

**TOWNSHIP OF SPRINGFIELD
COUNCIL MEETING AGENDA
7:30 PM
JULY 27, 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. Discussion
 - Electric Vehicle Ordinance
 - Stormwater Management
7. Resolutions
 - No. 2022-07-06 – 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 – Rice Notice provided and Land Negotiations)
8. Adjournment

**TOWNSHIP COUNCIL MEETING
JULY 27, 2022**

The meeting of the Springfield Township Council was called to order by Deputy Mayor Frank with Council Members Mr. Eaton, Mr. Marinello (via telephone), 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.”

Deputy Mayor Frank led the salute to the Flag.

PUBLIC COMMENT ON AGENDA ITEMS

Mr. Frank noted that there was no public present.

Motion made by Mr. Sobotka and seconded by Mr. Eaton to add to the agenda under discussion a report from the sub-committee regarding school safety.

DISCUSSION

Mr. Sobotka stated that it is the recommendation of the sub-committee after discussion with a number of parties at the school to not to take any action at this time. Mr. Marinello asked why and Mr. Sobotka responded that it was outlined in Mr. McDaniel's email to Mr. Vaughn. Mr. Marinello stated that he read that email and he did not feel that it outlined any reason not to move forward and he added that he thought the purpose of the sub-committee purpose was to explore if there was any way the Township could assist the school with respect to security. Mr. Eaton stated that there is a nine member board across the street who's responsible it is to address school security and they did not make any request to Council for assistance. Mr. Sobotka added that there were discussions with numerous members of the school board and staff and add that there is a separation between the School Board and Council. Mr. Marinello stated that he went to Mr. Vaughn to see if there was anything the Township could do to assist and Mr. Vaughn sent an email that seemed to indicate they wanted to explore with the Township how they could help. Mr. Frank responded that Mr. Marinello had no authority to do that on his own without Council discussing it first and this lead to discussion of whether Mr. Marinello was acting as an individual resident or as a council member. Mr. Eaton added that there was no interest from the School Board or Superintendent to seek assistance from the Township Council and Mr. Frank commented that there is not enough money in budget. Council decided that no further action or discussion was necessary.

Electric Vehicle Ordinance- Mr. Morris stated that his office had tweaked the Ordinance as strong as they could because the municipalities can't put language in the Ordinance that would regulate more than the State Law. Mr. McDaniel commented that item 4 makes a requirement for a certain number spaces for a dwelling of 5 or more units but Springfield Township's zoning does not allow these types of dwellings. Mr. Morris responded that while the Township's Zoning Ordinances do not allow these types of dwellings the Zoning Board can give approval and also litigation can override the Township Zoning. Mr. Eaton commented that in the fourth whereas he is not in favor of these charging stations because of affordability and cleanliness issues and he would like the word "encourage" changed to "acknowledge". Council made the decision to add this Ordinance on the next agenda for introduction. Mr. Sobotka asked if there are any safety features in place on these charging facilities. Mr. Frank stated there is no power until the car is communicating with the charging station and a payment is made. Mr. McDaniel stated that housing affordability is an issue in this State and he feels these types of state mandates play into the affordability aspect of housing.

Stormwater Management – Mr. Morris commented that he had sent an email from their Environmental Attorney regarding the change in Tier from the DEP regarding stormwater management and if the Township wants to appeal they need to file by the end of the month. Mr. Frank would like to see the Township move forward on this and Mr. Morris added that Chesterfield is doing the same so it might be a good idea to work with them. Mr. McDaniel asked if this appeal would also address the unfunded mandate and Mr. Morris responded no it would not but he can file with the Council an unfunded mandate claim as well. Mr. Morris added that he could reach out to the New Jersey League of Municipalities to see if more towns are affected and get them involved as well. Mr. Sobotka asked about penalties for non-compliance and Mr. Morris responded he would have to look into the penalties. Mr. Frank confirmed that the Council is in agreement to the filing of an appeal, reaching out to Chesterfield to join efforts and the NJ League of Municipalities to look for other towns that may be adversely affected.

Council discussed the request from Mr. Pantano for a resolution or proclamation for Mr. Vaughn, School Superintendent. Mr. Eaton stated that he was on the School Board when Mr. Vaughn was hired and he is one of longest Superintendents the school has had. He added that Mr. Vaughn has done a wonderful job and he makes an effort to attend community events. Mr. Sobotka made a motion seconded Mr. Eaton to have a proclamation prepared and presented to Mr. Vaughn at the Community Day. All were in favor. Motion carried.

RESOLUTIONS

Mr. Sobotka made a motion seconded by Mr. Eaton to approve Resolution No. 2022-07-06 to discuss personnel matters and land negotiation. All were in favor. Motion carried. There was no public present and Council entered into executive session at 7:56 PM.

**SPRINGFIELD TOWNSHIP
RESOLUTION 2022-07-06**

**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: Rice Notice Provided) ;

_____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 8:55 PM and there was no public present in the lobby.

Mr. Sobotka made a motion seconded by Mr. Eaton to adjourn the meeting. The meeting was adjourned at 8:56 PM. All were in favor. Motion carried.

Respectfully submitted,

Patricia A. Clayton
Township Clerk