

**FAIRFIELD TOWNSHIP COMMITTEE
MEETING MINUTES
FEBRUARY 17, 2016
7:00 P.M.**

CALL MEETING TO ORDER

The meeting was called to order by the Mayor. Open Public Meeting Act statement read. Mayor leads the salute to the flag and a moment of prayer is held.

ROLL CALL

All Committee persons were present including Mayor Byrd, Deputy Mayor Pierce, Bernard Manson, Committeeman Tommy Clark, Jr. and Committeeman Troy Pitts, Sr. It should be noted that Registered Municipal Clerk Gonzales had an emergency at the last minute and therefore these minutes are being prepared by Solicitor Carr who attended the meeting and assisted by carrying out the Clerk's roles.

OPEN MEETING TO PUBLIC FOR AGENDA ITEMS

The Public Hearing was open on motion by Mayor Byrd, seconded by Committeeman Pitts. No public comment was made. On motion by Committeeman Pitts, seconded by Deputy Mayor Pierce, the public comment period was closed.

Approval of Minutes – On motion by Committeeman Pitts, seconded by Committeeman Manson, the Minutes are approved for the work session meeting of February 3, 2016 and the closed session meeting of February 3, 2016 with a unanimous vote.

Bill List – Resolution 62-2016 – The Bill List in the amount of \$531,122.24 is reviewed and approved unanimously on motion by Committeeman Pitts, seconded by Committeeman Manson.

Ordinance 3-2016 – Updating Personnel Manual – Ordinance 3-2016 was tabled on motion by Mayor Byrd, seconded by Committeeman Pitts, approved unanimously.

Ordinance 4-2016 – Bond Ordinance for Ambulance – Ordinance 4-2016 on motion by Mayor Byrd, seconded by Committeeman Pitts, the public hearing was open. There being no comment, on motion by Committee Pitts, seconded by Deputy Mayor Pierce, the public hearing was closed. On motion by Committeeman Pitts, seconded by Deputy Mayor Pierce, the Ordinance was passed unanimously.

Ordinance 5-2016 – Landfill Cap (\$160,000.00) – Ordinance 5-2016 on motion by Committeeman Pitts, seconded by Committee Clark, the public hearing was open. Nancy Ridgeway expressed interest in the landfill and an escrow amount and wants to confirm that the bond money will only be used for purposes of capping the landfill. The Mayor indicates the old estimate was \$600,000.00 to cap the landfill however in his sense, this money would at least be a start.

Geneva Griffin inquires about the distinction between the \$160,000.00 amount and the \$152,000.00 amount appearing in the title which discrepancy is explained by the Mayor. Ms. Griffin continues to express concern as to what the Township trash situation will look like and whether or not the Township will be forced to enter into a Contract for waste removal or whether the Convenience Center will continue to be usable such that a Waste Management Contract will not be necessary. Mayor Byrd indicates he is not aware of a Waste Management Contract possibility but further indicates that all indications are the Convenience Center section of the old landfill will continue to be usable with minor modifications including the addition of 2 inches of crushed material.

On motion by Committeeman Pitts, seconded by Committeeman Clark, the public hearing is closed on motion by Committeeman Pitts, seconded by Mayor Byrd, the Ordinance 5-2016 is passed unanimously.

Public Comment

On motion by Committeeman Pitts, seconded by Committeeman Clark, the open public comment is begun at 7:10 p.m.

Geneva Griffin expresses concern that the agenda item which appeared last meeting including Hanna's Flea Market does not now appear. A discussion is held and it is indicated that the item should have appeared on the agenda and that all Committeepersons were satisfied as to the licensing standard and Deputy Pierce having received the information which he sought.

Viola Thomas-Hughes addresses the Committee related to Thomas Drive which appears on the agenda at this meeting and inquires as to how the agenda item relates to the vote that was taken last meeting. She expresses concern that the role of the Committee is to safeguard the safety of the public and expresses concern that turning the \$90,000.00 Grant back to the State is not in the best interest of the public. She indicates that the potholes on the road are not safe and that it was difficult to get the Grant. She indicates she believes the affected residents would chip in to assist if the road was started and the Township was short on funds for engineering fees, etc. Ms. Viola Thomas-Hughes also indicates that there are two disabled people on the road and that there was a heart attack victim on the street who may have been in better shape if the ambulance transit was made safer. She further indicates that her mother lives on the road and is over 90 years old and is suffering a hardship by virtue of the condition of the road.

Tiffany Thomas indicates that she helps take care of her grandmother on the road and that the road has significant potholes. She indicates in her opinion, the road is not a private road insofar as the Township has plowed it, Piercetown, Gould Avenue and has paved some of those roads but not Thomas Lane. She asked the Committee to be mindful of the older residents on the road and the fact that they need help. She indicates that the residents could essentially be trapped if the Township Committee does not cause the road to be paved. She further indicates that her own car has been stuck on the road.

There being no further public comment on motion by Committeeman Pitts, seconded by Committeeman Manson, the public session on agenda items only is closed at 7:20 p.m.

Resolutions

Resolution 63-2016 is passed unanimously on motion by Committeeman Pitts, seconded by Committeeman Manson.

Resolution 64-2016 is passed unanimously on motion by Committeeman Pitts, seconded by Committeeman Manson.

New Business

There is discussion as to estimates for tires and motor work on the two Durango OEM vehicles. The Committee indicates they are in favor with the lowest quote of \$472.00 to Advanced Tread for tires on one Durango. On the other Durango, there is discussion as to the need for a head versus replacement motor based upon what appears to have been an overheating problem. Estimates range from approximately \$1,950.00 to \$7,700.00. The Committee agrees to review the proposals and address this at a future Township Committee meeting.

Fairfield Township Convenience Center – There was a discussion as to the goal to complete the Convenience Center capping.

Old Business

Mayor Byrd indicates as to Thomas Drive he has continued concern that the DOT Grant doesn't cover engineering expenses or the road build out. Mayor Byrd indicates that in 2014 while on the Committee, he asked for information as to the ownership of the road and that request has never been addressed. The Mayor continues to indicate that Bohler Engineering estimated the cost to reconstruct to New Jersey standards would allow only 570 ft. plus or minus of road to be built pursuant to State standards and that the Grant Application as made ignored the State standards as to the base required to build a road. Mayor Byrd indicates that with two inches of asphalt as designed, last year's engineer worried that the road would not last if built and insofar as it connects to County roads and could be compromised if a loaded dump truck traversed it, he further expressed concern that it would become a Township problem to repair and maintain the road. The Committee is polled for input by the Mayor as to any wish to change the action taken at a prior meeting as to a determination to turn the State Grant funds back to the State. Committeeman Clark indicated he felt he had a conflict based upon his working with Tiffany Thomas as a co-worker. Committeeman Pitts indicated that no new information was developed which would change his opinion. Deputy Mayor Pierce had no comment, Committeeman Manson indicated he was worried that the road is not a Township road and therefore the taxpayers should not pay extra money to provide a paved road to some taxpayers. On request by Viola Thomas-Hughes, the agenda is altered slightly in order to allow public comment on all issues prior to the Committee Report Section. At 7:40 p.m. on motion by Committeeman Pitts, seconded by Committeeman Manson, the open session is begun.

Viola Thomas-Hughes indicates that she has documentation from the 80's when Charles Thompson was authorized to maintain Thomas Road. She indicates that the Township has always maintained the road. She indicates that she believes the Township Committee is risking the safety and welfare of residents were they to fail to pave Thomas Road. She suggested the Committee should build part of the road and then apply for a future Grant Application to complete the road. She likens this to the Clarks Pond Road situation. She suggested that the project should be put out to bid to see what the costs might be and that the consideration of this road should not be personal. She implores the Township to do what she considers is right for the residents for purposes of improving livelihood and making the homes more accessible to residents and rescue vehicles.

Tiffany Thomas addresses the Committee and asks to be acquainted with the ownership information suggesting that that must be a part of the Township record. Mayor Byrd indicates that Engineer Mulford had indicated that there was no decisive determination as to who owned the roads. Ms. Thomas expresses concern about the safety, convenience and usability of the road.

Carrie Lee Thomas addresses the board indicating that she is a resident on the road inquiring as to why the State would have allocated \$90,000.00 to help the Township for the road if it was a private one.

Edward Morris expresses interest in interviewing for the crossing guard position.

Robert Pierce addresses the Committee saying that while he cannot say dispositively who owns the road, in his experience as a Township Committeeperson the Township has typically maintained it like other roads. He believes that all roads which residents reside on should be maintained so that fire trucks, etc. can get to them.

Edward Kimley addresses the Committee indicating the Township would essentially be getting \$90,000.00 worth of road for \$8,000.00 in engineering expenses. He likens this to the Mike Sharp suit where \$75,000.00 is to be spent expressing concern that the Committee do the right thing for the residents.

Joann Servais addresses the Committee indicating Bob Mulford couldn't determine who owns the road but that the property lines stopped at the edge of the road. She indicated it is against the Township residents' best interest to send the \$90,000.00 back in her opinion. She likens the wrongdoing to the Mike Sharp suit where she theorizes \$75,000.00 is about to be spent to settle the suit and expresses concern that the Township can do that but not spend \$8,000.00 to improve the road. Ms. Servais further indicates that the payroll clerk job should not be advertised insofar as it has historically been completed by the Administrator and given the new time clock at the Township, the burden of the job should be less than ever.

Geneva Griffin addresses the Committee indicating she would not be able to rest comfortable in a home on Thomas Drive and that the Township does too little for its seniors. She indicated the trash issue at the Convenience Center revolved around specific entities with trash hauling services. She indicates that in her mind, Thomas Drive is absolutely owned by the Township. She indicates that this action should not be taken by a Committee that has members that are not residents. She accuses Committeeman Pitts of not being a resident in the Township and that this Township Committee should take action of its own volition to right the wrong she perceives. She indicates that without rules and regulations on the books that are actually enforced, Fairfield will become a dumping ground.

Russell Pierce addresses the Committee indicating that the Mayor and Committeeman Pitts are conflicted in the lawsuits ongoing and indicates that he has two lawyers and that the Prosecutor will address anyone on the Committee who takes the wrong action.

At 8:10 p.m., the public session is concluded on motion by Committeeman Pitts, seconded by Committeeman Clark.

The Committee's and Mayor's remarks are made next beginning at approximately 8:10 p.m.

Mayor Byrd indicates that as to Thomas Lane, ownership should have been the first consideration and he indicates that he believes it is not fair for the current Committee to be left to deal with issues that should have been a part of the Grant Application itself. There is input from the public and the Mayor polls the Committee as to any changes in their votes regarding Thomas Lane. There is a discussion as to anyone who wishes to change their vote regarding Thomas Lane and Committeeman Clark abstains, all others remain steadfast in their prior vote from another meeting.

At 8:15 p.m., the Committee votes to go into executive session on motion by Committeeman Pitts, seconded by Mayor Byrd.

At 9:20 p.m. the meeting is open to the public on motion by Committeeman Clark, seconded by Committeeman Pitts and the Solicitor places on the record the matters discussed in executive session. Thereafter, a motion is made on Resolution 66-2016 to hire Ms. Carrington in the position of crossing guard at \$15.00 a hour with the proviso that she come on board as soon as possible after taking whatever safety classes and/or orientation are made available.

Resolution 67-2016 is considered on motion by Committeeman Clark, seconded by Committeeman Manson for the position of Administrator at \$43,000.00 per year and Deputy Clerk at \$20,000.00 per year with an effective start date of February 22, 2016 was passed unanimously.

On motion by Committeeman Clark, seconded by Mayor Byrd, passing unanimously, the meeting is adjourned at approximately 9:30 p.m.

Drafted By: John G. Carr, Esq.

Reviewed By: Linda M. Gonzales, RMC