

FAIRFIELD TOWNSHIP COMMITTEE
REGULAR ACTION MEETING
FEBRUARY 19, 2020

CALL TO ORDER

Mayor Benjamin Byrd, Sr. 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 19th day of February 2020 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 8, 2020 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 Tommy Clark, Jr.

ROLL CALL

The following roll call was recorded as follows:

Committeeman Tommy Clark, Jr., present; Committeeman Mark K. Pierce, Sr., present; Deputy Mayor Marvin Pierce, Jr., present and Mayor Benjamin Byrd, Sr., present.

MEMBER NOT PRESENT

Committeeman David Gonzalez

ALSO PRESENT

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

APPROVAL OF MINUTES

WORK SESSION ACTION MEETING FEBRUARY 5, 2020

CLOSED SESSION MEETING OF FEBRUARY 5, 2020

Mayor Byrd asked the Township Committee if they had any questions on the minutes for the Work Session Action and Closed Session of February 5, 2020. There were none. Mayor Byrd entertained a motion to approve those minutes.

Committeeman Mark K. Pierce, Sr. moved to approve the minutes of the Work Session Action and Closed Session of February 5, 2020 as written seconded by Committeeman Tommy Clark, Jr. Roll Call Vote: Committeeman Tommy Clark, Jr., yes; Committeeman Mark K. Pierce, Sr., yes; Deputy Mayor Marvin Pierce, Jr., abstain and Mayor Benjamin Byrd, Sr., 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. There were none. Mayor Byrd entertained a motion to adopt Resolution No. 61 - 2020.

RESOLUTION NO. 61 - 2020

A RESOLUTION OF FAIRFIELD TOWNSHIP, CUMBERLAND COUNTY AUTHORIZING THE PAYMENT OF TOWNSHIP BILLS IN THE AMOUNT OF \$660,697.49

Deputy Mayor Marvin Pierce, Jr. moved to adopt Resolution No. 61 - 2020 seconded by Committeeman Mark K. Pierce, Sr. Roll Call Vote: Committeeman Tommy Clark, Jr., yes; Committeeman Mark K. Pierce, Sr., yes; Deputy Mayor Marvin Pierce, Jr., yes and Mayor Benjamin Byrd, Sr., yes.

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

ORDINANCE FOR INTRODUCTION (FIRST READING) (ONE)

ORDINANCE NO. 3 - 2020

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

Committeeman Tommy Clark, Jr. moved to introduce Ordinance No. 3 - 2020 on first reading seconded by Committeeman Mark K. Pierce, Sr. Roll Call Vote: Committeeman Tommy Clark, Jr., yes; Committeeman Mark K. Pierce, Sr., yes; Deputy Mayor Marvin Pierce, Jr., yes and Mayor Benjamin Byrd, Sr., yes.

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

ORDINANCE FOR PUBLIC HEARING (SECOND READING) (ONE)

ORDINANCE NO. 2 - 2020

AN ORDINANCE SETTING POLICY REGARDING REFUNDS IN CONNECTION WITH THE CANCELLATION OF PROPERTY TAXES FOR VETERANS DEEMED TO BE TOTALLY DISABLED

Mayor Byrd entertained a motion to open Public Hearing on Ordinance No. 2 - 2020.

Committeeman Mark K. Pierce, Sr. moved and seconded by Committeeman Tommy Clark, Jr. Roll Call Vote: Committeeman Tommy Clark, Jr., yes; Committeeman Mark K. Pierce, Sr., yes; Deputy Mayor Marvin Pierce, Jr., yes and Mayor Benjamin Byrd, Sr., yes.

There were no comments for the public hearing. Mayor Byrd entertained a motion to close the Public Hearing.

Deputy Mayor Marvin Pierce, Jr. moved and seconded by Committeeman Mark K. Pierce, Sr. Roll Call Vote: Committeeman Tommy Clark, Jr., yes; Committeeman Mark K. Pierce, Sr., yes; Deputy Mayor Marvin Pierce, Jr., yes and Mayor Benjamin Byrd, Sr., yes.

Mayor Byrd entertained a motion to adopt Ordinance No 2 - 2020 on second and final reading.

Deputy Mayor Marvin Pierce, Jr. moved and seconded by Committeeman Mark K. Pierce, Sr. Roll Call Vote: Committeeman Tommy Clark, Jr., yes; Committeeman Mark K. Pierce, Sr., yes; Deputy Mayor Marvin Pierce, Jr., yes and Mayor Benjamin Byrd, Sr., yes.

ANNOUNCEMENT/ PRESENTATION

NEIL YOUNG, CHIEF FINANCIAL OFFICER - 2020 MUNICIPAL BUDGET

Mayor Byrd announced that Neil Young, Chief Financial Officer was present tonight to discuss and answer questions regarding the proposed 2020 Municipal Budget.

Neil Young, Chief Financial Officer advised the Township Committee that the 2020 Municipal Budget reflects a zero tax increase to the taxpayers of Fairfield Township. He advised that the Budget in 2016 had a 1 penny increase. He indicated that the Township is in great shape financially and that we are within our cap. He elaborated on the ambulance services and depending on what direction the Township Committee wishes to go with this as potential ambulance shared service agreement, the budget would have to be amended and we would have to re-advertise the public hearing, but for now, the public hearing on the budget is scheduled for March 18, 2020 at 7:00 p.m.

Mayor Byrd indicated that he firmly believes that the Township should appeal to the residents of the Township to get their view on the direction that the Township should go should any changes in the ambulance services be entertained.

Mayor Byrd asked the Township Committee if they had any questions for the Chief Financial Officer. There were none. Mayor Byrd thanked the Chief Financial Officer for his presentation on the budget.

Mayor Byrd read into the Public Comments 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.

Deputy Mayor Marvin Pierce, Jr. moved and seconded by Committeeman Tommy Clark, Jr. Roll Call Vote: Committeeman Tommy Clark, Jr., yes; Committeeman David Gonzalez, yes; Committeeman

Mark K. Pierce, Sr., yes; Deputy Mayor Marvin Pierce, Jr., yes and Mayor Benjamin Byrd, Sr., yes.

Ed Kimley, 84 Seabreeze Road appeared and stated that on tonight's agenda under Executive Session, Bach Engineering is indicated. Mr. Ed Kimley stated that the firm of Bach Engineering is seeking payment rendered to the Township for engineering services in connection with Land Use Applications dating back to 2012 and 2013. He reported that two (2) Construction Board Appeals were provided to the Township Committee whereby the ruling of the appeal made by Bach Engineering was ejected by the Construction Board of Appeals. Mr. Kimley advised the Township Committee that he was one of the applicants and the other applicant known as Joanne Holton. Mr. Kimley stated that the Township Committee should follow the same ruling as the Board of Appeals.

Mr. Kimley asked the Township Committee if the Acting Township Administrator was what they wanted to run this Township and support him with the kind of background history he has on record.

At this time, 7:08 p.m. Committeeman David Gonzalez arrives to the meeting.

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

Deputy Mayor Marvin Pierce, Jr. moved and seconded by Committeeman Tommy Clark, Jr. Roll Call Vote: Committeeman Tommy Clark, Jr., yes; Committeeman David Gonzalez, yes; Committeeman Mark K. Pierce, Sr., yes; Deputy Mayor Marvin Pierce, Jr., yes and Mayor Benjamin Byrd, Sr., yes.

Mayor Byrd read the Consent Agenda into the record as follows and asked the Township Committee if they had any questions. There were none. Mayor Byrd entertained a motion to approve the Consent Agenda.

CONSENT AGENDA

(RESOLUTION NO. 62 - 2020 THROUGH RESOLUTION NO. 64 - 2020)

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. 62 - 2020

CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

RESOLUTION NO. 63 - 2020

INTRODUCTION OF THE 2020 MUNICIPAL BUDGET

RESOLUTION NO. 64 - 2020

A RESOLUTION AUTHORIZING THE HIRING OF PART TIME EMT'S FOR THE FAIRFIELD TOWNSHIP AMBULANCE SQUAD

On a motion by Deputy Mayor Marvin Pierce, Jr. to approve the above Resolutions by Consent Agenda seconded by Committeeman Mark K. Pierce, Sr. Roll Call Vote: Committeeman Tommy Clark, Jr., yes; Committeeman David Gonzalez, yes; Committeeman Mark K. Pierce, Sr., yes; Deputy Mayor Marvin Pierce, Jr., yes and Mayor Benjamin Byrd, Sr., yes.

NEW BUSINESS

Matthew E. Pisarski, AICP, PP

Assistant Planning Department Director, County of Cumberland

Support of the Jim Wenger Farmland Preservation Application/Block 17, Lot 18, 52 acres

Mr. Pisarski, Department Director for Cumberland County thanked the Township Committee for having him tonight on behalf of the Jim Wenger Farmland Preservation Application. He advised that he was present last month at the Fairfield Township Planning & Zoning Board for their review of the Jim Wenger Farmland Preservation application and received their support and that he is present tonight before the Township Committee to receive their support as well. A copy of color graph depicting the location of the 52 acres was provided to the Township Committee. Mr. Pisarski explained in detail the reason for the preservation and also that it is an active farm.

Upon further discussion, the Township Committee had some concerns as the location runs through the Township's main corridor and this could possibly benefit the Township in the future of some ratables as the Township just had a new Dollar General Store built and opened on Route 49. Mr. Pisarski advised that the preservation application is zoned as Agricultural and that development is limited.

He advised that the purpose of the Jim Wenger Farmland Preservation application is an investment into the agricultural industry.

The Township Committee advised Mr. Pisarski that they would like to study his request further.

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

RESOLUTION NO. 65 - 2020

A RESOLUTION AUTHORIZING THE TOWNSHIP COMMITTEE TO ENTER INTO EXECUTIVE SESSION NOT OPEN TO THE PUBLIC (ACTION MAY BE TAKEN)
N.J.S.A. 10:4-12(b)(7) UPDATES - ATTORNEY/CLIENT PRIVILEGE / CONTRACTUAL EMERGENCY MEDICAL SERVICES, BACH ENGINEERING, DON ROGERS, INC. LITIGATION
N.J.S.A. 10:4-12(b)(8) MATTERS RELATING TO THE EMPLOYMENT RELATIONSHIP/POSITION OF TOWNSHIP ADMINISTRATOR

Committeeman Mark K. Pierce, Sr. moved to adopt Resolution No. 65 - 2020 seconded by Deputy Mayor Marvin Pierce, Jr. Roll Call Vote: Committeeman Tommy Clark, Jr., yes; Committeeman David Gonzalez, yes; Committeeman Mark K. Pierce, Sr., yes; Deputy Mayor Marvin Pierce, Jr., yes and Mayor Benjamin Byrd, Sr., yes.

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

The Township Committee is now in Executive Session at 7:45 p.m.

The Township Committee reconvened into Open Session with all members present.

Township Solicitor announced that the doors are now open at 8:04 p.m. The Township Committee is now in Open Session after having discussed contractual emergency medical services, Bach Engineering, Don Rogers litigation and Hyman Garage Enforcement and one personnel matter.

Mayor Byrd announced as a result of the Executive Session, a motion to entertain to adopt the following Resolution:

RESOLUTION NO. 66 - 2020

A RESOLUTION APPOINTING MICHAEL BURDEN AS THE TOWNSHIP ADMINISTRATOR, ZONING OFFICER AND PAYROLL /PENSION CLERK

Committeeman David Gonzalez moved to adopt Resolution No. 66 - 2020 seconded by Deputy Mayor Marvin Pierce, Jr. Roll Call Vote: Committeeman Tommy Clark, Jr., yes; Committeeman David Gonzalez, yes; Committeeman Mark K. Pierce, Sr., yes; Deputy Mayor Marvin Pierce, Jr., yes and Mayor Benjamin Byrd, Sr., yes.

OLD BUSINESS

None

COMMITTEE REPORTS / REMARKS

Committeeman Mark K. Pierce, Sr. thanked everyone for coming out tonight.

Committeeman David Gonzalez thanked everyone for coming out and an apology for arriving late tonight and also for missing the last two (2) meetings due to family emergencies.

Deputy Mayor Marvin Pierce, Jr. thanked everyone for coming out tonight.

Committeeman Tommy Clark thanked everyone for coming out tonight and safe travels home.

MAYOR'S REPORT / REMARKS

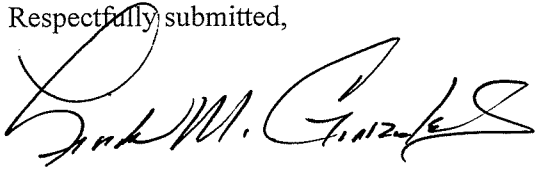
Mayor Byrd thanked everyone for attending tonight's meeting and he thanked Michael Burden for his patience and tolerance for putting up with all the nonsense he has endured. Mayor Byrd also gave thanks to Mr. Burden for recouping \$115,000.00 that was owed to the Township via grant from Hurricane Sandy.

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 and seconded by Committeeman Mark K. Pierce, Sr. All members voted in the affirmative. The meeting adjourned at 8:25p.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