

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
MARCH 13, 2012**

At 7:00 pm, this meeting was called to order by Mary Canesi, Municipal Clerk. It was properly advertised according to Public Law 1975, Chapter 231.

The flag salute was led by Mayor Vincent Mazzeo. Following the flag salute a moment of silence was observed

ROLL CALL

Present: Mrs. Brown, Dewees, Mr. O'Neill, Mr. Perri, Mr. Polistina, Mr. Vain, Mr. Carew

Mayor Vincent Mazzeo, City Engineer Matt Doran, and City Solicitor Keith Bonchi were also in attendance.

AGENDA REVIEW

Council President Carew reviewed the agenda.

PRESENTATION BY DR RICHARD LEVITT, PLANNING BOARD CHAIR

Council President Carew introduced Dr. Richard Levitt, Chairman of the City of Northfield Planning Board, and Vice Chairman, Clem Scharff. Carew announced that Levitt has been on the Planning Board for close to 30 years and Scharff for 15 years.

Levitt stated that the Master Plan must be reviewed every six years; he thanked Solicitor Bonchi and City Engineer Doran. He said the Board desires to preserve the integrity of the residential areas. A new zone on Shore Road has been created; the House and Garden zone and the area by the old post office, near City Hall. These are areas that developed businesses before we had a zoning ordinance and before Shore Road became primarily residential. The area is zoned residential, so that when a building changes hands, each new owner must apply for a variance. The changes make the ordinance a bit more business friendly.

Levitt said there are a few zoning changes, including changes to the area near St Gianna; it is highly unlikely that this area would ever be developed as residential. The other area is off of Northfield Avenue, on the south side. The change is to OPB. Along Mill Road, along the Margate Bridge section, up to the corner where the carwash is; this is currently zoned office professional/commercial. The change is to office professional.

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Levitt reviewed the document that was presented to Council, and outlined the changes, including the definition of a sign, and the expiration of variances. Regarding boat and trailer parking, we are the only area community that permitted boat and trailer parking on the street any time of year. Under the changes, boat owners can still park the boats and trailers, but only in front of their own home. Between 9/30 and 5/2 each year, they can't be parked on the street. For campers, vehicles and motor homes, it was made clear that people cannot 'live' in them and parking is limited on streets to 48 continuous hours. There are changes to the size of vehicles that can park in the street; this applies to jitneys and oversize trucks. You can still park them, but only on the owner's property.

Levitt said changes were made to historic home regulations; if an historic structure is to be torn down it has to be documented and photographed for the historical society before demolition. Box trailers unattached to a vehicle are no longer permitted to be parked on the street. Small porches of 100 square feet are not to be counted in setback areas. PODS are also covered, but there is now a permitting process and a time limit. Changes have been made to setbacks for homes that border an alley. Alternate energy sources have been included, including wind and solar. There is also a section on lighting that shines on a neighbor's property. In the OP zone, free standing signs will be permitted. Levitt reviewed the new guidelines for electronic message boards.

Levitt touched on the Residential Site Improvement Standards, which are state mandated, and changes related to drainage basins. He said the SIC codes have been eliminated. He discussed the Country Club zone; if any future residential development is sought, the lot sizes will be a minimum of one acre. Limited retail has been added as have some other uses to allow the property to continue to be viable as a Country Club.

Levitt said there is still a little tweaking to do with the office professional zone. He asked if there are any questions.

Councilman O'Neill thanked Levitt for his presentation; he asked about residential properties that will be affected by the zoning changes, and for a definition of R codes. Levitt responded that R codes refer to lot sizes. Scharff gave an example of an existing R3 zone. O'Neill noted that other businesses were not classified. Levitt responded, and explained that spot zoning is illegal, but a grouping of several businesses that are similar can be classified together. O'Neill asked why the City did not reach out to other businesses. Levitt replied that the Master Plan provides for the preservation of shore road as primarily residential. O'Neill asked if changes to basins are for new developments or existing. Levitt responded that they apply to new, and only if the development provides for basins. O'Neill asked if R3 and R1 were

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permitted to put in cell phone towers. Levitt replied that cell towers are not permitted in residential zones. O'Neill asked for a timeline for adoption of the ordinance changes.

Council President Carew responded, saying this is just an overview at this point, a few changes still need to be made and a process to be followed.

Levitt continued, saying that one of the reasons for creating a residential business zone was to allow the owner of a former pharmacy to allow a use other than a pharmacy for a future owner.

Councilman Perri thanked Levitt and Scharff for their volunteer time; he acknowledged that it has been a lot of work and has taken a long time. Perri acknowledged that he owns a business at 517 Shore Road; he has been to the Planning Board about the rest of the businesses on Shore Road that were not approached. He asked about permitted conditional uses for the new residential business zone. Do they still need Planning Board approval? Levitt said they do, due to parking concerns. Perri said from 6:30am to 11:30pm hours of business can significantly impact residents. He said the governing body should take this into consideration. Levitt said this can be considered; they are permitting up to 3000 square feet, it will not be a supermarket. Perri said these businesses still have early deliveries, back up alarms etc. Levitt responded that they would still have to comply with noise ordinances; but this can be reconsidered. Perri asserted that other Shore Road properties should be recognized as residential business. Levitt spoke, saying you don't need a variance for a same use transfer of ownership. The new zone permits retail, food stores, etc. and he doesn't think this would be appropriate all along Shore Road. Any home office would be able to become a food store, or other more intense use. Perri said he feels the bulk requirements would prevent that, and cited a hardship for other businesses that were not included.

Council President Carew asked the members of the public who were in attendance for their input on the subject.

Craig Tanzola, 10 Magnolia Court, asked about Homeowners Association provisions. He said the basin in his development has never been maintained by the City and an HOA is a hardship. Levitt replied it is for new developments only; he asked Tanzola if the City accepted the basins and the maintenance? City Solicitor Bonchi replied, saying that the City has, and that Tanzola's development is grandfathered. Tanzola continued, saying new zoning changes are unfair to other businesses that were not covered; he asked about a cell tower at the house and garden property. He said this is an R zone. Levitt responded that this went before the Planning Board and was granted as a variance; but the government regulates where you can put it based on the

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need for service. When that happens you just have to pick the area with the least impact that will still provide the needed service. Scharff spoke, adding that there is an ordinance that City property has to be looked at first; then you have to put the tower where it will provide the greatest service for the least impact.

Jimmy Martinez, 105 East Revere Avenue, asked about pressures that Levitt referred to in regard to making zoning changes. Levitt replied that the uses permitted in the new residential business zone are less permissive than the owner of the property was looking for; it was a white elephant, a preexisting business. The likelihood of another pharmacy wanting to be there was small. Martinez said he feels one business owner is being favored. Levitt reminded Martinez that it is two separate zones and that these are businesses that are not going to be torn down to build houses. They tried to create uses compatible with what neighbors would want. He also reminded Martinez of the requirement that any new business prove that existing parking is adequate without parking all over the streets.

Mayor Mazzeo assured Martinez that parking would be closely scrutinized.

Seeing no others from the public wishing to speak on the matter, Council President Carew closed the public session. At 8:07pm he announced a brief recess, and resumed the regular meeting at 8:14pm.

COMMITTEE REPORTS

Councilman Perri said there was a Senior Committee meeting last Tuesday of the elected members. They are working to come up with an event schedule, a mission statement and purpose. Their next regular meeting is Thursday at 10:30 at Park Center. He urged all to attend. The Police Department will be giving a presentation. The Sewer Interlocal meeting will be rescheduled with the date to be announced. He has had several meetings with the Sewer Department, Councilman Dewees, and the Mayor to address ongoing issues.

Councilman O'Neill had no committee report this evening.

Councilman Vain said the footings for crosswalks at Mill and Burton have gone in for flashing lights. Vain was approached by Doran Engineering about a possible shared renewable energy program through the ACIA. It is just a survey at this point, with no cost, so we will pursue participating in the survey. He said the Safe Streets to Schools grant for sidewalks is still pending. There was a meeting last week to discuss Veteran's Park and it was decided that it will be done in phases. He thanked those who have given donations so far. He said everyone got a letter from the Cultural Committee regarding a budget increase.

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Councilman Polistina noted a change in the date and time for the budget meeting to March 22nd. He met with Atlanticare again last week. As of 7am on Sunday, March 7th, Egg Harbor Township has assumed our dispatching for EMS. Reports will come from Egg Harbor Township; he explained how the call capture will work. He said Egg Harbor Township will provide Atlanticare with the information needed to track where their ambulances are. Second calls will go through Medcom because of the GPS capability. He said Atlanticare has done some realignment to ensure future data integrity. They also created a supervisor position for Linwood and Northfield to ensure that a rig is always available. He read the most recent report of response times.

Councilman O'Neill asked that Council be notified if there are any more meetings; Polistina agreed but noted that they can't have a quorum in attendance. O'Neill asked that Council get an excel copy of the current budget for the next meeting; Councilman Carew replied and suggested he speak with the CFO to obtain it.

Councilman Perri asked Linwood's position as lead agency with regard to the interlocal and the Atlanticare issue; Solicitor Bonchi replied; he notified Linwood's Solicitor when the issue came up. It will be discussed with the shared service committee. Vain responded, and said he will reach out to Linwood tomorrow again to see if he can get a meeting scheduled. Bonchi spoke, adding that he sees April as a target date to start working on the contract renewal.

Councilman Polistina concluded his committee report by noting that the Library has selected an architect for the expansion. They have chosen Modelle from Somers Point from over 40 bidders.

Councilman Dewees had no committee report this evening.

Councilwoman Brown said they are close to an agreement with Linwood for shared court. Mayor Mazzeo spoke, adding that after the last meeting they thought they had an agreement with regard to salary splits; after that meeting Linwood met with their Council and backed off of the agreement on the split. Mazzeo said he is holding firm on the 50/50 split. Councilman Perri asked about the legacy costs of pensions. Mazzeo responded, saying there are two schools of thought. You need to look at what you are sharing, and if there is a balance. He gave the example of Egg Harbor Township and dispatch; we do not share in the legacy costs of the employees. Brown continued her report; she said the school passed their budget and came in at a .8 percent increase. She deferred to Steve Wynne, a School Board member in the audience, who advised that it was .776 of a penny.

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COUNCIL PRESIDENT’S REPORT

Council President Carew stated that the budget is a working document; we hope to introduce on the 27th. The activity at the park is in full swing, every field is being used. Burton Avenue is very busy. The light for crosswalk is a much needed commodity. He announced the names of the members of the Economic Development committee: Debra Albuquerque, Jim Travagline, Adam Gillman, Joe Masseri, Rich Baehrle, and Pat McCarthy. The groups’ bylaws will be drafted in the near future. Carew thanked Councilwoman Brown for putting the committee together.

Councilman O’Neill asked if there had been any further discussion on the Executive Session issue with former CFO Dolcy. Bonchi replied, and said that her attorney is on vacation; he is waiting to hear back. O’Neill asked if Councilman Polistina had done an investigation. Polistina replied that after the last Executive Session, it was discussed that our attorney would be dealing with Dolcy's attorney. O’Neill said he was under the impression that an investigation would be done. Polistina stated that this was not what was said.

MAYOR’S REPORT

Mayor Mazzeo announced that he did the ribbon cutting for Carluccio’s, located at the site of the former Dunkin Donuts. It will be a great addition to our community, and is beautiful inside. Last week was Read Across America day, and Mazzeo read Dr. Seuss’ The Lorax to the first graders at NCS. Dr. Seuss would have been 108 years old. The Library project continues and it too will be a great addition to Northfield. Mazzeo said Chief James made a recommendation for a handicapped sign for a resident who has requested it; Bonchi replied that he will review the ordinance and amend it accordingly. Mazzeo said regarding the budget, we are at a 1.7 cent increase right now. Budget increases included \$75,000 as a result of tax appeals, the dispatch increase, and the ACUA's contract. He referred to an email from the Municipal Clerk about updates to the code book, and said he would like to introduce the code adoption ordinance at next meeting.

Councilman O’Neill asked for an update on dispatch; Mazzeo replied that the offer from Somers Point was \$295,000 for 2012 with \$165,000 in capital the first year, with no solid number for 2013. Mazzeo said staffing is a concern as they were not going to increase staff to take us on. The key is where Linwood goes, and right now Mazzeo said he feels more comfortable with Egg Harbor Township. O’Neill requested the Somers Point proposal in writing. Chief James responded, saying the proposal was verbal. O’Neill said we had Peter Miller from EHT come in; he would like to have Somers Point come in to give us a formal quote. Council President Carew stated that we have a number from them, it was \$295,000. O’Neill said he

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wants to take a tour of EHT and wants to sit down with Somers Point to hear their presentation and see numbers on paper. O'Neill said he got word from Somers Point's Council person who gave him a substantially lower number.

ENGINEER'S REPORT

The City Engineer's report was provided to Mayor and Council and is on file in the Municipal Clerk's office. Updates were as follows: the Davis and Roosevelt drainage project is ongoing and Doran is waiting on the state. Marita Ann will be awarded in April. At the last meeting, a resident expressed concern about asphalt on Madison and on Mazza drive, Doran said he will prepare an RFP for repair for next meeting.

Councilman Dewees said he got a phone call from a resident on Parker Avenue about drainage. Doran stated that he would take a look for the next meeting.

Mayor Mazzeo noted that the area just paved at Maple and Fairbanks has water that site on one side; Doran advised that the contractor is coming out for a repair.

RESOLUTIONS / CONSENT AGENDA

Councilman Vain motioned, Councilman O'Neill seconded, to vote by consent agenda on resolutions 42-2012 through 48-2012.

Roll call: Mrs. Brown – yes; Mr. Dewees – yes; Mr. O'Neill; Mr. Perri – yes; Mr. Polistina – yes; Mr. Vain – yes; Mr. Carew – yes. Motion carries.

Councilman Vain motioned, Councilman O'Neill seconded, to adopt the consent agenda on resolutions 42-2012 through 48-2012.

Councilman Perri requested discussion on 47-2012 and 48-2012 and asked why the employees are changing from seasonal to part time.

Mayor Mazzeo replied that he had a meeting with the park supervisor; the seasonal employees were working 6 months and taking a month off, on a repeated basis. This is not good practice and is not fair to the employee. They will go from 32 hours to part time at 29 and the park will have good employees all year round. The way it was staggered, this year the one employee would be off the entire month of October; this would place too much strain on the park with so many events in October.

O'Neill asked how much money overall it would cost; Mazzeo replied it would be

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\$6,300 for the two people, total, plus they would get 20 hours sick and vacation. Perri mentioned holiday pay; Mazzeo said this was figured in. O'Neill asked if the park would close if these resolutions were not adopted; would there be less service at the park? Mazzeo replied that this provides better service, and it is better for the employee, one of whom has been with us for 20 years.

Councilman Vain amended his motion to adopt the consent agenda for resolutions 42-2012 through 46-2012. Councilwoman Brown seconded.

Roll call: Mrs. Brown – yes; Mr. Dewees – yes; Mr. O'Neill; Mr. Perri – yes; Mr. Polistina – yes; Mr. Vain – yes; Mr. Carew – yes. Motion carries.

42-2012 To Amend Resolution 28-2012, Establishing Rates at Birch Grove Park

43-2012 To Cancel a Tax Sale Certificate

44-2012 Acceptance of the LOSAP Point System and Qualifiers for Members of the Northfield Volunteer Fire Company No. 1

45-2012 Request to the County of Atlantic to Use County Roads for Parades and Other Functions

46-2012 To Hire a Laborer in Public Works Department

Councilman Vain motioned, Councilwoman Brown seconded, to adopt resolution 47-2012.

47-2012 To Change Employment Classification from Seasonal to Part Time for Birch Grove Park Laborer

Councilman O'Neill asked how many years this has been going on with the seasonal employees; Mazzeo replied since approximately 2006-2007. O'Neill said he does not think we can afford it.

Roll call: Mrs. Brown – abstain; Mr. Dewees – yes; Mr. O'Neill - no; Mr. Perri – no; Mr. Polistina – yes; Mr. Vain – yes; Mr. Carew – yes. Motion carries.

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Councilman Vain motioned, Councilman Polistina seconded, to adopt resolution 48-2012.

48-2012 To Change Employment Classification from Seasonal to Part Time for Birch Grove Park Laborer

Councilman O'Neill said he wants to table the resolution until the next meeting; he wants to see hard numbers. Mazzeo spoke; he said he has reviewed the numbers and is confident with them. Mazzeo said the salaries and wages for Birch Grove Park were reduced by \$5,000 at the first budget meeting. It is now \$1,000 over what was presented at the first budget meeting.

Roll call: Mrs. Brown – abstain; Mr. Dewees – yes; Mr. O'Neill - no; Mr. Perri – no; Mr. Polistina – yes; Mr. Vain – yes; Mr. Carew – yes. Motion carries.

ORDINANCES

Councilman Polistina motioned, Dewees seconded, to adopt Ordinance 1-2012, to be read by title only.

1-2012 Amending Ordinance 5-2011, Providing for and Establishing Salary Ranges of Officers and Employees of the City of Northfield
2nd Reading/Final Adoption
Published in the Press 03/17/2012

The Municipal Clerk read the Ordinance by title, announcing that the matter would be open to the public and would thereafter be considered for final adoption. She provided the final publication date and noted that since introduction, full copies of the ordinance have been posted on the City Website, on the bulletin board at City Hall, and have been available at no cost in the office of the Municipal Clerk between the hours of 9:00am and 4:00pm, Monday through Friday.

Council President Carew opened the public hearing; seeing no one from the public wishing to speak, he closed the public session.

Councilman O'Neill asked if the new CFO was sworn. Solicitor Bonchi replied that it is not required; there was an OPRA request and he researched it. It is Bonchi's opinion that CFO's are not sworn.

Roll call: Mrs. Brown – yes; Mr. Dewees – yes; Mr. O'Neill - yes; Mr. Perri – yes; Mr. Polistina – yes; Mr. Vain – yes; Mr. Carew – yes. Motion carries.

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PUBLIC SESSION

Council President Carew opened this meeting to the public and asked if anyone from the public wished to speak.

Mark Howe, 1119 Nugent Terrace, expressed concern that tax dollars are not being well spent; he wants to see the Somers Point numbers in writing. Birch Grove Park does need new employees. Council President Carew explained that no new employees are being hired, and that the two individuals have no pension or health benefits. Howe said he is a long time Northfield resident; his property is affected positively by the zoning changes but he is concerned for Councilman Perri and Mr. Martinez. The City needs to be more open minded about Shore Road and come up with one solution for everyone.

Craig Tanzola, 10 Magnolia Court, said City Hall needs time clocks. For Somers Point dispatch service, he said he spoke with Council people from Somers Point and with Linwood. He said Linwood says they have never had a problem. Tanzola said he has figures from Somers Point that indicate Northfield would save \$280,000 over 5 years. Discussion ensued amongst members of Northfield's Council who were unaware of the information Tanzola said he had obtained from Somers Point.

Rob Wenig, 5 Delmar Drive, referred to the Risk Management Consultant not being qualified to serve. As an insurance agent, Wenig said he resents an unqualified individual representing the City. Solicitor Bonchi replied, saying that a lot of allegations are being made, most of them not true. The current Consultant has provided all insurance requirements outlined by the JIF and he is more than qualified. He has provided more insurance proof than any other Risk Management Consultant has ever provided. Councilman O'Neill stated that he pointed out that the Consultant had provided insurance after the bids were submitted; Bonchi replied that insurance was not requested as part of the bid.

Lynn Perri, 7 Haddon Avenue, identified 517 Shore Road as her business address and said that she is President of the Northfield Rescue Squad. She asked about changes made by Atlanticare announced by Councilman Polistina. She asked what happened in the Executive Session with regard to breach of contract. Solicitor Bonchi replied that Council cannot discuss what occurs in closed session. Carew added that these matters are still in discussion. Lynn Perri asserted that Solicitor Bonchi had not read the contract; Bonchi replied, and clarified that he had not read it in advance of the last meeting with regard to a specific issue. Lynn Perri asked how Atlanticare was dispatching themselves. Carew replied that he does not have that answer.

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Mark Doherty, 405 Chestnut Avenue, said he would like Northfield to consider Somers Point dispatch. Carew responded; he said the concern is that they will not have enough staff. Doherty said we should negotiate a better rate, since they are in a position to make a lot of money without any additional expense. Mayor Mazzeo spoke, saying he would like to talk to Somers Point about the other deals that are being negotiated that Council does not know about. Doherty said the key is where Linwood goes, we will not get the same deal in Egg Harbor Township or in Somers Point unless Linwood and Northfield both go.

Terri Gunnison, 921 Shore Road, said her husband submitted a proposal and it was not reviewed properly. Her husband's qualifications were greater than the individual that was chosen.

Kim Hegenbart, 710 Hollywood Drive, asked when the Risk Management Consultant provided his insurance; Councilman Perri responded, saying insurance has to be submitted by January 31st and that some had not been received by the deadline. Bonchi reiterated that the RFP did not require insurance. Hegenbart requested clarification that the Consultant did not need it to be appointed; Carew confirmed this to be true.

Seeing no others wishing to speak, Council President Carew closed the public session.

Councilman Perri read the meeting notices.

At 9:44pm, on motions properly made and seconded, this meeting was adjourned.

Respectfully submitted,

Mary Canesi, RMC, Municipal Clerk