

FAIRFIELD TOWNSHIP COMMITTEE  
REGULAR ACTION MEETING  
AUGUST 17, 2016  
7:00 P.M.

CALL TO ORDER

Mayor Byrd called the meeting to order at 7:00 pm

OPEN PUBLIC MEETINGS ACT STATEMENT

Mayor Byrd read the OPMA Statement into the record as follows:

This meeting of the Fairfield Township Committee shall come to order. The New Jersey Open Public Meeting Law was enacted to insure the right of the public to have advanced notice of and to attend the meeting of the public bodies at which any business affecting their interests are discussed or acted upon. This meeting held on this 17<sup>th</sup> day of August 2016 at the Fairfield Municipal Building in Fairton New Jersey is held pursuant to notice of date, time and place of same having been submitted to The South Jersey Times, The Daily Journal, and The Press of Atlantic City and also duly posted on the bulletin board in the lobby of the Township Hall.

SALUTE TO THE FLAG / MOMENT OF PRAYER

Mayor Byrd led the flag salute followed by a moment of prayer given by Committeeman Gonzalez and also a moment of silence was taken in memory of William "Billy" Ridgway.

ROLL CALL

The following roll call was recorded as follows:

Committeeman Clark, present; Committeeman Gonzalez; Deputy Mayor Pierce and Mayor Byrd.

ABSENT

Committeeman Manson

ALSO PRESENT

Township Administrator Surrency, Administrative Assistant Wymbs, Township Solicitor Carr and Township Clerk Gonzales.

Mayor Byrd read the following business into the record:

APPROVAL OF MINUTES

WORK SESSION ACTION MEETING AUGUST 3, 2016

Mayor Byrd asked the Township Committee if they had any questions on the Work Session Minutes of August 3, 2016. There were none. Mayor Byrd entertained a motion to approve the minutes.

Deputy Mayor Pierce moved to approve the minutes as written seconded by Committeeman Gonzalez. Roll Call Vote: Clark, yes; Gonzalez, yes; Pierce, yes and Mayor Byrd, yes.

REVIEW OF BILL LIST PROVIDED BY CFO

Mayor Byrd asked the Township Committee if they had any questions on the bill list provided by the Chief Financial Officer. Committeeman Clark revealed into the record a potential conflict on the bill payable for South State, Inc., as well as Mayor Byrd. At this time, Township Solicitor advised that he has written to the State on the conflict of interest and given the state of affairs that revealed the conflict and noted into the record accordingly.

At this time, Mayor Byrd entertained a motion to open the meeting to the public for Agenda Items Only.

Deputy Mayor Pierce moved to open the meeting for Agenda Items Only seconded by Committeeman Gonzalez. Roll Call Vote: Clark, yes; Gonzalez, yes; Pierce, yes and Mayor Byrd, yes.

Mayor Byrd read into the record as follows:

PUBLIC COMMENT ON CURRENT AGENDA ITEMS ONLY

In order for the Committee to conduct the business of the Township in the most productive manner possible, meeting attendees will be given five (5) minutes, all inclusive to comment on any agenda item(s) without comment or question from the Committee, but only on items specified on the agenda listed for the current meeting. Please step up to the microphone at the appropriate time, and state your name and address for the record.

Ed Kimley Seabreeze Road appeared and inquired if there was a conflict with Mayor Byrd voting on the \$25,000.00 payable to the Hulitt vs Fairfield Township. He indicated that the Township was sued for something that the Mayor had done. Mayor Byrd advised Mr. Kimley that his statement was not correct. At this time, Township Solicitor indicated into the record that there is no conflict in the Mayor's vote.

There being no further comments, Mayor Byrd entertained a motion to close the meeting to the public on Agenda Items Only.

Deputy Mayor Pierce moved to close seconded by Committeeman Gonzalez.

ORDINANCE FOR INTRODUCTION (FIRST READING)

ORDINANCE NO. 11 - 2016

AN ORDINANCE AMENDING ORDINANCE NO. 2 - 2016 AN ORDINANCE OF THE TOWNSHIP OF FAIRFIELD, COUNTY OF CUMBERLAND, STATE OF NEW JERSEY FIXING THE SALARIES AND / OR WAGES OF CERTAIN OFFICERS AND EMPLOYEES

Deputy Mayor Pierce moved to introduce Ordinance No. 11 - 2016 on first reading seconded by Committeeman Gonzalez. Roll Call Vote: Clark, yes; Gonzalez, yes; Pierce, yes and Mayor Byrd, yes.

ORDINANCE NO. 12 - 2016

AN ORDINANCE OF THE TOWNSHIP OF FAIRFIELD, COUNTY OF CUMBERLAND, STATE OF NEW JERSEY AMENDING CHAPTER IX, "BUILDING AND HOUSING", SECTION 9-1.9, SCHEDULE OF FEES, SUBSECTION 13-10.6 OF THE CODE OF THE TOWNSHIP OF FAIRFIELD SETTING FEES FOR CONSTRUCTION PERMITS

Committeeman Gonzalez moved to introduce Ordinance No.12 - 2016 on first reading seconded by Committeeman Clark. Roll Call Vote: Clark, yes; Gonzalez, yes; Pierce, yes and Mayor Byrd, yes.

ORDINANCE FOR PUBLIC HEARING (SECOND READING)

There were none.

RESOLUTIONS

RESOLUTION NO. 148 - 2016

A RESOLUTION OF FAIRFIELD TOWNSHIP, COUNTY OF CUMBERLAND AUTHORIZING THE PAYMENT OF TOWNSHIP BILLS IN THE AMOUNT OF \$201,901.32

Deputy Mayor Pierce moved to adopt Resolution No. 148 - 2016 seconded by Committeeman Gonzalez. Roll Call Vote: Clark, yes; Gonzalez, yes; Pierce, yes and Mayor Byrd, yes.

OLD BUSINESS

PERSONNEL MANUAL

Said item will be reviewed as modifications were made and revisited at the next scheduled meeting. Committeeman Gonzalez thanked Township Administrator Surrency and Administrative Assistant Wymbs for their working diligence on the personnel manual.

NEW BUSINESS

Mayor Byrd announced on the Fairfield Township's Loitering Ordinance and requested the Township Committee to review the said ordinance for discussion to be held at the next scheduled meeting.

EVENT APPLICATION

Applicant: Latecia Matias c/o La Mexicana Restaurant and Catering, 322 Bridgeton-Fairton Road

Purpose: Family & Friends Gathering / Celebration of Marriage

When: Saturday, September 3, 2016

Time: 6:00 pm to 11:00 pm

Mayor Byrd asked the Township Committee if they had any questions or concerns regarding the event application.

Committeeman Clark asked if the Township had any complaints on record. It was understood that only one written complaint was received and another was raised at a previous meeting as a result of the Horse and Rodeo Show held previously at the location and that it was indicated that those complaining about the previous event were afraid of retaliation.

Mayor Byrd advised that he had drove by the previous event and the music was loud and they had exceeded the time reflected on the application. He advised that it was his understanding that the State Police was called to the location.

Committeeman Clark indicated that if the Township is going to decline the application that the Township needs those written complaints for support purposes.

Committeeman Gonzalez had no comment.

Deputy Mayor Pierce had no comment.

Mayor Byrd entertained a motion to support or decline the application.

Deputy Mayor Pierce moved to approve the application seconded by Mayor Byrd. Roll Call Vote: Clark, yes; Gonzalez, no; Pierce, yes and Mayor Byrd, yes.

Mayor Byrd indicated into the record that he wants to make sure that a letter be sent to the applicant and advised them that when the Township issues the permit, that the applicant be in compliance with the Township ordinance and adhere to them accordingly.

The Township Administrator was advised to send the letter on behalf of the Township Committee.

At this time, Mayor Byrd entertained a motion to open the meeting to the public.

Committeeman Clark moved to open the meeting to the public seconded by Deputy Mayor Pierce. Roll Call Vote: Clark, yes; Gonzalez, yes; Pierce, yes and Mayor Byrd, yes.

#### PUBLIC COMMENT

Mayor Byrd read into the public as follows:

The Committee welcomes participation of interested organizations and individuals during work session/action regular/action and special meetings. However, in order to conduct the business of the Township in the most productive manner possible, attendees will be given five (5) minutes, all inclusive, including all dialogue, questions, and responses from both the speaker and the Committee for the designated public portion of the meeting. There may be no transference of a speaker's time to other attendees. Please step up to the microphone at the appropriate time, and state your name and address for the record.

William Jones, 19 Long View Drive appeared and indicated that he has resided at this address for 36 years. The area is mostly compromised of senior citizens and they want nothing but to live a peaceful quiet life. He reported gang fights, cars pulling up and starting fights followed by gunshots.

Mayor Byrd advised that police surveillance needs enforcing and that the State Police be provided a copy of the ordinance.

Township Administrator Surrency indicated that a few months ago, he and Mr. William Ridgway had gone out to Long View and King Drive and advised that even locking up the gates to deter the cars from pulling into the community park is not going to deter the problem, but rather create more problems as these vehicles will be parking in front of the residents homes.

The Public Works Supervisor has volunteered his time to go and lock up the gates at closing time. Committeeman Gonzalez advised that he would volunteer when Mr. Dunn, Public Works Supervisor would not be able to.

Safety of our employees / volunteers were discussed and we must use discretion if confronted to call the State Police.

Tammy Viola, 734 East 11<sup>th</sup> Street appeared and gave an update on the baseball league going out in a great season. Ms. Viola gave the Township Committee thanks for all their assistance in helping them with funds to assist them in paying their bills.

Ms. Viola stated that it has been a great four (4) years on the Recreation Committee and the coordinator and could not have made it without the Township Committee's support. A wish list is being worked on and the main thing at the moment is the dug out and painting for opening date. Ms. Viola advised that the concession stand is up and running.

Committeeman Gonzalez advised that he had spoken with the prison warden on obtaining prisoners to assist us such as in carpenters and masons to assist us with the field and making our ballfields safe for our children.

Russell Pierce, Fairton-Gouldtown Road appeared and advised that the decimal machine would have to be measured for sound at the complainant's address and not from where the event is held. He advised that there are other important complaints such as the road condition on Clarks Pond Road.

Bonnie Costin, Shoemaker Lane appeared to report again the problem with water run off washing the front, back and sides of her home. Ms. Costin indicated that this has been going on for 13 years. Ms. Costin was advised that the County officials were notified about the issue and she was recommended to attend one of the County's meeting to address the complaint. At the present time, it was indicated that South Jersey Gas Company is installing gas lines in the areas and the road will not be restored until all gas lines are installed. The Township Administrator was instructed to go out to Ms. Costin's home and look at the cracks in the walls as indicated by Ms. Costin and to report his findings to the Township Solicitor and the Township Committee.

Philip Costin, Shoemaker Lane appeared to report prison workers are dumping trash and also speeding.

Virginia LeMatty, 1 LeMatty Way appeared to report that the No Dumping sign on Lummis Mill Road is still not posted.

Ms. LeMatty also reported tree limbs are obstructing the view on Lummis Mill Road.

Dennis Pierce appeared to report illegal activity taken place at the boat ramp on Clarks Pond Road. He recommended that a chain gate be installed to keep the public out. He also reported ATV's are riding on Clarks Pond Road.

Mr. Pierce advised that a couple of months ago it was asked how can we help you and asked if the Township Committee had received a response. He stated that we lost William "Billy" Ridgway, a big loss and that we have only two (2) employees in the Public Works Department.

He suggested that we start a volunteer system and get the community cleaned up as opposed to bitching about it but and have no solution. At this time, Mayor Byrd asked Mr. Pierce to please watch his language.

Patricia Stark, 172 Piercetown Road, appeared to report that she lives at the dead end of the road and there is illegal dumping, dogs running at large, small children playing in the street. She also reported cars parked on both sides of the street chatting and visiting and making it difficult to get through and the owners of the vehicles will not move to let you get by. Ms. Stark was advised that the State Police would be contacted and have the Public Works Department to go out and clean up the trash dumped trash.

Treemanisha Stewart, Fairfield Township's Emergency Management Coordinator appeared and requested to use the meeting room on Tuesday, September 6, 2016 from 5:00 p.m. to 7:00 p.m. as an invitation to the public to meet her and to address any concerns that the public may have. The Township Committee had no objections.

Ed Kimley, Seabreeze Road, appeared and advised that La Mexicana Restaurant and Catering who is holding an event on Saturday, September 3, 2016 is zoned as a recreational zone and questioned why would they have to submit an event application. Mr. Kimley was advised that we have an ordinance in place for the issuance of an event permit. Mr. Kimley indicated that Mr. Nate Dunn, Public Works Supervisor has a meter for noise and that we needed to verify if Mr. Dunn was certified for the device.

Mr. Kimley stated that the way to find out if the noise ordinance is being violated, the meter has to be check from the vicinity of the person complaining and not at La Mexicana Restaurant and Catering.

Cindi Zirkle, 24 Back Neck Road, appeared to report that Ernest Zirkle could not attend tonight's meeting as he is attending an Emergency Management seminar. Ms. Zirkle thanked the Township Committee for having the rabies information included in the tax bills.

Ms. Zirkle talked about the Verizon BPU Petition and recommended that the Township keep the pressure on Verizon. She indicated that they were without a phone for approximately ten (10) days.

Ms. Zirkle reported that she has a decimeter and that the noise did exceed the legal limit and would appreciate the Township in looking into the mater.

Ms. Zirkle also reported on an invitation by the Cohansey Area Watershed Association to a special evening at Historic Eagle Manor, 806 Back Neck Road, Fairton on Wednesday, September 28, 2016 from 5:00 pm to 8:00 pm. She advised this event is exclusively for CAWA members, county and municipal officials.

Mayor Byrd stated that as far as the Verizon BPU Petition matter once school starts, we will get information to the school for the school to pass on to the parents for their input to correct the problem. He advised that Verizon representatives have reached out to him about any problems and the only way we can inform Verizon is to obtain information from the public and the school system.

There being no further comments, Mayor Byrd entertained a motion to close the meeting to the public.

Deputy Mayor Pierce moved and seconded by Committeeman Clark. Roll Call Vote: Clark, yes; Gonzalez, yes; Pierce, yes and Mayor Byrd, yes.

#### EXECUTIVE SESSION

There was no need for an Executive Session.

#### COMMITTEE REPORTS / REMARKS

Committeeman Clark stated to continue to voice your opinion at the meeting and he thanked the public for coming out tonight.

Committee Gonzalez gave thanks to everyone for attending the meeting and to be safe.

Deputy Mayor Pierce gave thanks to everyone for attending the meeting and bringing their concerns to them.

#### MAYOR'S REPORT / REMARKS

Mayor Byrd announced that we have received our Clean Communities dumpsters to be utilized for cleaning up abandoned houses and placing a lien on them. He advised that we would like to start on Longview Drive off of Route 49 on the right hand side. Mayor Byrd advised that he had spoken with Mr. Nate Dunn, Public Works Supervisor about it, however we still need labor.

Mayor Byrd gave thanks to the public for the participation tonight and he asked the public to please bear with us as we are doing the best we can and do with our staff.

Mayor Byrd stated that he had one more thing to say and that is before you starting pointing your finger to get your facts straight.

There being no further business, Mayor Byrd entertained a motion to adjourn the meeting.

Deputy Mayor Pierce moved and seconded by Mayor Byrd. All members voted in the affirmative and the meeting adjourned at 8:21 p.m.

Respectfully submitted,

/s/ Linda M. Gonzales, RMC

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Linda M. Gonzales, Township Clerk