

**FAIRFIELD TOWNSHIP COMMITTEE
ACTION MEETING AGENDA
April 16, 2013
7:00 PM**

CALL MEETING TO ORDER

Mayor JoAnne Servais called the meeting to order and read the OPEN PUBLIC MEETINGS ACT statement at 7:00pm.

SALUTE TO THE FLAG

Mayor JoAnne Servais led the Flag Salute.

A moment of silence was held for former Fairfield Township Clerk Emma Sophie Moore, former Fairfield Township Judge David Krell, and the victims of the Boston bombings.

ROLL CALL

All Committee Members present. Doug Burry, Esq. was in for the Solicitor George Saponaro, Esq.

PRESENTATIONS

None

OPEN MEETING TO PUBLIC FOR AGENDA ITEMS

The Mayor Opened the meeting to the public for agenda items only; Voted unanimously

Mark Pierce – 356 Gould Ave

Mr. Pierce stated the area the Committee was looking at for a boat ramp was already determined to be too low by representatives from DEP.

The Mayor Closed the meeting to the public for agenda items only; Voted unanimously

2013 BUDGET HEARING

Resolution 76-2013 A Resolution to read 2013 Municipal Budget by Title Only

Moved To Adopt by Committeeman Don Taylor, Seconded by Deputy Mayor Viola Thomas-Hughes
Committeeman Michael Morton Y Committeeman Michael K. Sharp Y
Committeeman Don Taylor Y Deputy Mayor Viola Thomas-Hughes Y Mayor JoAnne Servais Y

Resolution 77-2013 A Resolution to Open the 2013 Municipal Budget to the Public for discussion.

Moved To Adopt by: Committeeman Don Taylor, Seconded by Deputy Mayor Viola Thomas-Hughes
Committeeman Michael Morton Y Committeeman Michael K. Sharp Y
Committeeman Don Taylor Y Deputy Mayor Viola Thomas-Hughes Y Mayor JoAnne Servais Y

Michael Garcia presented the 2013 Municipal Budget to Committee and the public. He mentioned the Township was under the spending and tax levy caps and the tax rate for the municipal portion is the same as last year. Committeeman Sharp asked what were the State's requests from the review of the budget. Mr. Garcia said there were only about five things that the State requested. He mentioned the items and said they had been fulfilled and the State gave the green light to pass the budget. Committeeman Sharp expressed concerns about the attorney's fees. He read a note from the CFO which cautioned the . The CFO, Lois Buttner explained that she wrote the note as a courtesy to the Committee. Committeeman Sharp also asked if funding for the fire truck was included in the budget. The Auditor said the fire truck was not in the budget but he would explain the funding when the discussion for the fire truck came up later in the meeting.

Cynthia Zirkle – 24 Back Neck Road

Mrs. Zirkle asked about the surplus amounts for the 2012 and the revenue for the Ambulance Services. She also asked if the State handled the Township's budget the same as the School's within being in a certain percentage. She also asked if an emergency occurred did the Committee feel it had sufficient resources. She commended the Committee for keeping the taxes down. She also spoke about a lack of code enforcement.

Motion to close for public comment by Committeeman Don Taylor, Seconded by Deputy Mayor Viola Thomas-Hughes

Committeeman Michael Morton Y Committeeman Michael K. Sharp N
Committeeman Don Taylor Y Deputy Mayor Viola Thomas-Hughes Y Mayor JoAnne Servais Y

Ordinance 1-2013 Calendar Year 2013 Ordinance To Exceed The Municipal Budget Appropriation Limits And To Establish A Cap Bank (N.J.S.A. 40a: 4-45.14)

Motion to Open for Public hearing by Committeeman Don Taylor, Seconded by Committeeman Michael Morton

Committeeman Michael Morton Y Committeeman Michael K. Sharp Y
Committeeman Don Taylor Y Deputy Mayor Viola Thomas-Hughes Y Mayor JoAnne Servais Y

There were no comments made from the public.

The Auditor explained what the Cap ordinance does.

Motion to Close for Public hearing by Deputy Mayor Viola Thomas-Hughes Seconded by Committeeman Don Taylor

Committeeman Michael Morton Y Committeeman Michael K. Sharp Y

Committeeman Don Taylor Y Deputy Mayor Viola Thomas-Hughes Y Mayor JoAnne Servais Y

Moved to Adopt by Committeeman Don Taylor, Seconded by Deputy Mayor Viola Thomas-Hughes

Committeeman Michael Morton Y Committeeman Michael K. Sharp Y

Committeeman Don Taylor Y Deputy Mayor Viola Thomas-Hughes Y Mayor JoAnne Servais Y

Resolution 78-2013 A Resolution to Adopt the 2013 Municipal Budget.

Moved To Adopt by Committeeman Don Taylor, Seconded by Deputy Mayor Viola Thomas-Hughes

Committeeman Michael Morton Y Committeeman Michael K. Sharp N

Committeeman Don Taylor Y Deputy Mayor Viola Thomas-Hughes Y Mayor JoAnne Servais Y

ORDINANCES:

Ordinance #2-2013 Introduction and First Reading by Title Only A Bond Ordinance for the Purchase of Fire Truck

Motion to Introduce by Committeeman Don Taylor, Seconded by Deputy Mayor Viola Thomas-Hughes

Discussion:

Committeeman Taylor stated the Fire Truck would belong to the residents for Fairfield Township not just a specific fire company. He said that it will get used all over the Township not just one section. He also stated the current one is over 26 years old and it is much needed.

Committeeman Sharp stated he researched the state purchasing laws. He said the law says you need three bids and there are several exclusions that may up the price. He said the price may not be accurate.

The Auditor explained how the ordinance would fund the Fire Truck over a 5 year period and the purchasing would be separate from the ordinance.

Committeeman Sharp asked if another fire truck is needed in the next few years that it couldn't be done in because of the other bonds currently in place. The Auditor agreed.

Committeeman Taylor stated that now is the time to purchase.

Committeeman Michael Morton Y Committeeman Michael K. Sharp N

Committeeman Don Taylor Y Deputy Mayor Viola Thomas-Hughes Y Mayor JoAnne Servais Y

RESOLUTIONS:

Resolution 71-2013 A Resolution By The Township Committee Of The Township Of Fairfield Authorizing Shared Services Agreement with Maurice River for Certified Recycling Coordinator As Review And Certification Agent Regarding Annual Tonnage Reports

Moved To Adopt by Committeeman Michael Morton, Seconded by Committeeman Don Taylor

Committeeman Michael Morton Y Committeeman Michael K. Sharp Y

Committeeman Don Taylor Y Deputy Mayor Viola Thomas-Hughes Y Mayor JoAnne Servais Y

Resolution 72-2013 A Resolution By The Township Committee Of The Township Of Fairfield Approving An Off-Premises 50/50 Raffle License For Bridgeton Area Chamber Of Commerce Foundation To Take Place At The Fairfield Inn May 21, 2013

Moved To Adopt by Committeeman Michael Morton, Seconded by Committeeman Don Taylor

Committeeman Michael Morton Y Committeeman Michael K. Sharp Y

Committeeman Don Taylor Y Deputy Mayor Viola Thomas-Hughes Y Mayor JoAnne Servais Y

Resolution 73-2013 A Resolution By The Township Committee Of The Township Of Fairfield Approving A Tonnage Grant Application

Moved To Adopt by Committeeman Don Taylor, Seconded by Committeeman Michael Morton

Committeeman Michael Morton Y Committeeman Michael K. Sharp Y

Committeeman Don Taylor Y Deputy Mayor Viola Thomas-Hughes Y Mayor JoAnne Servais Y

Resolution 74-2013 A Resolution By The Township Committee Of The Township Of Fairfield Appointing John Melchiorre to the Planning/Zoning Board as Alternate #2

Moved To Adopt by Committeeman Michael Morton, Seconded by Committeeman Michael K. Sharp

Discussion:

There was a discussion by the Committee about names originally submitted to be on the Planning Board. It was stated that the Planning Board sent a letter to the Committee recommending Mr. Melchiorre be appointed.

Committeeman Michael Morton Y Committeeman Michael K. Sharp Y

Committeeman Don Taylor N Deputy Mayor Viola Thomas-Hughes N Mayor JoAnne Servais Y

Resolution 75-2013 A Resolution By The Township Committee Of The Township Of Fairfield Request To The NJ Division Of Fish And Game For The Installation Of Boat Ramp

Moved To Adopt by Committeeman Don Taylor, Seconded by Deputy Mayor Viola Thomas-Hughes

Discussion:

Committeeman Sharp asked if DEP said before that a boat ramp could not be put in that area. Mayor Servais said that the Committee has not seen anything in writing. Committeeman Taylor said DEP previously looked at that site and said a ramp could be placed there.

Committeeman Michael Morton Y Committeeman Michael K. Sharp N

Committeeman Don Taylor Y Deputy Mayor Viola Thomas-Hughes Y Mayor JoAnne Servais Y

REPORTS

SOLICITOR'S REPORT – Doug Burry, Esq.

The Solicitor submitted a written report to the Committee.

ENGINEER'S REPORT - Fralinger Engineering

The Mayor discussed a proposal submitted to from the Engineer for handicapped ramp for the Senior Center. The Mayor stated that she thought it was high fee for plans. She said she had asked for the Construction Office to look at the original plans when it was built. She said she didn't know how the rest of the Committee felt but she felt in was high for plans. Committeeman Taylor said the Committee did not give the authorized for the proposal to be done. Deputy Mayor Thomas-Hughes stated that the file for the Construction office had not been seen. Committeeman Sharp said it was previously stated to find out if the ramp was in compliance and the Engineer had to be used. The Mayor said the Construction Official should have been asked first to look at the ramp. She also said the original contractor should have to fix it. Deputy Mayor Thomas-Hughes read the proposal and stated in says nothing about whether the ramp is in compliance or not.

Committeeman Morton made a motion to deny the proposal for the handicap ramp at this time. It was seconded by the Committeeman Taylor.

Committeeman Michael Morton Y Committeeman Michael K. Sharp Y

Committeeman Don Taylor Y Deputy Mayor Viola Thomas-Hughes Y Mayor JoAnne Servais Y

ADMINISTRATOR'S REPORT – Leo Selb

The Administrator submitted a written report to the Committee for review.

NEW BUSINESS

The Mayor added the School asked to use the Township's postage machine to get a mass mailing done for the demolition ceremony. She mentioned they would reimburse the Township for whatever they used. Deputy Mayor Viola Thomas-Hughes made a motion to allow the school use of the Township's postage machine. Committeeman Don Taylor seconded the motion.

Committeeman Michael Morton Y Committeeman Michael K. Sharp Y

Committeeman Don Taylor Y Deputy Mayor Viola Thomas-Hughes Y Mayor JoAnne Servais Y

The Mayor also spoke about the Fralinger Proposal for Ground Water Monitoring Wells at Landfill. She said the state is asking for a report and it is needed. Committeeman Morton asked is there a way to get a second opinion. Committeeman Taylor said he remembered in prior years there was always testing at the landfill and maybe that should be checked on. The Mayor asked maybe it should be tabled until more information is given. Deputy Mayor Viola Thomas-Hughes made a motion to table the issue.

Committeeman Don Taylor seconded the motion. The vote was Unanimous.

The Administrator talked about the yearly Cintas Rental Agreement for the uniforms for the public works department. He also mentioned a part of the union contract was to provide uniforms. Deputy Mayor Viola Thomas-Hughes made a motion to approve the agreement. Committeeman Don Taylor seconded the motion. The vote was Unanimous.

REVIEW OF BILL LIST

The Committee reviewed the Bill list. Deputy Mayor Thomas-Hughes asked about the Clean Communities money. The Administrator said he's waiting to find out how much the Township would be receiving. Committeeman Sharp stated that the Solicitor fees are extremely high. He also said there is a check on the bill list that doesn't have a business. The Mayor also said that she would like to pull bill #13980153 because the individual had withdrawn the bill.

APPROVAL OF BILL LIST

Motion to approve the Payment of Bills as Reflected on the Bill List as Certified as to the Availability of Funds by the Chief Financial Officer *with the exception of PO #13980153.

Moved by Committeeman Don Taylor, Seconded by Deputy Mayor Viola Thomas-Hughes

Committeeman Michael Morton Y Committeeman Michael K. Sharp Y

Committeeman Don Taylor Y Deputy Mayor Viola Thomas-Hughes Y Mayor JoAnne Servais Y

OLD BUSINESS

The Solicitor mentioned he would have Amendments to Business License Ordinance ready by the next meeting. The Mayor asked for the letters to be sent out to owners on each side of the properties on the list for the Property Sale. The Committee decided to table whether or not to give any monies to the Municipal Alliance Program Funding. Deputy Mayor Thomas-Hughes said she was still waiting on suggestions from the Committee for the Senior Center Rental Agreement. Committeeman Morton asked could the Township monitor or limit which organizations that could use the Center. The Mayor stated that could be considered discrimination. The Mayor talked about the Baseball Field Repairs. She said the Administrator told her if the material was donated new quotes would be given. She said opening day was the upcoming weekend and the job needed to be done quickly. She asked Mr. Dennis Pierce to come forward to speak about the donation of materials which he had mentioned before.

Dennis Pierce - 203 Clarks Pond Road

Mr. Pierce talked about the process in which he went to Smith & Richards and H.H. Hankins and inquired about a donation for the baseball field. He also said some of the people who were going to volunteer backed out because they feared they would be reprimanded. Deputy Mayor talked about the volunteer policy and having background checks and asked if Mr. Pierce was given volunteer applications could he have those volunteers fill them out. Deputy Mayor Thomas-Hughes also mentioned there was a problem with volunteer application and background checks and she doesn't want another problem. Mr. Pierce said he had filed an application out two years ago but he would get applications to those who wanted to volunteer. Committeeman Morton suggested we get the applications to the volunteers and stamp them pending that way the work could be started quickly without having to wait on a background check. Mr. Pierce mentioned last year the people who worked on the ball fields last year were not volunteers. Committeeman Morton said it should be made easier to get volunteers in the Township and maybe a volunteer coordinator was needed. Deputy Thomas-Hughes asked if the Committee would be willing to take a vote to have the volunteers fill the applications out and having the background checks pending.

Committeeman Morton made a motion to have the volunteers fill the applications out and have the background checks pending so the work could be done. Deputy Mayor Thomas-Hughes seconded the motion.

Committeeman Michael Morton Y Committeeman Michael K. Sharp N
Committeeman Don Taylor Y Deputy Mayor Viola Thomas-Hughes Y Mayor JoAnne Servais Y

The Mayor also said the volunteerism policy needed some changes. The Committee reviewed again the Shared Services Proposal for City of Bridgeton Fire Official. The Mayor asked who drafted the original agreement.

Deputy Mayor Thomas-Hughes made a motion to submit the Shared Services Proposal for City of Bridgeton Fire Official to the City of Bridgeton with the changes that were discussed at the previous meeting. Committeeman Morton seconded the motion.

Committeeman Michael Morton Y Committeeman Michael K. Sharp Y
Committeeman Don Taylor Y Deputy Mayor Viola Thomas-Hughes Y Mayor JoAnne Servais Y

REVIEW OF MINUTES

The Committee reviewed the minutes submitted.

APPROVAL OF MINUTES

Motion to approve the Minutes for Work Session, Regular Action, and Executive Session Meetings for March 12, 2013 and March 19, 2013.

Moved by Committeeman Michael Morton, Seconded by Deputy Mayor Viola Thomas-Hughes

Committeeman Michael Morton Y Committeeman Michael K. Sharp Y
Committeeman Don Taylor Y Deputy Mayor Viola Thomas-Hughes Y Mayor JoAnne Servais Y

OTHER BUSINESS

None

MEETING OPEN TO THE PUBLIC

Moved to Open to the Public by Committeeman Michael Morton, Seconded by Deputy Mayor Viola Thomas-Hughes; Voted Unanimously

Wayne Carter – 308 Gould Ave

Mr. Carter thanked the Committee for introducing the Fire Truck Ordinance. He said there were only 4 companies that could be purchased from under state contract. He also asked if the Committee would send a letter to the Department of Purchasing to see if the same bids could be used since there are questions.

Ed Kimley - 84 Seabreeze Rd

Mr. Kimley asked the Committee to look into blocking off the portion of Seabreeze road that leads to the State owned properties. He said it's allowing theft to occur in that area.

Herb Pierce – 344 Clarks Pond Road

Mr. Pierce asked if the Township had a Recreation Committee. He also asked about if FEMA did a report on the Municipal Building Roof and who wrote the specs for the Municipal Building Roof. He also asked about the bill that was pulled.

Mark Pierce - 356 Gould Ave

Mr. Pierce mentioned the Demo Ceremony for the old Township School would be April 27, 2013.

Russell Pierce - 376 Fairton - Gouldtown Rd

Mr. Pierce talked about problem on Clarks Pond Road. He also asked if the Committee had heard of the condition of the bridge on Main Street.

Dennis Pierce - 203 Clarks Pond Rd

Mr. Pierce asked about if the Solicitor has looked into the NJ statue of repose of warranty. He also said he believed there was a waiver given to the original contractor. He also asked the Committee to look into making a profit from government funds before they rent the Senior Center.

Richard Servais - 37 Fairton-Gouldtown Rd

Mr. Servais said it wouldn't be a profit when you rent it out because the money would go back to the Senior Center.

Russell Pierce - 376 Fairton-Gouldtown Rd

Mr. Pierce asked why couldn't the one side of the ramp be taken off and made wider.

Moved to Close Public portion by Committeeman Don Taylor, Seconded by Committeeman Michael Morton

REMARKS BY COMMITTEE MEMBERS

Committeeman Sharp asked the Solicitor if he was familiar with Local Finance Notice 2010 - 6 . Mr. Sharp then read an excerpt from the local finance notice saying the law requires that a member of a volunteer fire company, ambulance, first aid, hazardous material, or rescue squad who serves as a governing body member should be recused from any vote concerning the emergency service provider of which the person is a member. Committeeman Sharp stated that the law had been broken because Committeeman Morton is a member of the Gouldtown Fire Company #2 and should have recused himself. Committeeman Morton said he had no problem recusing himself or resigning from the fire company if he needed to. Committeeman Taylor said Committeeman Morton would be voting on equipment for the Township not for the fire company. The Solicitor said he would research the issue and it would have been better to have the information before the vote was taken. Committeeman Sharp also said the \$10,000 check to the Solicitor was voted on and he didn't think it was. He asked the Solicitor to research that as well. Committeeman Taylor said Committeeman Sharp was not concerned about money when in the previous years he voted to give two employees a \$30,000 raise. He also said when Committeeman Sharp was Mayor they never had meetings on the budget in which the public could attend. He also asked Committeeman Sharp what he had against the Gouldtown Fire Company and why he didn't want them to get a truck. Committeeman Morton said a lot of bills have decreased since January. He said he was glad to hear of some alternatives to using the Solicitor. Deputy Mayor Thomas-Hughes spoke about a letter from concerned residents about basketball courts. She urged the residents if there was an emergency to pick up the phone and call 911.

REMARKS BY MAYOR

Mayor Servais talked about monies the Code Enforcement Officer has brought in. She also talked about monies brought in by the Construction office. She then thanked the public for coming out.

EXECUTIVE SESSION

Resolution 79-2013 A Resolution to Move adjourn into Executive Session from which the public be excluded to discuss issues involving matters as permitted by the Open Public Meetings Act, Chapter 231 relating to: Litigation, Personnel, CBA Negotiations - Union Contract, Employee Healthcare, Resident Complaints,

Minutes will be kept and once the matter(s) no longer require confidentially, the minutes will be made public and upon completion, the Committee will return to the Public Session and action may be taken.

Moved To Adopt by Deputy Mayor Viola Thomas-Hughes, Seconded by Committeeman Michael Morton; Voted unanimously

Out of Executive Session 10:29 pm.

Moved to close Executive Session and Return to Public Session by Deputy Mayor Viola Thomas-Hughes, Seconded by Committeeman Don Taylor; Voted unanimously

Committeeman Morton motioned to approve the employee healthcare to change to Amerihealth, Deputy Mayor Viola Thomas-Hughes seconded the motion.

Committeeman Michael Morton Y Committeeman Michael K. Sharp Y

Committeeman Don Taylor Y Deputy Mayor Viola Thomas-Hughes Y Mayor JoAnne Servais Y

Committeeman Morton motioned to approve the settlement agreement with Willie & Betty Brooks, Deputy Mayor Viola Thomas-Hughes seconded the motion.

Committeeman Michael Morton Y Committeeman Michael K. Sharp A

Committeeman Don Taylor Y Deputy Mayor Viola Thomas-Hughes Y Mayor JoAnne Servais Y

Committeeman Morton motioned to approve the settlement agreement with Edward Kimley, Deputy Mayor Viola Thomas-Hughes seconded the motion.

Committeeman Michael Morton Y Committeeman Michael K. Sharp Y

Committeeman Don Taylor Y Deputy Mayor Viola Thomas-Hughes Y Mayor JoAnne Servais Y

ADJOURNMENT

Moved to Adjourn by Deputy Mayor Viola Thomas-Hughes, Seconded by Committeeman Michael Morton; Voted unanimously

ADJOURNED 10:31pm.

Approved by the Township Committee at a Public Meeting held on June 18, 2013.
Vote: MM Y, MS Y, DT Y, VTH Y JS (E); 4-0-0

Carla Smith
Carla Smith, Acting Municipal Clerk