,204.00 for loss of Revenue due to Covid-19
- America Emergency Squad - \$9,204.00 for loss of Revenue due to Covid-19

Motion made by Mr. Sobotka and seconded by Mr. Eaton to approve Resolution No. 2022-03-03. Mr. Keller explained this was for drainage work that was not included in the original bonding. Mr. McDaniel stated the Engineer said we could use ARA money for this and Mr.

Keller responded that we are going to need that money to balance the budget. Roll Call: Mr. Eaton – yes; Mr. McDaniel – yes, Mr. Sobotka – yes and Mr. Frank – yes. Motion carried.

RESOLUTION NO. 2020-03-03

RESOLUTION AUTHORIZING CHANGE ORDER FOR THE 2021 ROAD IMPROVEMENT PROGRAM

WHEREAS, the Township by Resolution No. 2021-09-04 awarded a contract for the 2021 Road Improvement Program located within the Township; and

WHEREAS, a change order has been submitted.

WHEREAS, the Township Treasurer has certified that funds are available for this purpose; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Springfield, County of Burlington and State of New Jersey that the contract with Arawak Paving whereby the amount of the original contract, \$1,257,100 is hereby increased by Change Order Number 1 in the amount of \$40,310 for a new contract total of \$1,297,410.00.

MONTHLY DEPARTMENTAL REPORT

**CLERK REPORT OF LICENSES
February 2022**

Dog Licenses Issued 43
Licenses assessed late fee 30
Total Licenses Issued Year to Date -184
Kennel licenses sold this month 0
Replacement dog licenses sold this month – 0
Service Dog 0
Police Dog 0

Total amount collected \$606.00

**TREASURER’S REPORT – CURRENT ACCOUNT
February 2022**

Year to Date Revenue	\$ 2,926,128.37
Year to Date Expd.	\$ 597,349.22
Year to Date Net Income	\$ 2,328,779.15

**TAX COLLECTOR
February 2022**

TAXES

2022	TAX PAYMENTS	\$ 884,168.97
PRIOR	TAX PAYMENTS	\$ 60,380.46
FUTURE	TAX PAYMENTS	

INTEREST ON TAXES	\$ 5,497.27
TOTAL TAXES	<u>\$ 950,046.70</u>

LIENS

MUNICIPAL LIEN	REDEMPTIONS	51,807.98
MUNICIPAL LIEN	RECORDING FEES COLL	8.00
MUNICIPAL LIEN	LIEN SEARCH FEES COLL	12.00
TOTAL LIENS		<u>\$ 51,827.98</u> -

MISC.

200' LIST FEES	\$ 10.00
DUPLICATE TAX BILL FEES	
TAX SEARCH	
MISC - 6% YEAR END PENALTY	
TAX SALE COSTS - PRIOR TO SALE	
RETURN (NSF) CHECK FEES	
TOTAL MISC. PAYMENTS	<u>\$ 10.00</u>

RETURN ITEMS

RETURNED CHECKS	\$ 3,105.41
TOTAL	<u>\$ 3,105.41</u>

TOTAL RECEIPTS FOR THE MONTH:

<u>\$ 998,779.27</u>

CONSTRUCTION OFFICIAL'S REPORT

February 2022

Permit Fees	\$4,179.00
CCO Fees	450.00
Re Inspection Fees	
Total Fees	\$4,629.00

ZONING REPORT

February 2022

3 Violations

BOARD OF HEALTH

February 2022

3 Septic Applications

1 Well Application

POLICE REPORT
February 2022

The Springfield Township Police Department responded to a total of 464 complaints. They are sorted in the following manner:

320	General Police Complaints
1	Domestic Incidents
3	Criminal Investigations
12	Motor Vehicle Accidents
19	Medical Emergencies
17	Activated Alarms
9	Abandoned 911 Calls
2	Assists to Outside Departments
2	Assists to Our Departments
79	Motor Vehicles Stops
3	Arrest
2	Warrant
1	DWI

Tickets Issued: 43

Mileage 18352

ENDEAVOR EMERGENCY SQUAD
January 2022

Total Calls for the Month	9
Average Response Time	12.11
Total Transports	7

AMERICA EMERGENCY SQUAD
February 2022

Total Calls for the Month	10
Average Response Time	10.96
Total Transports	7

MUNICIPAL COURT
February 2022

Monthly fines, Title 39 Split, Contempt of Court, Court Costs, Criminal Fines	4218.90
POAA Monies Public Defender	

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Motion made by Mr. Sobotka and seconded by Mr. McDaniel to file the reports. Mr. McDaniel commented on solar projects and generator installations on construction report. All were in favor. Motion carried.

BILL LIST

VENDOR	CHECK NO.	AMOUNT PAID
CURRENT		
Bernard J. Dunn Jr.	14650	\$77.99
Burlington Cleaners	14651	\$54.56
Burlington County Treasurer	14652	\$8,528.47
Casa II Payroll Services LLC	14653	\$233.00
Certified Speedometer Svc Inc.	14654	\$220.00
Patricia A Clayton	14655	\$14.99
Courier Times, Inc.	14656	\$248.36
Direct Energy Business	14657	\$307.26
Eastern Armored Services, Inc.	14658	\$230.00
Eurofins QC Inc.	14659	\$155.00
Everdixie USA EMS Supply Co.	14660	\$192.00
Exotic Landscape Design & Cons	14661	\$5,598.75
Garden State Removal Company	14662	\$10,417.80
Herman's Trucking	14663	\$4,687.91
Hurley's Auto Repair	14664	\$1,012.09
JCP&L	14665	\$1,650.35
J Paul Keller	14666	\$769.81
Mansfield Township	14667	\$9,583.34
MCAGC	14668	\$50.00
MGL Printing Solutions	14669	\$74.00
National Time Systems, Inc.	14670	\$135.60
Networks Plus	14671	\$826.00
New Jersey American Water Co.	14672	\$327.47
NJSHBP	14673	\$33,570.73
Northern Burl Cnty Reg School	14674	\$313,217.00
Parker McCay. P.A.	14675	\$10,255.00
Martin Poinsett	14676	\$100.00
Protective Services Group Inc.	14677	\$186.00
PSE&G	14678	\$4,235.57
Raymond Coleman Heinold LLP	14679	\$784.00
ServiceMaster Building Service	14680	\$295.00
Sirak Auto Supply, Inc.	14681	\$23.94
Sprague Operating Resource LLC	14682	\$1,945.29
Springfield Twp Board of Ed	14683	\$278,034.00
Staples Business Advantage	14684	\$240.73
Stewart Business Systems LLC	14685	\$82.50
Verizon Wireless	14686	\$621.49
Xtel Communications, Inc.	14687	\$449.62
NJ Motor Vehicle Services	14649	\$60.00

DEVELOPERS ESCROW

LFB Land Planning LLC	7577	\$942.50
Act Engineers, Inc.	7578	\$2,242.50
Environmental Resolutions, Inc.	7579	\$630.00
Raymond Coleman Heinold LLP	7580	\$880.00

DOG TRUST

Burl Cty Treas-Animal	7269	\$70.00
New Jersey Animal Control LLC	7270	\$360.00
New Jersey Dept of Health	7271	\$90.60

CAPITAL FUND ACCOUNT

Arawak Paving Co.,Inc.	7303	\$45,089.80
Environmental Resolutions,Inc.	7304	\$4,818.83

COAH ACCOUNT

Environmental Resolutions, Inc.	7263	\$1,115.00
Parker McCay, P.A.	7264	\$100.00
Raymond Coleman Heinold LLP	7265	\$848.00

OPEN SPACE TRUST

Exotic Landscape Design & Cons	7220	\$840.00
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RECREATION ACCOUNT

Mansfield/Springfield Senior	7299	\$400.00
N.B.I.A.A.	7300	\$1,038.75
Town Line Trophy & Design	7301	\$336.96

TOTAL

\$749,298.56

Mr. Sobotka made a motion seconded by Mr. Eaton to pay the bills. All were in favor. Motion carried.

UNFINISHED BUSINESS

Mr. Sobotka asked if they are any updates on the Cedar Lane Extension property clean up.

Mr. Sobotka asked the status of the letter to the County regarding Allied being added to County Solid Waste Plan and Mr. Morris responded that he has a draft letter that will be refined and sent to the County by the deadline.

Mr. Sobotka asked if we will have enough money in the budget with the increasing gasoline prices and Mr. Keller responded yes.

Mr. Sobotka feels the bathrooms in the municipal building need to be updated before we have meetings in person again. He stated the toilet bowls are stained and the water has a smell. Mr. Frank asked if there is a water softener system in the building and Mr. Keller responded there is. Mr. Frank replied that the aroma could be addressed for water softener.

Mr. Frank stated that the Cedar Lane Extension property has still not been cleaned up and asked if we had the new owner's information and Ms. Clayton responded that she believes the tax collector has that information and she will follow up.

Mr. Frank asked about a vehicle auction and Ms. Clayton responded that the police department was waiting on some new vehicles before we auction any and she will follow up as to the status.

Mr. McDaniel asked about tree on the Humvee in the back of building and Mr. Keller responded he does not think they are used often. Mr. Frank stated that if they are not used often we can add them to the auction list.

Mr. Eaton asked about the rails to trails and Mr. Keller responded that he is still waiting for a proposal from the Engineer and indicated he would follow up.

CORRESPONDENCE

None

SOLICITOR REPORT

Mr. Morris indicated that he would have an Ordinance for next month to purchase 1245 Old York Road and that he will need Mr. Keller to reach out to bond counsel to get funding in place and he added neither of these ordinances will obligate the Township to purchase the property if it is not found to be suitable for development of affordable housing. Mr. Keller stated that he would need a price because the Township would need to come up with down payment before a Bond Ordinance could be done and Mr. Morris responded as of now the purchase price is \$525,000 and soft costs will be around \$20,000. Mr. Keller stated that the Township would need to pass the budget before we can adopt the Bond Ordinance and Mr. Morris responded if we introduce in May and adopt in June we should be okay since the budget should be passed by then. Mr. Keller stated that there is only \$50,000 in for capital improvements so if we use \$20,000 for the bonding for this property that would only leave \$30,000 for all other projects and we also may need some bonding to purchase police SUVs instead of leasing any vehicles this year. Mr. Frank will need to see the budget figures but he thinks we are in good shape with roads right now.

Mr. Morris stated that all tax appeals except three have been settled and he will be in tax court tomorrow for those three. He added they are all farmland assessed properties where the property owners did not submit paperwork.

Mr. McDaniel stated that he hasn't heard anything from Special Counsel yet and asked if the Township needs to reach out. Mr. Morris responded that the Township could reach out and that the Special Counsel may be waiting on information from Ms. Furey Bruder and he added that the developer has been quiet so there might not be anything going on.

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

MANAGER'S REPORT

Mr. McDaniel asked about the driveway at the annex that has been created as a cut through for the property next to the annex and Mr. Keller responded that he has not looked at it yet but will do so tomorrow and send out an email.

Mr. Eaton asked about the budget and Mr. Keller responded that we should have it at the next regular meeting with target to introduce by the end of April or beginning of May.

Motion made by Mr. Sobotka and seconded by Mr. McDaniel to approve Manager's report. All were in favor. Motion carried.

PUBLIC COMMENT

Ms. Konopka, 497 Arneys Mt. Birmingham Rd asked about the rails to trails on Juliustown Rd. and what is holding this project up and Mr. Frank responded that the Township is waiting for the Engineer to put together a design and cost estimate and McDaniel added that there is also an issue with property ownership.

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

TOWNSHIP OFFICIALS' BUSINESS

Motion made by Mr. Sobotka seconded by Mr. McDaniel to approve the raffle license for Central Jersey Tractor Pullers Association. All in favor except Mr. Frank who abstained. Motion carried.

Motion made by Mr. Sobotka seconded by Mr. Eaton to approve the two raffle licenses the Springfield Township Home and School Association. All in favor. Motion carried.

Mr. McDaniel spoke to Mr. Noll and he recommends authorizing the contractor to move forward with Petticoat Bridge and Wynwood for drainage and paving but he does not recommend moving forward with Paddock Drive paving at this time until they can study the drainage system on that road. Mr. Keller added that the drainage system on that road is much worse than expected so we may have to put the money allocated to repave the road towards the drainage and hold off on paving that road. Mr. Frank asked about Heritage Rd. and Mr. McDaniel responded that Heritage does not have the same issues as Paddock and Heritage is functioning now and the surface needs work. Mr. McDaniel also stated that the price of oil is going to affect the project as well

Mr. McDaniel made a motion to hold regular meetings in person but still have work sessions as remote meetings beginning in April. Mr. Frank asked if the motion includes recommending the Boards do the same and Mr. McDaniel responded yes his motion should include that recommendation to the Boards. Mr. Sobotka seconded the motion. All were in favor. Motion carried.

Mr. Sobotka made a motion seconded by Mr. McDaniel to approve Resolution No. 2021-03-04 to discuss Municipal Court shared services contract. All were in favor. Motion carried. Mr. Morris stated that he recognizes the name of one member from the public and he is a Major General and he would like to thank him for his service. Mr. Keller advised the public that formal action may be taken after executive session, public were placed back in waiting room and Council entered into executive session at 8:25 PM.

RESOLUTION 2022-03-04

**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: municipal court shared service)

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 8:37 PM and there was no one from the public present.

Mr. Sobotka made a motion seconded by Mr. McDaniel to adjourn the meeting. The meeting was adjourned at 8:38 PM. All were in favor. Motion carried.

Respectfully submitted,

Patricia A. Clayton
Township Clerk