

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
FEBRUARY 2, 2021**

At 8:03pm, this meeting was called to order by Municipal Clerk, Mary Canesi. It was advertised in the Press of Atlantic City on January 9, 2021 in accordance with Public Law 1975, Chapter 231.

Municipal Clerk Canesi read the following statement:

“Due to social distancing requirements related to Covid-19, there are limited seats for in-person attendance by members of the public this evening. For this reason, this meeting is also being presented simultaneously as a remote public meeting, live-streamed, using Zoom conferencing service, and in accordance with the Governor’s Executive Orders and the Open Public Meetings Act. Zoom meeting participants can dial in by telephone and listen to the proceedings, or they can access the meeting using a web-browser, and be able to view and listen. Instructions on how members of the public could reserve one of the limited seats, as well as how they can access Zoom have been made available on the municipal website and were published in the Press of Atlantic City. The full text of the public meeting notice has been posted at the entrances to the municipal building and includes Zoom instructions, information on where to find the meeting agenda and relevant documents, as well as instructions on how members of the public could submit comments in advance of tonight’s meeting. For those participating via Zoom, all participants will be ‘muted’ upon entry to the meeting. Web-browser participants will not be able to share their screens or see the camera-view of anyone other than the host, which is the City of Northfield. Zoom participants wishing to exercise their right to participate during the public comment portion of the meeting should wait until the specific announcement is made to open the public comment period. At this time, one by one, any telephone users will be asked to identify themselves and will be unmuted to permit commentary. For web-browser participants, comments or questions may be submitted via the chat function and will not be acknowledged outside of the designated public-comment portion of the meeting; chat-users must also provide his/her name and address for the record in order to be heard. Any written comments submitted in advance will be read aloud and addressed during the public comment portion of the meeting.”

FLAG SALUTE

The flag salute was led by Council Pro Tempore Dewees, followed by a moment of silence.

ROLL CALL

Present (in person): Councilman Dewees; Councilman Perri; Councilman Smith; Councilman Utts; Council President Polistina

Present (via Zoom): Mayor Chau

Solicitor Facenda and Engineer Nassar was also in attendance. Chief Newman was present via Zoom.

Council President Polistina called for a motion to approve the minutes.

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READING AND APPROVAL OF THE MINUTES

On motion of Councilman Utts with a second of Councilman Smith, all members present were in favor of approving the minutes of February 2, 2021 without formal reading.

MAYOR'S REPORT

Clerk Canesi read the following report from Mayor Chau, which he provided via the Zoom chat feature:

He had a Committee meeting today and tomorrow with Atlantic County Administrative courts. He has a meeting with the Atlantic County Tilton Road bus services. He received letter from County Executive Levinson supporting the bonding for improvements at the Atlantic County Institute of Technology. He was informed by NCS Superintendent Bretones that they did not (require) [sic] crossing guard services today February 2nd because school being attended virtually. The Northfield Community School December report had five students and three staff members test positive for Covid 19 since return back from Thanksgiving. In addition, they have had 89 students and 29 staff members quarantine. The school has seen increased number of families that have opted to have their children receive virtual instruction. There was a meeting with the police committee and labor counsel this Friday to review grievances. He also received a letter from County Executive Levinson to have their law department and their engineering department review the portion of private property that will cover our pump station. He thanked everyone for their time.

CITY ENGINEER'S REPORT

Engineer Nassar reviewed the Engineer's Report as previously distributed to the Council. Regarding the ACUA flow issue, he received the water usage report from NJAMW for the entire year, he would review the report to determine if there was a correlation between water usage and sewer flows. He would report at the next meeting.

Engineer Nassar reported on the City Hall parking lot project; due to weather, concrete work in the parking lot was delayed. He would watch the weather and possibly start next week. The contractor was still on track to finish by the end of the month.

In regard to the Road Program, a resident of 501 Maple contacted several members of Council regarding a narrow portion between Chestnut and Spruce. Physically there was insufficient room. Perhaps we could straighten the road and add an extra foot, but he would not recommend any action beyond that.

Councilman Dewees, regarding the parking lot, stated that we would like to put an outlet in for OEM. He asked Engineer Nassar for his recommendation.

Engineer Nassar replied it should be done before paving; they should run conduit and let it sit for 30 days. Milling will be in March or April.

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Councilman Dewees advised he would contact Higher Power, with Superintendent Vitale. Public Works can actually do the trench and the have contractor lay the pipe and wire.

Councilman Perri added that in a meeting today with Superintendent Vitale; it was reported that the Madison Avenue drainage was still a problem. After they did Mill Road, it was flooding again.

Engineer Nassar was not aware of a recurrence. He would contact the County; he needed specifics.

Councilman Dewees referred to the inlets.

Engineer Nassar noted there was no positive discharge; there was a low point.

Councilman Perri stated the water was coming off of a County road onto a Municipal road.

Engineer Nassar would arrange a meeting with County Engineering and Public Works.

Councilman Perri stated we had a similar problem at Roosevelt Avenue and Tilton Road.

Engineer Nassar advised in that situation the swale was left out of the plan.

Councilman Smith said he'd noticed on Bonnie Lee Drive and English Lane there was a drainage issue.

Councilman Dewees advised that an inlet had settled and collapsed, but it had been fixed.

PUBLIC SESSION/FIVE MINUTES PER SPEAKER

Council President Polistina opened the public portion of the meeting for any person to comment on any subject, he asked that they state their name and address for the record and observe the five-minute limit per speaker.

Clerk Canesi typed in the Zoom chat that the public portion of the meeting was now open.

Seeing no one wishing to make a comment Council President Polistina closed the public session.

RESOLUTIONS

Councilman Perri asked for Resolution 47-2021 to be voted on separately.

Council President Polistina read the following statement:

“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

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so removed, will be treated as a separate matter. Any items requiring expenditure are supported by a Certification of Availability of Funds.

The Executive Session 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 has concluded. Any vote made on subjects discussed will be made in public.”

On a motion of Councilman Notaro, second of Councilwoman Madden, all present were in favor of voting by consent agenda on Resolutions 37-2021 through 46-2021.

- 37-2021** Resolution Authorizing Cancellation and Refund of Taxes Pursuant to N.J.S.A. 54:4-3.30 & N.J.S.A. 54:4-3.32 on Property Known as Block 53 Lot 9 (600 Lake Avenue)
- 38-2021** Resolution Authorizing Cancellation and Refund of Taxes Pursuant to N.J.S.A. 54:4-3.30 & N.J.S.A. 54:4-3.32 on Property Known as Block 26 Lot 5 (533 Marita Ann Drive)
- 39-2021** A Resolution Confirming the Appointment of Darrin M. Lord as Municipal Public Defender for the City of Northfield for Calendar Year 2021
- 40-2021** A Resolution Confirming the Appointment of James P Grimley as the Municipal Prosecutor for the City of Northfield for Calendar Year 2021
- 41-2021** Amending Resolution No. 26-2021, Recognizing Members of the Northfield Volunteer Fire Company
- 42-2021** Acceptance of the LOSAP Point System and Qualifiers for Members of the Northfield Volunteer Fire Co. #1
- 43-2021** Rejecting Proposal for Emergency Medical Services for the City of Northfield
- 44-2021** Refund Overpayment of Taxes
- 45-2021** 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(b)7 Regarding Litigation and Matters Falling within the Attorney Client Privilege Requiring Confidentiality
- 46-2021** 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(b)(7) Regarding Contract Negotiations

Councilman Notaro motioned, second of Councilwoman Madden, to adopt the consent agenda for Resolutions 37-2021 through 46-2021.

Roll Call: Mr. Dewees - yes, Mrs. Madden – yes, Mr. Notaro – yes, Mr. Perri - yes, Mr. Smith – yes, Mr. Utts - yes; Mr. Polistina – yes; Motion carried.

Councilman Notaro motioned, second of Councilwoman Madden, to adopt Resolution 47-2021.

Solicitor Facenda read the Resolution 47-2021 into the record in full, as follows:

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**“CITY OF NORTHFIELD, NJ
RESOLUTION NO. 47-2021**

**A Resolution Approving Revised Specifications and Authorizing the City of
Linwood to Advertise for Proposals for Emergency Medical Services for the
City of Linwood and the City of Northfield**

WHEREAS, pursuant to Resolution No. 43-2021, the Common Council of the City of Northfield did reject the sole proposal received by the City of Linwood, as lead agent, on January 5, 2021, for the provision of Emergency Medical Services for the City of Linwood and the City of Northfield (hereinafter “the Cities”); and

WHEREAS, City of Linwood, as lead agent, has substantially revised the previously advertised specifications for Emergency Medical Services for the City of Linwood and the City of Northfield, for the ultimate benefit and good of the residents of the Cities; and

WHEREAS, the EMS Council Chairperson and the Shared Services Council Chairperson for the City of Northfield have reviewed and recommend the revisions to the specifications, a full copy of which is attached as Exhibit A, for the provision of Emergency Medical Services for the Cities, which are as follows:

- Amended dates for advertisement, receipt of bids, and contract term.
- Page 5, B. Failure to Perform: Language revised to remove specific damage amounts.
- Page 5-6, C. Insurance:
 - o Removed "naming the Cities as co-insured" for workers compensation and professional liability
 - o Removed paragraph requiring deductibles or self-insured retentions be declared to the Cities.
 - o Added language to the contractor to name the Cities as additional insured for general liability and automobile liability 4.
- Page 8, K. Indemnity: Modified the language to include "to the extent caused by the negligent acts or omissions of the Contractor."
- Page 11, A. Overall Program Management: Changed the time for meetings from "monthly" to "quarterly"
- Page 11, B. Data Collection and Reporting: Amended the Response Time Data to read as "detailed data for each individual response and the percentage of calls that met response time target."
- Page 12, B. Data Collection and Reporting: Removed item #6 for the contractor to provide special reports requested by Cities.
- Page 17, B. EMS Resource Availability:
- Remove references to description of facilities
- Payment of existing utilities will be available to contractor at no cost
 - o Cable and internet will be provided at no cost shall be the responsibility of the contractor if so desired.
- Page 18, D. Response Time Requirements:
 - o Changed response time requirement from 5 mins and 59 minutes to 7 mins and 30 seconds.

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- o Changed the restrictions from "may never exceed 9 minutes and 59 seconds" to "If exceeds 10 minutes, a special report shall be provided to the cities immediately."
- Page 18, E. Personnel:
 - o Removed requirement for EMT to be at the "Defibrillation level."
 - o Removed requirement for personnel to complete the emergency vehicle operations course
 - o Removed provisions for field supervisor to be certified at the paramedic level, but added a requirement for field supervisor to be provided "24/7 for the region and EMS Command on-call."
- Page 19, G. Stand-by Coverage:
 - o Amended the language to be less stringent without noticing requirements.
 - o Amended to read that Contractor shall provide "appropriate resources" for special events and sporting events, and "reasonable support" for demonstrative services to the various civil events.
 - o Amended the language for Contractor to provide stand by to the Cities Fire & Police to provide its standard list of call types.
- Page 19, H. Disaster Response: Amended the language for the Cities OEMS to be responsible for disaster response command and requiring the Contractor to follow all orders from same.

WHEREAS, the revised specifications shall be on file and available for inspection in the Office of the Municipal Clerk, Northfield, New Jersey.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Northfield, Atlantic County, New Jersey that the aforesaid revised specifications are hereby approved.

BE IT FURTHER RESOLVED, by the Common Council of the City of Northfield, Atlantic County, New Jersey that the City of Linwood shall advertise for proposals for the aforesaid in the February 8, 2021 issue of The Press of Atlantic City, proposals to be received on Wednesday, March 3, 2021 at 11:00 A.M. prevailing time at the Municipal Clerk's Office, Linwood, New Jersey;

BE IT FURTHER RESOLVED, that the Common Council of the City of Northfield reserves the right to reject all proposals.

I, Mary Canesi, Municipal Clerk of the City of Northfield, do hereby certify that the foregoing Resolution was duly adopted at a Regular meeting of the Common Council of the City of Northfield, held this 2nd day of February, 2021.

Mary Canesi, RMC, Municipal Clerk”

Council President Polistina asked if anyone would like to discuss the Resolution.

Councilman Perri spoke; he did not understand the reduction in insurance; emergency vehicle course; these were all standard operating procedures in the past.

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What were we going to get if we do go ahead with it? He didn't have enough information to proceed.

Councilman Utts asked if the removal of the defibrillation language meant they didn't have to be trained on how to use it? Where did this come from?

Councilman Smith replied it was his understanding that this level no longer existed, and that EMT's were trained to deal with heart issues.

Councilman Notaro added that we haven't heard back from the JIF.

Councilman Perri countered: but we're approving tonight. In his experience we haven't done that this way.

Solicitor Facenda advised, at this point Council was approving the specifications, they were not approving the contract. If the JIF disapproved, Council can always reject the bid received. He referred to page 6, they removed the requirement in one section but put it back in, in another section. This was why Solicitor Facenda emailed the insurance consultant.

Councilman Perri noted even the failure to perform; there was no legal stance for us to get any compensation. He was not nit picking, but this was provided at the last minute.

Councilman Notaro announced that he and Councilman Smith worked very hard on it; it should have been done months ago.

Councilman Perri would have been more inclined to extend for a year at the cost. But it's already moved, he advised the Council President to proceed with the vote.

Roll Call: Mr. Dewees - yes, Mrs. Madden – yes, Mr. Notaro – yes, Mr. Perri - no, Mr. Smith – yes, Mr. Utts - yes; Mr. Polistina – yes; Motion carried.

ORDINANCES

Councilman Perri motioned, second of Councilman Dewees, to introduce Ordinance 1-2021.

1-2021 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40a: 4-45.14)
Introduction / No Public Input / Published in the Press of AC 02/06/2021
2nd Reading / Public Hearing / Final Consideration 02/16/2021

The Municipal Clerk read the Ordinance by title, stated that this is the first reading, and announced the publication and public hearing dates. The full Ordinance has been posted in the lobby of City Hall and on the City website, and copies are available at no cost in the office of the Municipal Clerk between the hours of 8:30am and 4:30pm, Monday through Friday to any member of the public who requests same.

Roll Call: Mr. Dewees - yes, Mrs. Madden – yes, Mr. Notaro – yes, Mr. Perri - yes, Mr. Smith – yes, Mr. Utts - yes; Mr. Polistina – yes; Motion carried.

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Councilman Perri motioned, second of Councilman Dewees, to introduce Ordinance 2-2021.

2-2021 Ordinance Providing for and Establishing Salary Ranges of Officers and Employees of the City of Northfield and Repealing All Ordinances Heretofore Adopted, the Provisions of Which are Inconsistent Herewith
*Introduction / No Public Input / Published in the Press of AC 02/06/2021
2nd Reading / Public Hearing / Final Consideration 02/16/2021*

The Municipal Clerk read the Ordinance by title, stated that this is the first reading, and announced the publication and public hearing dates. The full Ordinance has been posted in the lobby of City Hall and on the City website, and copies are available at no cost in the office of the Municipal Clerk between the hours of 8:30am and 4:30pm, Monday through Friday to any member of the public who requests same.

Roll Call: Mr. Dewees - yes, Mrs. Madden – yes, Mr. Notaro – yes, Mr. Perri - yes, Mr. Smith – yes, Mr. Utts - yes; Mr. Polistina – yes; Motion carried.

PAYMENT OF BILLS \$2,021,661.81

Councilman Dewees motioned, Councilwoman Madden seconded, for payment of bills.

Roll Call: Mr. Dewees - yes, Mrs. Madden – yes, Mr. Notaro – yes, Mr. Perri - yes, Mr. Smith – yes, Mr. Utts - yes; Mr. Polistina – yes; Motion carried.

Councilman Smith read the meeting notices.

Council President Polistina announced Executive Session for Resolution 45-2021.

45-2021 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(b)7 Regarding Litigation and Matters Falling within the Attorney Client Privilege Requiring Confidentiality

The Municipal Clerk read the resolution by title, and stated that we are required to set forth as much information as possible as to the subject matter to be discussed as well as provide for the public the amount of time they can expect to elapse before the non-public portion of the minutes can be disclosed. Clerk Canesi then deferred to the Solicitor for further explanation.

Clerk Canesi announced to the members in Zoom that when the Executive Session commenced, she would be turning off the audio, and the video would be temporarily paused. Council would resume the public session as soon as the Executive Session concluded.

Solicitor Facenda announced that the matter to be discussed relates to litigation and matters falling under the attorney client privilege with regard to confidentiality, specifically the conversation will center upon certain Mt. Laurel litigation, sewer

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availability and capacity issues, and sewer study issues for the property commonly known as the Mason Property. The minutes would be kept and made available when permitted and required by law. The timeframe for the release of those minutes is unknown. Council will return to the general public when the Executive Session is complete for a short statement.

Clerk Canesi added for the record that Mayor Chau was currently attending via Zoom, but would be joining Council in the room for the Executive Session.

At 8:36pm Council entered into Executive Session.

At 9:24pm the Executive Session of Council was adjourned, and the Regular Meeting resumed in Council Chambers.

Solicitor Facenda announced that the Executive Session had concluded. The matter discussed was potential litigation and matters falling under the attorney client privilege requiring confidentiality. Specific matters discussed were continued Mt. Laurel litigation, sewer capacity issues, sewer availability issues at the property known as Mason Properties. The minutes were kept but will not be released until the matter had concluded and they would be released when permitted by law, at this time the timeframe was unknown.

Council President Polistina announced Executive Session for Resolution 46-2021.

46-2021 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(b)(7) Regarding Contract Negotiations

The Municipal Clerk read the resolution by title, and stated that we are required to set forth as much information as possible as to the subject matter to be discussed as well as provide for the public the amount of time they can expect to elapse before the non-public portion of the minutes can be disclosed. Clerk Canesi then deferred to the Solicitor for further explanation.

Clerk Canesi announced to the members in Zoom that when the Executive Session commenced, she would be turning off the audio and the video would be temporarily paused, Council would resume public session as soon as the Executive Session concluded.

Solicitor Facenda announced that the matter to be discussed are contractual negotiations more specifically shared services and shared court services, and negotiations concerning same for a potential shared court with the Township of Hamilton. The minutes would be kept and made available when permitted and required by law at this time the timeframe was unknown.

At 9:27pm Council entered into Executive Session.

At 10:06pm the Executive Session of Council was adjourned, and the Regular Meeting resumed in Council Chambers.

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Solicitor Facenda announced that the Executive Session had concluded. The matter discussed was contractual negotiations more specifically shared services and shared court services and negotiations concerning same for a potential shared court with the Township of Hamilton. The minutes were kept but will not be released until the matter had concluded and they would be released when permitted and required by law at this time the timeframe was unknown.

At 10:08pm, on motion of Councilman Utts, seconded by Councilman Dewees, this meeting was adjourned.

Respectfully submitted,

Mary Canesi, RMC, Municipal Clerk