

FAIRFIELD TOWNSHIP COMMITTEE
REGULAR ACTION MEETING
VIA TELECONFERENCE
APRIL 21, 2021

CALL TO ORDER

Mayor Benjamin Byrd, Sr. called the meeting to order at 6:00 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 21st day of April 2021 via teleconference is held pursuant to notice having been submitted to The South Jersey Times, The Daily Journal, and The Press of Atlantic City on January 11, 2021 and also duly posted on the Township website.

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

ALSO PRESENT

Township Administrator Michael Burden, Charles Fiore, Marmero Law, LLC in place of Township Solicitor Albert K. Marmero, Township Clerk Linda M. Gonzales, Chief Financial Officer Neil Young and Municipal Auditor Nancy Sbrolla.

Mayor Byrd asked the Township Committee if they had any questions on the Work Session Action minutes of April 7, 2021. There were none. Mayor Byrd entertained a motion to approve the minutes.

APPROVAL OF MINUTES

WORK SESSION ACTION MEETING APRIL 7, 2021

Committeeman Mark K. Pierce, Sr. moved to approve the Work Session Action Minutes of April 7, 2021 as written 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.

PUBLIC HEARING OF 2021 MUNICIPAL BUDGET

Neil Young, Chief Financial Officer stated that tonight we are holding the Public Hearing on the 2021 Municipal Budget and that it does come with a zero tax increase as we previously discussed at the March 17, 2021 when the budget was introduced. He indicated that it is his opinion that the Township should hold off on the adoption of the budget until the Township is provided with further guidance on the details surrounding the American Rescue Plan Act and directly the Coronavirus State and Local Fiscal Recovery Fund. He advised that the Township is slated to receive around \$500,000.00; however, we do not have the details surrounding those funds on what can be spent on and how to get them inserted into our budget to spend those funds. Mr. Young suggested that the Township Committee hold the Public Hearing tonight and delay the adoption of the budget until we get a little more details on how to spend those funds.

Mayor Byrd asked the Township Committee if they had any questions for the Chief Financial Officer. There were no questions from the Township Committee. Mayor Byrd entertained a motion to open the Public Hearing of 2021 Municipal Budget.

Committeeman David Gonzalez moved and 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. and Mayor Benjamin Byrd, Sr., yes.

Nancy Ridgeway, 582 Irving Avenue stated that the Township previously stated that there would be a no tax increase. Mayor Byrd advised Ms. Ridgeway that was an affirmative.

Ms. Ridgeway stated she had no further comments and thanked Mayor Byrd answering her question.

There being no other comments, Mayor Byrd entertained a motion to close the Public Hearing of 2021 Municipal Budget.

Committeeman Mark K. Pierce, Sr. moved and 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.

ORDINANCE FOR INTRODUCTION (FIRST READING) (TWO)

Mayor Byrd read Ordinance No. 3 - 2021 into the record as follows:

ORDINANCE NO. 3 - 2021

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 363 OF THE TOWNSHIP OF FAIRFIELD, CUMBERLAND COUNTY, ENTITLED "RENTAL DWELLINGS" SPECIFICALLY CREATING SECTION 363A-1 SHORT TERM RENTALS OF THE TOWNSHIP CODE

Mayor Byrd explained said Ordinance whereby such Ordinance is not codified in the Township Code to govern this type of business. He indicated that the Planning & Zoning Board has an application before them for an Airbnb establishment to be considered at their next scheduled meeting. He advised that the Ordinance before us tonight was created by our Township Solicitor for our consideration for introduction.

Mayor Byrd asked the Township Committee if they had any questions.

Committeeman Mark K. Pierce, Sr. stated that he had two (2) questions. The first question was related to Boarding Houses. He asked do we keep this on our ordinance because he believes it is governed by the State of New Jersey.

Mr. Fiore, Marmero Law, LLC sitting in tonight on behalf of Township Solicitor Al Marmero advised Mayor Byrd that he could address the question. Mayor Byrd gave the floor to Mr. Fiore.

Mr. Fiore advised that Boarding Houses are in fact regulated by state statutes and any references in this particular ordinance, he advised that he is trying to see where in particular Boarding Houses are referenced in the Ordinance and that the state statutes would supersede them.

Committeeman Mark K. Pierce, Sr. stated it was on page 2 at §363-6. Mr. Fiore advised Committeeman Pierce that he would take a look at that section.

The second question from Committeeman Mark K. Pierce, Sr. was regarding the regular rental registration what the cost was because he noticed on the short term rental the cost is \$250.00.

Mayor Byrd advised that the cost for the yearly rental registration is \$75.00 and explained the difference between them.

Mr. Fiore advised that he can address the one question that Committeeman Mark K. Pierce, Jr. had regarding §363-6 which primarily deals with the inspections for the smoke and/or heat detectors within the units. He stated that all other inspections fall under the jurisdiction of the Multiple Dwelling Act under the State Law. Mr. Fiore stated also in regards to the fees, he had discussed with the Township Administrator that the reason that it appears to be substantially higher is usually in a Landlord and Tenant situation, the period of time in which the Township would be involved in inspections would be yearly inspections or when there is a change of occupancy. Mr. Fiore advised that the short term rental type leases, there is a quick turnaround which is going to involve more man hours from Fairfield Township going out to do inspections every time occupancy would change or an issue that would come in the forefront.

There being no further comments, Mayor Byrd entertained a motion to introduce Ordinance No. 3 - 2021.

Committeeman David Gonzalez moved and 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 read Ordinance No. 4 - 2021 into the record as follows:

ORDINANCE NO. 4 - 2021

CAPITAL ORDINANCE PROVIDING FOR THE INSTALLATION AND CONFIGURATION OF A NEW SERVER FOR THE TOWNSHIP OF FAIRFIELD, IN THE COUNTY OF CUMBERLAND, NEW JERSEY AND APPROPRIATING TEN THOUSAND DOLLARS (\$10,000) THEREFORE

Mayor Byrd advised that such ordinance is to replace and upgrade the Township's server which entails the installation and configuration of a new server and migration of all data to the new server in the amount of \$10,000.00. He advised that the Township's IT personnel had contacted the Township Administrator to let us know that we are having troubles with the server and also in the Tax Collector's Office in collections area as well.

Mayor Byrd asked the Township Committee if they had any concerns or questions.

Deputy Mayor Marvin Pierce, Jr. stated that he had one question and that is if we could find out from the IT company how often do these updates need to occur and is it like a Comcast modem that has to be done every year or 2 years so that we will know in the future how often that we will need to look forward on updating the server.

Mayor Byrd asked the Township Administrator if he had any information. Township Administrator Burden advised that the last time the server was updated was 10 years ago and in the technology world, 10 years is a long time.

Mayor Byrd asked Deputy Mayor Pierce if his question was satisfied or would he need the Township Administrator to investigate further. Deputy Mayor Pierce indicated that we could ask them as he is assuming that this server update is the most current system and what their projection is to how often will we need to update for in the future, the Township Committee can see it coming so that we do not fall 10 years behind so that we can plan for it as it is quite a bit a money and obviously the cost will rise as time goes on.

Mayor Byrd advised that the Township has a certain amount of money in the capital account to cover the upgrade expenditure. Mayor Byrd asked the Township Administrator if he had discussed the expenditure with the Chief Financial Officer and the Township Administrator affirmed.

There being no further comments or questions, Mayor Byrd entertained a motion to introduce Ordinance No. 4 - 2021.

Deputy Mayor Marvin Pierce, Jr. moved and 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.

ORDINANCES FOR PUBLIC HEARING (SECOND READING)

None

REVIEW OF BILL LIST PROVIDED BY CFO

Mayor Byrd asked the Township Committee if they had any questions and or conflicts on the bill list provided by the Chief Financial Officer to please put them on the record.

Mayor Byrd and Tommy Clark, Jr. entered into the record their conflict on payable #00147 CME Associates Escrow Services/South State, Incorporated. There being no further questions and or conflicts, Mayor Byrd read Resolution No. 85 - 2021 into the record and entertained a motion to adopt.

RESOLUTION

RESOLUTION NO. 85 - 2021

A RESOLUTION OF FAIRFIELD TOWNSHIP, CUMBERLAND COUNTY AUTHORIZING THE PAYMENT OF TOWNSHIP BILLS IN THE AMOUNT OF \$290,233.31

Committeeman Mark K. Pierce, Sr. moved to adopt Resolution No. 85 - 2021 seconded by Deputy Mayor Marvin Pierce, Jr. Roll Call Vote: Committeeman Tommy Clark, Jr., yes, but abstained on payable #00147; Committeeman David Gonzalez, yes; Committeeman Mark K. Pierce, Sr., yes; Deputy Mayor Marvin Pierce, Jr., yes and Mayor Benjamin Byrd, Sr., yes, but abstained on payable #00147.

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

CONSENT AGENDA

(RESOLUTION NO. 86 - 2021 THROUGH RESOLUTION NO. 87 - 2021)

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. 86 - 2021

A RESOLUTION OF FAIRFIELD TOWNSHIP, CUMBERLAND COUNTY APPROVING ANNUAL BUSINESS REGISTRATION APPLICATIONS

RESOLUTION NO. 87 - 2021

A RESOLUTION OF APPOINTMENT FOR EMERGENCY MANAGEMENT COORDINATOR

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.

OLD BUSINESS

None

NEW BUSINESS

None

TOWNSHIP COMMITTEE REPORT / REMARKS

Committeeman Tommy Clark, Jr. gave thanks to those who joined our teleconference meeting tonight and for everyone to be safe and to continue to wear your face mask.

Committeeman Mark K. Pierce, Sr. echoed the same remarks as Committeeman Clark and to not let your guard down.

Committeeman David Gonzalez echoed the same sentiments that his colleagues and Committeemen just stated to just be safe and thanked those who called in to join the meeting and supporting the Township and to get involved.

Deputy Mayor Marvin Pierce, Jr. reiterated the same remarks issued by his Committeemen and thanked those who took their time out to attend.

MAYOR'S REPORT / REMARKS

Mayor Byrd thanked everyone that called in to attend tonight's meeting and to the Committeemen that he appreciates them for all that they do and all that they have given placed in service as a committee person as it takes a lot of effort sometimes and the decisions that we have to make for our township and appreciates everyone that they do the best that they can do.

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. At the appropriate time, please 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 Mark K. Pierce, Sr. moved and 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.

There were no comments. Mayor Byrd entertained a motion to close Public Comment on Current Agenda and Non Agenda Items.

Deputy Mayor Marvin Pierce, Jr. moved and 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.

There was no need for an Executive Session.

EXECUTIVE SESSION (IF NEEDED)

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

ADJOURNMENT

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

Committeeman Mark K. Pierce, Sr. moved and seconded by Deputy Mayor Marvin Pierce, Jr. All members voted in the affirmative. The meeting adjourned at 6:30 p.m.

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