

**CITY OF NORTHFIELD COUNCIL MEETING
JULY 18, 2006**

This meeting was called to order by Carol A. Raph, Municipal Clerk. It was properly advertised under Public Law 75, Chapter 231.

The flag salute was led by Mayor Frank Perri, Jr. After the flag salute, Mayor Perri called for a moment of silence to recognize those fighting at home and abroad for our liberties, that they may return safely to their families. He also recognized the two Police Officers of Egg Harbor Township who were recently injured in the line of duty, that they may have a speedy recovery.

ROLL CALL: Present: Carew, Kern, Martinez, Notaro, Schlachter, Turon, Mazzeo

Solicitor Alfred Scerni, Jr., Engineer Ed Stinson of Doran Engineering, CFO Marilyn Dolcy, City Administrator Jeffrey Bruckler, and Deputy City Clerk Kim Hodsdon were present.

8:00 PM / APPEAL HEARING

Road Opening Permit Denial
Craig Stevens (current residence: 114 Mt. Vernon Ave, Northfield, NJ)
104 W. Rosedale Avenue
Block 79; Lots 20 & 20.01

Council President Mazzeo called Mr. Craig Stevens forward for the Public Hearing regarding the appeal of his road opening permit denial. Stevens was represented by his Attorney, Mr. Michael Rann. Rann began the hearing by stating that neighboring property owners within two hundred feet of the site were provided notices of the appeal. The meeting was also published in the press as required.

Rann then explained to Council that Stevens had entered into a contract to purchase the property with a contingency that he gain approval to subdivide the lot. His intent was to build a home, reside on one lot and sell the other. He received conditional approval on March 2, 2006 from the Planning Board to subdivide the lot. One condition required by the Board was that the existing home be demolished. Based on this approval, Stevens completed the contract of sale, closed on the property and demolished the existing structure as required. Rann stated that the circumstances are unique in that City Council was considering the road opening moratorium at the same time that Stevens was proceeding with his subdivision request. Stevens was unaware that the matter was under consideration by Council. Furthermore, it was not a condition or recommendation of the Planning Board that he would need to observe the new moratorium.

On March 7, 2006, Council approved the moratorium which regulates that a road may not be opened for a five year period from the time it was resurfaced or improved. Rann stated that the situation has created a hardship for Mr. Stevens and his family in that he had planned on building a larger home for his growing family. They currently

**CITY OF NORTHFIELD COUNCIL MEETING
JULY 18, 2006**

reside in what was supposed to be temporary accommodations, thus it is not solely a financial hardship. Had he known about the pending moratorium, he would not have proceeded in purchasing the property. Based upon the documentation that was submitted, Rann stated that he felt they were in compliance with 100-6B. He further stated that he was confident that Stevens understood the significance of the restoration requirements. Based upon the statements given, he respectfully requested that the permit be granted.

Council President Mazzeo announced that neighborhood residents Barbara Longy-Quinn, Thomas Quinn, Betty Jeane Dunn and Lena Giannini had written a letter of opposition. Recent improvements to the street had corrected the problems they were having with flooding and they were concerned that opening the road would cause the flooding to reoccur. Mazzeo deferred to Ed Stinson to address their concerns.

Stinson explained that the improvements had included the installation of a concrete gutter which helps to maintain a shallow slope and prevent flooding. He stated that the road opening would not affect the gutter and thus, he felt comfortable that the street could be restored without negatively impacting the drainage system. Councilman Notaro asked if it would be an infrared repair. Stinson responded in the negative, explaining that infrared would not be appropriate in this situation. In response to a question by Mazzeo, Stinson explained that the only fee involved is the normal road opening permit fee. Rann added that Stevens was also aware of the bond and liability insurance requirements.

Councilman Carew acknowledged that Stevens was in a predicament. He addressed the residents who were in attendance and explained that the City had invested a lot of money in road improvements. The Ordinance has stringent requirements for high-quality restorations in the event that openings are permitted. He assured the public that hardship waivers would not be given out freely and thanked them for being in attendance.

Councilwoman Kern stated that Council should make sure something like this does not happen again, however she felt comfortable with Stinson's reassurance that the road will be satisfactorily restored. She expressed concern that if the site was not developed, it would become a public eyesore. Councilman Notaro suggested that Council should keep the Planning Board abreast of issues that may impact their area. Mazzeo agreed.

Regarding public input during the appeal hearing, Solicitor Scerni explained that the Ordinance requires residents to submit their opposition in writing to the City Clerk at least three days prior to the scheduled hearing. As such, public input that evening was limited to the four residents who submitted timely written notice. He stated that he did not believe the ordinance provided for the matter to be open to the public in general.

One of the four residents, Barbara Quinn, questioned how many times the street would

**CITY OF NORTHFIELD COUNCIL MEETING
JULY 18, 2006**

be opened. Mr. Stevens answered, stating that he believed it would only be one trench. Mr. Rann commented on the required timeframe per the Ordinance. Engineer Ed Stinson confirmed the 45-day time frame. He further explained that there would be two different openings simply because there are two different utilities and contractors involved. He stated that he would work with the contractors and Mr. Stevens to monitor the work and final restoration.

Councilman Turon asked President Mazzeo if the purpose of the bond could be explained to the public. Scerni responded, explaining that the Ordinance requires a bond in two capacities. One is a performance bond for the full amount of the construction costs. If the project is started and for some reason is not completed, the City can take action against the bond to finish the project. An additional fifteen percent (15%) of the construction costs would be posted upon completion of the project in the form of a maintenance bond and is for the purpose of correcting any small maintenance items after the fact.

Councilman Carew made a motion to grant the road opening permit; Second by Notaro. Seeing no further discussion, Council President Mazzeo asked for a roll call.

Roll Call: Carew - yes, Kern – yes, Martinez – yes, Notaro – yes, Schlachter – yes, Turon – yes, Mazzeo- yes. All present in favor. Motion Carries.

8:30 PM / CLOCK PRESENTATION BY MAYOR PERRI

Mayor Perri presented Mrs. Millicent Mossman with a plaque/clock commemorating her 33 years of service to the City of Northfield as a School Crossing Guard. Perri congratulated her for doing a fine job over the years and thanked her for taking care of the children in our community.

READING AND APPROVAL OF MINUTES/June 13, 2006

Motion by Councilman Martinez, second by Councilman Turon to dispense with the reading of the minutes of June 13, 2006. They have been posted, distributed to Council and are on file in the Municipal Clerk's Office. All present in favor, motion carries.

COMMITTEE REPORTS

Councilman Turon congratulated Mrs. Mossman and wished her the best in her retirement. He congratulated the Ladies Auxiliary of the Northfield Fire Department for a successful fundraiser (car wash) that was recently held at the Burton Avenue Fire House. He offered his thanks to the volunteers and to those who gave financial support. He also congratulated the Atlantic County Government for the completion of the Northfield/Pleasantville connector on the Bike Path.

**CITY OF NORTHFIELD COUNCIL MEETING
JULY 18, 2006**

Councilman Martinez offered his thanks to everyone involved in the July 4th parade for a job well done despite the heat.

Councilman Schlachter announced that an ice cream social is scheduled for August 13th at 6:00 pm at Birch Grove Park – with a concert to follow. He reported that campsite rentals at the park are typical for the time of year. Schlachter announced that a decision had been made to re-sod the football field as other attempts to correct it's condition have failed. He offered his thanks to Mr. Max Gurwicz for donating \$9,000.00 which will help to defray the cost to the City. He asked that Council support the project's completion before the start of the football program. Council President Mazzeo thanked the Governing Body for working together on the issue. A motion was made by Councilman Carew, second by Schlachter, to approve the project. All in favor, motion carries.

Councilman Carew announced, as a reminder, that Saturday, July 22nd is the first annual Flora Dickinson Fishing Tournament at Birch Grove Park. He stated that Dickinson was an instrumental part of the Park for many generations and the memorial looks fantastic. He requested feedback on his proposal for the new Community Coordinator position a the next meeting.

Councilman Notaro offered his thanks to Chief Lynn Perri and the staff of the Northfield Rescue Squad for her volunteer work in covering the graduation ceremonies at Mainland Regional High School. He thanked the Fire Department for installing the flags along the parade route and for their attendance at the July 4th parade. He announced that he had met with Ronald Mathis of Commerce Bank who will be graciously supporting the 2007 Northfield Calendar.

Council President Mazzeo announced the start of the Allsports Kick-Ball league July 20, 2006 and asked Mayor Perri to roll-out the first ball.

MAYOR'S REPORT

Mayor Perri welcomed the Mainland Communications Department/ Channel 2 and offered his thanks to Mr. Smith and the student who was working the camera. He thanked the Governing Body for agreeing to televise the meetings and expressed his hope that the it would be well-received by the public. He reported that he attended middle school academic awards ceremony and stated that he was very proud of the children for their outstanding achievements. He also attended both the Northfield Community School and the Mainland Regional High School commencement ceremonies. He offered congratulations to all of the children. He congratulated the Cultural Committee on the success of the July 4th parade and recognized the honored guests. He announced that volunteers have come forward to organize the Family Fest day. He thanked them as well as Sue Marino of the Current newspaper for publishing an article about the need for volunteers. Perri announced that Eckerd Drug will be celebrating their 5-year anniversary in Northfield and are planning a 'Northfield Day' on August 26th from 9:00 am to 9:00 pm. Proceeds will be given back to the community.

**CITY OF NORTHFIELD COUNCIL MEETING
JULY 18, 2006**

Mayor Perri gave the June Police Department Report as follows: Total adult arrests – 18; Juveniles arrested – 8; Drug offense arrests – 8; Total calls for service – 1569; Investigations opened – 43; Recovered stolen property - \$0; Motor vehicle summons issued – 208; DWI arrests – 5; Summons issued as a result of MV accidents – 27; MV accidents investigated – 37; Summons issued as a result of radar enforcement – 37.

He recognized the two Egg Harbor Township (EHT) Police Officers who were wounded in the line of duty and congratulated everyone involved in the situation on a job well done. He conveyed the thanks and appreciation given to the Northfield Police Department from the Mayor of EHT for their assistance in responding to the incident.

For the record, Mayor Perri submitted to Administrator Bruckler the Right To Know applications and the endorsed alliance contracts for proper filing.

RESOLUTIONS

109-2006 On a motion of Schlachter, second of Martinez all in favor of adopting a Resolution To Authorize the Cancellation of a Tax Sale Certificate

Roll Call: Carew - yes, Kern – yes, Martinez – yes, Notaro – yes, Schlachter – yes, Turon – yes, Mazzeo- yes. Motion carries.

110-2006 On a motion of Schlachter, second of Martinez all in favor of adopting a Resolution to Authorize a Refund of Overpayment of Taxes on Block 95, Lot 49

Roll Call: Carew - yes, Kern – yes, Martinez – yes, Notaro – yes, Schlachter – yes, Turon – yes, Mazzeo- yes. Motion carries.

111-2006 On a motion of Carew, second of Turon all in favor of adopting a Resolution to Authorize the Refund of Building Permit Fees

Roll Call: Carew - yes, Kern – yes, Martinez – yes, Notaro – yes, Schlachter – yes, Turon – yes, Mazzeo- yes. Motion carries.

112-2006 On a motion of Notaro, second of Schlachter all in favor of adopting a Resolution to Authorize Award of Contract for Reconstruction of Lesley Lane

Roll Call: Carew - yes, Kern – yes, Martinez – yes, Notaro – yes, Schlachter – yes, Turon – yes, Mazzeo- yes. Motion carries.

113-2006 On a motion of Notaro, second of Schlachter all in favor of adopting a Resolution to Authorize Final Work Change Order No. 1, 2005 Installation of Accessible Curb Ramps

**CITY OF NORTHFIELD COUNCIL MEETING
JULY 18, 2006**

Roll Call: Carew - yes, Kern – yes, Martinez – yes, Notaro – yes, Schlachter – yes, Turon – yes, Mazzeo- yes. Motion carries.

114-2006 *DELETED*

115-2006 On a motion of Notaro, second of Kern all in favor of adopting a Resolution to Hire a Laborer in the Public Works Department

Roll Call: Carew - yes, Kern – yes, Martinez – yes, Notaro – yes, Schlachter – yes, Turon – yes, Mazzeo- yes. Motion carries.

116-2006 On a motion of Kern, second of Schlachter all in favor of adopting a Resolution to Authorize the Refund of Overpayment of Photocopy Fees

Roll Call: Carew - yes, Kern – yes, Martinez – yes, Notaro – yes, Schlachter – yes, Turon – yes, Mazzeo- yes. Motion carries.

117-2006 On a motion of Schlachter, second of Turon all in favor of adopting a Resolution Authorizing to Extend Third Quarter Tax Payments

Roll Call: Carew - yes, Kern – yes, Martinez – yes, Notaro – yes, Schlachter – yes, Turon – yes, Mazzeo- yes. Motion carries.

118-2006 On a motion of Kern, second of Carew all in favor of adopting a Resolution to Authorize the Second Rejection of Bid Received for Digital In-Car Video Systems for Police Cars

Roll Call: Carew - yes, Kern – yes, Martinez – yes, Notaro – yes, Schlachter – yes, Turon – yes, Mazzeo- yes. Motion carries.

ORDINANCES

Motion by Councilman Notaro, second by Martinez for Ordinance 11-2006 to be read by title only. All present in favor.

11-2006 An Ordinance Authorizing a Ballot Question
Introduction/No Public Input/ Published in Press 7/22/06

Discussion: Councilman Carew reaffirms the statements he made during the Work Session. Councilman Turon stated that Council was provided with little time to review the Ordinance before the meeting and encouraged Mazzeo to appoint a committee.

Roll call: Carew – no, Kern – no, Martinez – yes, Notaro – yes, Schlachter – yes, Turon – no, Mazzeo – yes. Majority rules, motion carries

PAYMENT OF BILLS

**CITY OF NORTHFIELD COUNCIL MEETING
JULY 18, 2006**

Councilman Schlachter motioned for payment of bills in the amount of **\$3,278,227.95**, second by Councilman Notaro. Councilman Turon announced that he would be abstaining on any item related to the Northfield Board of Education. Kern also abstained on certain line items. Both were duly noted by Council President Mazzeo and are on file in the City Clerk's office.

Roll call: Carew – yes, Kern – yes, Martinez – yes, Notaro – yes, Schlachter – yes, Turon – yes, Mazzeo – yes. All in favor, motion carries.

PUBLIC SESSION/FIVE MINUTES PER SPEAKER

Council President Mazzeo asked if anyone from the public wished to speak.

Robert Webb of 218 West Revere Avenue came forward to question Ordinance 11-2006 as he was uncertain of the intent. Mazzeo briefly explained. Carew gave examples of some shared services that are currently in place.

Robin Dennis of 708 Debra Street came forward to express her dissatisfaction with a non-profit organization who distributed written materials during the July 4th parade and suggested that a line needs to be drawn as to appropriateness. Mazzeo commented that the group may have a right to participate. Solicitor Scerni stated that it is a complex constitutional issue and the City would be hard pressed to deny participation based on the opinions or beliefs of the group. As the liaison to the Cultural Committee, Councilwoman Kern commented that the guidelines for participation are not well-defined and may need to be reconsidered during Cultural Committee meetings. Councilman Schlachter agreed, suggesting the possibility of an Ordinance to govern the matter. Mayor Perri pointed out that the group is classified as a tax-exempt educational organization and reaffirmed that it is a complex legal matter.

Carol Patrick of 905 Ridgewood Drive came forward and stated that she is the Chairperson of the Northfield Cultural Committee. While she expressed appreciation for Ms. Dennis' position, she stated that in our Country, where Freedom of Speech is fundamental, it is equally important to allow opinions you agree with and those you disagree with.

John Palmer, President of Northfield All Sports, residing at 14 Locust Drive came forward and offered his thanks to the Governing body for their collaborative work in resolving the problems with the field conditions.

Gregg Clayton, Vice President of Somers Point City Council and former member of the School Board, residing at 28 Delaware Avenue, Somers Point, NJ, came forward and stated that he wanted to correct a few misinterpretations or misunderstandings. He stated that the City of Linwood is aware of the Ordinance. He faxed a copy to Linwood Councilman Gene Maier at the same time that he faxed it to Council President Mazzeo. He invited Councilman Carew to call him if he wished to. Clayton stated that the Ordinance is a method of measuring the public's opinion. Councilman Carew expressed

**CITY OF NORTHFIELD COUNCIL MEETING
JULY 18, 2006**

his discontent that the matter was not brought to the attention of the President of Linwood Council. Additionally, Carew said that Council did not have much time to review the matter before being asked to vote on it. For the record, Council President Mazzeo stated that it was only an introduction and there was time to digest the matter.

Peter Deprato of 517 Marita Ann Drive came forward, and stated that, as a taxpayer, he would definitely vote in favor of the shared services ballot question as a way to possibly reduce the tax bill.

Seeing no one else from the public wishing to speak, Mazzeo closed the public session

MEETING NOTICES/KERN

Work Session	August 22, 2006	7:00 pm
Regular Session	August 22, 2006	8:00 pm

Motion to adjourn made by Kern, second by Carew. Meeting adjourned.

Respectfully submitted,

Carol A. Raph, RMC/CMC
Municipal Clerk