

FAIRFIELD TOWNSHIP COMMITTEE  
REGULAR ACTION MEETING  
JULY 11, 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 11th day of July 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 by Committeeman Clark.

ROLL CALL

The following roll call was recorded as follows:

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

ALSO PRESENT

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

APPROVAL OF MINUTES

REGULAR MEETING AND CLOSED SEESION JUNE 13, 2018

Committeeman Gonzalez moved to approve the minutes as written seconded by Deputy Mayor Pierce.  
Roll Call Vote: Clark, yes; Gonzalez, yes; Manson, 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, Committeeman Manson and Mayor Byrd entered into the record their conflict on the bill payable to South State, Inc.

There being a governing body made up of 5 members with 3 of them having conflicts and entered into the record, the Doctrine of Necessity is appropriate to invoke at this moment to in order to have the votes to pay this bill.

Deputy Mayor Pierce entered into the record his conflict pertaining to the quarter building and quarter equipment allotment payable to the Fairfield Volunteer Fire Company No. 2.

Mayor Byrd entertained a motion to adopt Resolution No. 102 - 2018

RESOLUTION NO. 102 - 2018

A RESOLUTION OF FAIRFIELD TOWNSHIP, CUMBERLAND COUNTY AUTHORIZING THE PAYMENT OF TOWNSHIP BILLS IN THE AMOUNT OF \$116,526.52

Committeeman Clark moved to adopt Resolution No. 102 - 2018 seconded by Committeeman Manson.  
Roll Call Vote: Clark, yes, Gonzalez, yes, Manson, yes, Pierce, yes but abstain from bill payable to the Fairfield Township Volunteer Fire Company No. 2, and Mayor Byrd, yes.

ORDINANCE FOR INTRODUCTION (FIRST READING)

There were none.

ORDINANCES FOR PUBLIC HEARING (SECOND READING)

There were none.

PUBLIC HEARING

SMALL CITIES COMMUNITY BLOCK GRANT PROGRAM

Mark Blauer, President, Blauer Associates was present to conduct the Public Hearing on the Township's proposed application for a Housing Rehabilitation Fund not to exceed \$200,000 to provide home rehabilitation loans to low and moderate homeowner.

Mr. Blauer has been Fairfield Township's Home Rehabilitation grant writer since 2013. The Township will be requesting for additional funding as they have found applicants who have come forth for assistance. The Township received \$110,000.00 at the last round and those funds are pretty much expended. We are presently working on assisting a couple septic issues and another home and moving to get another applicant with septic system issues.

The Township will be notified in December whether they are approved for a new funding for 2019. He explained to the audience that this funding is not guaranteed by the New Jersey Department of Community Affairs.

Mr. Blauer explained that in order for the Township to meet the requirement law for this program, there are several steps that the governing body must comply and that is adopting Housing Rehabilitation Policies & Procedures Manual, Adoption of State Model Citizen Participation Plan for DCA Small Cities Program, Authorizing to Apply and Obtain a Grant from the New Jersey Department of Community Affairs, Approving Housing Rehabilitation Grant Management Plan and Identifying Small Cities Fair Housing & Equal Opportunity Officer as well as advertisement of the Fair Housing Program and naturally the advertisement of this Public Hearing to allow the citizens of Fairfield Township the opportunity to receive questions regarding this program.

Mr. Dennis Pierce, 203 Clarks Pond Road inquired if this program was for the rehabilitation of only homes or does it apply to other needs. Mr. Blauer advised that this is a Housing Rehabilitation Program beneficial to low and moderate income families. He advised that there are grants that focus on sidewalks, water and sewer whereby the Township could apply and explained in detail what that particular grant application would entail such as having our Township Engineer to be involved. He talked about grants that are announced by the New Jersey Department of Transportation that focus on Municipal Aid such as roads.

Cindi Zirkle, 24 Back Neck Road inquired as to how this information is relayed to the general public. Mr. Blauer advised that generally it is by word of mouth. At times the general public will observe someone's house being worked on and they will stop and inquire. Mr. Blauer also advised that as a requirement by the New Jersey Department of Community Affairs, a Notice of Public Hearing on the Small Cities Community Development Block Grant Program is published in the newspaper and also posted in the municipal building. Mrs. Zirkle suggested that in the near future the Township may want to include such notice with the tax bills.

Mark Pierce, 356 Gould Avenue inquired if the grants/loans are forgivable. Mr. Blauer explained that it's a 50/50 grant. The first 50% is forgivable only if the homeowners remains and keeps their home for 6 years upon signing the contract and the other 50% is a deferred loan which is payable back to the Township of Fairfield with no interest upon the sale/transfer of their home.

There were no further comments. The necessary resolutions that Mr. Blauer talked about earlier will be included in the Agenda for the next scheduled meeting.

Mayor Byrd read the Public Comment on Current Agenda Items & 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 Public Comment on Current Agenda Items & Non Agenda Items.

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

Doug Long, Grace Marmero & Associates, LLP talked about a complex act that went into effect immediately and imposes new mandatory requirements on public employers. He explained two (2) recent changes to the law pertaining to the Workplace Democracy Enhancement Act and Paid Sick Leave Law. The law is effectively immediately and plans and action to comply with these new mandates should begin immediately. His office is available to formulate the necessary steps in order to be in compliance with the acts.

Committeeman Gonzalez inquired if his firm would be a considerate a conflict. Mr. Long advised there was no conflict. Committeeman Gonzalez inquired if Mr. Long held the position as the Democratic County Committee. Mr. Long advised that he no longer holds that position.

Mr. Long talked about the consultation with our Township Solicitor and that his office can assist us in various ways. He has volunteered/pro bono a lot of his time and thanked the Committee for having them.

Tammy Viola, Recreation Committeewoman thanked the Township Committee for all their assistance for a successful baseball season. Mrs. Viola also thanked the Acting Township Administrator for all his assistance as well as Public Works Department Nate Dunn and John Gonzales. Mrs. Viola announced that closing day was an awesome day for everyone.

Committeeman Gonzalez thanked Mrs. Viola, the coaches and the residents for everything they did for our children.

Mrs. Viola advised that a lot of the parents who played baseball at one time are coming to the games and participating.

Committeeman Clark stated to Mrs. Viola to keep up the good work.

Dennis Pierce, 203 Clarks Pond Road stated that he was sorry that Mr. Long left. He indicated that Mr. Long has not always done anything pro-bono for this Township. He indicated there was an incident when he served on the Township Committee and that Mr. Long billed the Township for it. Mr. Pierce advised that Mr. Long was not invited to represent an individual, but did so because someone called him. He indicated that Mr. Long hounded the Committee until he eventually got paid.

Mr. Pierce stated that Mr. Long is not what he says he is and that he doesn't care that this is taken back to him.

Mr. Pierce stated that he had heard that some people are looking into the possibility of disbanding the EMT Services in Fairfield Township. He advised if this is true, we do not get much for our tax dollars, but what we have is two (2) Fire Companies and EMT Service that are outstanding and more than capable, other than we have a Convenience Center. He advised that he does know the legality of disbanding the EMT Service, but that he will bring in the law if the Township makes that decision to do this. Mr. Pierce stated that if the Township is going to make that decision that he hopes that they are going to hold a public meeting on this matter and not just put a stamp on it and move on.

Nancy Ridgeway, 582 Irving Avenue advised that at the last previous meeting it was indicated that a discussion would be held regarding punch cards for the use of the Convenience Center. Mrs. Ridgeway advised that the Township provides little service to the residents. She indicated that there is no leaf-pick up collection because it costs the Township too much money. She stated that the Township should ease up on people coming to the Convenience Center so that trash is not being dumped all over the Township.

Russell Pierce, 376 Fairton-Gouldtown Road stated that he has complained several times regarding the tall grass in the right-of-way not being mowed especially before the holidays. He also again reported the pothole in front of South State Inc.

Mr. Pierce was advised that the pothole in front of South State Inc. is a county road and that the Township has contacted the County and the pothole was repaired by the County.

Cindi Zirkle, 24 Back Neck Road announced that the Cohansey Water Shed Association is once again hosting an event for Township Committee on September 28, 2018. She indicated that are 5 townships in our Water Shed.

She indicated that unfortunately not too many people from Fairfield Township have attended in the past. She advised they are bringing in the mural wall in and if you could join us with your spouses, there will be 8 people from Fairfield Township and that it will be up to the Mayor to select the people you would

like to attend. Mrs. Zirkle asked if you could provide the names by next August if you plan to attend.

She advised that if you cannot attend, they will fill it from other towns and so far the other Mayors will be attending.

Mrs. Zirkle indicated that she also heard the same rumors that Dennis Pierce referred too. She advised that that the ambulance squad that we have in Fairfield Township is one of the best in the County. She advised that our ambulance squad saved her husband's life. She indicated that the doctors at the University of Pennsylvania had indicated to her that they did not think a person that suffered the cardiac arrest that her husband had could have survived, that less than 2% survive. Mrs. Zirkle stated that is because we have a local squad.

She also indicated that if there was any truth to the rumor, she will be bringing in 3,000 signed petitions within 2 weeks of people in this Township that wants our ambulance squad.

Mrs. Zirkle made referenced to lawyer fees. She indicated that a lawyer has to be appointed before they do any work for you.

She indicated that she remembers when she was around during the time when Dennis Pierce was on the Township Committee and the problems they had with Mr. Long. Mrs. Zirkle advised the Township Committee to be careful and if he has done work for you, it is pro-bono, there are no bills that come in past today.

Mrs. Zirkle stated that the Township will be interviewing for Township Administrator. She advised that she has put in an OPRA Request for the name of the applicants and the dates of their applications that responded to the position of the Township Administrator. She indicated that the Township Clerk has correctly informed her that by statute that the Clerk cannot disclosed the information until after tonight.

She advised that her OPRA Request will be filed tomorrow. Mrs. Zirkle advised that it would behooved the Township Committee not to hire somebody who cannot complete an application and file on time and also for the governing body take a good look at their list and take that under consideration.

Ernest Zirkle, 24 Back Neck Road indicated that he was here tonight to brag about the response and action taken by our emergency crew on the night he suffered an unusual stroke. He advised that the emergency squad worked and worked on him to get a pulse. He indicated that they were about to give up on him and his wife asked the emergency squad to try one more time and they did and got a pulse. He stated that it cost him \$44,000.00 to get him to the University of Pennsylvania Hospital and that for two weeks he did not know that he had lived. Mr. Zirkle said he will sing the praises of our rescue squad for saving him when they say only 2% survive Mr. Zirkle stated that he does and will support our ambulance squad all the way.

There being no further comments to be received, Mayor Byrd entertained a motion to close the Public Comment on Current Agenda & Non Agenda Items.

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

#### RESOLUTIONS

Mayor Byrd read the following Resolutions into the record as follows:

##### RESOLUTION NO. 103 - 2018

A RESOLUTION AUTHORIZING SELF-EXAMINATION OF 2018 MUNICIPAL BUDGET  
Deputy Mayor Pierce moved to adopt Resolution No. 103 - 2018 seconded by Committeeman Manson.  
Roll Call Vote: Clark, yes, Gonzalez, yes, Manson, yes, Pierce, yes and Mayor Byrd, yes.

##### RESOLUTION NO. 104 - 2018

A RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATIONS  
N.J.S.A. 40A:4-87 / CLEAN COMMUNITIES GRANT  
Deputy Mayor Pierce moved to adopt Resolution No. 104 - 2018 seconded by Committeeman Manson.  
Roll Call Vote: Clark, yes, Gonzalez, yes, Manson, yes, Pierce, yes and Mayor Byrd, yes.

##### RESOLUTION NO. 105 - 2018

A RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATIONS  
N.J.S.A. 40A:4-87 / ALCOHOL EDUCATION, REHABILITATION AND ENFORCEMENT FUND

N.J.S.A. 26:2B-35(b)(3)

Committeeman Clark moved to adopt Resolution No. 105 - 2018 seconded by Committeeman Gonzalez.  
Roll Call Vote: Clark, yes, Gonzalez, yes, Manson, yes, Pierce, yes and Mayor Byrd, yes.

RESOLUTION NO. 106 - 2018

A RESOLUTION ACCEPTING THE MUNICIPAL AUDIT REPORT FOR THE CALENDAR YEAR ENDING DECEMBER 31, 2017

Deputy Mayor Pierce moved to adopt Resolution No. 106 - 2018 seconded by Committeeman Gonzalez.  
Roll Call Vote: Clark, yes, Gonzalez, yes, Manson, yes, Pierce, yes and Mayor Byrd, yes.

OLD BUSINESS

Committeeman Clark has no Old Business to report at this time.

Committeeman Gonzalez advised that he looked at the issue on Clarks Pond Road and indicated that there is a problem there. He has not revisited the area as his daughter was just discharged from the hospital

Committeeman Manson had no Old Business to report at this time.

Deputy Mayor Pierce had no Old Business to report at this time.

NEW BUSINESS

Committeeman Clark had no New Business to report at this time.

Committeeman Gonzalez had no New Business to report at this time.

Committeeman Manson had no New Business to report at this time.

Deputy Mayor Pierce had no New Business to report at this time.

Mayor Byrd announced that prior to the meeting, he met with D&L Development Co., Inc. regarding a parcel of property looked into for the proposed construction of Dollar General Store in Fairfield Township.

DISCUSSION

PROPOSAL RESPONSE FOR THE ABANDONED AND VACANT PROPERTY SERVICES

The discussion was regarding the Township Solicitor and the Attorney representing the firm of Borgers, Saunders, Taylor and Associates, LLC. Both attorneys are working together on a technicality proposal language and it is hopeful that it will come before the governing body for action at the next scheduled meeting in August.

At this time, Mayor Byrd announced that the Township Committee will convene into Executive Session to discuss Personnel and Potential Litigation Matters and entertained a motion to adopt Resolution No. 107 - 2018. Mayor Byrd advised that it is anticipated that no action will be taken.

RESOLUTION NO. 107 - 2018 - (ACTION MAYBE TAKEN)

A RESOLUTION AUTHORIZING TOWNSHIP COMMITTEE TO ENTER INTO EXECUTIVE SESSION NOT OPEN TO THE PUBLIC UNDER N.J.S.A. 10:4-12(b)(7)

PENDING LITIGATION MATTER - WILDLIFE PRESERVES, INC. V. NJDEP, FAIRFIELD TOWNSHIP AND TRI-STATE DREDGING COMPANY

N.J.S.A.10:4-12 (b)(8)

MATTERS RELATED TO THE EMPLOYMENT RELATIONSHIP / INTERVIEWS FOR POSITION OF TOWNSHIP ADMINSTRATOR

Deputy Mayor Pierce moved to adopt Resolution No. 107 - 2018 seconded by Committeeman Manson.  
Roll Call Vote: Clark, yes, Gonzalez, yes, Manson, yes, Pierce, yes and Mayor Byrd, yes.

The Township Committee is now in Executive Session at 8:05 p.m.

The Township Committee reconvened into Open Session with all members present at 8:29 p.m.

The Township Solicitor announced that the time is now 8:30 pm and the doors are now open and the Township Committee is now in Open Session after having interview of a potential employee and litigation matter regarding Wildlife Preserves, Inc. v. NJDEP, Fairfield Township and Tri-State Dredging Company.

COMMITTEE REPORTS / REMARKS

Committeeman Clark thanked the residents for coming out tonight.

Committeeman Gonzalez thanked the residents for coming out tonight and to have a nice summer.

Committeeman Manson thanked everyone for their concerns and statements.

Deputy Mayor Pierce thanked everyone for coming out tonight and bringing their recommendations and concerns.

MAYOR'S REPORT / REMARKS

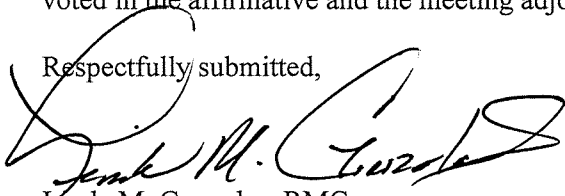
Mayor Byrd thanked the residents for coming out tonight and sharing their recommendations and concerns.

ADJOURNMENT

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 the meeting seconded by Committeeman Clark. All members voted in the affirmative and the meeting adjourned at 8:39 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Linda M. Gonzales". The signature is fluid and cursive, with a large initial "L" and "G".

Linda M. Gonzales, RMC  
Township Clerk