

FAIRFIELD TOWNSHIP COMMITTEE
REGULAR ACTION MEETING
JULY 21, 2015

CALL TO ORDER

Mayor Byrd called the meeting to order at 7:00 p.m.

OPEN PUBLIC MEETINGS ACT STATEMENT

Mayor Byrd read the following OPMA Act Statement into the record as follows:

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 21st day of July, 2015 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 South Jersey Times, The Daily Journal, and The Press of Atlantic City 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 Morton, yes; Committeeman Pitts, present; Committeewoman Servais, present and Mayor Byrd, present.

Also present were staff members: Township Administrator Davis, Township Solicitor Carr, and Township Clerk Gonzales.

Also present: Mark Blauer, Blauer Associates.

APPROVAL OF MINUTES

REGULAR ACTION OF JUNE 16, 2015

CLOSED SESSION OF JUNE 16, 2015

Committeeman Pitts moved to approve the minutes of the Regular Action Meeting of June 16, 2015 and the Closed Session Meeting of June 16, 2015 as written seconded by Committeeman Clark. Roll Call Vote: Clark, yes; Morton, no; Pitts, yes; Servais, yes and Mayor Byrd, yes.

REVIEW OF BILL LIST PROVIDED BY CFO

The Township Committee reviewed the bill list. Mayor Byrd asked the Township Committee if they had any questions on the bills presented for payment. The Township Administrator answered questions for clarification.

ORDINANCES FOR INTRODUCTION (FIRST READING): NONE

ORDINANCES FOR PUBLIC HEARING (SECOND READING): NONE

PUBLIC HEARING

SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Mayor Byrd asked for a motion to open the public hearing. Deputy Mayor Pitts moved to open the public hearing for the Small Cities Community Development Block Grant Program seconded by Mayor Byrd. Roll Call Vote: Clark, yes; Morton, yes; Pitts, yes; Servais, yes and Mayor Byrd, yes.

Mr. Mark Blauer, Blauer Associates, LLC introduced himself into the record as the grant writer for the Township of Fairfield. Mr. Blauer has worked with Fairfield Township since last year. He advised that Community Block Grants are given to fifty (50) states. Mr. Blauer stated in our case, the grant is through the New Jersey Department of Community Affairs. The NJDCA Home Rehabilitation Program is a program to provide home rehabilitation loans to low- and moderate-income homeowners.

Mr. Blauer spoke on the FY 2015 DCA CDGB grant awarded to the Township last year in the amount of \$125,000.00 followed by an update given as to where we are now with the \$125,000.00 grant. He reported a total of nine (9) homeowners approved to receive rehabilitation assistance through this grant.

He advised that the grant money is pretty much committed to the nine (9) homes and explained that no further commitments can be made at this time with other applications coming in, however, should someone ask for an application, in which they are reaching out to the Township, the application is given and forwarded to his office for his review, and if qualified, the resident is notified by Mr. Blauer and is placed on a waiting list.

Mr. Blauer announced that tonight we have another opportunity to apply and submit an application for \$200,000.00 in home rehabilitation funds should the Township Committee of the Township of Fairfield desire to have him to assist in preparing and submitting the application. The application was explained that it must be submitted by September 11, 2015. In doing so, the NJDCA requires that the Township Committee conduct the public hearing and adopt and pass the necessary resolutions that the NJDCA wants to have in their office along with his proposed agreement to assist the Township in developing and submitting the Small Cities application and also to provide administration and case management services, granted that the NJDCA approves the grant application. .

Mr. Blauer explained who can apply for loan assistance under the Fiscal Year 2016 Housing Rehabilitation Program and explained the definition of the meaning of homeowner of record and occupants of a residential housing unit at the time of application.

He advised that there will be a lien on the homes assisted by the program and indicated that 100% of the assistance is a deferred loan. He explained that this portion of the loan is not forgiven. The assistance provided will be paid back to the Township when the owner sells or transfers the home. The money paid back will help to finance future rehabilitation programs.

Upon the introduction, eligible participants, assistance available, eligible rehabilitation work; who gets assistance; the procedures; his staffing; record keeping; project advertising; lead paint compliance; and the forms used by the rehabilitation program maintained in individual home files, he asked if any one present had any questions and or concerns or even suggestions for the program.

There were none indicated. Mayor Byrd thanked Mr. Blauer for his presentation and for coming out tonight.

There being no public comments on the public hearing, Mayor Byrd asked for a motion o close the public hearing.

Deputy Mayor Pitts moved to close the public hearing seconded by Committeeman Clark. Roll Call Vote: Clark, yes; Morton, yes; Pitts, yes; Servais, yes and Mayor Byrd, yes.

PUBLIC COMMENT ON CURRENT AGENDA ITEMS ONLY

Mayor Byrd asked for a motion to open the meeting to the public for their comments on current agenda items only.

Deputy Mayor Pitts moved to open seconded by Mayor Byrd. Roll Call Vote: Clark, yes; Morton, yes; Pitts, yes; Servais, yes and Mayor Byrd, yes.

Mayor Byrd reminded the public to be mindful of their comments limited to the five (5) minute rule and that the meeting is not to be disruptive.

There being no comments to be received, Mayor Byrd asked for a motion to close the public comment on Current Agenda Items Only.

Deputy Mayor Pitts moved to close seconded by Mayor Byrd. Roll Call Vote: Clark, yes; Morton, yes; Pitts, yes; Servais, yes and Mayor Byrd, yes.

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

RESOLUTIONS

RESOLUTION NO. 117 - 2015

A RESOLUTION OF THE TOWNSHIP OF FAIRFIELD, CUMBERLAND COUNTY TO APPLY FOR AND OBTAIN A GRANT APPLICATION FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS NOT TO EXCEED \$200,000 FOR THE FISCAL YEAR 2016 HOUSING REHABILITATION PROGRAM

Committeewoman Servais moved to adopt Resolution No. 117 - 2015 seconded by Mayor Byrd. Roll Call Vote: Clark, yes; Morton, yes; Pitts, yes; Servais, yes and Mayor Byrd, yes.

RESOLUTION NO. 118 - 2015

A RESOLUTION OF THE TOWNSHIP OF FAIRFIELD APPROVING THE GRANT MANAGEMENT PLAN PREPARED BY BLAUER ASSOCIATES FOR THE FISCAL YEAR 2016 HOUSING REHABILITATION PROGRAM

Committeewoman Servais moved to adopt Resolution No. 118 - 2015 seconded by Mayor Byrd. Roll Call Vote: Clark, yes; Morton, yes, Pitts, yes; Servais, yes and Mayor Byrd, yes.

RESOLUTION NO. 119 - 2015

A RESOLUTION OF THE TOWNSHIP OF FAIRFIELD, CUMBERLAND COUNTY APPROVING THE POLICIES AND PROCEDURES MANUAL PRODUCED BY BLAUER ASSOCIATES FOR THE FISCAL YEAR 2016 HOUSING REHABILITATION PROGRAM

Committeewoman Servais moved to adopt Resolution No. 119 - 2015 seconded by Committeeman Clark. Roll Call Vote: Clark, yes; Morton, yes; Pitts, yes; Servais, yes and Mayor Byrd, yes.

RESOLUTION NO. 120 - 2015

A RESOLUTION OF THE TOWNSHIP OF FAIRFIELD, CUMBERLAND COUNTY ADOPTING THE CITIZEN PARTICIPATION PLAN BY THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS SMALL CITIES PROGRAM

Deputy Mayor Pitts moved to adopt Resolution No. 120 - 2015 seconded by Committeewoman Servais.

Roll Call Vote: Clark, yes; Morton, yes; Pitts, yes; Servais, yes and Mayor Byrd, yes.

RESOLUTION NO. 121 - 2015

A RESOLUTION OF THE TOWNSHIP OF FAIRFIELD, CUMBERLAND COUNTY DESIGNATING THE TOWNSHIP ADMINISTRATOR AS THE SMALL CITIES FAIR HOUSING AND EQUAL OPPORTUNITY OFFICER

Mayor Byrd moved to adopt Resolution No. 121 - 2015 seconded by Deputy Mayor Pitts. Roll Call Vote:

Clark, yes; Morton, yes; Pitts, yes; Servais, yes and Mayor Byrd, yes.

RESOLUTION NO. 122 - 2015

A RESOLUTION OF THE TOWNSHIP OF FAIRFIELD, CUMBERLAND COUNTY AUTHORIZING THE PAYMENT OF TOWNSHIP BILLS IN THE AMOUNT OF \$90,772.71

Deputy Mayor Pitts moved to adopt Resolution No. 122 - 2015 seconded by Mayor Byrd. Roll Call Vote:

Clark, yes; Morton, no; Pitts, yes; Servais, no and Mayor Byrd, yes.

NEW BUSINESS (DEFERRED FROM JULY 7, 2015)

A. REVIST / FURTHER DISCUSSION ON AMENDING LITTER ORDINANCE

[This matter under New Business was not discussed]

Mayor Byrd made an announcement under New Business. Mayor Byrd indicated that there were three (3) people so far who have submitted their interest for the position of Emergency Management Coordinator for the Township of Fairfield that needs to be filled. He indicated the names into the record as Mr. Pat Conahey; Mrs. Viola Thomas-Hughes and Mr. Ernest Zirkle.

Mayor Byrd stated that he makes the motion to appoint Mr. Ernest Zirkle as the Emergency Management Coordinator seconded by Deputy Mayor Pitts.

At this time, Committeewoman Servais asked Mayor Byrd when did the interviews take place.

Mayor Byrd indicated that he was going with the paperwork that was received. Committeewoman Servais asked when were they were interviewed, as she has not seen any of the paperwork.

The Township Clerk stated that she was instructed to advertise the position in Careerbuilders.com and the advertisement was placed in last week and has received a few responses to the position.

Mayor Byrd announced that he will withdraw the motion and get back after Executive Session.

Mayor Byrd asked the Township Committee if they had any New Business for discussion. There were none.

OLD BUSINESS DEFERRED FROM JULY 7, 2015)

A. REVISIT / FURTHER DISCUSSION ON THE NEW TIME CLOCK FOR TOWNSHIP EMPLOYEES

Mayor Byrd asked the Township Committee if they had any further discussion on revisiting the topic of a new clock for Township Employees.

Committeewoman Servais stated her opinion is that why do we need a new time clock when we bought a new time clock last year and we are going to pay an additional \$51.00 a month for a new time clock when we already bought a new one last year.

Mayor Byrd asked if there were any other comments from the Township Committee. There were none.

Deputy Mayor Pitts stated that he would like to make a motion that we move forward with updating the system, changing the current system to the new system seconded by Mayor Byrd. Roll Call Vote: Clark, yes; Morton, no; Pitts, yes; Servais, no and Mayor Byrd, yes.

Mayor Byrd stated more Old Business is the ambulance. He advised that we need to produce the language to be placed on the ballot for refurbishing the ambulance. Mayor Byrd asked the Township Committee if they had any input on the question.

Deputy Mayor Pitts asked if we had a set amount not to exceed \$100,000.00. Mayor Byrd stated he thought it was not to exceed \$99,000.00.

The Township Clerk stated it was her understanding from a previous meeting not to exceed \$100,000.00.

Mayor Byrd asked if the Township Committee had any input on the question. There were none.

Mayor Byrd stated that the question should be read to refurbish the ambulance and whatever the year is, and we need to find that out and not to exceed \$100,000.00 in cost as needed by the Fairton Ambulance Service for the Township of Fairfield.

Mayor Byrd asked the Township Committee if they had any further Old Business. There were none.

PUBLIC COMMENT

Mayor Byrd asked for a motion to open the meeting for public comments.

Committeeman Clark moved to open the meeting for public comments with the public being cautioned that we are going to implement the five (5) minute rule and we will be respectful to each other in each other's tones and hopefully that we will get something done tonight, professionally seconded by Deputy Mayor Pitts. Roll Call Vote: Clark, yes; Morton, yes; Pitts, yes; Servais, yes and Mayor Byrd, yes.

Mr. Tom Zander appeared and indicated that this was his seventh (7th) time before the Township Committee. He indicated that the mayor was nice enough one time to go with him via drive to show him his road complaint and that up to now, it has never been addressed. Mr. Zander indicated that he was re-assessed and it was way beyond \$1,000.00 per acre for marsh land. He indicated the place as 2/3rds of marsh land and that there are a lot of wetlands as well. He stated that he uses the property for hunting and trapping. Mr. Zander stated that he is being taxed and the matter is in Trenton and has been for four (4) years and has appeal the matter and that the Judge has not made a decision on the matter that he does not understand why it is sitting there.

Mr. Zander stated that he went out the property and explained that he physically measured seventy-seven (77) of the holes depth and width and took photos of the holes and indicated that he was going to provide us a copy of the photos with his name, his address and his phone number. Mr. Zander indicated that he is asking the Township Committee because he said that the last time he was before the Township Committee he did not want to do something that he did not want to, but that we folks are forcing him into it. Mr. Zander indicated that he wishes that the Township Committee take a serious look at this and see about getting aid from the State or somebody.

Mr. Zander indicated that he is getting killed with the taxes, he is being overcharged and that the judge is dragging his heels on the matter. That the matter has been up in Trenton for 3 or 4 years and that he is overly grossly assessed. Mr. Zander indicated that he provided proof of the difference in averages throughout New Jersey and that it is only \$300.00 per acre in wetlands.

Mayor Byrd indicated to Mr. Zander that the Township Administrator and the Public Works Supervisor have gone out to look at the road since the last time Mr. Zander was before the Township Committee and they have reached out to the Township Engineer and the Township Solicitor for their direction. Mayor Byrd advised Mr. Zander that as soon as we receive all the clarifications from the Engineer, then we will know what we can do.

Mr. Zander indicated that he is not coming in again. He stated that if the Township Administrator is kind enough, that he is going to give him one month to report his findings. Mr. Zander stated that if he does not hear something positive in one month, that we are forcing him to find himself the best lawyer he can is going to try to sue the Township.

Russell Pierce, 376 Fairton-Gouldtown Road appeared and indicated that he would like to know who is in charge to collect business licenses in the Township. Mr. Pierce indicated that from what he understands and what he is hearing is that everybody that has a business in the Township have not received their application to renew their business license.

Mr. Pierce indicated also that he had signed a complaint on three (3) people for not having a business license and would like to know what happened to his complaint. Mr. Pierce indicated that he heard it went out to different areas of the county. Mr. Pierce indicated that he will be submitting an OPRA request indicating the time sent from the Township to Deerfield and to the City of Bridgeton.

Mr. Pierce asked the Township Solicitor if he could provide an answer to his request. The Solicitor indicated that he did not know where we are with it due to conflict based on how the matter was brought up.

Mr. Pierce indicated that the last time he spoke with the Township Solicitor he was advised that it was sent to Bridgeton.

The Township Solicitor stated not to his knowledge. Mr. Pierce indicated that he had mentioned to the Township Solicitor that it would not be a conflict by us having a joint municipal court. The Township Solicitor indicated that he is telling Mr. Pierce that he has a conflict due based on the way how it is brought up.

Mr. Pierce indicated that he had mentioned to the Township Solicitor to stop all the conflicts to take the matter out of the county and would like to know why we are not doing that.

Mr. Pierce indicated that he will be submitting his OPRA request tomorrow.

Committeeman Morton inquired clarification regarding the three (3) businesses in particular that he is looking for.

Mr. Pierce indicated that what he understands and is heard is that there are a lot of people waiting for their application for their business license renewals and that it is not being done.

Committeewoman Servais indicated, Russell you do not seem to understand that only people who need a business permit are people who are not running a business. If you are running a business, you do not need a business permit in Fairfield Township.

Mr. Pierce asked if that is the way it goes and when did that change take place. Committeewoman Servais stated is done in the beginning of this year.

Mr. Pierce stated that there is a big ditch created by water run off near Fairton. Mr. Pierce stated that he made a complaint regarding high vegetation growth on Township R-O-W and was informed that the tractors were not running.

Viola Thomas-Hughes, 493 Fairton-Gouldtown Road, Bridgeton, Fairfield Township, appeared and indicated that she will try to do it in the five (5) minute time and of course be respectful as she always is and professional.

Mrs. Thomas-Hughes stated that her concern is that she submitted a volunteer application several months ago and that she has not heard anything back about the application.

Mrs. Thomas-Hughes stated her next concern was that she submitted a letter of interest for the Emergency Management Coordinator position, and she is wondering why there is no interview process. She indicated that there is always an interview process. She indicated that she submitted her letter of interest to the Township Administrator. The Administrator did advised her that he did reviewed her letter of interest and that there would be some type of interview once all the applications were in, but tonight, I hear you are appointing someone and that she was not called in for an interview and that she hears the Township Clerk that there are applications still out and that nobody has reviewed them.

Mrs. Thomas-Hughes stated that at the last meeting, the mayor indicated that the Township Engineer would be present tonight to discuss the grant for Thomas Drive.

At this time, the Township Engineer walked into the meeting room. Robert Hunter introduced himself as the Township Engineer. Mrs. Thomas-Hughes asked for his name and indicated to Mr. Hunter that she is very interested in seeing what is going on with the grant for Thomas Drive.

Mrs. Thomas-Hughes also stated that she wants the Township Committee to know at the last meeting she was not being disrespectful, but as a resident and a taxpayer, when a township resident comes before you and ask you a question, the answer should not be to OPRA request the information, because it is public knowledge where she asked about the tax increase in the budget and nobody could tell her and the Mayor told her to put in an OPRA request.

Mrs. Thomas-Hughes asked if the members of the Township Committee had reviewed the budget to answer her question as to where the tax increase was indicated in the budget.

Mayor Byrd stated that he had reached out to the Chief Financial Officer requesting that he forward the information via email to the Township Clerk's Office. Mayor Byrd stated that the Chief Financial Officer had indicated to him that he had forwarded the email today. Mayor Byrd stated to Ms. Thomas-Hughes that she could submit an OPRA request for the information.

Ms. Thomas-Hughes stated but what my concern was is and I have asked this committee what line item the tax increase was, that is my question and that she would like to know from the committee.

Mr. Michael Sharp, P.O. Box 5092, Bridgeton appeared and indicated that he came to the committee a few meetings ago to express his concerns regarding appointments to the Boards. He indicated that through public information, he has obtained some information which caused him some concerns of your sitting board member.

Mr. Sharp indicated your sitting board member that has the following:
Convictions - Distribution and possession of intent to distribute crack cocaine; possession and distribution with intent to distribute cocaine; possession and distribution with intent to distribute cocaine; possession and distribution with intent to distribute cocaine; possession and distribution with intent to distribute cocaine; and possession of weapon by a convicted felon and convictions of burglary all within this county.

Ed Kimley sitting in the audience stated "burglary" "burglary" ...

Mayor Byrd reminded Mr. Kimley not to disrupt the meeting and indicated that this was his second time of being reminded.

Mr. Sharp stated his issue is that you have on the Planning Board a convicted felon sitting on that board. Mr. Sharp indicated that there is a lawsuit in Patterson filed by some people in Patterson, New Jersey whereby the law suit states that New Jersey State Law forbids anyone from holding any office, position of honor, trust, or profit in State or local government if they have been convicted of a felon.

At this time, Mayor Byrd stated to Mr. Kimley that this was his last final warning and that if he continues to disrupt these meeting, he is going to recess the meeting and contact the State Police and file a complaint on him.

Mr. Sharp stated that he has an issue submitting any documentation to a sitting board with someone with that type of character and should not be in that position and should be investigated according to the State Law.

Mr. Sharp stated that it is improper, it is illegal, and it should be addressed by this committee, and he is asking that the Township Committee look into it.

The Township Solicitor indicated that the matter will be looked into.

Mr. Ed Kimley, Seabreeze Road, appeared and stated to Mayor Byrd, you said you would call the state police and signed a complaint. Mayor Byrd stated to Mr. Kimley if you disrupt the meeting, it is not okay to holler from the audience and disrupt the meeting. Mr. Kimley stated to Mayor Byrd, but when you sat out in the back and hollered from the audience, that was okay then right.

Mr. Kimley asked the mayor if he had filed a complaint against the girl that stole \$2,000.00 from the Township and whether she was ever charged with the theft.

Mr. Kimley made reference to a former Township Administrator (Joseph Veight) asking the mayor if it was proper of the fraud committed by Mr. Veight. Mr. Kimley elaborated on the fraudulent computers obtained by Mr. Veight for the Township and other fraud activities Mr. Veight created in the Township.

Mayor Byrd stated he was not sure because he did not know anything about that.

Mr. Kimley asked the mayor then how you got a check in your mailbox from Joseph Veight.

Mayor Byrd stated he is not sure what Mr. Kimley was talking about.

Mr. Kimley stated, and you people want to sit up here and blame someone for a conviction.

Mr. Kimley stated, and this man (the Township Engineer) and his people overbilled the Township over \$100K and indicated that he is the reason we got the George Griner lawsuit because the Engineer cannot read a tape measure; however, you brought him back in here. Mr. Kimley stated that the Engineer does not know the difference between 40' and 70'.

Mr. Kimley stated nothing against this man (the Township Administrator) you hired him to do a job and now you are going to pay an additional \$51.00 a month because he cannot do timecards.

Mr. Kimley stated this man (Ernest Zirkle) did a hit and run and you want to appoint him as the Emergency Management Coordinator.

Lastly, Mr. Kimley stated you have a lot of nerve to talk about other people!

Wendell Lloyd appeared to follow up on the proposal he submitted to the Township Committee regarding the "Welcome to Gouldtown" signs. The cost of the signs was indicated at a cost of \$181.95 which encompasses the post and hardware.

Mayor Byrd advised Mr. Lloyd that the Township Committee will return back to him on his request later on tonight.

Gouldtown Fire Chief George Harris appeared and indicated that he looked at the bill list and noticed that there is no payment indicated on the bill list for their allotment whereby he submitted his voucher ahead of time on July 13th and indicated that Fire Company No. 1 just submitted their voucher today and is indicated on the bill list for their payment and would like to know what is going on here.

Mayor Byrd indicated that he tries to come in to sign the vouchers and go over them along with as Deputy Mayor Pitts and Committeeman Clark. Mayor Byrd stated that he did not see it and cannot sign something if he does not see it.

Mayor Byrd indicated that there is no way in the world that they are going to hold up one Fire Company voucher and not do the other.

Gouldtown Fire Chief Harris indicated that he does not understand why the Fire Company has to submit a voucher for their allotment when the allotment is already been approved and in the budget.

Mayor Byrd indicated that he did not know, other than that it has always been to procedure to submit a voucher

Mr. Russell Pierce appeared and asked if anyone knew what was going on at the Gouldtown School with all the equipment. The response to his inquiry was it was the school project for the tennis and basketball courts.

There were no further comments to be received, Mayor Byrd asked for a motion to close the public comment.

Deputy Mayor Pitts moved to close the public portion seconded by Mayor Byrd. Roll Call Vote: Clark, yes; Morton, yes; Pitts, yes; Servais, yes and Mayor Byrd, yes.

Mayor Byrd stated that the Township Administrator had a meeting with the school regarding a tremendous amount wood material that needs to be removed. The school indicated that they would pay for the tipping fees if the Township could provide a couple of dumpsters to remove the debris and asked the Township Committee what their feelings are on their request.

Committeewoman Servais indicated that the school has a budget of their own for that kind of work.

Committeeman Morton inquired if we have any dumpsters to spare as they are filled up on Wednesday and Saturdays at the Convenience Center.

Mayor Byrd indicated that he was going to check with the Public Works Department to see if they could place the dumpsters at the school one day to load them and take them to Buckshutem Road and they would pay for the tipping fees and then we would take our dumpsters back.

Mayor Byrd indicated that this would be to try to help them and try to have a relationship with the school as the school does assist us with our recreation. He stated that the school lets our kids play basketball inside of their school and does not charge us for that, but your opinion is your opinion.

Committeeman Morton stated that he does not have an objection to it but based on the fact that our kids are their kids. Mr. Morton stated that his opinion is if they are willing to just go a little further and put their request in writing so we can all look at it, we would be able to consider it more easily.

Committeeman Morton indicated that he is a little concern regarding the tipping fees as our tipping fees have not been consistent and could be the amount that we are dumping every two weeks is not consistent. He indicated that our tipping fees are getting higher and higher and although we are all in this together, if we had something in writing making that request, then we would have something to hold them accountable if they are going to cover that price for us would make everything go a lot easier.

Committeeman Clark stated as far as the school is concern, we want to have a relationship with them. He indicated that there are plenty of residents asking him about track use. He indicated that the Bridgeton residents are allowed to use the high school track to be able to work out and walk. He indicated that this is something that he is planning on spearheading and hopefully we can get a relationship with our school to be able to utilize the track for our residents.

He emphasized that a lot of people want access to the track, and he believes that we should have access to that track, because even Vineland High School has a track that is available to their residents.

Committeewoman Servais stated that their kids are our kids, and our kids are their kids and our tax dollars paid for that track so the kids should have access to it without a question about it.

Deputy Mayor Pitts indicated that he has no problem in making our dumpsters available if they are not tied up at the Convenience Center for the school. Deputy Mayor Pitts stated that he is in agreement with Committeeman Morton that the school submits their request in writing to the Township indicated that they will be responsible for the disposal and responsible for the tipping fees for the debris removal.

At this time, Mayor Byrd made a motion to approve the lending of the dumpsters to the school contingent that said dumpsters are available and receipt of a written request from the school indicating that they will be accountable for the disposal and tipping fees seconded by Deputy Mayor Pitts. Roll Call Vote: Clark, yes; Morton, yes; Pitts, yes; Servais, yes and Mayor Byrd, yes.

Mayor Byrd stated the next thing, a request from Mr. Wendell Lloyd for the Welcome to Gouldtown signs in the amount of \$181.95. The signs will be installed at the northern end of East Avenue boundary of Fairfield Township and Deerfield Township and does not extend Reeves Road.

Mayor Byrd made the motion to support the approval of signs in the amount of \$181.95 seconded by Committeeman Morton. Roll Call Vote: Clark, yes; Morton, yes; Pitts, yes; Servais, yes and Mayor Byrd, yes.

At this time, Mayor Byrd asked Mr. Hunter, Township Engineer to give his Engineer's Report.

Mr. Robert Hunter, Bohler Engineering Firm reported that he recently was asked to take a look into two (2) issues, one being the proper capping at the Convenience Center and the other was the funds available through the New Jersey Department of Transportation for the Reconstruction of Thomas Drive.

Mr. Hunter reported on the discussion held with the Township Administrator and the Mayor, he looked into the source of funding for Thomas Drive. He indicated that the State of New Jersey has awarded the Township of Fairfield \$89,151.00. Mr. Hunter advised that with this funding, the Township can use those funds for the construction work, inspection, and material testing. He explained that there is no allowance for the design of the road.

At this time, Mayor Byrd interjected and stated that he would like to read into the record a letter he received from NJDOT. Mayor Byrd read the letter into the record as follows: Enclosed is one copy of the executed Agreement approved by the Department of Transportation for the Reconstruction of Thomas Drive in the amount of \$89,151.00.

Mr. Hunter stated that this project will be funded from the New Jersey Transportation Trust Fund Authority Act. State participation in the cost of the project is limited to 100% of the cost of the completed construction working including construction supervision, inspection and material testing, or the amount of the allotment, whichever is less.

Mayor Byrd explained his reason for reading that portion of the letter is because he wants to be sure that the \$89,151.00 that is for the road will cover the road, meaning that there will be no burden to the tax payers to pay for anything with the road, that the \$89,151.00 will cover the road.

The Township Engineer indicated that the letter is a little bit deceiving in the way it is written. He explained that the funds available are not permitted to be used for engineering design. The cost of the design of the road will have to be paid by the Township. Mr. Hunter indicated that he had confirmed this with the NJDOT this week.

Mr. Hunter stated that the additional portion of the contract will have to be paid for by the Township.

Mayor Byrd asked how much would it cost?

The Township Engineer explained that we would have to look at this in its entirety. He indicated that the \$90,000.00 and the way the prices are coming in now would probably pay for 500 linear yard feet of road.

He stated that Thomas Drive is approximately 1700 feet, therefore, you might be able to get 600 feet out of it and that we are looking at about a 1/3 of the Thomas Drive project to be completed with the funds available.

Mr. Hunter further stated that if you were to design the entire 1700 feet project and explained that he does not have the hard numbers yet but estimated that it would cost approximately \$20,000.00 to \$23,000.00 for the design.

He advised that the inspection would be paid from the grant.

Mayor Byrd asked the Township Engineer how far the 600 linear yard feet would go.

Mr. Hunter stated that it is going to be between 500 to 600 linear yard feet depending on the prices and once it is surveyed and how much soil has to go in.

Mr. Hunter indicated that from Fairton-Gouldtown Road according to the aerial, as you come off on the left hand side, there is a home and then there is about 400 feet up the road, there is the beginning of another property, that it would be in the area of the first home facing Thomas Drive on the left hand side.

Mayor Byrd asked how wide the project would be. Mr. Hunter stated that is designing a 20' foot right of way and that is the minimum that the state will allow and explained that a letter would have to be sent to the State indicating why it is not 22' feet.

Mayor Byrd asked if you did 20' foot wide and we talked about the whole road as 1700 foot, to do the 500 to 600 linear yard foot, it would take the \$89,000.00 plus how much would it cost in planning and designing fees to do the 500 foot if you came from that direction. Mr. Hunter estimated approximately \$9,000.00 about a 1/3 of it, maybe less.

Mr. Hunter explained that when you start a project like that to do such a short distance, the upfront cost, the set up cost to have a survey crew out to do only 500 feet of road, basically your mobilization cost and for the most part, with engineering design and setting up the plans and putting them together. He advised that it is more expensive to go on a short distance.

Committeeman Morton asked the Township Engineer you indicated that it would cost approximately \$25,000.00 for the planning for the entire 1700 feet. The Engineer said yes.

Committeeman Morton asked even though we only have funding for the first 500 linear yard feet, and the \$25,000.00 will come out of our cap cost because it is not covered by the grant. The Township Engineer stated yes.

Committeeman Morton stated just making sure that he understands the Engineer correctly, that you are saying that it more expensive for a shorter distance due to mobilization cost are about the same because you are already there.

The Township Engineer stated yes.

Committeeman Morton asked the Township Engineer if it were not feasible to do a plan to do the entire 1700 feet because we anticipate on being able to finish the road at some point, unless the plans expire or unless the Geographic's change. Mr. Morton asked if there was an expiration date on the plans.

The Township Engineer stated no and that the plans theoretically could be used as long as it is certified that there is no change.

The Township Engineer explained there is a little bit of an issue on the other side off of Buckshot Road on the right-hand side, the dirt drive that is there now is not fully in the right-of-way. He stated to properly design that, clearing of trees will have to be done.

The Township Engineer stated to answer your question initially that we could do the upfront cost and design it and bid it in phases that are provided that you are going to get your funding unless you have a source of capital funds to spend.

The Township Engineer stated that he wanted to warn us that typically the grants are awarded in increments are close to \$180,000.00 and that the fact that this only got \$89,000.00, means it rated very low on the scoring system.

He stated that just a point of caution that if you are going to go back in on this road, there is no guarantee that you are going to get additional funding.

He stated that he would be more comfortable to tell us that we had 20-30 homes on the road that serve a school or business. He explained it is a dirt road. He stated that the NJDOT looks at the road and then they will recognize if it is paved or heavily traveled and supply a traffic count with the application.

Committeeman Morton asked in the dynamic of applying and successfully being approved for a road, wouldn't you say an unfinished road would rate higher than a road not started.

The Township Engineer stated that you would think so, however, the NJDOT has their own way of scoring. The NJDOT they do take all those into the factor, such as trips, service provided and number of homes on the road and all other factors with a point system.

Committeewoman Servais asked that she be provided a copy of the letter from the NJDOT for her review. She asked how long the Township has before we can send to the State to accept the \$89,151.00.

The Engineer stated that the project has to be completed within two (2) years, if none taken; the grant will be taken from the State of New Jersey DOT.

The Engineer indicated that if the Township decides not to move forward with the project, that it is very, very important, his recommendation to the Township to pass and adopt a resolution to the NJDOT and advise them that you are not going to accept the funds and have the funds rescinded, if we do not, the NJDOT is going to score the Township in the negative. The Township Engineer indicated that he would supply the Township with the documents to forward to the NJDOT should we decide not to enter into the agreement.

Committeeman Clark asked the Township Engineer roughly how much it would cost be to do the entire 1700 feet.

The Township Engineer stated to do it properly with contingencies put in place, approximately \$280,000.00 with a 10% contingency in there, that it would get it down to \$260,000.00 to \$255,000.00 and then we could look at reducing the cross section in the road, we would have to check the soils there because if it is clay or soft soils because it is really clay or soft soils, the road will fail.

Committeeman Clark asked the Township Engineer with those rough numbers that you have indicated, if whoever wrote the grant, wouldn't they have had those numbers. The Engineer indicated absolutely.

The Township Engineer explained the process. He stated that the request for applications will be coming in late August or September and advised the Township Committee to start thinking about a road for next year.

Mr. Hunter stated that you prepare the application, prepare and provide a traffic count, provide an aerial map, provide a description of what you want to do and a cost estimate. The Township Engineer stated that we know in going into it as an Engineer, that they are not going to give us all the money that we are asking for.

Committeewoman Servais brought up Husted Landing Road that was denied for road project in 2013. The Township Engineer indicated that he would try to obtain the score as to why the application was denied.

Deputy Mayor Pitts stated that he had a question for the Township Engineer. Deputy Mayor Pitts asked if there was an original design to work off of or a date when the road was established by the Township instead of paying \$25,000.00 for the design.

The Township Engineer stated there is nothing. He stated the problem with that, the State has to look at the design and approve it prior to going out to bid for the Township spending the money.

The Township Engineer indicated that when the Municipal Land Use Law was established back in the 70's, they started requiring approvals through the Planning Boards and then the designs being submitted for their review and approval, for that purpose, and prior to the 70's, it was like anything goes, they were not designed built.

The Township Engineer explained that not too long ago he went out to a road this year, known as Laurel Drive that was created as a right-of-way, but it was never properly improved. The question there is does the town actually own the road. He stated that according to his research, until the road is accepted by the Township because it is constructed to proper standards, it is still the owner of the developer or parent owner of property.

Mayor Byrd asked if anyone had any further questions on Thomas Drive. There were none.

The Township Engineer went on to the issue regarding the Convenience Center. He advised that he had assisted the mayor on obtaining some documentation from the New Jersey Department of Environmental Protection.

He advised that Mayor Byrd made him aware that he met with Senator Van Drew about the situation where the NJDEP is looking to properly remediate the Convenience Center, yet the funding is not made available. The Engineer stated that some of the requirements of the plan seem a little excessive. He indicated that they discovered that the previous Township Engineer had some testing done and some of the initial concerns by NJDEP about the debris and the trash that is poking through what was the cap poses no harm. He indicated that he is working with the mayor at the moment to try to request some relief from NJDEP to the initial requirements to save the Township some money with regard to capping. He explained that instead of removing the debris, what we are trying to do is propose to cover it with 2 feet of soil. He indicated that a letter will be sent off to the NJDEP and copying Senator Van Drew within the next few days.

Mayor Byrd stated that he did meet with Senator Van Drew. The Senator is willing to try to help us out as far as trying to deal with the NJDEP on some of the things that is going to cost us a lot of money to do as mandated. The Senator stated that his office needs a letter from the Township asking for support.

Michael Sharp asked Mayor Byrd if the Township ever found out the cost what it is going to cost.

Mayor Byrd indicated that what we are trying to do is knock out a Phase away and do away with the Phases, instead of picking up the trash to cover the trash in order to save us some money.

Michael Sharp stated that the State said we had to pay it no matter what and would like to know how much it is.

The Township Engineer stated that was from the former Township Engineer as \$900,000.00. The Engineer stated that there were some drums out there as to whether there were some chemicals in them and what the cost would be to remove them and properly dispose of them. He indicated that now that we know they are empty, we should have some better numbers soon. Mayor Byrd stated that the Township Committee will discuss this matter and report back there was no further business, Mayor Byrd announced that the Township Committee Reports/Comments and the Mayor's Reports/Comments will be held after Executive Session.

Mayor Byrd asked for a motion to enter into Executive Session.

Committeeman Morton moved to enter into Executive Session seconded by Deputy Mayor Pitts. Roll Call Vote: Clark, yes; Morton, yes; Pitts, yes; Servais, yes and Mayor Byrd, yes.

Township Solicitor Carr announced that the purpose of the Executive Session is to discuss the matter of Griner vs Fairfield Township. The Solicitor stated that the agenda states Action May Be Taken which will be held in Open Session should there be any action to be taken.

The meeting was adjourned at 8:24 p.m.

The Township Committee reconvened into open session with all members present at 8:49 p.m.

The Township Solicitor announced that the time now is 8:50 p.m. and the doors are open. The Township Committee discussed the issue regarding Griner vs Fairfield Township and two (2) personnel items.

Mayor Byrd announced that as a result of the discussion held in Executive Session, interviews will be conducted at the next scheduled meeting, and we will try to select an Emergency Management Coordinator for the Township of Fairfield.

At this time, Mayor Byrd asked for Township Committee Reports / Comments.

Committeewoman Servais stated that she has some comments, but she will hold them off until next time in order for her to look further into.

Committeeman Morton stated that he wanted to thank the Township Committee for having him back. He apologized that he was not at the last meeting as he was away at a professional meeting.

Committeeman Morton stated that he wanted to convey to the public, that when things do not go the way they should be, that it does not stay within the confines of this room or the confines of the community. He stated that he is saddened to hear of how the Township Committee handled itself in his absence. He stated that he hopes that we have learned from the circumstance and that he has under good authority, that the County is paying very close attention to the way we handled our issues. He indicated that when we advertise a public meeting, it needs to be just that, to give the public an opportunity to speak and he is glad to see that today, that was the case, and the public was given their opportunity to speak, and the meeting was not abridged.

Committeeman Clark stated that he wanted to thank everyone for staying under the five (5) minute window. He stated that he believes that we had a lot of progress tonight. Committeeman Clark stated that he also would like to thank everybody for their tone. He stated that when we have a certain tone and respect for each other, we can get a lot many things done and that he hopes that we continue to build on from tonight it is appreciated.

Deputy Mayor Pitts indicated that he wanted to address some the public's concern brought up tonight, but some of those that were in attendance are not present.

Deputy Mayor Pitts made reference to Fire Chief Harris that he is going to address the issue regarding the allotment.

Deputy Mayor Pitts referred to Mr. Michael Sharp's concern regarding sitting board members convicted as felons. He advised that he is in concurrence with Mr. Sharp's concern and that the Township will be looking into the matter. Deputy Mayor Pitts stated that had he known that Mr. Kimley was a convicted felon and the convictions that he has, that it is hard to take his swearing in seriously uphold the law. Mr. Pitts stated that Mr. Kimley is definitely not a law abiding citizen according to his convictions, and based on his convictions, he does not support his appointment to the Planning/Zoning Board and that the Township will be looking into the matter, and further that Mr. Kimley can be removed for just cause as a result of his convictions.

Mr. Kimley sitting in the audience asked Deputy Mayor Pitts if he lives in the Township. Mr. Kimley stated your sister is going to prison and so his wife (Mayor's wife).

Mayor Byrd asked Mr. Kimley not to disrupt the meeting and that if it continues, he is going to call the State Police.

Mr. Kimley stated that you have someone that does not live in the Township serving as a committee person and someone who stole money from the Township.

Mr. Kimley asked Mayor Byrd if he called the State Police on a former employee who stole money.

Deputy Mayor Pitts made referenced to Russell Pierce's concern/complaints regarding the Business Licenses. He advised Mr. Pierce that the matter is being addressed with the City of Bridgeton.

Deputy Mayor Pitts also advised that the repairs be addressed and done very shortly near Trailer Park as it was mentioned earlier on.

Mayor Byrd addressed Fire Chief Harris that he had sent him a text regarding the comment that Committeewoman Servais mentioned earlier regarding why one Fire Company is only receiving an allotment and not the other.

Mayor Byrd stated that when he looked at the bill list, he realized what Committeewoman Servais was referring to. He explained that he forwarded Chief Harris a text asking him if he had submitted his paperwork for payment.

Mayor Byrd recommended that the Fire Chief submit his paperwork to the Township Administrator as opposed to placing it in the mailbox.

At this time, Mayor Byrd asked for a motion to adjourn the meeting. The Township Clerk asked Mayor Byrd if we could address the following applications received for the following prior to adjournment.

EVENT PERMIT

FAMILY FUN DAY, SATURDAY, JULY 25, 2015, FROM 10:00 A.M. TO 6:00 P.M.

APPLICANT: HERMA DALEY

Committeeman Morton moved to approve seconded by Committeewoman Servais. Roll Call Vote: Clark, yes; Morton, yes; Pitts, yes; Servais, yes and Mayor Byrd, yes.

RESOLUTION NO. 123 - 2015

A RESOLUTION OF FAIRFIELD TOWNSHIP, CUMBERLAND COUNTY GRANTING FAIRFIELD VOLUNTEERS FIRE COMPANY NO. 1. TO SUBMIT AN APPLICATION FOR A CHARITABLE ROADWAY SOLICITATION (SEPTEMBER 6, 2015)

Deputy Mayor Pitts moved to adopt Resolution No. 123 - 2015 for the Roadway Solicitation seconded by Committeewoman Servais. Roll Call Vote: Clark, yes; Morton, abstain; yes, Pitts, yes; Servais, yes and Mayor Byrd, yes.

There was no further business, Mayor Byrd asked for a motion to adjourn the meeting.

Committeeman Morton moved to adjourn seconded by Mayor Byrd. Roll Call Vote: Clark, yes; Morton, yes; Pitts, yes; Servais, yes and Mayor Byrd, yes.

The meeting was adjourned at 9:00 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