

FAIRFIELD TOWNSHIP COMMITTEE  
MEETING MINUTES  
OCTOBER 20, 2015

CALL MEETING TO ORDER

The meeting was called to order by the Mayor and notice of adequate public notice of the meeting was placed upon the record with the meeting beginning at 7:00 p.m.

ROLL CALL

All Committee persons were present. It was noted that the Municipal Clerk had been in Court all day and was due back in Court on the morning of October 21, 2015 and therefore would be absent from the meeting and that the Solicitor would be serving dual roles in acting to take minutes and working the recording device in addition to usual responsibilities.

OPEN MEETING TO PUBLIC FOR AGENDA ITEMS

The agenda item of Minutes of September 15, 2015 for open and executive sessions were tabled on motion by Committeeman Clark and seconded by Deputy Mayor Pitts with all voting to approve.

Ordinance 10-2015 is tabled on motion by Deputy Mayor Pitts, seconded by Committeeman Clark and a unanimous vote.

The bill list was discussed being Resolution 154-2015 as well as the addition of an item added by Chief Harris having been turned in on the day of the meeting (October 20, 2015).

Committeeman Clark asked for information regarding a Lairson Car Stereo bill and Committeewoman Servais inquired as to the status of billing for port-a-pots post ball season. Administrator Davis is to check out the port-a-pot issue and the car stereo issue was determined to have been a cell phone case or clip. On motion by Deputy Mayor Pitts, seconded by Committeeman Clark, the bill list was passed with Committeewoman Servais and Committeeman Morton abstaining.

The Mayor expresses a perceived possible conflict which exists between himself and South State as does likewise Committeeman Clark and Deputy Mayor Pitts. Solicitor mentions the Doctrine of Necessity relating to those items where a majority of the Committee is conflicted causing those conflicted members to state their conflict on the record and vote notwithstanding the evident potential for conflict.

The Mayor addresses a \$19.00 bill to South State having been the subject of discussion at the last meeting in the terms of the Doctrine of Necessity.

Discussion ensues about Trick-or-Treat and Administrator Davis is asked to find information as to adjoining Municipalities while public comment is held. On motion by Committeeman Clark, seconded by Deputy Mayor Pitts, open public comment session is started after a unanimous vote.

Ernie Zirkle asked about the burning Ordinance and its interplay with agricultural burning permits.

Russell Pierce approaches the Committee with questions about Clarks Pond Road being blocked off and questions about preparations of the Township for snow removal.

Harvil Brown speaks to the Committee about an easement on Burlington Road and a survey which he provides to the Administrator indicating that the accessway is fully on his property which he believes is contrary to his rights in and to the property. Mayor Byrd indicates he will provide the information to the Township Engineer for review.

Michael Sharp seeks information about votes on the bill list and abstentions.

Dennis Pierce approaches and expresses condolences as to the losses of Committeewoman Servais and Mayor Byrd and congratulations to Deputy Mayor Pitts. He inquires as to the Clarks Pond Road maintenance and overgrowth issues relating to safety and draws attention to an empty house near his home which appears to have folks coming and going.

Ed Kimley approaches indicating he has questions about the sale of dirt by the Township from the Likanchuk property and is upset that the purported buyer named Wyndham is actually South State. He indicates further concern alleging there is a recording of the Mayor indicating that the Township has dirt for sale and is concerned that it was the Mayor who years ago wanted the property removed from the sale of property list. Mr. Kimley indicates he is upset that the Township took action to shut down the Griner Mine while seeking to sell dirt itself.

Charles Pierce addresses the Committee claiming that it is his recollection the property was known as contaminated and for that reason it was removed from the sale list years ago. He seeks confirmation from the Solicitor and the Solicitor indicates that this is not his recollection of this matter. Mr. Pierce goes on to indicate that the property has hazardous waste on it including transmission fluid, antifreeze and oil.

Ms. D. Johnson addressed the Committee upset about the easement/right-of-way leading to her property which has been blocked. Mayor Byrd indicates he is taking the matter up with the Township Engineer who could not be present at the meeting.

7:35 p.m.

Geneva Griffin addresses the Committee. She indicates that physical addresses should be clear when people address the Committee insofar as people cannot live in P.O. Boxes. She indicates a desire that the Committee speak more respectfully and businesslike and not make references to "hustling to make a living". She encourages the Committee to treat the Township as a fully respectable as a Municipal Corporation.

On motion of Deputy Mayor Pitts, seconded by Mayor Byrd, the public comment period is closed.

Committee comments are made thereafter with Committeewoman Servais positing that property "cannot be land locked in New Jersey" and therefore there must be some access to land owned by Ms. Jones. She indicates that the dispute has gone on for three months and therefore should be resolved by the Township. She further indicates that our Ordinance calls for there to be "no new mines" and therefore the Township should not be selling dirt.

7:45 p.m.

Committeeman Morton indicates that the attempts to generate revenue such as selling dirt should start on plans that are done properly. He indicates that the Likanchuk property had been pulled from the list of sale properties based on potentially hazardous conditions and we should not continue to do things in anything other than the right way. Committeeman Morton posits that while the taxes have increased, the taxpayers have gotten nothing for their tax increase. Committeeman Morton indicates he is upset that the refinancing of the bonds has not helped any taxpayers. Committeeman Morton indicates that the fire truck cost should not be an issue used for raising money by selling of dirt insofar as the taxpayers voted to take on

the debt by way of bond. Committeeman Morton indicates that the access issue sounds to him like a civil issue and the Township should not be involved in the matter.

Deputy Mayor Pitts reminds the Committee that they must set Halloween/Trick-or-Treat.

Committeeman Clark thanks the public for attending and indicates that he wishes for this forum to be as professional as possible. He thanks the public for the opportunity and for the demonstration to assist him in perceiving the positive and the negative and presentation before the public at Township Committee meetings.

Mayor Byrd speaks to the job of Mayor. He indicates that a letter regarding dirt was sent to the Township and it was raised at the Township Committee which is the appropriate forum for handling of Township business. He indicates he is not satisfied with being accused of doing what is not right for submitting paperwork provided to the Committee. Mayor Byrd thanks the public for coming out and encourages anyone to come up with a good idea as to how to help the taxpayers but encourages them "do not drink poison and expect someone else to die" in the context of Township dealings.

The Committee takes up the issue of Trick-or-Treat which is designated as October 31, 2015 between the hours of 2:00 p.m. and 5:00 p.m. after discussion and this is corroborated by a motion by Deputy Mayor Pitts, seconded by Mayor Byrd and an affirmative vote with Committeeman Morton voting no.

At approximately 8:00 p.m. on motion of Committeeman Clark, seconded by Deputy Mayor Pitts, the meeting is adjourned to an executive session to be held with no action to be taken after.

#### RESOLUTIONS

As to Resolution 155-2015 on motion by Committeeman Clark, seconded by Mayor Byrd, the Resolution was tabled.

Prepared by

John Carr, Esq.  
Township Solicitor

Reviewed by  
Linda M. Gonzales, RMC  
Municipal Clerk