

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
SEPTEMBER 22, 2009**

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, there was a moment of silence for the many who volunteer their time, effort, and hard work in our community, may we all be thankful for their efforts and their continued support of the residents of Northfield.

ROLL CALL

Present: Mr. Carew, Mr. Martinez, Mr. O’Grady, Mr. Smith, Mr. Turon, and Mrs. Kern
Absent: Mr. Vain

City Solicitor Keith Bonchi and City Engineer Matt Doran were also in attendance. President Kern announced that Councilman Vain was at back-to-school night and that she would be delivering his committee report. (Mr. Vain arrived at 7:48pm).

AGENDA REVIEW

President Kern reviewed the agenda, announcing that the reading and approval of the minutes of the September 8th meeting would be on the agenda for the meeting of October 6th.

COMMITTEE REPORTS

Councilman Martinez said that after lengthy review and discussion, the Planning/Zoning Board approved the cell tower for the top of the coastal design building. There had been many and varied concerns. Martinez said he and Mayor Mazzeo were not able to vote, but there were two members who did vote against it. He sent an email proposing the deferral of capital monies towards flooding; he understands that 1/2 a million dollars won't fix all the issues but it will be a start and Council can prioritize accordingly. Martinez said the Mayor approves of deferring, but Martinez is asking for Council's input.

President Kern said she met with Mayor Mazzeo on Thursday, and one of the issues discussed was Martinez’ email. She said we don't have all of the answers necessary to begin to be able to make corrections, we don't know how much money is needed.

Mazzeo stated that he did say if Council wanted to change gears it's their choice, but the problem is what to do with Madison Avenue. It seems it would cost a great deal

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of money and he doesn't know if we have an answer as to the fix at this time. It may take until 2010 to do all the design work and be ready to move; now may not be the time. As everyone knows, the Mayor does not have a vote, however, if this Council wanted to change gears he would be for it, but he does understand that the solutions have not yet been identified, especially with Madison Avenue. For some of the others, such as Marita Ann and Hollywood, there is approximately \$250,000 in capital funds for these projects in 2010. Drainage has been an issue for this and previous Councils; approximately \$1.5M has been spent on drainage since 2004. We do address drainage, but there is other work for capital projects to address, such as storm water, streets, sewers, and recreation. At the capital meetings we try to prioritize. This year, tough economic times forced us to reduce capital substantially this year as opposed to other years. We are actually paying down our debt this year while still attending to the infrastructure of our town. Mazzeo said he, along with Mr. Martinez and other members of Council saw the request list at the last Council meeting. Mazzeo said he feels for the residents of the town and is sorry they had to endure these flooding issues. With drainage it's sometimes hard to find the answer because when you put the water somewhere, it goes somewhere else.

Kern said she spoke with a few residents, some from Madison Avenue, and assured them that the drainage problems and the sports lights are not an either/or proposition. The lights are a safety hazard, they are 25 years old, they are on wooden poles and the lights go off spontaneously in the middle of games. She implored Council to consider this fact. From an insurance stand point, she feels this is necessary.

O'Grady said he agrees with Martinez and feels it should at least be considered; he knows that more research is required but feels it is worth exploring as an option.

Carew said Council recognizes that the number one priority is drainage issues. There were unprecedented storms, and a 2010 capital plan should be put together after the engineer's evaluation is complete. Hopefully the Mayor is executing the contract for 1913 Oak and it's a possibility that space can be used. Council will move as quickly as possible in 2010, but where the volume of water will be diverted has to be identified; that is going to come at a steep price for some of those projects. Carew feels we are heading in the right direction, and reiterated that drainage is the number one priority.

Kern stated that CFO Dolcy has announced that preliminary budget numbers are due in mid-October.

Martinez said half a million will not fix the issues, but will make a dent. Do a few projects. If the lights are a safety issue, that's another thing, but he hasn't seen any

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documentation from the insurance company that lights need to be replaced. He feels any money spent should go towards these projects. He said drainage has been issue for 20 years; it comes down to having the engineering group figure out what can be done with half a million dollars. Martinez said he lost a vehicle as well, and his sump pump is still going.

Martinez made a motion to amend capital ordinance 15-2009 to include drainage.

Carew said there are other things in the capital ordinance other than the lights and dump truck. Council needs to be fiscally responsible and needs a comprehensive plan.

Solicitor Bonchi said no ordinance has been drafted to amend the ordinance; clear details and exact wording, etc. are need before Council should vote.

Martinez asked if a resolution was required to amend the ordinance. Bonchi replied that an ordinance is required to amend an existing ordinance, and the wording must be clear.

President Kern asked if Martinez was suggesting that no other projects be done this year. Martinez affirmed.

Bonchi said Martinez could make a motion to request that an amendment be prepared. CFO Dolcy noted that the amendment would have to go through Bond Counsel.

Kern asked Martinez if he would be comfortable waiting until the next meeting. Martinez said that he would, upon the Solicitor's advice.

Councilman Turon asked if any of the capital projects have been started; Doran replied that they've started some. Turon suggested that the City proceed with what has already started so we don't have to pay twice. The other projects are not time sensitive, so we can wait. By doing so, Council will have a little better picture of what the costs are going to be; the City cannot prioritize without the numbers. Turon said he has heard rough estimates that it could be a million five.

Doran advised that he will not provide a guess. He will give an estimate based upon the best standard of design and then it's up to Council.

Turon said it is in the City's best interest to wait until we commit to any other projects.

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O'Grady said it makes sense to take a look at any un-spent money for possible reallocation.

Turon continued, saying we could do as Martinez says and pay Bond Counsel again only to find out that we don't have enough money to even start a project. Until we know what it's going to cost, we can't make any plans. Carew commented that finding the money is not the only issue; it's knowing where we are going to put the money. O'Grady suggested that initial expenses are engineering fees. Doran said he will give concepts and ideas, not designs, with estimates. Carew said we've phased projects in over a 3-5 year plan with a comprehensive plan. Kern asked Doran if we have a cost estimate; he said not yet. Martinez said capital monies should go towards engineering and design fees. Carew said he is not disagreeing; but we would be putting the cart before the horse. We need to see the plan before allocating money; we need the engineer's input. Kern said we all felt awful after the last meeting, it was one of the worst meetings in her time on council.

Martinez asked for clarification on the way to proceed with regard to amending the bond ordinance; Solicitor Bonchi advised that Martinez should withdraw his motion to amend the ordinance, as no amendment has yet been prepared. It has to be done correctly and we have to have the input from bond counsel.

Martinez withdrew his previous motion and made a new motion to authorize the creation of a new ordinance to reallocate any unspent capital funds and put them towards drainage. The ordinance would be introduced at next meeting, and would be based on what was discussed this evening. O'Grady seconded.

Turon requested clarification, stating that to redo the bond ordinance will cost money. To do nothing other than to commit that we won't spend any other monies until we know more about flooding will cost nothing. Carew again suggested waiting for the engineer's plan.

O'Grady said he thinks Martinez wants the work to start in 2009; Turon stated that we authorized the engineer to start, that's all we can spend right now. O'Grady said he liked Turon's recommendation, of not spending any more money.

The City Clerk explained that the amendment to the bond ordinance would have to be introduced at the October 6th Council meeting, and a public hearing would have to be advertised for the October 20th meeting. Final publication of the amended ordinance, if adopted, would occur on October 24th and would be followed by the required 20 day estoppel period before any funds could be spent.

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Roll call: Mr. Carew – no; Mr. Martinez – yes; Mr. O’Grady – yes; Mr. Smith – no; Mr. Turon – no; Mr. Vain – absent; Mrs. Kern – no. Motion failed.

COMMITTEE REPORTS, CONTINUED

Turon said he wanted to clarify that he is not in favor of redoing the ordinance without the facts in hand as to costs; however he wanted to stress that we should not pull the trigger on any other projects until the drainage numbers are in.

Councilman Carew said there was a gentleman interested in donating 7 acres of land that adjoin the rear of Birch Grove Park; he will pass the information along to the Solicitor. If donated, this land would be added to the Park inventory.

Councilman Smith attended a September 16th public meeting at the NCS at which the Board of Education and School Administration delivered a presentation explaining the solar panel referendum to be voted on at the September 29th Special School Election. Smith presented the Board of Education with a letter about the Neighborhood Watch meeting, and asked if they could use NCS without costs; NCS agreed, but the proper paperwork must be submitted. Atlanticare held a health fair at the Four Seasons where 30 residents participated. The kick-off of the Atlanticare Wellness Van event at City Hall will be September 24th. Response times according to the EMS response time report for August 30th through September 5th are at 92%. Smith said he spoke with Chief Delgado today and was advised that for last week they were at 100%. Smith said Atlanticare EMS has extended employment offers to three Northfield residents who participated in the City Hall job fair held for former Northfield Rescue Squad members. Details are being finalized for the proposed sharing of the Northfield and Linwood Municipal Courts; Smith hopes to have something to present to Council at the next meeting.

Councilman O’Grady reminded everyone that the City events calendar and email sign-ups for the monthly email blast are both on the City website. The Library Board met on September 10th and will meet again on October 8th. They hosted a crepes and waffles event on September 21st and there will be a Dixieland Concert on October 5th at 7pm. The Energy Audit RFP is being drafted and should be submitted very soon; it is now covered 100% by the State of New Jersey. O’Grady submitted his recommendations for the Green Team to President Kern. Carew said it is a pleasure to be on green team with O’Grady; Carew also said he arranged for the Administrator for the New Jersey BPU to meet with us regarding options available to Northfield. Kern said she’ll announce the Green Team at the next meeting.

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MAYOR'S REPORT

Mazzeo mentioned the Atlanticare Wellness Van event and encouraged all employees to participate. There will be a Neighborhood Watch meeting here in Council Chambers on September 24th at 7:00pm; the group is more than a hundred members strong as of now. There hasn't been a residential burglary in Northfield since August 17th, and Mazzeo feels the Neighborhood Watch is doing a good job.

(Councilman Vain entered the meeting at 7:48pm)

Mazzeo said he had the pleasure of cutting the ribbon for the The Bank's September 21st opening festivities. He wished them a long and prosperous stay in Northfield, and noted that their building is a tremendous improvement to that area of Tilton Road. On September 12th he attended the NJ Conference of Mayors Seafood Fest in Barnegat. Mazzeo said he'd like to send a letter to the NJ DOT to ask for a joint venture between the State and County for a left-turn lane where east-bound Mill Road and New Road intersect. Doran added that we could write a letter to the DOT expressing concerns, and copy the County to see if we can get a response. Mazzeo said there is public meeting on October 14th at 7:00pm in Council Chambers to allow the public to ask general questions of the revaluation firm. The Family Fun Fest will be October 3rd from 10:00am to 3:00pm.

COMMITTEE REPORTS, CONCLUSION

Councilman Vain apologized for being late. He said the intersection of Zion, Cedarbridge and Burroughs is now open. Doran's office did a great job with the design as did the contractor, Arthur Henry. There are a few trees up, but a small amount of cosmetic work remains. Vain said the reconfiguration has done a great job in reducing the speed of traffic. The intersection of Oak and Zion has been restriped by the County; we approached the County numerous times as there have been many accidents at this location. Vain said he will provide Council with a cost estimate for a flashing light in the near future; proposed installation would be 2010.

ENGINEER'S REPORT

The City Engineer's report was provided to Mayor and Council and is on file in the City Clerk's office. City Engineer Matt Doran provided updates to the report as follows: the ADA Parking at Bike Path and Mt Vernon Avenue Paving projects should be completed within 6-8 weeks. Mayor Mazzeo asked about striping on Burton Avenue; Doran said we have a proposal for the work but no money to

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complete the project. We are trying to tie it into another project. Mazzeo said he feels it is a safety issue.

COUNCIL PRESIDENT’S REPORT

President Kern said the sidewalks on Cedarbridge look very nice, and gave accolades to Matt Doran for his work on the project. They have added new character to the street and she thinks the residents are very happy. Kern thanked the Cultural Committee for a very successful Summer Concert Series, and read the hours of operation for the Museum. The Cultural Committee will hold their annual garage sale on November 21st from 8:00am to 2:00pm at the NCS. Kern referred to the ICS402 training that all elected and appointed officials are required to attend; she wants to have Vince Jones come in to present the class and will provide Council with a potential date. She commented on issues with the phone system at City Hall, saying that there are prompts that go nowhere. Kathi Smith and Bob James were working on this; she will touch base with them and advise. At the last Council meeting, Mr. Martirone asked for a bike path bench at a specific location. She visited the spot and would recommend that we honor Mr. Martirone’s request. She will speak with Councilman Carew and the City Clerk to make arrangements. Kern spoke with Chief James about the crossing guards and new locations. She asked for clarification on the definition of a pulled post. Chief James said these are low volume areas; in the event of an emergency, guards from these locations could be pulled and moved to the emergent location. He added that this only happens when no one is available from the sub list. Kern also welcomed Chief James back from his 10 week class at the FBI Academy in Quantico. Carew offered the Chief his congratulations on successfully completing the course.

RESOLUTIONS/CONSENT AGENDA

On a motion of Councilman Carew second of Councilman O’Grady all present in favor of a Consent Agenda for Resolutions 164-2009 through 173-2009.

- 164-2009** Refund of Overpayment of Taxes

- 165-2009** Authorizing Release Of A Maintenance Guarantee For Block 34.01
Lots 1-4, 19, And 20.01-20.11 – Atrium Village

- 166-2009** Release of Escrow Monies / Planning and Zoning Board

- 167-2009** Cancel Overpayment of Taxes on Block 136, Lot 8

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- 168-2009** Cancel Overpayment of Taxes on Block 126 Lot 22
- 169-2009** To Ratify Appointment of Kathi Smith as Buildings and Grounds Supervisor
- 170-2009** To Ratify the Appointment of Municipal Alliance Coordinators
- 171-2009** To Authorize a Bingo License for the Church of St Bernadette
- 172-2009** Authorizing Doran to Proceed
- 173-2009** Authorizing Release Of A Maintenance Guarantee For Block 21 Lots 21-24 - Schollenberger

Roll call: Mr. Carew – yes; Mr. Martinez – yes; Mr. O’Grady – yes; Mr. Smith – yes; Mr. Turon – yes; Mr. Vain – yes; Mrs. Kern – yes. Motion carries.

PAYMENT OF BILLS

Councilman Turon motioned, Councilman Smith seconded, for payment of bills in the amount of \$ 1,135,953.70; Turon, Smith, and Kern announced their abstention from certain line items on the bill list. Copies are on file in the City Clerk’s Office.

Roll call: Mr. Carew – yes; Mr. Martinez – yes; Mr. O’Grady – yes; Mr. Smith – yes; Mr. Turon – yes; Mr. Vain – yes; Mrs. Kern – yes. Motion carries for payment of bills.

PUBLIC SESSION

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

Peri Pantazes, 1 Madison Avenue, thanked President Kern for talking to her on September 11th when her street flooded for the 3rd time in a month. She said Councilman Carew did not call her back. Pantazes said Kern told her she’d talk to the County about the possibility of stimulus funding for assistance with the flooding issues. Councilman Vain said he contacted Assemblymen Polistina and Amodeo. He was told that no Federal money comes down this far. Low income loans are available but no outright funding. Pantazes asked why it is so hard to identify where to put the water from her street; can the 7 acres being donated to Birch Grove Park be used? Carew replied that the distance from her street to the donated land is too great.

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Pantazes thanked Councilman Martinez for trying to help. She said one of her neighbors lost two lawn mowers, one each this year and last year. The September 11th flooding was the worst yet, and she reminded Council that there is a senior citizen in her cul-de-sac.

Robert Webb, 218 West Revere Avenue, feels that common sense will tell you that you cannot defeat nature with regard to flooding. There is water under the ground as it is. He urged that Council spend money to fix the flooding issues and help people. Webb said he feels the School and Fire Department are controlled by one political party. He urged Council to work together apart from party lines, and said he does not feel Atlanticare will save us money.

Craig Tanzola, 10 Magnolia Court, said the posts are rotted out on the sign at the entrance to his development. Doran said he will contact Mr. Gurwicz tomorrow. Tanzola asked about the price of the Oak Avenue School; he said at the last meeting Solicitor Bonchi advised it was assessed at \$1.6M. Tanzola said he checked and stated that the current assessment is \$1.1M, and that was from the height of the boom. He said he feels the City is in a great position to buy the building for a lot less than \$1.6M. He said Kern once suggested it for use as a school; if that's the case turn it over to the school to buy it. The location is not going to be attractive to a typical commercial buyer, and he feels we could get it for \$800,000; if it is sold commercial it could be added to the tax rolls. Kids are playing in the overgrown grass, and the City should get the owner to maintain the property. He said he heard a rumor that the building may be used as a senior center; if that is the case he asked Council to be forthright, adding that we have a Community School that the seniors could use. He feels Turon had the best concept about how to approach the flooding remedy, and feels the lights are a genuine electrical concern. Solicitor Bonchi clarified that his previous comment was that the Assessor said the property had a value of \$1.6M, and explained that the County Clerk's office suggested that the ballot question needed a dollar figure. Tanzola said the NCS had to replace the HVAC units within 10 years; those at the Kresge School are already 7 years old. He said he will go door to door encouraging people not to vote to buy the Oak Avenue School.

Councilman Carew asked if a price had been negotiated. Mazzeo replied that our assessor came up with a value based on a sales comparison approach. He continued, saying that in the wording of the referendum, we need to have a little bit of cushion. If there is a shortfall where does that money come from? He used the MRHS expansion as an example, citing that the project is coming in way under estimates. If we decide to buy it there would have to be an appraisal and we cannot by law by it for more than market value. Kern said that she and the Mayor were contacted by representatives of the Jewish Federation; they wanted to offer it to the City before

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they put it up for sale. Kern said she and the Mayor are meeting with NCS officials about the possibility of sharing something with the building.

Tom Wolfe, Davis Avenue, said some of the water problems can be fixed, some cannot. It was this way 40 year ago and will be that way 40 years from now. He asked Doran why we can't go to the State ask them to make the County let us put water in their basin. If basins are done the right way they work. Wolfe said Bonchi is trying to stop the purchase of property at Oak Avenue. Kern said this was not true. He said the lights at the field are a danger, someone will get hurt, and the cell tower revenue should go to the City, but instead is going to a private individual. He also feels that Bonchi should not answer questions, Council should.

Steve Scheffler, 2110 Sutton Avenue, said we are in a crisis with the flooding; the last couple of rains were pretty bad. It floods in front of his law office and he's spent thousands vacuuming water out of it. He suggested an inventory of flooded streets and having police block them off. Members of Council are not all on the same page. Madison Avenue is horrific; he asked how many emergency meetings of Council have been held to brainstorm. Kern said the Mayor meets with Doran; Carew meets with Doran; there have been no special meetings. Councilman Carew said on August 11th he, Doran and Robbie Dollard were out in the storm from 5-7pm and there was a special meeting the next day with the Road Department, Sewer Department, Mazzeo, Carew and Doran. Scheffler asked if a committee was formed to address the problem, or if a search was made for a specialty engineer. There are people experienced in fixing this type of problem.

Robert Walsh, 4 Madison Avenue, said he has been dealing with this problem for 18 years. He claimed that at the last meeting residents were told they would be advised as to what is going to be done. Doran reiterated that the study of the area and flooding issues was authorized and has begun. Walsh suggested another engineer look at the problem. Kern said we will do everything we can to make sure that Madison Avenue is a top priority. Mazzeo added that the engineer will give us options; we have to see how much it's going to cost. Where to put the water is the problem that remains; Doran will try to come up with a solution.

Seeing no one else from the public wishing to speak, President Kern closed the public session.

Councilman Martinez read the meeting notices.

At 8:31pm, on motions properly made and seconded, this meeting was adjourned.

Respectfully submitted,

Mary Canesi, RMC, Municipal Clerk