

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
JANUARY 24, 2012**

At 7:00pm, 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.

VETERAN HONOREES FOR THE MONTH OF JANUARY

Councilman Vain announced that the first of this evening's honorees is Clem Scharff, Jr. Vain said he taught Clem when he was a child, and said it is an honor to honor him now. PFC Clement James Scharff attended Northfield Community School, Achieved Life Scout Rank in the Boy Scouts troop 72 of Northfield, and Graduated Mainland Regional High School in 2010. He entered U.S. Army basic training with one of the last Cavalry classes at Fort Knox, Kentucky, in January 2011 where he graduated as a 19 D Cavalry Scout. He was asked to become a Paratrooper and was jump-trained at Fort Benning, Georgia. He was then assigned to the 1st Squadron 73rd Cavalry Regiment with the prestigious Eighty Second Airborne Division, The All Americans, stationed at Fort Bragg, North Carolina. Clem spent seven months at Camp Victory in Operation New Dawn and in The Green Zone in Baghdad, Iraq. He has shot a perfect score on the range while in the field. His team finished first in the best section competition. He has earned the honor of being able to wear Gold Calvary Combat Spurs and the Black Cavalry Stetson, which is a historical tradition for those that exemplify the Cavalry ethos. He was instrumental in getting the last troops out of the city of Baghdad, and was with the final trucks out of the city. Vain congratulated Scharff, and thanked him for his service.

Scharff thanked Council for the honor, and thanked everyone for their support, adding that our older veterans deserve our support, much better than they get. He said he looks up to them from the bottom of his heart.

Councilman Perri presented Scharff with a Certificate of Appreciation, and said that as a neighbor and friend of family, it is an honor. He spoke directly to Scharff and said, you are a Northfield hero and a soldier, congratulations. You came back strong, may God bless you and keep you.

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Councilman Vain said that in addition to being flown in honor of Clem Scharff this month, the flag flies in remembrance of the late Nicholas Kuchova. He invited Mrs. Audrey Kuchova, and her son Kevin Kuchova, to come forward. Vain said that Nick was born October 10, 1923 in Atlantic City to Theodore and Duksia Kuchova, formerly of Albania. He is survived by his wife of 63 years, Audrey and their two sons, Randy and Kevin, and three grand children. Nick was a decorated WWII combat veteran who fought in Europe earning a Bronze Star and the Combat Infantry Badge with three battle stars for action in the Battle of the Ardennes, Battle of the Bulge, and the Battle of Central Europe. At the conclusion of the war and with an aversion to sleeping outdoors and standing in line, Nick returned to Trenton State College to complete his studies to become an educator. He spent forty-one years with the Atlantic City Public Schools as a physical education instructor before becoming one of the first guidance counselors in the elementary school program. He served Northfield as a Tax Assessor, a City Councilman and was elected Mayor in 1976. While serving Northfield, Nick took exceptional pride in improvements to Birch Grove Park and championed the city's initial Lifeline program to look after seniors and home bound citizens. Nick, with a profound interest in energy and recycling, served on the board of the Atlantic County Utilities Authority from 1986 to 1996. He was a dedicated promoter of youth sports programs and was an active member and officer of the Northfield All Sports Association. Nick officiated high school basketball throughout the state for more than twenty years while a member of the International Association of Approved Basketball Officials.

Vain presented a Certificate of Appreciation to Mrs. Kuchova, in memory of her late husband.

Council President Carew announced a five minute recess to allow for photographs to be taken.

AGENDA REVIEW

Council President Carew reviewed the agenda.

COMMITTEE REPORTS

Councilman Perri said there was a meeting of the Senior Committee at Birch Grove Center; it was a good turnout and the next meeting is scheduled for February 16th at 10:30am. All are welcome to attend. At the last meeting, the Lifeline Assistance Program was reviewed by the Northfield Fire Department. At the next meeting, the Tax Office staff will present information for seniors on various tax programs. He noted that additional people have shown interest in taking part in the Senior Committee; the five member board has been filled, but everyone is welcome. Perri

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said the Sewer Department is running smoothly. He again congratulated Clem Scharff, and Mrs. Kuchova, in honor of Mr. Kuchova.

Councilman O'Neill had no committee report.

Councilman Vain said he and many others attended the grand opening of the new VA clinic. It is a great addition to our community. For the Cultural Committee he reported that they will be having their annual Garage Sale on March 10th from 8am to 2pm at the school and their Antique Appraisal on April 13th, from 6pm to 9pm at City Hall.

Councilman Polistina said budget meetings have been scheduled. The Library RFP's have come back, and their next Board meeting will be Thursday, February 9th. Polistina said he and Mrs. Brown attended a meeting to discuss shared Court, and negotiations have begun with the Fire department for their contract. The Good Shepherd Church recently held a service in honor of police, fire and EMS personnel; it was a nice event. Polistina read the EMS report for the month of December.

Councilman Dewees said Public Works will resume picking up yard waste as of February 1st on residents' regular trash days, until further notice, possibly through April.

Councilwoman Brown said she contacted Joe Kelly from the Chamber of Commerce and she is trying to get a meeting schedule from him. She attended a shared service meeting for the purpose of exploring combining Courts. Their next meeting is February 2nd at 4pm. The Economic Development Committee is just starting out, and she will meet with Council President Carew next week. She attended the school board meeting, and said NCS has passed a resolution to move the school election from April to November.

COUNCIL PRESIDENT'S REPORT

Council President Carew again congratulated Clem Scharff, adding that he is a Northfield hero and brings a great sense of pride to the community. The Scharff family is a great family. He thanked the Fire Department for assisting with the first Senior Committee meeting, and Manhattan Bagel for donating the refreshments. He is looking forward to the next meeting with information from the Tax Office. Carew introduced and thanked Amy from MRHS, the evening's videographer. He announced that information on Veteran's Park went out in the sewer bills.

Councilman Vain invited input from all residents on Veteran's Park.

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MAYOR’S REPORT

Mayor Mazzeo also attended the grand opening for the VA outpatient clinic; he said it is a great service for our Veterans and that it is a state of the art facility. He is proud it is in Northfield. The Planning Board reorganized and has a new alternate member and two current members who were reappointed. The City Official is Police Sergeant Paul Newman. Mazzeo received a letter from the Atlantic County Improvement Authority stating that Phase III of the Birch Grove Park walkways has been approved. He got a letter from Pleasantville’s Acting Chief of Police thanking several of our officers for assisting them with various operations. The officers were Lieutenant Dan Mitchell, and Patrolmen Mike Bach, Joe Vola, William VanPelt, Marty Peary, and Justin Heller. The car and bike auction recently held on Govdeals netted proceeds of \$4,625.20. Mazzeo read the Police Department report for December. Mazzeo said he sent a letter to County Executive Levinson regarding additional funding for Veteran's Park; we were denied but were advised at the same time that another program that may provide funding is forthcoming.

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: Doran stated that regarding Davis Avenue drainage, we are waiting for information from the state and collecting utility information. Once we are sure it will work, we can move ahead with the design.

RESOLUTIONS / CONSENT AGENDA

Councilman O’Neill requested that resolutions 14-2012 and 28-2012 be voted separately from the consent agenda.

Councilman O’Neill motioned, Councilman Perri seconded, to vote by consent agenda on resolutions 24-2012 through 27-2012.

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.

24-2012 Authorizing the Issuance of a Raffle License to the Charity League

25-2012 Community Development Block Grant

26-2012 Final Change Order No. 1 Fence at Baseball Fields

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27-2012 Transfer of Funds

Councilman O'Neill motioned, Councilman Perri seconded, to adopt the consent agenda for resolutions 24-2012 through 27-2012.

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.

14-2012 Appointment of Risk Management Consultant as Required by the
Atlantic County Municipal Joint Insurance Fund
(Tabled 1/03/2012)

Councilman O'Neill motioned, Councilman Perri seconded, to adopt resolution 14-2012.

O'Neill requested discussion; he advised that the proposal from RT Gerber should be disqualified. He said it did not include required information such as a resumé, license, certificate of continuing education requirements, etc. O'Neill said he has information from the JIF that Gerber does not meet the qualifications. He advised that the package from CJ Adams does have all required information and is substantially lower than the bid from RT Gerber. He made the recommendation that Adams be selected as Risk Management Consultant.

Council President Carew said he checked the credentials and Gerber meets the qualifications. O'Neill questioned how Carew can be comfortable with someone who does not meet the qualifications. Discussion ensued.

Councilwoman Brown said she is not familiar with bidding laws. Solicitor Bonchi said there are a set of requirements that have to be met. Brown asked if Council is permitted to ask questions of bidders after bidding is closed; she asked if we contacted Gerber and CJ Adams for revised bids, did we contact the other bidders? Bonchi replied that you can ask questions for clarification if you are not sure of something, and determine if something isn't right, if it is material to the bid. He said he thought at last meeting the issue was the percentage on the bid. Bonchi said if it is a qualifying bid, you have to accept it. He then explained that soliciting for Professional Services involved providing your qualifications, and why you don't have to take the lowest bid on Professional Services contracts. Brown asked if after bidding is closed, do council people have the right to ask for another bid? Bonchi replied that no, you cannot ask for another bid. Brown said she thinks we went against the law, we contacted Gerber for a lower price; we somehow got a new package from CJ Adams. Bonchi said the insurance bidders were not asked to submit a number.

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Mayor Mazzeo asked how the 3.4% came about. Carew replied, and explained that the 3.4% came from the Linwood bidder's price. Mazzeo asked for clarification about O'Neill's objections. O'Neill said he asked the JIF for their minimum requirements for insurance for the Risk Management Consultant; Gerber did not meet the requirements as provided by the JIF.

Brown asked if the bid needs to be disqualified. Bonchi said the only thing he can say is that whoever is selected must meet the minimum requirements. Brown said she agrees that Gerber has not submitted what he needed to submit. Still another proposal contained nothing; that bid should clearly be disqualified.

Council President Carew asked that the Municipal Clerk state for the record when the Risk Management Consultant has to be in place; Canesi replied that the cover letter from the JIF that came with the resolution and agreement requested that they be in place by January 31st

Bonchi stated that if Gerber is appointed that the appointment will be contingent upon him producing the required documentation. Councilman O'Neill reasserted his objections. Brown reasserted her concern that we are violating our own rules since we don't know if the bidders are qualified.

Carew stated that he feels the existing consultant who is slated for reappointment is qualified.

Councilman Dewees asked if there have been any problems with the JIF or with Mr. Gerber in the past few years. Carew replied that there have not.

Councilman Vain stated that if Gerber ends up not being qualified, then the whole thing goes out to RFP again.

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

28-2012 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 Future Litigation

Councilman O'Neill motioned, Councilman Perri seconded, to adopt resolution 28-2012.

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Councilman O'Neill requested discussion.

Solicitor Bonchi said this is an Executive Session; the reason Mr. Pepper is in the audience is that he was asked in December to give an opinion on the entitlement of a former employee to sick time, comp time and vacation time. He is here to give his opinion and it is in closed session because there could be future litigation.

O'Neill asked if the City has been notified that there is going to be litigation. Bonchi replied that it depends on the outcome this evening.

Carew said based on the professional opinion of the Solicitor, the discussion should be in closed session.

Brown said there are times that strategy cannot be disclosed, which is why we have these closed sessions.

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

Carew said Council will resume in public session at the end of the Executive Session.

PAYMENT OF BILLS

Councilman Polistina motioned, Councilwoman Brown seconded, for payment of bills in the amount of \$ 220,048.76.

Brown requested discussion; she said she did not get bill list until today and is not familiar with them. She asked for an explanation of the normal procedure.

CFO TC Kay explained the delay in publishing the bill list. She said it is usually sent out via email the Friday before the Council meeting. She is hoping it won't occur again, and explained a new procedure to allow all bills to be reviewed by Council in the Finance Office.

Councilman Perri noted that All Vinyl Fencing went over the bid; Carew referred to the change order voted on earlier.

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

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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, said he has known Rich Gerber for a long time and he is a friend. He said the bidding process should include specific qualifications, and if the paperwork on a bid isn't correct, then bid is disqualified. He feels we are at risk of being sued. All bids should be disqualified and we should start over.

Patty Silvestri, 4 Seasons Condominiums, said RFP's should go to a director and the director ensures it's qualified and then it goes to Council for consideration. She suggested that Council chairpersons review the RFP's and they are held accountable for ensuring that any that are considered for selection are qualified. She also said the public should be more involved in the decision making process before hand.

Daniel Kashey, 9 Forrest Drive, said for several years there has been a traffic problem on Forrest Drive, especially in the afternoons. He said it gets pretty bad. They have had Police presence, in marked and unmarked vehicles. He suggested possibly installing a speed bump, or making the street one way.

Councilman Vain said he and Chief James have been out to the street and are looking at ways to slow the traffic.

James spoke, saying that from January 6th-21st a speed study was conducted. There 3,000-plus cars with highest speed at 30 mph, average speed at 10 mph, and 85% of cars were going less than 14mph. He said he feels signage can be improved on the street. The majority of cars are in the morning and afternoon, with more in the morning. He will meet with the Public Works Manager to discuss signage.

Vain said a one-way street may be an answer, and they would have to examine the impact on other streets.

Carew asked Chief James for the qualifications for a one way street. James replied that it is up to the governing body, through ordinance. Carew said we will keep Mr. Kashey posted, and asked him to give Councilman Vain his phone number.

Kim Hegenbart, 710 Hollywood Drive, thanked Council for their road, it looks great. She said she was at the school board meeting last night, and the election will now be in November and it will save a lot of money. She said she does not understand why Council would not choose a lower priced vendor if they have the opportunity to do so.

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Mark Doherty, 405 Chestnut Avenue, asked for clarification of the selection process for the Professional Services bids. Is there is a Committee? Vain affirmed that there is. Doherty said it does not seem fair to the City to select a vendor and then ask what they will charge us. Carew replied, and explained that when the RFP's were received there were no prices; the new bid is for a lower price.

Craig Tanzola, 10 Magnolia Court, said he is disappointed in Council people who voted yes on resolution 14 because they did not ensure that the proper insurance is in place. Gerber got an unfair advantage over other vendors.

Linda Harrison, 1205 Shore Road, said she thought there was supposed to be a sense of integrity and responsibility. Council needs to work as a team, and being the cheapest bid does not mean does not mean the best bid. She said members of the public should be respectful.

Seeing no others wishing to speak, he closed the public session.

Councilman Dewees read the meeting notices.

EXECUTIVE SESSION OF COUNCIL

The resolution was adopted earlier in the evening.

28-2012 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 Future Litigation

At 8:37pm, Council left the dais and entered the caucus room; several Council members took a brief comfort break and the doors to the caucus room were closed to the public at 8:45pm. Solicitor Bonchi and Labor Attorney Pepper were also in attendance. At 9:47pm, the closed session was adjourned and the regular meeting of Council resumed. Bonchi announced a summary for the record as follows: the matter discussed in closed session is covered under attorney client privilege, and as such he is limited in what he can say. The City's Labor Attorney provided his opinion on issues of what the former CFO was entitled to. No further action or investigation is being undertaken at this time; there will be action at a future meeting.

At 9:48pm, on motions properly made and seconded, this meeting was adjourned.

Respectfully submitted,

Mary Canesi, RMC, Municipal Clerk