

FAIRFIELD TOWNSHIP COMMITTEE
REGULAR ACTION MEETING
DECEMBER 12, 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 12th day of December 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 by Deputy Mayor Pierce.

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.

Mayor Byrd entertained a motion to approve the Regular Action Minutes and Closed Session Minutes of October 17, 2018.

APPROVAL OF MINUTES

REGULAR ACTION MEETING OCTOBER 17, 2018

CLOSED SESSION MEETING OF OCTOBER 17, 2018

Committeeman Clark moved to approve the Regular Action Minutes and Closed Session Minutes of October 17, 2018 as written seconded by Committeeman Manson. Roll Call Vote: Clark, yes; Gonzalez, abstain, Manson, yes, Pierce, abstain and Mayor Byrd, yes.

Mayor Byrd entertained a motion to approve the Regular Action Minutes and Closed Session Minutes of November 14, 2018.

REGULAR ACTION MEETING NOVEMBER 14, 2018

CLOSED SESSION MEETING NOVEMBER 14, 2018

Deputy Mayor Pierce moved to approve the Regular Action Minutes and Closed Session Minutes of November 14, 2018 as written seconded by Committeeman Clark. Roll Call Vote: Clark, yes; Gonzalez, yes; Manson, abstain, Deputy Mayor Pierce, yes and Mayor Byrd, abstain.

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 Manson, Committeeman Clark and Mayor Byrd indicated their conflict into the record for payable to South State Incorporated. At this time, Township Solicitor invoked the Doctrine of Necessity into the record.

ORDINANCE FOR INTRODUCTION (FIRST READING)

None

ORDINANCES FOR PUBLIC HEARING (SECOND READING)

None

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 open the Public Comment on Current Agenda Items & Non Agenda Items.

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

Nathan Van Emblem, attorney representing Charles Tichenor, President, Eagle Manor, 806 Back Neck Road, Fairfield Township came to follow up on an application presented to the Planning & Zoning Board a couple months ago. He advised that they have not heard back from the State and the County had indicated to him that it could take 6 months or longer to get approval from the State on the septic inspection. He advised the Township Committee that they have done everything to get approvals and they cannot operate without the Certificate of Occupancy without the State's blessing and therefore was present tonight to request that the Township issued them a temporary Certificate of Occupancy pending State Inspection/Report. He further stated that they would provide the Township Hold Harmless Agreement and Indemnification.

Mr. Van Emblem presented the Township a copy of correspondence of all the items that required them to do and what they have done and what the County expected of them in which they comply but again the County basically told them they would have to wait to hear from the State.

The Township Committee advised both Van Emblem and Tichenor that they understand their position, however, that they were just presented with the documents and need time to review them and have our Solicitor to look into the indemnification. At this time, the Township is not bound to issue a temporary Certificate of Occupancy.

Nancy Ridgeway, 582 Irving Avenue inquired on the specifics of Resolution No. 164 - 2018 as to what account is being transferred from and to fund the appropriations.

Mayor Byrd advised Ms. Ridgeway was provided a copy of the said Resolution.

George Hicks, 5 Hartz Drive came for an update on the mining issue. He advised that the last he heard was that an action was filed in civil court.

Township Solicitor Carr advised Mr. Hicks that the Township is waiting on the Judge's Order.

Mr. Hicks reported that a surveyor was in the area. Mr. Hicks was advised that the mining engineer has supply their information to the Township. The Township Engineer will check to ensure it is correct.

Mr. Hicks asked if he could obtain a copy of the action filed in civil court. Mr. Hicks was advised that he could submit an OPRA Request through the Township Clerk's Office.

Dennis Pierce, 203 Clarks Pond Road reported a road condition that is problematic on Husted Landing Road whereby it is beyond patching.

Mr. Pierce was advised that they would look into the matter.

Russell Pierce, 376 Fairton-Gouldtown Road reported water developing in a hole on Buckshutem Road and reported potholes on Back Neck Road need to be repaired.

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

Deputy Mayor Pierce moved to close and 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. 158 - 2018

A RESOLUTION OF FAIRFIELD TOWNSHIP, CUMBERLAND COUNTY AUTHORIZING THE PAYMENT OF TOWNSHIP BILLS IN THE AMOUNT OF \$137,150.94

Deputy Mayor Pierce moved to adopt Resolution No. 158 - 2018 seconded by Committeeman Manson. Roll Call Vote: Clark, yes; Gonzalez, yes; Manson, yes; Pierce, yes and Mayor Byrd, yes.

RESOLUTION NO. 159 - 2018

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF FAIRFIELD TOWNSHIP, CUMBERLAND COUNTY AND STATE OF NEW JERSEY CERTIFYING REVIEW OF THE LOCAL GOVERNMENT BEST PRACTICES INVENTORY

Deputy Mayor Pierce moved to adopt Resolution No. 159 - 2018 seconded by Committeeman Gonzalez.
Roll Call Vote: Clark, yes; Gonzalez, yes; Manson, yes; Pierce, yes and Mayor Byrd, yes.

RESOLUTION NO. 160 - 2018

A RESOLUTION TO AFFIRM THE TOWNSHIP OF FAIRFIELD'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

Committeeman Gonzalez moved to adopt Resolution No. 160 - 2018 seconded by Deputy Mayor Pierce.
Roll Call Vote: Clark, yes; Gonzalez, yes; Manson, yes; Pierce, yes and Mayor Byrd, yes.

CONSENT AGENDA

(RESOLUTION NO. 161 - 2018 THRU RESOLUTION NO. 164 - 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.

Mayor Byrd asked the Township Committee if they had any questions on the Consent Agenda. There were none.

Mayor Byrd read into the record Resolutions No. 161 - 2018 through Resolution No. 164 - 2018 as follows:

RESOLUTION NO. 161 - 2018

A RESOLUTION OF FAIRFIELD TOWNSHIP, CUMBERLAND COUNTY AUTHORIZING THE ISSUANCE OF STREET OPENING PERMIT(S) TO SOUTH JERSEY GAS COMPANY PERMIT NO. 6 - 2018 / INSTALLATION OF GAS SERVICE / 38 FINLAW AVENUE (51' W C/L MERCHANT STREET)

RESOLUTION NO. 162 - 2018

A RESOLUTION OF FAIRFIELD TOWNSHIP, CUMBERLAND COUNTY AUTHORIZING THE ISSUANCE OF STREET OPENING PERMIT(S) TO SOUTH JERSEY GAS COMPANY PERMIT NO. 7 - 2018 / INSTALLATION OF GAS SERVICE / 14 ROGERS DRIVE (244'S C/L COOMBS DRIVE)

RESOLUTION NO. 163 - 2018

A RESOLUTION FOR REFUND OF TAX LIEN PAYMENT OF \$7,139.30 TO PC7 FIRSTTRUST BANK

RESOLUTION NO. 164 - 2018

TRANSFER OF APPROPRIATIONS - 2018 BUDGET

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

Mayor Byrd read into the record Resolution No. 165 - 2018 as follows:

RESOLUTION NO. 165 - 2018

A RESOLUTION AUTHORIZING THE TOWNSHIP COMMITTEE TO ENTER INTO EXECUTIVE SESSION NOT OPEN TO THE PUBLIC PURSUANT TO THE FOLLOWING:

N.J.S.A. 10:4-12 (b)(7) ATTORNEY/CLIENT PRIVILEGE - FAIRFIELD TOWNSHIP VS DON ROGERS, INC. AND N.J.S.A. 10:4-12 (b)(8) MATTERS RELATED TO EMPLOYMENT RELATIONSHIP - PERSONNEL SALARIES

Mayor Byrd entertained a motion to adopt Resolution No. 165 - 2018.

Deputy Mayor Pierce moved to adopt Resolution No. 165 - 2018 seconded by Committeeman Manson.
Roll Call Vote: Clark, yes; Gonzalez, yes; Manson, yes; Pierce, yes and Mayor Byrd, yes.

Mayor Byrd announced that the Township Committee will now convene into Executive Session and action may be taken.

The Township Committee is now in Executive Session at 7:38 p.m.

The Township Committee reconvened into Open Session with all members present at 8:35 p.m.

Township Solicitor Carr announced that the doors are now open at 8:35 p.m. and the Township Committee is now in Open Session after having discussed Ambulance Service, JIF Fund Commission and Zoning Officer position and the Don Rogers, Inc. litigation matter.

Mayor Byrd announced that as a result of the Executive Session, the following action is as follows:

RESOLUTION NO. 166 - 2018

A RESOLUTION APPROVING PAYMENT TO ACTING JIF FUND COMMISSIONER AND ZONING OFFICER

Deputy Mayor Pierce moved to adopt Resolution No. 166 - 2018 seconded by Committeeman Manson. Roll Call Vote: Clark, yes; Gonzalez, yes; Manson, yes; Pierce, yes and Mayor Byrd, yes.

RESOLUTION NO. 167 - 2018

A RESOLUTION AUTHORIZING THE ADVERTISEMENT OF A PART TIME ZONING OFFICER AND ALSO A PART TIME PLANNING & ZONING BOARD SECRETARY

Committeeman Gonzalez moved to adopt Resolution No. 167 - 2018 seconded by Committeeman Manson. Roll Call Vote: Clark, yes; Gonzalez, yes; Manson, yes; Pierce, yes and Mayor Byrd, yes.

OLD BUSINESS

None.

NEW BUSINESS

None.

COMMITTEE REPORTS / REMARKS

Committeeman Clark wished everyone a Happy Holiday and stay safe during the holidays.

Committeeman Gonzalez thanked the residents for a good year, their participation and their support and wished everyone a Happy Holiday and a Happy New Year.

Committeeman Manson wished everyone a Happy Holiday and a Happy New Year.

Deputy Mayor Pierce thanked everyone for coming out tonight and wished everyone a Happy Holiday and a Happy New Year.

MAYOR'S REPORT / REMARKS

Mayor Byrd thanked Committeeman Manson for all he did while he was a member of the Township Committee as tonight is his last meeting. Mayor Byrd thanked Committee Manson for serving on the Township Committee.

Mayor Byrd thanked the rest of the Township Committee members and appreciates all their sacrifices to serve as Township Committee.

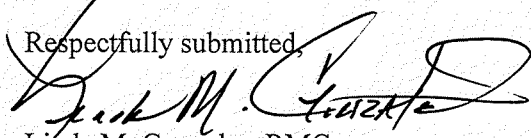
Mayor Byrd thanked the Township Solicitor, Acting Township Administrator, Township Clerk and the Code Enforcement Officer for all they do and a good job at that.

ADJOURNMENT

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

Committeeman Gonzalez moved to adjourn seconded by Deputy Mayor Pierce. All members voted in the affirmative and the meeting adjourned at 8:44 p.m.

Respectfully submitted,



Linda M. Gonzales, RMC
Township Clerk