

FAIRFIELD TOWNSHIP COMMITTEE
WORK SESSION ACTION MEETING
VIA TELECONFERENCE
AUGUST 2, 2023

CALL TO ORDER

Mayor Marvin Pierce, Jr. called the meeting to order at 6:00 p.m.

Mayor Pierce 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 ensure 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 2nd day of August 2023 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 5, 2023 and duly posted on the Township website.

SALUTE TO THE FLAG / MOMENT OF PRAYER

Mayor Pierce led the flag salute followed by a moment of prayer given by Deputy Mayor Mike Peterson.

ROLL CALL

The following roll call was recorded as follows:

Committeeman Stephen M. Bateman, present; Committeeman Benjamin Byrd, Sr., present;
Committeeman Tommy Clark, Jr., present; Deputy Mayor Mike Peterson, present and Mayor Marvin Pierce, Jr., present.

ALSO PRESENT

Township Administrator Michael Burden, Township Solicitor Albert K. Marmero and Township Clerk Linda M. Gonzales.

APPROVAL OF MINUTES

REGULAR ACTION MEETING JULY 19, 2023

Mayor Pierce asked the Township Committee if they had any questions on the Regular Action minutes of July 19, 2023. There being none, Mayor Pierce entertained a motion to approve the minutes.

Deputy Mayor Mike Peterson moved to approve the minutes as written seconded by Committeeman Stephen M. Bateman. Roll Call Vote: Committeeman Bateman, yes; Committeeman Byrd, yes; Committeeman Clark, yes; Deputy Mayor Peterson, yes and Mayor Pierce, yes.

ORDINANCE FOR INTRODUCTION (TWO)

Mayor Pierce read Ordinance No. 4 - 2023 into the record as follows:

ORDINANCE NO. 4 - 2023

AN ORDINANCE CREATING CHAPTER OF THE CODE OF TOWNSHIP OF FAIRFIELD, CUMBERLAND COUNTY, ENTITLED "CANNABIS" SPECIFICALLY CREATION SECTION -1 ESTABLISHING A CANNABIS REVIEW BOARD

Mayor Pierce entertained a motion to introduce Ordinance No. 4 - 2023 on first reading.

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

Mayor Pierce read Ordinance No. 5 - 2023 into the record as follows:

ORDINANCE NO. 5 - 2023

AN ORDINANCE OF THE TOWNSHIP OF FAIRFIELD AUTHORIZING THE SALE OF MUNICIPALLY OWNED PROPERTIES

Mayor Pierce entertained a motion to introduce Ordinance No. 5 - 2023 on first reading.

Committeeman Stephen M. Bateman moved seconded by Committeeman Tommy Clark, Jr. Roll Call Vote: Committeeman Bateman, yes; Committeeman Byrd, yes; Committeeman Clark, yes; Deputy Mayor Peterson, yes and Mayor Pierce, yes.

ORDINANCE FOR PUBLIC HEARING (SECOND READING) (ONE)

Mayor Pierce read Ordinance No. 3 - 2023 into the record as follows:

ORDINANCE NO. 3 - 2023

CAPTIAL ORDINANCE PROVIDING FOR THE PURCHASE OF LANDSCAPING EQUIPMENT FOR THE PUBLIC WORKS DEPARTMENT OF THE TOWNSHIP OF FAIRFIELD, IN THE COUNTY OF CUMBERLAND, NEW JERSEY AND APPROPRIATING FIFTEEN THOUSAND DOLLARS (\$15,000) THEREFORE

Mayor Pierce entertained a motion to open Public Hearing on Ordinance No. 3 - 2023.

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

There being none, Mayor Pierce entertained a motion to close Public Hearing on Ordinance No. 3 - 2023.

Committeeman Stephen M. Bateman moved seconded by Deputy Mayor Mike Peterson. Roll Call Vote: Committeeman Bateman, yes; Committeeman Byrd, yes; Committeeman Clark, yes; Deputy Mayor Peterson, yes and Mayor Pierce, yes.

Mayor Pierce entertained a motion to adopt Ordinance No. 3 - 2023 on final reading.

Committeeman Stephen M. Bateman moved seconded by Committeeman Benjamin Byrd, Sr. Roll Call Vote: Committeeman Bateman, yes; Committeeman Byrd, yes; Committeeman Clark, yes; Deputy Mayor Peterson, yes and Mayor Pierce, yes.

REVIEW OF BILL LIST PROVIDED BY THE CFO

Mayor Pierce asked the Township Committee if they had any questions and or conflicts on the bill list provided by the Chief Financial Officer.

Committeeman Stephen M. Bateman entered his conflict on payable #23-00647 to Fairfield Volunteer Fire Company No. 1. There being no other questions and or conflicts, Mayor Pierce read Resolution No. 126 - 2023 into the record and entertained a motion to adopt.

RESOLUTION

RESOLUTION NO. 126 - 2023

A RESOLUTION OF FAIRFIELD TOWNSHIP, CUMBERLAND COUNTY AUTHORIZING THE PAYMENT OF TOWNSHIP BILLS IN THE AMOUNT OF \$869,705.16

Committeeman Stephen M. Bateman moved seconded by Deputy Mayor Mike Peterson. Roll Call Vote: Committeeman Bateman, yes, but abstain on payable #23-00647 to Fairfield Volunteer Fire Company No. 1; Committeeman Byrd, yes; Committeeman Clark, yes; Deputy Mayor Peterson, yes and Mayor Pierce, yes.

Mayor Pierce read the Consent Agenda into the record and asked the Township Committee if they had any questions.

Committeeman Benjamin Byrd, Sr. advised that he had a conflict with Resolution No. 127 - 2023. There being no further questions and or conflicts, Mayor Pierce entertained a motion to adopt the Consent Agenda.

CONSENT AGENDA

(RESOLUTION NO. 127 - 2023 THROUGH RESOLUTION NO. 132 - 2023)

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. 127 - 2023

A RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT OF SALE FOR PROPERTY KNOWN AS BLOCK 19, LOTS 22, 23, 24, 25 AND 26

RESOLUTION NO. 128 - 2023

A RESOLUTION ACCEPTING RESIGNATION OF PLANNING/ZONING BOARD MEMBERS

RESOLUTION NO. 129 - 2023

A RESOLUTION OF FAIRFIELD TOWNSHIP, CUMBERLAND COUNTY GRANTING CONDITIONAL APPROVAL TO FAIRFIELD VOLUNTEER FIRE COMPANY NO. 1 -FAIRTON TO SUBMIT AN APPLICATION TO THE COUNTY CONSENTING TO A CHARITABLE ROADWAY SOLICITATION

RESOLUTION NO. 130 - 2023

A RESOLUTION AUTHORIZING THE TOWNSHIP OF FAIRFIELD TO EXECUTE A SETTLEMENT AGREEMENT

RESOLUTION NO. 131 - 2023

TAX EXEMPTION GRANTED TO 100% PERMANENTLY AND TOTALLY DISABLED VETERAN AND CANCELS 2023 TAX AMOUNT

RESOLUTION NO. 132 - 2023

A RESOLUTION TO APPOINT ERICA FLORES TO THE POSITION OF REGISTRAR OF VITAL STATISTICS/DEPUTY ADMINISTRATOR

On a motion by Committeeman Stephen M. Bateman to approve the above Resolutions by Consent Agenda Resolution No. 127 - 2023 through Resolution No. 132 - 2023 seconded by Deputy Mayor Mike Peterson. Roll Call Vote: Committeeman Bateman, yes, Committeeman Byrd, yes; but abstained on Resolution No. 127 - 2023; Committeeman Clark, yes; Deputy Mayor Peterson, yes and Mayor Pierce, yes.

OLD BUSINESS

UPDATED APPLICATION FOR ASSEMBLAGE OF OVER 250 PERSONS

APPLICANT: ANDRES LOPEZ

Mr. Andres Lopez presented an updated application for an Assemblage of Over 250 Persons for an event to be held at 253 Fairton-Millville Road on August 19, 2023 from 2:00 p.m. to 10:00 p.m. The Township Committee deferred action on the initial application at their July 19, 2023 meeting as the application was deemed incomplete. The Township Committee recommended that the applicant resubmit his application showing a fence completely enclosing the location of sufficient height and strength to prevent people in excess of the maximum permissible number from gaining access to the assembly grounds, which fence shall have at least 4 gates on 4 opposite points of the compass, a well-defined plan for crowd management, emergency including the number of guards, the deployment, their names, credentials and hours of availability and a bond filed with the Municipal Clerk either in cash or underwritten by a surety company in the amount of \$500,000 which shall indemnify and hold harmless Fairfield Township or any of its' agent, officers, servants and employees from any liability or causes of action which might arise by reason the granting of the license and from any damage incurred by trespass, vandalism or otherwise and from any cost incurred in cleaning up any waste material produced or left by assembly.

The updated application was reviewed by the Township Solicitor and the application contains a drawing of the property and contains some insurance materials along with a copy of a letter from the Township Administrator dated July 20, 2023 whereby he was asking the applicant for additional information. The Solicitor advised that in looking at the application materials it does not appear that the 4 gates on the opposite compass side of the property are shown and not seeing any security, emergency/medical personnel provided to the Township.

Andres Lopez stated that he had just contacted the security company and that there will be 5 security guards, which will be sufficient coverage for people expected. They are licensed and insured, and he could provide them to the Township. Mr. Lopez stated that as far as the fence goes, he advised that there is already one in the field and that if needed, he can open another one and that there are already 3 openings now.

Mr. Lopez reported that on another issue regarding the bond. He advised that he contacted a couple of insurance companies and that he did receive a response from one of the insurance companies that he provided to the Township Administrator that basically what he is being told is that for a one day event for a bond is around \$20,000.00 and that he and the bond company does not believe this is advisable for just a one day event as he is already purchasing a one day event insurance for \$1million dollars separate from the bond and that he does not know how to go about this if the \$1million dollar insurance is sufficient

enough as it is not conducive to pay \$20,000.00 bond for just a one day event.

Mr. Lopez stated that as far as the amount of people, they stated over 250 people, however, he really does not know as he just wanted to be on the safe side and ask for permission from the Township and that it may not even be over 250 people and was trying to abide by the Township's regulations and will be ending the event no later than 10:00 p.m. to be in compliance with the Township's Noise Ordinance.

Committeeman Tommy Clark, Jr. asked if this event was under 200 people would it have made a difference in the submittal of the paperwork. Township Solicitor advised that the Township Ordinance that the applicant submitted his application under is a recently enacted Ordinance No. 6 - 2022 and what the Ordinance does is govern an Assemblage of Over 250 Persons that requires a license for any gathering of over 250 or more Persons. If the gathering plan is somewhere under 250, then necessarily there would be no permit needed from the Township Committee and of course if there was any kind Games of Chance or any food, or licensing they would need to take care of that, but 250 is the cut-off that implicates this Ordinance and in this Ordinance sets forth all the guidelines which is the drawing of the property, the property gates, insurance, security, the medical personnel, the required amount of toilets, the parking areas that kicks in at over 250 Persons.

Committeeman Tommy Clark, Jr. stated that his point Mr. Lopez tried to do right by us and come to us in a proper way to submit his paperwork and that he is trying to figure out a way because he knows we needed this meeting to approve, and he asked Mayor Pierce is he was correct. Mayor Pierce responded that is correct because of the day of the event. Committeeman Clark stated that Mr. Lopez was trying to do the right thing and that he is only speaking for himself, that we have had several events that occurred in the Township and that he did not know how many people actually tried to do right by coming before the Township Committee and by Mr. Lopez throwing the number over 250 Persons that it might be under 200 and he honestly believes that Mr. Lopez was being safe with the number and that he is thinking that if there is another route if we have a situation where we feel as though it is more than 200 then he sees no other reason why at that point why we would not call our law enforcement and say that there is too many people present and to shut the event down and asked if this was something that we could consider.

Township Administrator Burden stated the State Troopers had informed him that they no longer turn parties out.

Committeeman Tommy Clark, Jr. thanked the Township Administrator and stated that he wishes there was something that they can do as we do as we will not have another Township Committee Meeting and Mr. Lopez event is approaching and it appears to him that he tried to get all the credentials but because of the simple fact that he said 250 persons we are in complication at this moment.

Deputy Mayor Mike Peterson asked Mr. Lopez that the date of event appears to be August 19th and that the Township Committee does have another meeting on August 16th and asked Mayor Pierce if he was correct.

Mayor Pierce responded that he was correct. Committeeman Tommy Clark, Jr. apologized that he was under the impression that we only had one meeting. With that we will have another meeting. He stated that the Ordinance requires a bond, and he does not know what to do at this juncture.

Mr. Lopez responded that if the bond is required under the Ordinance, then he will not be able to have the event because he cannot see paying a \$20,000 bond for a one-day event that is not even a lucrative one, it is literally a religious festival and that no-one is financially benefiting on this event.

Mayor Marvin Pierce, Jr. stated that the Township Committee does have another meeting on August 16th and if Mr. Lopez can bring the necessary things to comply with the Ordinance. He advised Mr. Lopez that if the gathering is under 250 persons, there is no permit required from the Township, however that Mr. Lopez must be cognizant that it is solely at his own risk.

There was no Old Business from the Township Committee to report.

NEW BUSINESS

There was none.

COMMITTEE REPORTS / REMARKS

Committeeman Stephen M. Bateman had no report or remarks to make at this time.

Committeeman Benjamin Byrd, Sr. had no report or remarks to make at this time.

Committeeman Tommy Clark, Jr. thanked everyone who joined tonight's teleconference meeting and wished all a great evening.

Deputy Mayor Mike Peterson had no reports or remarks to make at this time.

MAYOR'S REPORT / REMARKS

Mayor Marvin Pierce thanked everyone for taking their time out to join our teleconference meeting.

Mayor Pierce read the Public Comment on Current Agenda Items & Non-Agenda Items into the record 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 Pierce entertained a motion to open the Public Comment on Current Agenda Items & Non-Agenda Items.

Resident identified as Kyle, 82 Seabreeze Road spoke about property taxes regarding Block 51, Lot 8.03.

The Solicitor explained the process regarding taxes that are insufficient and that it appears that the Township placed a tax lien back in 2017 to foreclose. Upon further discussion, the Township Solicitor and Township Administrator will investigate the matter with the Tax Collector's Office.

There being no further comments, Mayor Pierce entertained a motion to close Public Comment on Current Agenda Items & Non-Agenda Items.

Committeeman Stephen M. Bateman moved seconded by Deputy Mayor Mike Peterson. Roll Call Vote: Committeeman Bateman, yes; Committeeman Byrd, yes; Committeeman Clark, yes; Deputy Mayor Peterson, yes and Mayor Pierce, yes.

There was no need for an Executive Session.

EXECUTIVE SESSION (IF NEEDED)

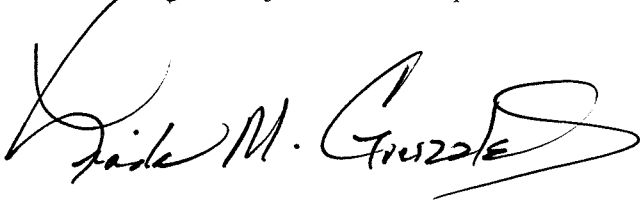
AUTHORIZING TOWNSHIP COMMITTEE TO ENTER INTO EXECUTIVE NOT OPEN TO THE PUBLIC (ACTION MAY BE TAKEN)

ADJOURNMENT

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

Committeeman Stephen M. Bateman moved seconded by Committeeman Benjamin Byrd, Sr. Roll Call Vote: Committeeman Bateman, yes; Committeeman Byrd, yes; Committeeman Clark, yes; Deputy Mayor Peterson, yes and Mayor Pierce yes.

The meeting was adjourned at 6:43 p.m.



Linda M. Gonzales, RMC
Township Clerk