

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
MAY 13, 2014**

At 7:19pm, this meeting was called to order by Mary Canesi, Municipal Clerk. It was advertised in the Press of Atlantic City on January 11, 2014, in accordance with Public Law 1975, Chapter 231.

FLAG SALUTE

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

ROLL CALL

Present: Chau, Devine, Dewees, O'Neill, Perri, Piergiovanni, Travagline

Mayor Jerry McGee, Solicitor Kris Facenda, Municipal Engineer Dan Kwapinski and CFO Stollenwerk were also in attendance.

READING AND APPROVAL OF THE MINUTES

A motion was made by Councilman Chau, seconded by Councilman Dewees to dispense with the reading of the minutes of April 8, 2014. They have been posted, distributed to Council, and are on file in the Municipal Clerk's Office.

Roll call: Mr. Chau – yes; Mr. Devine – yes; Mr. Dewees –yes; Mr. O'Neill –yes; Mr. Perri – yes; Mr. Piergiovanni – yes; Mr. Travagline – yes Motion carries.

COMMITTEE REPORTS

Councilman Perri reported that the Senior Committee will hold a luncheon on May 22nd at noon at the Park Center. He noted that the public requested that the Mayor and the Police Department speak on issues of concern by the community. He also noted a request for a business plan with regard to the Administrator's position. After researching the Ordinance, the Administrator is appointed by the Mayor with consent of Council. He stated the business plan is already there and suggested that the Chief Executive start a search for a part-time Administrator.

Councilman O'Neill suggested that Councilman Perri put some numbers on paper.

Councilman Perri stated the position will pay for itself in one year based on all of the things that are not being done. He reiterated that he is urging the Mayor to move forward.

Councilman O'Neill noted adjustments to the phone system. He shared the prompts will now connect you directly to Public Works. He commended Municipal Clerk

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
MAY 13, 2014**

Canesi and CFO Stollenwerk with regard to the new computers required for the XP upgrade.

Councilman Perri asked if computers can be integrated to track time.

CFO Stollenwerk noted that we outsource payroll to CASA.

Mayor McGee stated that the auditor said we have the software now and the auditor has recommended that we use it.

Councilman O'Neill disagreed with the Mayor McGee and stated that we do not know that to be true.

CFO Stollenwerk noted the purchase of Gradiance to track times, data input is happening now. She further noted that the Police Department uses the POS system.

Councilman Dewees asked if we have to have time clocks.

CFO Stollenwerk stated the current systems do not have time clocks.

Councilman Perri stated that he was told the system would track who is here and when. He asked if managers approve their own time.

Mayor McGee stated that no one oversees the department heads.

Council President Travagline stated that he understands that Mayor McGee and Councilman Perri want a Business Administrator and notes it for the record.

Councilman Piergiovanni reported that there is a need for an electric power supply at Veteran's Park. He stated he is working with Calvi Electric and Atlantic City Electric on a plan. He stated that the owners of Calvi are donating the work. He shared that he has reached out to Falasco Plumbing who will also donate the necessary services. He shared that the Northfield Garden Club has volunteered to plant flowers. He thanked Colleen Campbell and noted the generosity of donors. He stated there are 30 bricks being installed in late May during a brief ceremony.

Councilman Dewees stated that street sweeping should be done this week together with household renovation debris collection. He noted these services are funded by the Clean Communities Grant. He reviewed the electronic and metal recycling schedules. He said that we get a small amount of money for the metal but not for the e-waste. He shared that we are revisiting e-waste because it may cost us money in the near future.

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
MAY 13, 2014**

Councilman Devine had no report this evening.

Councilman Chau read the fire report. He noted that a variance request was granted for parking requirements at Planning Board for Old East Coast Dive Supply. He referred to the grant received earlier in the evening from New Jersey American Water Company. He thanked Lauren Crooks and Henry Martinelli for applying for the grant and New Jersey American Water for funding it. He reported that all is going well on the construction of the new pumper truck. He reported that the anticipated delivery is sometime in November.

MAYOR'S REPORT

Mayor McGee reminded everyone about the Memorial Day Parade and thanked all for participating in the past and invited all to attend again this year. He reported that at the Mayor's Committee there was discussion about consolidation of tax assessment services, and he will report at a future meeting. He suggested a future open space grant application for development of Veterans' Park and further suggested that Council have it ready for a future grant. He said it was done in house last time.

ENGINEER'S REPORT

Engineer Kwapinski identified the punch list items that are being done on Broad Street Phase II. He shared that he received the funding notice for Broad Street Phase III in the amount of \$190,000.00. He reported that on May 1, 2014 he received bids for Drainage Improvements at Broad and Fuae Areas, and noted that it is on agenda this evening for award. He reported that the bid opening for Enclave at Shore Mill Subdivision is scheduled for May 15th.

Councilman Chau asked about 2nd Street drainage issues that were raised at a recent meeting by Mr. Wolfe and asked the Engineer for a cost estimate to repair.

Councilman Dewees answered that it would be slightly less than \$4,000.00

Councilman Chau asked about the proposed traffic study for Mill Road.

Chief James stated that Sergeant Dettinger is in the process of meeting with the County to acquire the necessary equipment.

Council President Travagline asked Engineer Kwapinski to elaborate on M6 from the Engineer's report.

Engineer Kwapinski stated it's very hard to get these types of grants.

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
MAY 13, 2014**

7:43pm Councilman Dewees left the dais.

Engineer Kwapinski noted that Northfield has applied in the past and not gotten it. The City needs to have some sort of a pedestrian safety study done first if they want to be more successful with this type of grant. He recommended that the City proceed with Mr. Rutala's recommendation to have such a study done.

PUBLIC SESSION

Council President Travagline opened the meeting to the public and asked if anyone wished to speak on any subject.

Robert Webb, 218 West Revere Avenue, stated that Mark Doherty is the new Commander of the American Legion and Dennis Mahon is Senior Vice President. He noted that the American legion is starting to rebuild. He shared that the Memorial Day Parade starts at Haddon Avenue and proceeds down Shore Road. He reported that he will be over at Veterans' Park if anyone wants to go there. He commented that he did not think Council President Travagline treated the Mayor fairly earlier in the evening. He asked what power the Mayor has.

7:46pm Councilman Dewees returned to the dais.

Robert Webb, 218 West Revere Avenue, stated that he hopes Mayor McGee is Mayor for another four years.

Gail Poholsky, 114 East Revere Avenue, urged Mayor and Council to come to the seniors meeting to introduce themselves and urged the Police Department to come to explain what they do, how they patrol, what shifts they work, etc. She asked if the Engineer works for Northfield or for another company.

Engineer Kwapinski stated that he works for a firm contracted by the City; he is not an employee of the City.

Gail Poholsky, 114 East Revere Avenue, stated that she feels the Engineer's responses to questions are vague and asked who will be on the job making sure repairs to the roads are done.

Engineer Kwapinski assured her that he will be there.

Lisa Brown, 9 Haviv Drive, thanked Council for the budget. She stated that in the past three years it was zero cents, 1 cent and 2.3 cents. She shared that her street was cleaned today and thanked everyone for that service. She asked what form of government Northfield has.

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
MAY 13, 2014**

Solicitor Facenda responded that Northfield is old City form.

Lisa Brown, 9 Haviv Drive, asked what powers the Mayor has.

Solicitor Facenda read from N.J.S.A. 40A:61-1(4)

Lisa Brown, 9 Haviv Drive asked if the Mayor has a vote.

Solicitor Facenda answered that he does not unless there is a tie on Council.

Lisa Brown, 9 Haviv Drive, asked if Council can give the Mayor additional powers.

Solicitor Facenda stated no, that would be contrary to state statute.

Lisa Brown, 9 Haviv Drive, asked if the Mayor can negotiate contracts for the Police Department.

Solicitor Facenda stated the Mayor is head of the Police Department and offered to give Mrs. Brown the statutory reference.

Steve Wynne, 107 Haviv Drive, thanked Council President Travagline and Councilman Piergiovanni, Chau and Dewees for the donations that helped make the 8th grade trip to the Washington D.C. possible.

Aubrey Gerhardt, Library Director, thanked Council for their support of various programs. She reported that the library is participating in the parade this year. She shared that various additional programs are being geared up and suggested that Council check out the website if they haven't in a while. She thanked the Fire and Police Departments for their support with the new alarm system and additionally thanked Public Works for their efforts at helping to clean up the area. She also shared that being included in the email blasts has been a real benefit as well. She further thanked Council for everything and stated she looks forward to working with the City on presenting programs that benefit our residents.

Council President Travagline thanked Aubrey Gerhardt and stated she is an asset to the City.

Council President Travagline, seeing no one else wishing to speak closed the public session.

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
MAY 13, 2014**

RESOLUTIONS / CONSENT AGENDA

Council President Travagline stated that all matters listed under the Consent Agenda are considered to be routine in nature, and having been reviewed by Council, will be enacted by one motion. Any item may be removed from the Consent Agenda at the request of any Council Member and if so removed, will be treated as a separate matter. Any items requiring expenditure are supported by a Certification of Availability of Funds.

Council president Travagline read the Executive Sessions of Council will be held at the end of the meeting, and we will come back in public session to make a comment for the record after the executive session. Any vote made on subjects discussed will be made in public.

Councilman Devine motioned, Councilman O'Neill seconded to vote by Consent Agenda on Resolutions 82-2014 through 93-2014.

- 82-2014** Self Exam Budget Resolution
- 83-2014** A Resolution of the City of Northfield, County of Atlantic, State of New Jersey, Authorizing the Reading of the Budget by Title Only
- 84-2014** Release of Escrow Monies from the Planning Board
- 85-2014** A Municipal Resolution Authorizing the Filing of a 2014 Recycling Tonnage Grant Application
- 86-2014** Authorization for Reimbursement for Replacement of Mailbox
- 87-2014** Accumulated Absence
- 88-2014** A Resolution Authorizing the Northfield Fire Department to Accept a Grant from New Jersey American Water
- 89-2014** Award of Contract for Drainage Improvements at Broad and Fuae Areas
- 90-2014** Accepting the Resignation of Dennis McGrath, Laborer in the Public Works Department
- 91-2014** To Approve an Application for Use of Facilities

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
MAY 13, 2014**

92-2014 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. 10:4-12, Regarding Possible Anticipated Litigation and Matters Falling within the Attorney Client Privilege Requiring Confidentiality

93-2014 Authorizing the Execution of an Inter-local Agreement for Sewer Maintenance with the City of Linwood.

Roll call: Mr. Chau – yes; Mr. Devine – yes; Mr. Dewees –yes; Mr. O’Neill –yes; Mr. Perri – yes; Mr. Piergiovanni – yes; Mr. Travagline – yes Motion carries.

Councilman Devine motioned, Councilman O’Neill seconded to adopt by Consent Agenda on Resolutions 82-2014 through 93-2014.

Councilman Perri referred to Resolution 90-2014 and asked if we will be advertising and will previous applicants be considered.

Municipal Clerk Canesi explained that applications are kept on file for two years and are provided to the department heads for review when a position becomes available.

Roll call: Mr. Chau – yes; Mr. Devine – yes; Mr. Dewees –yes; Mr. O’Neill –yes; Mr. Perri – yes; Mr. Piergiovanni – yes; Mr. Travagline – yes Motion carries.

PUBLIC HEARING /BUDGET

Council President Travagline opened the public hearing for the 2014 budget.

Council President Travagline, seeing no one else wishing to speak closed the public hearing on the 2014 budget.

Councilman Piergiovanni motioned, Councilman Dewees seconded, to adopt Resolution 65B-2014.

65B-2014 Final Adoption of the 2014 Budget

Municipal Clerk Canesi stated that resolution 65B-2014 is the final adoption of the 2014 budget. We have met the requirements to read the budget by title only. Full copies of the budget have been posted on the City website as well as in the lobby of City Hall and at the Library. Since it was introduced on March 25, 2014 there is also a summary provided this evening.

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
MAY 13, 2014**

Councilman Perri thanked Mayor and Council for their hard work and Dawn Stollenwerk for her time and effort. He reiterated his desire for a full time or part time Administrator.

Roll call: Mr. Chau – yes; Mr. Devine – yes; Mr. Dewees –yes; Mr. O’Neill –yes; Mr. Perri – yes; Mr. Piergiovanni – yes; Mr. Travagline – yes Motion carries.

PRESENTATION

- 8:00 p.m. Northfield Community School Budget - Dr. Janice DeCicco Fipp, NCS Superintendent

Council President Travagline introduced Dr. Janice Fipp and Linda Albright, Board Administrator for the presentation of the Northfield Community School budget.

Linda Albright distributed a PowerPoint presentation and said she will review the highlights.

Dr. Janice Fipp thanked Council.

Linda Albright proceeded to review highlights. She said they held the budget to a 2% increase and the 2014-2015 budget does go to the 2%, which translates to two cents. She noted the minimal increase in state aid but they were still faced with increased challenges, such as continuous technology upgrades that are required, increased special education costs for in-house programs, as well as the costs of sending students out of districts. She further noted the addition of a Curriculum Supervisor position.

Dr. Fipp stated the areas that were reduced included the one long time nurse, who is retiring. She indicated they have two full time nurses for 1,000 students and the second nurse will not be replaced. She stated that they will add a part time nurse. She also noted they have eliminated two part time basic skills positions. She commented that it wasn’t just easy to add but they also had to take away.

Linda Albright noted new shared services, such as co-op with Linwood and Somers Point for a middle school wrestling program as a feeder for Mainland Regional High School. She thanked Council for the overwhelming support in so many ways. She also thanked the community, the parents and the various volunteer organizations that support the school. She indicated the debt service for the school in 2015-2016 will be dropping off. She said they have applied for some state aid and are proposing a bond referendum which will help them to keep the investment that they made in the school fifteen years ago, such as a new HVAC system, keyless entry and others.

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
MAY 13, 2014**

Dr. Fipp stated Northfield Community School still has a marvelous program for the children of the community. She noted that special education costs are high because parents move here because of these and other programs.

Councilman O'Neill asked what children are going on the class trip.

Dr. Fipp answered the 8th grade is going to Washington, DC. She thanked Council for their donations. She also stated the 4th grade went to the Philadelphia Museum of Modern Art.

Councilman O'Neill offered good luck to Dr. Fipp with her retirement. He noted he had three kids go through Northfield Community School and they did a great job.

Dr. Fipp stated she had a 42 year career that she has enjoyed immensely.

Council President Travagline offered similar congratulations and noted his two children are currently at the school and love Dr. Fipp and the school.

Councilman Dewees stated he moved to Northfield for the school and had two children go through. He further added Dr. Fipp and the school are doing a great job.

Mayor McGee stated he has known Dr. Fipp for years and shared a story of visiting his daughter's first grade class.

Robert Webb, 218 West Revere Avenue, thanked Dr. Fipp for the various military programs.

Dr. Fipp noted that they couldn't do it without Mr. Webb.

Councilman Chau thanked Dr. Fipp and Linda Albright. He noted the incredible time commitment made by Dr. Fipp, Ms. Albright and Board members. He also thanked Board President Wynne. He asked if the elimination of the two part time basic skills teachers was through attrition.

Dr. Fipp answered that it was a cost cutting measure but no one lost their job.

Councilman Chau asked how we are continuing to meet the needs of our children with regard to basic skills.

Dr. Fipp answered they did an analysis and the teachers who may have an extra period will co-teach with the other teachers for basic skills. She further noted the class sizes are low, which is good, which can eliminate the need for two teachers in a room.

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
MAY 13, 2014**

Board President Wynne stated we are down to 978 students.

Councilman Chau asked for enrollment projections.

Board President Wynne stated they are watching that but right now we are in a slow but steady decline.

Councilman Chau asked about profitability of the solar system.

Linda Albright indicated the system is small but it does help. She noted they have seen an increase in consumption due to new technologies. She added they last sold S-Recs in February.

Councilman Chau asked if the Board has made a decision for Dr. Fipp's replacement.

Dr. Fipp stated the Board granted her retirement date of September 1, 2014 and are talking about a full time interim superintendent.

Board President Wynne stated the board will meet Monday to discuss and decide.

Councilman Piergiovanni thanked Dr. Fipp and Linda Albright for their hard work on the budget. He referred to the state and federal mandates that influence the budget and noted specifically the bullying program. He asked if funding is specifically provided for that or does the school have to fund it.

Dr. Fipp answered no, this and others such as the online assessments are unfunded mandates.

Councilman Perri thanked Dr. Fipp for her years of service and wished her well in her retirement. He asked for the status of the contract negotiations.

Board President Wynne answered they are fact finding at this time.

Councilman Perri asked the dollar amount for the proposed bond referendum.

Linda Albright answered \$7M, 60% local share at \$4.4M.

Mayor McGee asked is the school expandable if we need more classrooms.

Board President Wynne stated there is some space, yes, approximately 5-6 more classrooms.

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
MAY 13, 2014**

Council President Travagline thanked Dr. Fipp, Linda Albright and Board President Wynne.

PAYMENT OF BILLS

Councilman Chau motioned, Councilman Perri seconded, for payment of bills in the amount of \$ \$ 7,402,653.65.

Roll call: Mr. Chau – yes; Mr. Devine – yes; Mr. Dewees –yes; Mr. O’Neill –yes; Mr. Perri – yes; Mr. Piergiovanni – yes; Mr. Travagline – yes Motion carries.

Councilman Devine read the meeting notices.

EXECUTIVE SESSION OF COUNCIL

Council President Travagline announced that Council will be adjourning to the Clerk’s office for an Executive Session and the resolution was adopted earlier in the evening.

92-2014 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. 10:4-12, Regarding Possible Anticipated Litigation and Matters Falling within the Attorney Client Privilege Requiring Confidentiality

Municipal Clerk Canesi attempted to read title of Resolution. Solicitor Facenda stated Council will enter into an Executive Session to discuss the City of Northfield’s COAH obligations as well as the potential for future litigation and the potential to adopt and execute a resolution proposed by the COAH/Mount Laurel counsel. It is unknown at this point how long the matter will remain closed and unknown if any formal action will be taken after the Executive Session.

At 8:34 Council adjourned to the Clerk’s office.

At 9:11pm the Executive Session ended and Council returned to chambers

Solicitor Facenda stated that the Executive Session concluded and Council is back in Public Session and Council considered a resolution submitted by COAH counsel in conjunction with potential future litigation in the form of Resolution 94-2014. It is my understanding that Council will now vote to consider this resolution which reads:

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
MAY 13, 2014**

**CITY OF NORTHFIELD, NJ
RESOLUTION NO. 94-2014**

**RESOLUTION OF THE CITY OF NORTHFIELD, COUNTY OF ATLANTIC,
DECLARING ITS INTENT TO FULLY COMPLY WITH ITS CURRENT
MOUNT LAUREL OBLIGATIONS AND TO SERVE AS A "CATALYST
FOR CHANGE" WITHOUT THE NECESSITY OF THE FILING AND
SERVING OF ANY MOUNT LAUREL LAWSUITS**

WHEREAS, in So. Burlington County N.A.A.C.P. v. Tp. of Mount Laurel, 92 N.J. 158 (1983) (“Mount Laurel II”), the New Jersey Supreme Court ruled, subject to several other limitations, that in order for a plaintiff to be entitled to a builder's remedy, it must "succeed in litigation" (92 N.J. at 279-280); and

WHEREAS, in Toll Bros. Inc. v. Tp. of W. Windsor, 173 N.J. 502, 507 (2002), the Supreme Court ruled that in order for a developer to succeed in litigation, it must not only prove that the municipality has failed to create a realistic opportunity for satisfaction of its obligation, but also must be the “catalyst for change”; and

WHEREAS, Northfield City has not used its zoning powers to exclude low and moderate income households and is indeed a fundamentally inclusionary community as demonstrated in part by the fact that (1) the 2013 HUD Income Limits for a 3-person Household in this region ranges from \$52,545 for a moderate income household and \$32,845 or less for a low income household; and (2) the 2008-2012 American Community Survey estimates that 35.3 percent of the households in Northfield earn less than \$50,000.

WHEREAS, based on these facts, over 35 percent of the households in Northfield qualify as lower income households pursuant to Mount Laurel laws; and

WHEREAS, subject to a more exhaustive search in the future, records show that at least four (4) special needs group homes are located and currently operating in the City; and

WHEREAS, the City permits as a conditional use in the R-1 and RC zones Residential senior citizen housing which also requires that at least 20% of the dwelling units be reserved for low- and moderate-income households; and

WHEREAS, notwithstanding the above facts, the City hereby stipulates that, as of the date of this Resolution, the Planning Board had not adopted and the governing body had not endorsed a Housing Element and Fair Share Plan that satisfied Northfield's previously-defined low and moderate income housing obligation; and

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
MAY 13, 2014**

WHEREAS, on September 26, 2013, the New Jersey Supreme Court released its opinion in In Re N.J.A.C. 5:96 and 5:97 which invalidated the version of Round 3 regulations COAH adopted in 2008 *in toto*; and

WHEREAS, on March 14, 2014, the Supreme Court also issued an order directing COAH to propose new Round 3 regulations on or before May 1, 2014 and to adopt them by October 22, 2014; and

WHEREAS, on April 30, 2014, in accordance with the Supreme Court's order, COAH proposed regulations which will be published in the New Jersey Register on June 2, 2014; and

WHEREAS, based upon these proposed regulations, the City's proposed affordable housing obligation is 187 units, including a 4-unit rehabilitation obligation, a 116-unit unmet prior round obligation, and a zero-unit prospective Round 3 obligation; and

WHEREAS, in light of the procedure established by the Supreme Court and COAH's compliance with same, it appears that new affordable housing rules will be in effect later this year; and

WHEREAS, the City is committed to complying with its affordable housing obligations, which COAH is in the process of refining and which is also subject to change by the Legislature; and

WHEREAS, on April 3, 2014, the City received correspondence from counsel for Max Gurwicz and Sons, Inc. ("Gurwicz") regarding its interest in developing certain property in the City which would include the provision of affordable housing; and

WHEREAS, on April 16, 2014, the City responded to the Gurwicz letter stating that it is interested in exploring ways to create affordable housing while avoiding, if possible, unnecessary litigation; and

WHEREAS, on May 9, 2014, the City and Gurwicz scheduled a meeting for May 21, 2014 to commence good faith negotiations on the developer's proposal to develop land in the City which would include a set aside for affordable housing; and

WHEREAS, although these negotiations are ongoing, the City recognizes (a) that Gurwicz has standing to file a Mount Laurel lawsuit in the event that the ongoing efforts to achieve an amicable accord fail; and (b) that the City and its Land Use Board have a right to pursue any and all defenses in the event of a lawsuit; and

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
MAY 13, 2014**

WHEREAS, the City seeks to formally declare its intent to comply with its Mount Laurel obligations, thereby eliminating the need for the filing of any Mount Laurel lawsuits while negotiations with Gurwicz are ongoing and while the City fulfills its constitutional obligations; and

WHEREAS, in view of the foregoing, the City of Northfield now wishes to formally declare its intent to comply with its Mount Laurel obligations; and

WHEREAS, the City of Northfield wishes to declare its commitment through this Resolution to take the actions necessary to achieve constitutional compliance, thus rendering any Mount Laurel lawsuits as "unnecessary litigation," the avoidance of which is one of the principal policy considerations of the Mount Laurel doctrine; and

WHEREAS, the City of Northfield wishes to obtain immunity so that it can devote its resources to Mount Laurel compliance and not litigation as it (i) continues its negotiations with Gurwicz, (ii) develops and adopts a Housing Element and Fair Share Plan, and (iii) seeks approval of said plan.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The City of Northfield hereby formally stipulates that it has not satisfied its obligations as previously defined and as set forth in COAH's proposed regulations for Round 3.
2. The City hereby declares its commitment to satisfy its obligations to provide affordable housing.
3. The City recognizes that Gurwicz will have standing to file a Mount Laurel lawsuit against the City if the ongoing negotiations reach a legitimate impasse, but it also declares that Northfield (a) is the "catalyst for change" vis-à-vis any other potential Mount Laurel plaintiff and (b) is committed to achieve Mount Laurel compliance voluntarily.
4. The City directs its professionals to review the current state of Mount Laurel compliance and to take whatever actions are reasonable and necessary to achieve a formal judgment of constitutional compliance by the Court.
5. The City hereby directs its professionals to furnish this Resolution to the Court and to place this Resolution on file in City Hall so as to put

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
MAY 13, 2014**

the public and all interested parties on notice of the City's formal commitment to comply with its Mount Laurel obligations.

6. The City hereby directs its professionals to file a declaratory action and to simultaneously seek temporary immunity from Mount Laurel lawsuits from all developers exclusive of Gurwicz with respect to the property that is the subject of ongoing negotiations.
7. This Resolution shall take effect immediately.

Councilman Dewees motioned, Councilman Chau seconded to adopt Resolution 94-2014.

Roll call: Mr. Chau – yes; Mr. Devine – yes; Mr. Dewees –yes; Mr. O’Neill –yes; Mr. Perri – yes; Mr. Piergiovanni – yes; Mr. Travagline – yes Motion carries.

At 9:19pm, on motions properly made and seconded, this meeting was adjourned.

Respectfully submitted,

Mary Canesi, RMC Municipal Clerk