

FAIRFIELD TOWNSHIP COMMITTEE  
REGULAR ACTION MEETING  
AUGUST 15, 2018

CALL TO ORDER

Mayor Byrd called the meeting to order at 7:00 p.m.

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

OPEN PUBLIC MEETINGS ACT STATEMENT

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 15th day of August 2018 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 on January 11, 2018 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 Committeeman Clark.

ROLL CALL

The following roll call was recorded as follows:

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

MEMBER ABSENT

Committeeman Manson.

ALSO PRESENT

Acting Township Administrator Burden, Township Solicitor Carr and Township Clerk Gonzales.

APPROVAL OF MINUTES

WORK SESSION/ACTION MEETING AUGUST 1, 2018

CLOSED SESSION MEETING AUGUST 1, 2018

Mayor Byrd asked the Township Committee if there were any questions on the Work Session Action Meeting and Closed Session Meeting of August 1, 2018. There were none. Mayor Byrd entertained a motion to approve those minutes.

Deputy Mayor Pierce moved to approve the minutes as written seconded by Committeeman Clark. Roll Call Vote: Clark, yes; Gonzalez, abstain, 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 and Mayor Byrd stated into the record their conflict with payable to South State, Inc. Township Solicitor cited the Doctrine of Necessity into the record.

Mayor Byrd entertained read Resolution No. 119 - 2018 into the record and entertained a motion to adopt.

RESOLUTION NO. 119 - 2018

A RESOLUTION OF FAIRFIELD TOWNSHIP, CUMBERLAND COUNTY AUTHORIZING THE PAYMENT OF TOWNSHIP BILLS IN THE AMOUNT OF \$177,900.28

Deputy Mayor Pierce moved to adopt Resolution No. 119 - 2018 seconded by Committeeman Clark.

Roll Call Vote: Clark, yes; Gonzalez, yes; Pierce, yes and Mayor Byrd, yes.

ORDINANCES FOR INTRODUCTION (FIRST READING)

There were none.

ORDINANCES FOR PUBLIC HEARING (SECOND READING) - (2)

Mayor Byrd read Ordinance No. 2 - 2018 and Ordinance No. 3 - 2018 into the record as follows:

ORDINANCE NO. 2 - 2018

AN ORDINANCE FORMALIZING SETTLEMENT, INCLUDING DEEDING OF CERTAIN PROPERTY TO WILDLIFE PRESERVES, INC. AND TO THE STATE OF NEW JERSEY RELATING TO THE SETTLEMENT OF WILDLIFE PRESERVES, INC. V. NJDEP, FAIRFIELD TOWNSHIP AND TRI-STATE DREDGING COMPANY UNDER DOCKET NO: CUM-L-000698-10  
Committeeman Clark moved to open Public Hearing on Ordinance No. 2 - 2018 seconded by Deputy Mayor Pierce. Roll Call Vote: Clark, yes; Gonzalez, yes; Pierce, yes and Mayor Byrd, yes.

Nancy Ridgeway, 582 Irving Avenue asked for details on this settlement.

Township Solicitor Carr explained the 2010 lawsuit case into the record. Mrs. Ridgeway asked how much Fairfield Township had to pay on this settlement. Township Solicitor advised that he did not have the file on him tonight, but could confirm at the next meeting.

Ed Kimley, 84 Seabreeze Road inquired if anyone else owned any property in this area. Mr. Kimley was advised that we are told that it is only the State and the Wildlife Preserves. Mr. Kimley indicated that to his knowledge there is private owned land. The Township Solicitor indicated that he can represent to him that the State has showed us that from the point where Beach Avenue is being vacated further there is no private land.

Mr. Kimley stated that the State was buying someone's house and that someone burned the house down and the State did not buy the lot. Mr. Kimley states that this individual still owns the lot and suggested that we might want to inquire with the Tax Collector for clarification.

Mayor Byrd directed the Township Solicitor to look into the matter.

Dennis Pierce, 203 Clarks Pond Road appeared to inquire if Wildlife Preserves are the same company in mediation for the PSE&G property or is that a State entity. The Township Solicitor advised that the Wildlife Preserves Inc. is a charitable entity operated by Len Fariello.

There being no further comments, Mayor Byrd entertained a motion to close the Public Hearing on Ordinance No. 2 - 2018.

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

Mayor Byrd entertained a motion to adopt Ordinance No. 2 - 2018 on final reading.

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

Township Solicitor interjected that the entertainment of motion to adopt will be subjected to confirmation that there are no private land owners that would be negatively impacted.

ORDINANCE NO. 3 - 2018

AN ORDINANCE PROVIDING FOR THE VACATION OF A CERTAIN RIGHT-OF-WAY KNOWN AS BEACH AVENUE LOCATED IN SEABREEZE, NEW JERSEY UNDER DOCKET NO: CUM-L-000698-10

Deputy Mayor Pierce moved to open the Public Hearing on Ordinance No. 3 - 2018 seconded by Committeeman Clark. Roll Call Vote: Clark, yes; Gonzalez, yes; Pierce, yes and Mayor Byrd, yes.

There being no comments to be received, Mayor Byrd entertained a motion to close the Public Hearing on Ordinance No. 3 - 2018.

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

Mayor Byrd entertained a motion to adopt Ordinance No. 3 - 2018 on final reading.

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

Township Solicitor Carr interjected and stated for the sake of clarity, the same caveat on this Ordinance passage as per Mr. Kimley's statement.

Mayor Byrd read into the record the Public Comment on Current Agenda & Non Agenda Items as follows:

PUBLIC COMMENT ON CURRENT AGENDA ITEMS & NON AGENDA ITEMS

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 and any non-agenda items 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.

Mayor Byrd entertained a motion to open the Public Comment on Current Agenda Items & Non Agenda Items.

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

Gregg L. Zeff, an attorney, appeared and stated that he has been out a couple of days with a local group "Have a Heart" seeking locations for a Medical Marijuana Dispensary in Cumberland County. He advised that they are seeking our support for a letter that they could include in their application. He advised that it would bring in a lot of jobs and bring in some real income development. The City of Vineland is in the process for their letter of support.

Mayor Byrd asked Mr. Zeff what locations has your group been looking at. Mr. Zeff stated that at the moment they are still looking for locations, he stated mostly in the Vineland area. He stated that they are looking locally as well and trying to find the best central locations for the dispensary. He indicated that the City of Vineland is in the process of generating a letter of support for his group.

After questions and answers were made, there was a concern raised that his request would not be benefiting the Township of Fairfield whereby at a previous meeting, the Township Committee was approached with two (2) presentations, one being a medical marijuana dispensary and also a hydroponics growing plant firm to be situated in Fairfield Township and providing employment to the residents of Fairfield Township. The Township Committee unanimously supported both groups and a letter of support was provided.

Mayor Byrd recommended that Mr. Zeff and his group submit a letter to the Township Committee for their review as well as an overview of the group.

Dennis Pierce, 203 Clarks Pond Road appeared to support the Township Committee's view on this request as it would not benefit Fairfield Township where we need the retail.

Charles Pierce, 431 Fairton-Millville Road appeared to state his opposition to the recent letters of support from the Township Committee as well as tonight's request for another support letter.

Russell Pierce, 376 Fairton-Gouldtown Road reported that he had a family reunion at the Fairfield Volunteer Fire Company No. 2 - Fairton and after the reunion he was not allowed to put the trash in the dumpster located at the Fire Hall. Deputy Mayor Pierce and also the Fire Chief for Fairfield Volunteer Fire Company No. 2 - Fairton explained to Mr. Pierce that the application for the use of the Fire Hall indicates that it is the responsibility of the user who uses the Fire Hall for an event that their trash must be taken and disposed of from the Fire Hall premises. The dumpster that is located at the Fire Hall is not for the public's use. The dumpster is for trash generated by the Fire Company only.

Mr. Russell Pierce reported again the potholes at the Marina that needs to be patched and also the problem in the road on Clarks Pond Road near Dennis Pierce house that still needs to be looked into.

Mayor Byrd directed the Acting Township Administrator to contact the Public Works Supervisor in the morning to look into Mr. Russell Pierce's complaints.

Nancy Ridgeway, 582 Irving Avenue questioned Resolution No. 120 - 2018 listed on the Agenda. Her concern was the road opening at 868 E. Commerce Street. Township Clerk Gonzales explained that the road opening was not on Commerce Street (Route 49) but rather inside the grounds of the Tipp's Mobile Home Park that is situated at 868 E. Commerce Street.

CONSENT AGENDA (RESOLUTION NO. 120 - 2018 THRU RESOLUTION NO. 129 - 2018)

The Consent Agenda includes items of business which are not controversial & do not require individual discussion. A motion approving the Consent Agenda is moved, seconded and voted upon as one item by the Township Committee. If any discussion is requested on a Consent Agenda item, it is removed from the Consent Agenda to the Regular Agenda.

RESOLUTION NO. 120 - 2018

A RESOLUTION OF FAIRFIELD TOWNSHIP, COUNTY OF CUMBERLAND AUTHORIZING THE ISSUANCE OF STREET OPENING PERMIT(S) TO SOUTH JERSEY GAS COMPANY PERMIT NO. 3 - 2018 / INSTALLATION OF GAS SERVICE AT 868 E. Commerce Street

RESOLUTION NO. 121 - 2018

TAX EXEMPTION GRANTED TO 100% PERMANENTLY AND TOTALLY DISABLED VETERAN AND CANCELS CERTAIN TAX AMOUNTS FOR BLOCK 4, LOT 13 KNOWN AS 821 MARK DRIVE

RESOLUTION NO. 122 - 2018

A RESOLUTION FOR REFUND OF TAX OVERPAYMENT OF \$2,554.28 TO MARY PICKETT

RESOLUTION NO. 123 - 2018

TAX EXEMPTION GRANTED TO 100% PERMANENTLY AND TOTALLY DISABLED VETERAN AND CANCELS CERTAIN TAX AMOUNTS FOR BLOCK 7, LOT 31.01 KNOWN AS 1515 BRIDGETON-MILLVILLE PIKE

RESOLUTION NO. 124 - 2018

A RESOLUTION FOR REFUND OF HOMESTEAD BENEFIT OF \$137.36 TO THE STATE OF NEW JERSEY FOR BLOCK 7, LOT 31.01 KNOWN AS 1515 BRIDGETON-MILLVILLE PIKE

RESOLUTION NO. 125 - 2018

A RESOLUTION FOR REFUND OF TAX OVERPAYMENT OF \$2,430.51 TO WELLS FARGO REAL ESTATE TAX SERVICE FOR BLOCK 7, LOT 31.01 KNOWN AS 1515 BRIDGETON-MILLVILLE PIKE

RESOLUTION NO. 126 - 2018

TAX EXEMPTION GRANTED TO 100% PERMANENTLY AND TOTALLY DISABLED VETERAN AND CANCELS CERTAIN TAX AMOUNTS FOR BLOCK 44, LOT 7.04 KNOWN AS 11 WESTCOTT STATION ROAD

RESOLUTION NO. 127 - 2018

A RESOLUTION FOR REFUND OF HOMESTEAD BENEFIT OF \$147.81 TO THE STATE OF NEW JERSEY FOR BLOCK 44, LOT 7.04 KNOWN AS 11 WESTCOTT STATION ROAD

RESOLUTION NO. 128 - 2018

A RESOLUTION FOR REFUND OF TAX OVERPAYMENT OF \$694.57 TO CORELOGIC REAL ESTATE TAX SERVICE FOR BLOCK 44, LOT 7.04 KNOWN AS 11 WESTCOTT STATION ROAD

RESOLUTION NO. 129 - 2018

2018 REINSTATEMENT OF QUALIFIED FARMLAND DUE TO ASSESSOR ERROR

On a motion of Committeeman Gonzalez seconded by Deputy Mayor Pierce the above Resolutions were adopted by consent agenda. Roll Call Vote: Clark, yes; Gonzalez, yes; Pierce, yes and Mayor Byrd, yes.

RESOLUTION NO. 130 - 2018

A RESOLUTION OF FAIRFIELD TOWNSHIP, COUNTY OF CUMBERLAND AUTHORIZING TO APPLY FOR AND OBTAIN A GRANT APPLICATION FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR UP TO \$400,000 TO CARRY OUT A FISCAL YEAR 2019 PUBLIC FACILITIES PROJECT FOR THE ADA COMPLIANCE IMPROVEMENTS PROJECT AT THE MUNICIPAL COMPLEX

Deputy Mayor Pierce moved to adopt Resolution No. 130 - 2018 seconded by Committeeman Clark. Roll Call Vote: Clark, yes; Gonzalez, yes; Pierce, yes and Mayor Byrd, yes.

RESOLUTION NO. 131 - 2018

A RESOLUTION OF FAIRFIELD TOWNSHIP, COUNTY OF CUMBERLAND APPROVING THE PUBLIC FACILITIES GRANT MANAGEMENT PLAN / 2019 ADA COMPLIANCE

IMPROVEMENTS PROJECT AT THE MUNICIPAL COMPLEX

Committeeman Gonzalez moved to adopt Resolution No. 131 - 2018 seconded by Deputy Mayor Pierce.  
Roll Call Vote: Clark, yes; Gonzalez, yes; Pierce, yes and Mayor Byrd, yes.

OLD BUSINESS

There were none.

NEW BUSINESS

Mayor Byrd announced that the Township Solicitor has looked into the requested street vacation by Dennis Pierce at the Husted Landing Marina. The Solicitor indicated his review and standpoint of an Ordinance to Vacate, that it would be appropriate for the Township to have a survey demonstrating the road to be abandoned and the Township would have no further responsibility. The Township Engineer will be providing the cost for the vacation of road.

Mayor Byrd stated that he cannot speak for everyone, but if the Township does decide to vacate the road, it is of his opinion alone that the applicant who made the request to vacate the road be done at their own expense.

COMMITTEE REPORTS / REMARKS

Committeeman Clark thanked the residents for coming out tonight and to continue to support the Committee and working together.

Committeeman Gonzalez thanked the residents for coming out tonight.

Deputy Mayor Pierce thanked the residents for coming out tonight and for bringing up their concerns.

MAYOR'S REPORT / REMARKS

Mayor Byrd thanked everyone for coming out tonight and also appreciates the community input and that we strive to do the best we can for our residents.

Mayor Byrd also announced for the record, that the Township Engineer will not be charging the Township for putting in the grants for the 2019 ADA Compliance Improvement Project at the Municipal Complex.

EXECUTIVE SESSION (IF NEEDED)

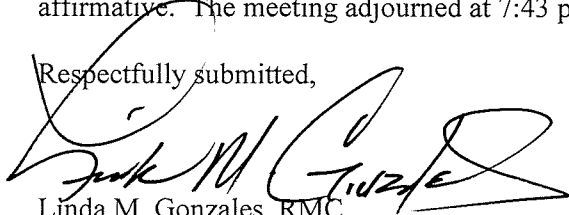
AUTHORIZE TOWNSHIP COMMITTEE TO ENTER INTO EXECUTIVE SESSION NOT OPEN TO THE PUBLIC (ACTION MAY BE TAKEN)

There was no need for an Executive Session.

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

Deputy Mayor Pierce moved to adjourn seconded by Committeeman Clark. All members voted in the affirmative. The meeting adjourned at 7:43 p.m.

Respectfully submitted,



Linda M. Gonzales, RMC  
Township Clerk