

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES  
DECEMBER 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 a moment of silence was observed.

**ROLL CALL**

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

City Solicitor Keith Bonchi and City Engineer Matt Doran were also in attendance.

**AGENDA REVIEW**

President Kern reviewed the agenda. She announced that Lee Wasman, Senior Public Affairs Manager for Atlantic Electric, would be presenting information about an invitation being extended to Northfield to be a pilot community for an LED street light program.

Wasman stated that there will be four pilot program 4 communities, including Northfield if interested. This is a new technology and the purpose of the 6 month pilot program is to test manufacturer's claim of reduced power consumption, confirm ease of installation and quality of light output. Atlantic Electric would like to enter into a Memorandum of Understanding with the City as there are no tariffs yet established. There would be 10 street lights on Tilton Road between Shore Road and Route 9. Signage would be in place soliciting input from commuters. It is hoped that this will reduce the overall carbon footprint of street lighting and the pilot program would be at no cost to the City. Councilman Vain asked if Wasman has seen these lights in use; Wasman replied that he's only seen them at trade shows and said this is truly a pilot for new and emergent technology. Councilman Carew said street lighting comes at substantial cost to the City; if we could reduce energy consumption it would have great impact. Councilman O'Grady asked how much energy the lights are supposed to save; Wasman said a conservative estimate is 50% less but they are looking for real world data. However, installation costs are significantly higher than for traditional lighting.

On a motion of Carew, second of Vain, Council voted unanimously to approve participation in the pilot LED street light program, subject to review of the Memorandum of Understanding by the City Solicitor.

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**READING AND APPROVAL OF MINUTES**

Motion by Councilman Turon, second by Councilman Vain, to dispense with the reading of the minutes of November 17, 2009. They have been posted, distributed to Council and are on file in the Municipal Clerk's Office. All present in favor, motion carries for approval of minutes.

**COMMITTEE REPORTS**

Councilman Martinez thanked the Road Department for their hard work during the recent snow storm. He also praised the Fire Department for a job well done in fighting the recent fire. He wished everyone happy holidays and a safe, happy New Year.

Councilman Turon said he received a letter about the recent fire from Assistant Fire Chief Crooks that he will give to the City Clerk for the record. This was the first major fire in many years and there was some equipment loss, but no injuries. The letter from Crooks acknowledges Atlanticare for mobilizing a heated rehab tent, as well as the outpouring of support from many communities including paid and volunteer firefighters from many towns. Turon thanked the public for the support given to him over the ten-plus years he's served on Council. He feels many great things were accomplished, and he said it was a pleasure serving with all of Council.

Councilman Vain said the City has received a \$41,000 Safe Routes to Schools grant that may be used for education and safety efforts. He met recently with Robbie Dollard, Dr. Fipp, and Chief James to discuss a DARE/safety day to be held at the NCS in May. Vain attended the Municipal Alliance dinner at the Atlantic City Country Club in November. The event was designed to teach youth sports coaches to become more involved in identifying youths in trouble. He said Lieutenant Faden did a great job, as did Alliance Coordinators Marilyn Dolcy and Kathi Smith. Vain said he and Carew met with the County Roads and Bridges Committee, but he will let Carew discuss the matter in his committee report. Vain mentioned the MEL's recommendation that the City obtain motor vehicle abstracts on all employees and volunteers who drive City vehicles, or who drive their own vehicles for City business. He feels we should adopt the recommendation. Vain thanked Councilman Turon for his years of service, and wished all residents happy holidays and a safe New Year.

Councilman Carew said that he, Matt Doran and Councilman Vain attended the County Roads and Bridges Committee meeting last Wednesday for the purpose of discussing the Madison Avenue project. The County has determined that the

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proposed gutter project would create a safety hazard due to pooling water, but other alternatives were discussed, including holding tanks on Oak Avenue, and access to another inlet on Mill Road. Survey crews are in the process of locating utilities, and a new system will be designed for Madison. Carew thanked the Fire Department for their efforts at the recent fire, and recognized Assistant Fire Chief Crooks and Captain Swartz in the audience. Carew said it has been a pleasure serving with Councilman Turon, and wished happy holidays to the public.

Councilman Smith said he also attended the coaches dinner sponsored by the Municipal Alliance, and congratulated Lieutenant Faden on an excellent job. He said there was a great turnout amongst coaches and support staff from Northfield. Smith read the most recent response time report for Atlanticare; 91% of responses were under 5 minutes. He offered congratulations to the Fire Department for their performance during the recent fire, and thanked Atlanticare for their support at the scene. Smith noted that Atlanticare recently won the prestigious Malcolm Baldrige Quality Award for 2009, and congratulated them. He echoed the sentiments of others regarding working with Councilman Turon, and wished happy holidays to all citizens.

Councilman Carew commented that winning the Baldrige Award takes years to accomplish, and suggested that Council send a congratulatory letter to all 2009 recipients.

Councilman O'Grady reviewed the cell phone recycling program that has been implemented at the Library, and said a drop box will be placed at City Hall as well. He urged residents to visit the City website to remain informed. The Library Board met on December 10<sup>th</sup> and will hold their next meeting on January 14<sup>th</sup>. O'Grady mentioned several recent successful events held at the Library. The Energy Audit RFP is almost ready to be submitted. O'Grady wished Councilman Turon well and all residents happy holidays.

**MAYOR'S REPORT**

Mayor Mazzeo said the December 4<sup>th</sup> Tree Lighting was well attended and was a successful event. He thanked all participants. Mazzeo thanked the Fire Department for their efforts at the recent fire, and also the Police Department and Atlanticare. He mentioned a letter he received from the Tax Assessor about the revaluation; letters of value should go out in early January. Taxpayers have been given contact information for the revaluation firm if they want to request an informal meeting to discuss value. Mazzeo said Operation Medicine cabinet was a success, and read the statistics from the Police Department's November report. Mazzeo shared the story of a family in

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need who received the tree used for Northfield's holiday tree lighting; he said it was a touching moment and made him proud to be Mayor. He wished everyone happy holidays and a happy New Year.

**COUNCIL PRESIDENT'S REPORT**

President Kern said the Cultural Committee yard sale at the NCS in November raised over \$1000, with all proceeds going to the Museum. In addition to the coaches' dinner, the Municipal Alliance also had a senior citizen's breakfast with Aldo Palombo as guest speaker; the event was very well attended. The annual grant from the Municipal Alliance is \$10,000 and the guidelines are stringent with regard to how the money can be spent. Kern thanked Alliance Coordinators Marilyn Dolcy and Kathi Smith. There will be another senior breakfast in February, and another coaches' seminar, possibly with MRHS coaches. Ken said she and Councilman Carew and Robbie Dollard met with State officials regarding Davis Avenue flooding. She thanked Assistant Chief Crooks and staff for their performance during the recent fire. The Department of Public Works had a very busy weekend and did the best they could. Kern said in reflection of the past year as president that it was a challenging and rewarding year. She feels much was accomplished and said that Council worked together in the best interest of the residents; they agreed more often than they disagreed on votes on resolutions and ordinances. Kern thanked the employees at City Hall, especially the City Clerk, Mary Canesi for help with the agenda, and thanked Solicitor Bonchi as well. Kern reviewed the list of duties of Council President and thanked Council for respecting her decisions, whatever they were. She thanked Council and wished the public happy holidays.

**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: Doran contacted County Engineer Joe Dabundo for plans of the drainage systems at Tilton, Davis and Route 9.

**RESOLUTIONS/CONSENT AGENDA**

On a motion of Councilman Smith second of Councilman O'Grady all present in favor of a Consent Agenda for Resolutions 199-2009 through 212-2009. President Kern noted that 211-2009 and 212-2009 were to authorize Executive Sessions of Council, which will be held at the conclusion of the regular meeting.

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- 199-2009** A Resolution by the City of Northfield, County of Atlantic, State of New Jersey, to Authorize the Relocation of a New Jersey Transit Bus Stop
- 200-2009** To Authorize Release of Escrow Monies from the Planning Board
- 201-2009** To Authorize the City of Northfield to Accept the Deed to Block 16.01 Lot 52, a Parcel of Land Being Donated by the Nature Conservancy to the City of Northfield
- 202-2009** To Authorize Cancellation of 2009 Tax Payments Under \$10.00
- 203-2009** Authorization to Extend the Grant Agreement for County Open Space Trust Funds to be Used for the Purchase of 1913 Oak Avenue by the City of Northfield
- 204-2009** A Resolution Canceling Grant Fund Receivables and Appropriation Reserves
- 205-2009** Final Work Change Order No. 1 Reconstruction of Intersection at Zion Road, Cedar Bridge Road and Burroughs Avenue
- 206-2009** A Resolution Authorizing a Professional Service Contract between the City of Northfield and Cavalier Business Communications for Supply and Delivery of Local and Long Distance Telephone Exchange Service
- 207-2009** Refund of Resale Inspection Fee
- 208-2009** A Resolution Urging Legislation to Amend the Open Public Records Act
- 209-2009** A Resolution with Respect to Adopting a New Jersey Governmental §457 Deferred Compensation Plan Document
- 210-2009** A Resolution Amending Resolution 174-2009, Establishing a Green Team Advisory Board
- 211-2009** A Resolution Providing For An Executive Session Not Open To The Public In Accordance With The Provisions Of The New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12b(7) Regarding Pending

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Litigation In The Matter Of Jack Trocki Development Co., LLC, v  
City Of Northfield, et al, Docket No. ATL-CL130-09

- 212-2009** A Resolution Providing For An Executive Session Not Open To The Public In Accordance With The Provisions Of The New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12b(3) Regarding Invasion of Individual Privacy, and N.J.S.A. 10:4-12b(7), Regarding Pending or Anticipated Litigation, In The Matter Of Randy Dennis v. City of Northfield

Councilman Smith motioned, Councilman O’Grady seconded to adopt Resolutions 199-2009 through 212-2009.

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.

**ORDINANCES**

On a motion of Councilman Vain, second of Councilman Martinez, all in favor of reading Ordinance 17-2009 by title only.

- 17-2009** An Ordinance Providing For The Repair, Closing Or Demolition Of Buildings Unfit For Human Habitation Or Occupancy Or Use  
*Final Adoption/Open to the Public/No Public Comments Received  
Published in the Press 12/26/2009*

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 final adoption of Ordinance 16-2009.

**PAYMENT OF BILLS**

Councilman Turon motioned, Councilman Vain seconded, for payment of bills in the amount of \$ 882,370.75.

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.

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**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 Jim Clark and his crew for an outstanding job of snow removal. She thanked Councilman Carew and Councilman Vain for going to the County on their behalf and for keeping them in the loop. She wished all happy holidays and thanked all of Council for what they do.

Tom Evans, 400 Davis Avenue, wished Councilman Turon well. He said he appreciates hearing about progress for Davis and 2<sup>nd</sup> but he cannot make repairs to his home until flooding issues are resolved. He wants to know if his storm drain can be cleared before the rain that is expected on Friday. He thanked Council for their hard work, and wished everyone a Merry Christmas and happy New Year.

Phyllis Brandine, not a resident of Northfield, said she is employed at 332 Tilton Road and that Tilton Road runoff floods her employer's parking lot. She asked that someone take a look.

Shawn McDole, 115 Davis Avenue, said nothing the City has done has worked to alleviate the flooding near his home. He wished everyone happy holidays.

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

Councilman Turon read the meeting notices.

**EXECUTIVE SESSION OF COUNCIL**

The City Clerk read the Paff injunction under which the City of Northfield has been bound with regard to closed sessions of Council, and read Resolution 211-2009 by title.

**211-2009**      A Resolution Providing For An Executive Session Not Open To The Public In Accordance With The Provisions Of The New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12b(7) Regarding Pending Litigation In The Matter Of Jack Trocki Development Co., LLC, v City Of Northfield, et al, Docket No. ATL-CL130-09

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Solicitor Bonchi said this Executive Session will be informative in nature and is being held to make Council aware that a lawsuit was filed against the City of Northfield; no portion of this meeting can be made public until any potential litigation is over, the case is completely resolved, and at that point in time, part of it, depending on what it is, may become public.

8:10pm, Council entered closed session; they remained in Council chambers. At 8:21pm, on motions properly made and seconded, the closed session was adjourned and Bonchi announced a summary for the record as follows: during the Executive Session he gave City Council and the Mayor an update on a recent lawsuit filed by Jack Trocki Development Co. against the City and various entities. No formal vote is required. This was just an update.

**EXECUTIVE SESSION OF COUNCIL**

The City Clerk read the Paff injunction under which the City of Northfield has been bound with regard to closed sessions of Council, and read Resolution 212-2009 by title.

**212-2009**      A Resolution Providing For An Executive Session Not Open To The Public In Accordance With The Provisions Of The New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12b(3) Regarding Invasion of Individual Privacy, and N.J.S.A. 10:4-12b(7), Regarding Pending or Anticipated Litigation, In The Matter Of Randy Dennis v. City of Northfield

Solicitor Bonchi said this Executive Session would focus on the potential claim by Randy Dennis v City of Northfield for certain pension credits; Bonchi will make a recommendation during the Executive Session which may result in a vote depending on the decision of Council. No portion of this meeting can be made public until any potential litigation is over, the case is completely resolved, and at that point in time, part of it, depending on what it is, may become public.

8:23pm, Council entered closed session; they remained in Council chambers. At 8:40pm, on motions properly made and seconded, the closed session was adjourned and Bonchi announced a summary for the record as follows: there will be no vote and there is no action to be taken. During the Executive Session Bonchi said he explained a claim made by former employee Randy Dennis and the statute and legal cases involved. More details and information are needed from the CFO on actual costs to the City. The matter will be taken up again at the 2<sup>nd</sup> Council meeting in January, 2010.

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At 8:41pm, on motions properly made and seconded, this meeting was adjourned.

Respectfully submitted,

Mary Canesi, RMC, Municipal Clerk