

FAIRFIELD TOWNSHIP COMMITTEE
WORK SESSION ACTION MEETING
MAY 5, 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 Statement into the record:

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 5th day of May, 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 committee members were present:

Committeeman Clark, Committeeman Morton, Deputy Mayor Pitts, Committeewoman Servais and Mayor Byrd.

ALSO PRESENT

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

APPROVAL OF MINUTES:

WORK SESSION ACTION MEETING APRIL 7, 2015

CLOSED SESSION MEETING APRIL 7, 2015

Deputy Mayor Pitts moved to approve the minutes of the Work Session of April 7, 2015 and the Closed Session minutes of April 7, 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

Mayor Byrd asked if anyone had any questions regarding the bill list. Committeewoman Servais indicated that some questions were raised regarding the bills presented at the last meeting that were asked to be pulled for clarification and it is her understanding that those bills were paid and submitted and not brought back to the Committee. The bills in question were for the Planning and Zoning Board Solicitor, SPCA and Diagnostics Services. Mayor Byrd indicated that we will have to look into it. Mayor Byrd asked if there were any questions or concerns on this bill list that should be pulled and looked into. There being none, he asked for a motion to adopt the bill list.

RESOLUTION NO. 95 - 2015

A RESOLUTION AUTHORIZING THE PAYMENT OF TOWNSHIP BILLS IN THE AMOUNT OF \$889,483.86

Deputy Mayor Pitts moved to adopt Resolution No. 95 - 2015 seconded by Committeeman Clark. Roll Call Vote: Clark, yes; Morton, no, Pitts, yes; Servais, no and Mayor Byrd, yes.

ORDINANCES - INTRODUCTION (FIRST READING)

Mayor Byrd read the following Ordinances into the record:

ORDINANCE NO. 6 - 2015

AN ORDINANCE OF THE TOWNSHIP OF FAIRFIELD, CUMBERLAND COUNTY, STATE OF NEW JERSEY REVISING LAND MINING, EARTH AND RESOURCE EXTRACTION OPERATIONS ARTICLE I SECTION 13-8-1 THROUGH SECTION 13-8-15

At this time, the Township Solicitor asked if he could interject. Mayor Byrd allowed.

The Township Solicitor indicated that a question has been raised about conflict.

He advised that he provided the governing body with a section on municipal official conflict. He explained that even if there was a valid objective reason for your decision if you can be seen to have a special interest, it contains the vote.

He stated that it is not necessary to prove that somebody actually has a special influence and that influence is a vote rates the appearance of an impropriety and further explained that he raises this in the context because it has been raised to him when it comes to a mining ordinance does anybody on the Committee have any questions about how municipal conflict or an official could interplay.

Mayor Byrd stated that for him, he believes he has a conflict because the mining ordinance is for the township, however, he does work for a company that does mining in our township. He stated that he believes that if he does vote on it he might put himself in a situation even though it is for the township and the amendment was sent to the Planning and Zoning Board to be considered due to legal reasons and indicated that he wants the record to reflect that he feels that he does have a conflict because he works for South State and I do not think I can vote on it without causing a conflict.

Committeeman Clark stated that he also has a conflict. He indicated that his son is an employee for South State and does not feel comfortable to make a vote on this particular notice.

Deputy Mayor Pitts indicated that he also has a potential conflict because he has a truck that is leased to South State, Inc. and he also feels that he has a potential conflict with this ordinance.

Mayor Byrd indicated that he also wanted to indicate that he has one of his trucks that has also worked for the Griner Mining Company as well and this also would raise a conflict.

The Township Solicitor indicated that he would direct the committee now after having made their disclosure into the record, he then referred them to the last page of the league of municipalities article indicating that if you have a board that can't take action because of its conflict there is a doctrine of necessity and defies the situation of conflict and read into the record.

He indicated that under the doctrine of necessity you cannot leave the 2 people out of a 5-person board unable to take action. He stated that he believes that that all five (5) members are going to have to vote and the three (3) members who have indicated their conflicts will have to face that responsibility under the doctrine of necessity.

Mayor Byrd indicated having said that, does anyone else up here have a conflict with this ordinance or any other ordinance. None were indicated.

Mayor Byrd read the ordinance into the record and asked for a motion to adopt on first reading.

Deputy Mayor Pitts moved to adopt Ordinance No. 6 - 2015 seconded by Mayor Byrd. Roll Call Vote: Clark, yes; Morton, abstain; Pitts, yes; Servais, no because she sees a problem coming and Mayor Byrd, yes.

ORDINANCE NO. 8 - 2015

Mayor Byrd read the ordinance into the record:

AN ORDINANCE OF THE TOWNSHIP OF FAIRFIELD, CUMBERLAND COUNTY,
STATE OF NEW JERSEY TO ESTABLISH THE DEFENSE AND INDEMNIFICATION OF
TOWNSHIP OFFICIALS

Mayor Byrd asked for a motion to introduce Ordinance No. 8 - 2015.

Deputy Mayor Pitts moved to introduce Ordinance No. 8 - 2015 seconded by Committeeman Clark. Roll Call Vote: Clark, yes; Morton, abstain; Pitts, yes; Servais, abstain and Mayor Byrd, yes.

ORDINANCE FOR PUBLIC HEARING (SECOND READING)

Mayor Byrd read the ordinance into the record:

ORDINANCE NO. 7 - 2015

AN ORDINANCE TO AFFIRM THE TOWNSHIP OF FAIRFIELD'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL TOWNSHIP OFFICIALS, APPOINTEES, EMPLOYEES, VOLUNTEERS AND AFFILIATED INDEPENDENT CONTRACTORS WORKING WITH THE TOWNSHIP OF FAIRFIELD

Mayor Byrd asked for a motion to open the public hearing on Ordinance No. 7 - 2015.

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

Nancy Ridgeway, 582 Irving Avenue indicated this is an ordinance to affirm the Township of Fairfield's Civil Rights Policy. Ms. Ridgeway stated as working officiants and hoping that they all read the ordinance.

She indicated that the last two (2) meetings she attended were disgusting with this committee and how you treated each other. She indicated that she hopes the committee takes this ordinance by heart and treat each other with dignity and respect, thank you.

Ed Kimley approached and said he had a question. What happened to the mining ordinance being opened to the public? Mayor Byrd stated the ordinance is being introduced on first reading. The Solicitor advised that the ordinance be open to the public at its public hearing.

Viola Thomas-Hughes approached and asked if there was a copy of Ordinance No. 7 - 2015. Mayor Byrd advised that there should be some copies. The Township Clerk provided said copy to Ms. Thomas-Hughes.

Ms. Thomas-Hughes indicated that she was going over the ordinance and sees the words harassment a lot and retaliation. She asked does that also goes toward the governing body as well as harassment to the employees and retaliation against the employees as well.

Mayor Byrd indicated yes. Ms. Thomas-Hughes said thank you.

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

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

Mayor Byrd asked for a motion to adopt Ordinance No. 7 - 2015.

Deputy Mayor Pitts moved to adopt Ordinance No. 7 - 2015. At this time, Committeeman Morton asked Mayor Byrd if they are going to have an opportunity to speak on the ordinance. Mayor Byrd stated if you want to. I did not know if you wanted to. Committeeman Morton stated I am glad you asked and asked, may I? Mayor Byrd stated sure.

Committeeman Morton stated that it is his understanding that we are affirming something that is already in place. He indicated that he is a little skeptical as to why we are affirming something if we are not in fact already adhering to it, but that is to be foreseen. Based on what was mentioned by a member of the public and based on our own observations and things that are certainly on the record now.

Mr. Morton stated in conjunction with this indemnification ordinance it looks like we're setting ourselves up to reduce accountability, in fact, instead of applying accountability.

He indicated that what happened last week was proof positive that we are not adhering to an ordinance that is currently in effect and so to affirm something that we are already not adhering to, and he is hard pressed to see anything in this ordinance that shows true accountability. He indicated that he thinks that those people who are going to vote on it have certainly already made up their mind considering it is already a second reading.

Mr. Morton indicated that he dares not to vote in favor of this knowing that we have already violated it.

Mayor Byrd asked Committeewoman Servais if she had any questions. Ms. Servais said no.

Mayor Byrd stated that Deputy Mayor Pitts moved to adopt Ordinance seconded by Committeeman Clark. Roll Call Vote: Clark, yes; Morton, abstain; Pits, yes; Servais, abstain and Mayor Byrd, yes.

At this time, Committeewoman Servais stated excuse me Mr. Byrd; I have a question before we go to the next item.

Mayor Byrd asked does it pertain to any of the ordinances. Committeewoman Servais stated it pertains to everything that we are doing. Mayor Byrd said okay.

Committeewoman Servais stated before we used to have a Work Session and during our Work Sessions we would always have a discussion on ordinances, discussion on the resolutions before any motions were made, there was a discussion and that she has noticed the last few meetings, there is no call for discussion until after a motion has been made and she would like to know why was that policy changed?

Committeewoman Servais also indicated that before we used to have a Work Session at a Regular Meeting, now we are having two (2) Regular Meetings twice a month and we don't have a Work Session.

Mayor Byrd stated that anytime you want to discuss something, just like I just asked you if you had anything on the ordinance.

Committeewoman Servais stated that obviously it had been already been decided that you're going to approve it before there was any discussion because like I said there was a motion made and a second and there was no question as to discussion.

Mayor Byrd stated Committeeman Morton interjected and made a statement as well and you can do that at any time and that he was not trying to take anything away.

Committeewoman Servais stated that she is not going to after a motion has been made. Mayor Byrd stated well you can. Committeewoman Servais indicated she is not going to. Mayor Byrd stated if you don't say it before a motion and if you don't say it after the second, I do not know what the argument is.

Committeewoman Servais stated that you are supposed to ask if there is any discussion on Item No. 7 and if there is any discussion on Item 7 then asks for a motion and she asked if she was wrong.

Township Solicitor stated in parliamentary procedure when there is a motion that is when there is a discussion so that is one way to start the discussion and is how it is handled. Solicitor Carr stated there is a history here of how you have done things and I certainly am not suggesting that you change it.

Mayor Byrd stated anytime you want to discuss anything you have the opportunity to do it the same way we did it for Mr. Morton.

At this time, Mayor Byrd asked for a motion to open the meeting to the public on agenda items only.

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

Ed Kimley, Seabreeze Road approached and indicated the second page of the bill list at the bottom it states escrow amount that should have gone before the Planning and Zoning Board.

Nancy Ridgeway, 582 Irving Avenue stated Resolutions are open to the public and she

is wondering if you're having meetings with three (3) committee people and not opening it up to the general public.

Ms. Ridgeway indicated that she would like information on Ordinance No. 8 - 2015 where there was no discussion and it was introduced and she would like an explanation of how three (3) committee people came up with this ordinance. Ms. Ridgeway stated that she will sit down and wait for you to answer me.

Russell Pierce, 376 Fairton-Gouldtown Road stated that he believes he just heard something that one of the committeemen had a conflict with voting on the mining ordinance because their son works for a company that goes in and out the mining pits.

Mr. Pierce stated that both Mayor Byrd and Deputy Mayor Pitts have trucks; they both have businesses going in and out the pits, am I correct?

Mayor Byrd stated that he has a construction business that goes in and out of various pits.

Mr. Pierce indicated to the Township Solicitor that he put in an OPRA request trying to find out if this Township has an ordinance that if you have a business you would need to have a business license.

The Township Solicitor indicated that his last discussion on this point was with our Township Administrator who was following up. Mr. Pierce asked if the OPRA request has left the building to another building.

He indicated that he is trying to find out because there are a lot of things switched up here.

Mr. Pierce stated that normally if he needed something he would go to the Township Clerk's Office or the Code Enforcement Office. Mr. Pierce stated that no longer he has to go to the Township Administrator's Office to get an OPRA request. Why did that changed, and he would like to know why as he never had to do this before and would like to know.

Viola Thomas-Hughes approached and stated that had a question. She indicated that she is looking at Item No. 13 regarding the Township Clerk. Ms. Thomas-Hughes stated I guess she cannot talk on this? The Township Solicitor stated it would be discussed in Closed Session.

Ms. Thomas-Hughes stated that she has a concern. She indicated that when Ms. Gonzales was hired, she came with excellent recommendations and now she is being riced? Ms. Thomas-Hughes stated what she could have possibly done.

Ms. Thomas-Hughes stated that she is basically trying to put her 2 cents in and hopefully somebody will have some sense. Ms. Thomas-Hughes stated that it was so long that we were without an RMC. We now have one reputable and qualified for the job and now we are ricing her.

Mr. Russell Pierce approached and indicated that he still needs an answer about why he has to go through the Township Administrator.

The Township Administrator, Mr. Davis, indicated that Mr. Pierce is here quite often.

Mr. Davis stated quite often for my purpose; my staff is tied up too much so what I have done to attempt to get what he wants. I simply have asked Mr. Pierce to come to him so he can insure that he gets what he wants when he wants it in a timely fashion. Mr. Pierce stated they know!

Mr. Davis stated that he is the first one to admit, I have been on the job for 2 weeks, stated that it is not to keep him from getting anything, if he needs to get things done properly. He is concerned that he is not being helped by the staff as the Administrator of the staff; I think I should be responsible for my staff.

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

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

RESOLUTIONS

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

RESOLUTION NO. 96 - 2015

A RESOLUTION OF FAIRFIELD TOWNSHIP, CUMBERLAND COUNTY DESIGNATING QC LABORATORIES AS THE TOWNSHIP'S SERVICE PROVIDER FOR LABORATORY TESTING

Mayor Byrd stated that before we move forward on said resolution, he wanted to state that the Public Works Supervisor brought the matter of the wells not being monitored as per a mandate by the NJDEP.

Mayor Byrd stated that that the firm, QC Labs was monitoring the wells, but for some reason, their service to provide such monitoring was disconnected by the Township.

The Mayor indicated that the Public Works Supervisor, Mr. Dunn, obtained two (2) estimates from the following firms, QC Labs and Vineland Environmental Laboratories, LLC. The mayor indicated that the estimate provided by Vineland Environmental Laboratories, LLC is approximately \$2,050.00 higher than QC Laboratories.

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

Committeewoman Servais stated that the monitoring of the Convenience Center wells was scheduled to be performed on a quarterly basis last year. She indicated that the matter for some reason some reason has fallen on to the "way side".

Committeeman Morton inquired if such project of as service provider as such as this magnitude and importance, would this have been something that the Township should have solicited Request for Proposals?

He stated that it would be more probable to investigate why the Township separated such service and be more probable to continue the relationship with them if we already had some kind of agreement and or contract with them, however, we are absent without the facts.

At this time, Mayor Byrd left the dais indicating that he was going to go check to see if our Public Works Supervisor was present in the building to inquire with in.

Mayor Byrd returned back to the dais. Mayor Byrd stated that in speaking with the supervisor, it was indicated that the Township would be in the same contract with QC Labs as before.

At this time, Viola Thomas-Hughes and also a former Mayor of the Township of Fairfield asked if she could approach as she had some information to this matter. Mayor Byrd allowed.

Former Mayor Viola Thomas-Hughes approached and directed the governing body to go back to the bill and review the bills submitted by QC Labs were extraordinary.

After further discussion on the matter, it was decided to defer Resolution No. 96 - 2015 at this time to conduct research with another potential firm indicated in Atlantic County on a motion by Deputy Mayor Pitts seconded by Committeeman Clark. Roll Call Vote: Clark, yes; Morton, yes; Pitts, yes; Servais, yes and Mayor Byrd, yes.

PROCLAMATION

TERRIGNO'S FAIRFIELD INN

Terrigno's Fairfield Inn was previously recognized under two (2) categories voted upon as Best Business and also Best Cheesesteaks. Upon the discussion, it was indicated that the governing body hereby present and congratulate them. A motion was made by Committeeman Clark moved to issue a proclamation seconded by Mayor Byrd. Roll Call Vote: Clark, yes; Morton, yes; Pitts, yes; Servais, yes and Mayor Byrd, yes.

NEW BUSINESS

Committeeman Clark had none.

Committeeman Morton reported on a Municipal Aid Grant available by the NJDOT for Thomas Drive.

Committeewoman Servais read into the record with the correspondence from the NJDOT regarding a grant for Thomas Drive.

Deputy Mayor Pitts had none.

Mayor Byrd announced on correspondence from the Township Emergency Management Coordinator, Patrick Conahey regarding the execution of a generator grant for the Township Municipal Building.

It was indicated that the grant has been discussed for a couple of years now and the grant would be profitable as a free generator for the Township. Mayor Byrd asked if anyone had any questions. There were none.

A motion moved by Committeewoman Servais authorizing the mayor to execute the Hazardous Mitigation Grant for a Generator at the Municipal Building seconded by Committeeman Clark. Roll Call Vote: Clark, yes; Morton, yes; Pitts, yes; Servais, yes and Mayor Byrd, yes.

Mayor Byrd made an announcement on a Rabies Awareness Flier was to be circulated in the Township.

At a previous meeting, a township resident reported on rabies case in the Township. The flier will be provided to the school district, the Animal Control Officer and website. The Mayor gave a copy of the flier to Township Administrator Davis to inquire with the school district and if they have no objections to announce the awareness, the Township will provide said copies to the school for circulation.

OLD BUSINESS

FINANCING FOR REPLACEMENT OF FAIRFIELD TOWNSHIP'S 2005 AMBULANCE
Mayor Byrd indicated that at the last previous meeting, he had made the suggestion that the replacement of the ambulance be placed on a referendum to allow the residents to have a say in the manner on a big-ticket items that they have to pay for and we have to pay for.

Mayor Byrd asked the governing body what is their view on the replacement.

Deputy Mayor Pitts indicated none.

Committeeman Clark stated that he believes the taxpayers were thankful that the Township asked them to get involved referencing to the ballot for the purchase of a \$500,000 fire truck. He indicated that he does not see the voters having an issue with the matter of the ambulance being on the ballot for \$100,000.00 compared to \$500,000.

Committeewoman Servais stated that she is also thankful that we got the taxpayers involved in obtaining their vote on the fire truck. She indicated that there is no back up for an ambulance like a fire truck and explained that there is no mutual aid for an ambulance.

Committeewoman Servais explained that there is a backup if a fire truck is down, however there is no back up for an ambulance. If the ambulance is placed the ballot, look at the time frame involved with the fire truck.

Mayor Byrd asked for a motion for the replacement of an ambulance to be placed on the ballot. Mayor Byrd moved seconded by Deputy Mayor Pitts. Roll Call Vote: Clark, yes; Morton, abstain, Pitts, yes; Servais, no and Mayor Byrd, yes.

Mayor Byrd stated that at this time we will skip the Department Reports, if there are no objections, to go back to Ms. Ridgeway's inquiry.

Ms. Ridgeway stated that the said ordinance in question does not make any sense. Ms. Ridgeway indicated that copies of said ordinance when introduced should be available to the public and explained to the public.

At this time, Mayor Byrd asked the Township Solicitor if he could explain the ordinance. The Township Solicitor explained to Ms. Ridgeway that the ordinance for one is an introduction and is not a public hearing, so as a public hearing, he agrees copies of an ordinance scheduled for a public hearing should be made available to the public. The Township Solicitor further explained on an introduction, some townships, some government entities have opted to take the route to take the defense of public officials if they are sued in their line of duties and take it from a moral one to a an obligation by way policy and this essentially this would do it. The Township Solicitor stated that if you are acting in your line of duty and not outside of parameters of your duties you would be entitled to a defense rather than asking for defense, you would be entitled.

Ms. Ridgeway asked the Township Solicitor to run that by her again as she did not understand what you were saying.

The Township Solicitor stated that it is an ordinance that would obligate the township to defend elected officials if they are sued for actions they have taken in their line of duty, taking the defense from a moral obligation to a policy one based on the ordinance.

Ms. Ridgeway stated that means this ordinance is for if they open their mouths, and somebody sues them.

Ms. Ridgeway stated then everybody needs to learn to keep their mouth shut.

Committeeman Morton raised a question to the Township Solicitor on the said ordinance and for the public's benefit. He asked if this ordinance is not retroactive is it? The Township Solicitor indicated that as written it is not retroactive. It is an introduction and explained that if it was retroactive, he could tell us it would interfere with at least one on going case where the decision has not been rendered yet and other cases where it could theoretically apply cause one on point that is on counsel fees.

Committeeman Morton asked if those cases that we are currently involved in where we have a position this might actually change our position from this point on. The Township Solicitor indicated it theoretically could it depending on how it was implemented.

Committeeman Morton stated to Ms. Ridgeway to further answer your question in theory and based on the support of our Solicitor, the behavior in previous litigation might be tolerate or handled differently if this ordinance was passed. In other words, the lessons that we have learned in the past will be irrelevant, and those individuals could behave like past individuals have with no accountability because there would be support for them by the township.

Mayor Byrd stated the ordinance does not say they do not have to be accountable.

Committeeman Morton stated we provide defense for them in the event they are inappropriate.

Mayor Byrd asked Mr. Morton to read the ordinance. Mr. Morton indicated that he has read the ordinance.

Committeewoman Servais stated the ordinance does state so.

DISCUSSION

RICE NOTICE - TOWNSHIP CLERK

Said discussion was moved to be discussed in Closed Session.

COMMITTEE REPORTS / REMARKS

Committeeman Servais stated that if the ordinance establishing the defense and indemnification of Township Officials was in effect in 2013 when she was being harassed for ten months, the person could have had his legal fees paid because he claims it was in his line of duties to harass her.

She indicated that it was not in his line of duties to ask anything about it in her first six months while she was on the committee and it was not in his line of duties to ask about the five (5) companies that were actively working if they had a business license, that was not in his line in duties, however, his line of duties was to interrupt for ten months and twenty meetings of Township time to harass her and then he would of have had his legal fees paid, until she had had

enough and signed a complaint against the person. Ms. Servais stated this is exactly what this ordinance says.

Mayor Byrd stated that the ordinance will not cover what occurred in 2013. Committeewoman Servais stated that is the reason why we are asking if this ordinance can be retroactive.

Mayor Byrd indicated no.

Deputy Mayor Pitts had no comment.

Committeeman Clark had no comment.

Committeeman Morton stated that he encourages the public to take a good hard look at the ordinance between now and before the public hearing. He indicated that the ordinance was drafted to serve a particular purpose. He stated that all ordinances are, which is something in mind that has not been disclosed to you as to "why" and he does not think that it is going to be disclosed because that is intellectual property that has not been published yet and we will find that out after the affect.

Committeeman Morton indicated that we are seeing a problem like this on the Federal, State and Local level where elected officials will manipulate their accountability and justify their actions and the public has to pay for their defense either way. Mr. Morton used the example outside of this municipality, our Governor who is in the newspaper daily, where decisions were made by his appointed staff and the Governor insists that he be exonerated of all allegations, but his staff will be held accountable.

He indicated that it is perceivable if that this ordinance were to be successful here in Fairfield Township and its ordinances like this are used in other places, the public does pay the legal fees of the official that made whatever call they felt was fit at the time. He indicated that if in doubt, look it up on the internet by googling "Legal Fees for the Governor's Bridge Gate Scandal". He stated that's money that is not available for other state programs now, it is not available for pensions and that is also in the news.

He stated when Fairfield Township is also guilty of not paying a pension because it was a misallocation, or an oversight, you have ask yourself, what other services are not being paid for because there is no accountability for elected officials, but even more than that, if this ordinance goes unchecked or unchallenged by the public, that silence in its self is deafening.

Mr. Morton stated that too many folks in Fairfield Township either do not know or do not recognize that they have a voice until it is too late.

Mr. Morton stated that we have a very forgiving cultural here in Fairfield Township, we are a Christian township, we forgive each other, we turn the other cheek and we put the same people in office because we want to give them an opportunity to make things right.

Mr. Morton indicated that he has been accused of taking both sides. He explained that he has taken a hard line on one position of the ordinance and he is going to take a hard line on the other side, this ordinance could be beneficial if you have elected officials that have demonstrated integrity, if you had elected officials making good decisions, consistency and have earned the layer of trust from their constituency, this would not provide a problem at all, but he does not believe we have this at all.

Mr. Morton stated to Mayor Byrd that when he was acting on his own fruition he did a very good job, but the concern is when you are acting on the fruition of someone else who is not accountable, that is when I worry about you and I worry about this Committee because when we make a bad call those individuals who have given you that advice are not accountable at all, they wash their hands of it, whether it is advice from the Solicitor or advice from a colleague.

Mr. Morton stated that we joke about the unseen power behind your elected officials, we use that coin puppets, and that he believes that one of the reasons he is forced to abstain on a lot of issues, is because he is not a puppet, and my no vote is ignored.

He stated that when we start having a quorum here up here and stop having consistency,

hopefully that will demonstrate to the public that someone is going to have to step up and ask questions. He indicated that when you do not get the answers, it forces you to dig a little deeper.

Mr. Morton ended by thanking the mayor for allowing him to speak and thanked the public for coming out tonight. Mayor Byrd thanked Mr. Morton.

There was no further comment or reports from the Committee.

PUBLIC COMMENT

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

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

Ed Kimley, Seabreeze, appeared and conveyed his comments followed by questions regarding the ordinance.

Claus Smith, 30 Hartz Drive, appeared and asked if the grant discussed earlier on was a grant for streets.

Russell Pierce, 376 Fairton-Gouldtown Road, appeared and requested that the mayor rescind the vote made against him at the last meeting indicating it was a conflict. He stated that he had a flier out to the public signed by both the Mayor and Deputy Mayor referencing him as a racist. Mayor Byrd stated that he wants to see the letter/flier that Mr. Russell is talking about. Mr. Russell stated that he would see the letter/flier in court.

Viola Thomas-Hughes, 493 Fairton-Gouldtown Road referenced tonight's Ordinance No. 7 - 2015 indicated that to her this ordinance does not mean a thing if you are going to violate the law, if you are going to violate the law because of who you are, does not mean anything.

Ms. Thomas-Hughes stated that she had a concern as to why only Committeewoman Servais was the only person who had a copy of the grant letter for Thomas Drive. She indicated that she had called the municipal building to speak to the Township Administrator to inquire within and was advised by the Administrator that he would look into it. Ms. Thomas-Hughes asked why the announcement was not indicated at a meeting.

Ms. Thomas-Hughes indicated that last year, a letter was sent out to the residents in the Township implying that she, as the mayor last year was trying to get her own road repaired as a result of politics.

Ms. Thomas-Hughes inquired if there was a volunteer application that she could obtain as she would like to avail herself as a volunteer.

Nancy Ridgeway, 582 Irving Avenue inquired if there were any updates on the Township Environmental Commission.

Albert Jones, East Avenue reported litter of tires of trash on Clarks Road and Shoemaker Lane.

There were no further comments.

Mayor Byrd asked for a motion to close the public portion.

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

Mayor Byrd announced that the Township Committee will now go into Executive Session and asked for a motion.

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

Township Solicitor indicated that the Township will convene into Executive Session on the matter of Rice Notice of Township Clerk and update on pending litigation matters.

The meeting was adjourned at 8:30 p.m.

The Township Committee convened into open session with all members present at 9:45 p.m.

The Township Solicitor announced that the Township Committee is now back in open session after having discussed two (2) personnel issues one regarding the Municipal Clerk and one the Township Administrator and pending litigation matters B & M Auto Salvage; Hulitt; Sharp, Byrd; Griner; Zirkle and Wildlife Preserves vs Fairfield Township.

Mayor Byrd announced that they received paperwork from the Township Administrator regarding a credit card machine from the Tax Collector.

The Township Administrator reported and suggested the utilization of a credit card machine.

The Township Solicitor requested that he be provided the information for his review.

The Township Administrator also reported on the replacement of the current employee timecard.

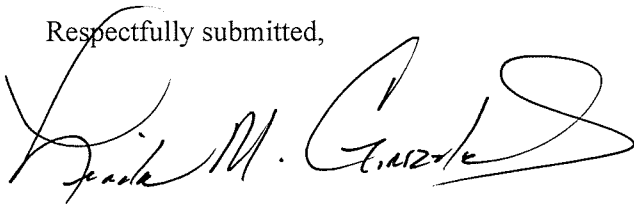
The cost for the replacement would cost approximately \$51.00 per month compared to what we are paying at the moment. At the present, the Township is paying \$356.00 to Casa Payroll and the time involved in calculating the hours.

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

Mayor Byrd moved to adjourn seconded by Deputy Mayor Pitts. All members voted in the affirmative.

The meeting was adjourned at 9:50 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