

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
FEBRUARY 18, 2020**

At 6:56pm, this meeting was called to order by Mary Canesi, Municipal Clerk. It was advertised in the Press of Atlantic City on January 11, 2020, in accordance with Public Law 1975, Chapter 231.

FLAG SALUTE

The flag salute was led by Mayor Chau followed by a moment of silence.

ROLL CALL

PRESENT: Councilwoman Madden; Councilman O'Neill; Councilman Smith; Councilman Utts; Council President Perri; Mayor Chau

ABSENT: Councilman Dewees; Councilwoman Korngut

Solicitor Stein, Engineer Nassar and Chief Newman were also in attendance.

READING AND APPROVAL OF THE MINUTES

On a motion of Councilwoman Madden, second of Councilman O'Neill, all present with the exception of Councilman Utts who abstained, were in favor of approving the minutes of the meetings of February 4, 2020, without formal reading. They were posted, distributed to Council, and on file in the Municipal Clerk's Office.

Council President Perri moved to committee reports.

COMMITTEE REPORTS

Councilman O'Neill - Inspections, Code Enforcement, Housing/Zoning; Court/Violations; FAN

Councilman O'Neill had no report this evening.

Councilman Utts – Bike Path, 1st Street Playground, Veterans Park; Planning Board; Economic Development / Chamber of Commerce

Councilman Utts announced that Steve Vain had stepped down from the Parks and Recreation Advisory Board. Councilman Utts welcomed State Farm to Northfield, their ribbon cutting was last week; we were happy to have them.

Council President Perri asked if Mr. Vain's resignation was in writing and was Mayor Chau aware.

Councilman Utts replied yes, he was copied on it.

Councilwoman Korngut – Technology/MRHS Channel; Library; Municipal Alliance; Shared Services

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
FEBRUARY 18, 2020**

Councilwoman Korngut was absent.

Councilman Dewees - Buildings/Grounds; Birch Grove Park

Councilman Dewees was absent.

Councilman Smith – Finance/Collections; Little League/Babe Ruth; Cultural Committee; Northfield Community School

Councilman Smith reported that the budget meeting was next Thursday at 6pm. The Cultural Committee was looking for volunteers, and information was on our website. They were accepting applications for Miss Northfield for 4th of July.

Councilwoman Madden – Fire Department / EMS; Insurance and Safety, Mainland Regional

Councilwoman Madden reported that the Insurance and Safety Meeting will be Thursday the 20th. The Mainland Board of Education Meeting was tonight. She attended the State Farm opening, it was very nice.

Council President Perri– Public Works: Roads, Engineering, Sewer Operations; Senior Citizens

Council President Perri reported the ACUA had done the cleaning and video of their interceptor line; the report had been given to our Engineer for review. The next Seniors Meeting is scheduled for the 20th; he also met with the Sewer Committee. He offered condolences to Kathi Smith on the passing of her mother.

MAYOR’S REPORT

Mayor Chau reported that he would be meeting with applicants for vacant seats on the Advisory Board. He thanked Councilwoman Madden for attending the State Farm opening.

7PM OATH OF OFFICE: Patrolman Christian Gansert

Mayor Chau called forward Christian Gansert.

Patrolman Gansert introduced his mom, Jennifer, and Uncle, Bruce.

Mayor Chau announced that he had known Christian for a number of years, he was very proud of him, he exemplified what our Police Department was, experience and dedication. He knew Christian would be with us for many years.

Mayor Chau administered the Oath of Office.

Patrolman Gansert’s Uncle pinned on his badge.

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
FEBRUARY 18, 2020**

Patrolman Gansert thanked the Council for the faith they had in him, it's going to be a fun 30 years and he hoped to leave his mark in a positive way in this community.

Chief Newman added that bringing new officers on is one of our best moments. Chief Newman shared a story that he was stopped in the parking lot by a woman with a sign that had Patrolman Gansert's name on it, as well as Patrolman Locotos', and Sergeant VonColln, for going to the school. That was what it was all about.

Council President Perri moved to the Engineer's report.

CITY ENGINEER'S REPORT

Engineer Nassar reviewed the Engineer's report as previously distributed to Council. He received the report from the ACUA; it did not have a lot of problems, only a few areas of intrusion. The report did not indicate that it had identified source of increase from last year. We would have to look at the data further. He would request a copy of the video to see if anything was missed.

Council President Perri added that it looked like they did it while the system was flowing.

Engineer Nassar replied that they may have shut the pump station down. He reported that the municipal parking lot specifications had to be revised to comply with Federal requirements. He received a call last week that there were still brown water issues on Shepherd. Clerk Canesi had shared with Engineer Nassar that Mayor Chau was aware and was following up. If Mayor Chau was not successful, Engineer Nassar would contact them. They would also need to know this is on our paving list and the road can't be opened after it is paved without them paving the whole road.

Mayor Chau advised that he would be meeting with NJ American Water Company tomorrow on another issue but would bring this up.

Engineer Nassar added that the outfall maps for the stormwater plan had been finished and he would send to the Public Works Superintendent for review.

Council President Perri asked if there were any questions for Engineer Nassar; there were none.

Council President Perri stated that 216 Northfield Avenue still had inspection holes that needed to be repaired.

PUBLIC SESSION/FIVE MINUTES PER SPEAKER

Council President Perri opened the public portion of the meeting for any person to speak on any subject.

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
FEBRUARY 18, 2020**

Seeing no one wishing to speak Council President Perri closed the public session.

RESOLUTIONS

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.

On a motion of Councilman O’Neill, second of Councilwoman Madden, all present were in favor of voting by consent agenda on Resolutions 57-2020 through 66-2020.

- 57-2020 Authorizing Execution of an Amended Agreement for Shared Municipal Services
- 58-2020 Authorizing Refund of Overpayment of Taxes
- 59-2020 Authorizing Northfield Fire Department to Apply for a Grant from the New Jersey American Water Company
- 60-2020 Recognizing Family Association of Northfield, Inc. as the Entity Responsible for the Administration of Certain Sporting Programs within the City of Northfield
- 61-2020 Recognizing Northfield Little League as the Entity Responsible for the Administration of Certain Sporting Programs within the City of Northfield
- 62-2020 A Resolution Extending the Term of a Contract with Tri-Care Medical Transportation for Shared Emergency Medical Services in the City of Linwood and the City of Northfield
- 63-2020 A Resolution Memorializing a Grant Application Submitted by the Northfield Police Department for a ‘Cops In Shops’ Grant from the New Jersey Division of Alcoholic Beverage Control, Grant #AL-20-45-05-03
- 64-2020 To Approve an Application for Use of Facilities
- 65-2020 A Resolution Authorizing the Northfield Fire Department to Apply for and Obtain a Grant from the Federal Emergency Management Agency (FEMA)
- 66-2020 To Approve an Application for Use of Facilities

Solicitor Stein read the following Resolution that was added during the work session.

CITY OF NORTHFIELD, NJ
RESOLUTION NO. 66-2020

TO APPROVE AN APPLICATION FOR USE OF FACILITIES

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
FEBRUARY 18, 2020**

WHEREAS, on behalf of Mainland Youth Lacrosse, Mr. George Livingston has properly submitted an Application for Use of Facilities for the 2020 season requesting use of the Football Field for girls ages 10 to 15 lacrosse as follows:

For Practice Only:

Mondays through Fridays, March 2nd - May 15th
from 5:15pm to 7:15pm

and

For Game Play:

(2 of the following 9 dates, due to the possibility of the need to reschedule due to rain)

March 14th, March 21st, March 28th, April 4th, April 11th, April 18th, May 2nd, May 9th and
May 16th
from 9:00am to 5:00pm

WHEREAS, Mainland Youth Lacrosse has requested the use of the bathrooms and lights;
and

WHEREAS, the Football Field bathrooms are operational on a weather-dependent, seasonal basis and are currently closed for the season; and

WHEREAS, Mainland Youth Lacrosse would need to provide port-o-pots at their own expense until such time as bathroom facilities are open for the season; and

WHEREAS, in the event that the Football Field gets re-sodded in 2020, Mainland Youth Lacrosse shall use the Football Auxiliary field for practices only and no games shall be played; and

WHEREAS, the President of the Family Association of Northfield has advised that the Football Field and Auxiliary Field is available for this purpose on the dates requested.

THEREFORE, BE IT RESOLVED, that the Common Council of the City of Northfield hereby approves the Application for Use of Facilities presented by Mr. George Livingston on behalf of Mainland Youth Lacrosse, subject to the full execution of the Use of Facilities Agreement, and compliance with its terms and conditions, the terms and conditions of this Resolution and the current Use of Facilities Guidelines and the representations made in the subject Applications for Use of Facilities.

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 18th day of February, 2020.

Mary Canesi, RMC, Municipal Clerk

Councilman O'Neill motioned, Councilwoman Madden seconded, for adoption of the consent agenda for Resolutions 57-2020 through 66-2020.

Councilman O'Neill thanked Mayor Chau so much for the professionalism in getting the new position filled in a timely manner; he had known Christian for a number of years.

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
FEBRUARY 18, 2020**

Roll Call: Mr. Dewees - absent, Ms. Korngut – absent, Mrs. Madden – yes, Mr. O’Neill - yes, Mr. Smith – yes, Mr. Utts - yes; Mr. Perri – yes; Motion carried.

ORDINANCE

Councilman Smith motioned, Councilman Utts seconded to introduce Ordinance 1-2020, to be read by title only.

1-2020 Calendar Year 2020 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40a: 4-45.14)
First Reading / No Public Input / Published in the Press of AC 2/22/2020
Second Reading / Public Hearing / Final Consideration 3/10/2020

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 9:00am and 4:00pm, Monday through Friday to any member of the public who requests same.

Roll Call: Mr. Dewees - absent, Ms. Korngut – absent, Mrs. Madden – yes, Mr. O’Neill - yes, Mr. Smith – yes, Mr. Utts - yes; Mr. Perri – yes; Motion carried.

PAYMENT OF BILLS \$ 2,470,987.05

Councilman Smith motioned, Councilman Utts seconded, for payment of bills.

Roll Call: Mr. Dewees - absent, Ms. Korngut – absent, Mrs. Madden – yes, Mr. O’Neill - yes, Mr. Smith – yes, Mr. Utts - yes; Mr. Perri – yes; Motion carried.

Council President Perri read the meeting notices.
Council President Perri announced that he needed to abstain from the appeal process that will be at 7:30pm; he called for a motion to appoint a temporary pro-tempore.

Councilman Smith motioned, Councilman Utts seconded, all members present were in favor of naming Councilman O’Neill as temporary Council President pro-tempore and Council President Perri abstaining.

Council President Perri requested a recess until 7:30pm.

At 7:21pm, on a motion of Councilman Smith, second of Councilwoman Madden, all present were in favor taking a recess. At 7:21pm Council President Perri left the meeting and did not return.

7:30PM ANA RECOVERY, LLC – Appeal of rejection/denial of an application to be added to the list of licensed towing operators of the City of Northfield

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
FEBRUARY 18, 2020**

At 7:30pm Council President Pro-tempore O'Neill called the meeting to order.

Council President Pro-tempore O'Neill announced we had an appeal to a rejection denial from a company called ANA; the City Administrator sent out information to everyone.

Solicitor Stein explained that ANA had filed an application to become our fourth tow operator. If filled this would be the fourth and final spot. Part of the process was a background check of all of the applicant's employees; he read Chapter 350 B2 of our municipal code. Any employee who had a crime; NJSA 2C described crimes as certain offenses. The applicant can have persons with disorderly persons offenses, but not crimes. Solicitor Stein stated he would not get in to the names of individuals, but said that Chief Newman would disclose the events and when they occurred. City Council could waive the rejection, upon application, which had been made, and good cause shown, which was up to the applicant to make his case. Council should consider the nature of the event and how long ago the event took place. The applicant had complied with the appeal process; the application should be held at the next available meeting, there may be some leeway there but we have put it on this agenda nonetheless. He noted that Council President Perri has no involvement with this process and has likely left the building. The pro-tempore was not here, so a temporary pro-tempore was elected this evening. There were four voting members of Council, if there was a tie, the appeal would be rejected. He suggested that Council may want to carry this to another meeting, in fairness to the applicant. He asked Council if they had any questions. Once the applicant had made his presentation, Solicitor Stein would ask Chief Newman questions. Council could grant the appeal, deny the appeal, or grant it with conditions, such as the offending employees be fired, or that they not drive in our City. He was not suggesting that Council do that, he was just explaining options. He asked ANA to come forward.

Patrick Aiken, owner, stated that he understood only four members were present and wished to proceed. He towed for other towns that have State Police background checks and there were no issues. He explained that the individuals' offenses were many years ago. All drivers were background-checked every 30 days. Some people have a past. This was a service they provide to the City for free, well for \$500 a year; they tow hundreds of cars and never get paid. He hoped Council would consider these employees, they do a good job. He was prepared to remove them from Northfield's tow list, if that was how Northfield Council wished to proceed. Councilman Smith asked if ANA was located in Somers Point.

Mr. Aiken replied, yes.

Solicitor Stein called Chief Newman forward to describe the offenses.

Chief Newman replied that in 1995 there was a drug distribution charge, a conviction in 1991 for a terroristic threat, and in 2007 for another drug offense.

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
FEBRUARY 18, 2020**

Mr. Aiken stated he was not aware of these offenses; Northfield must do a more thorough check.

Solicitor Stein stated that, in talking with Chief Newman, he disagreed. In some towns ANA lists all drivers, and in others lists only those that work for that town.

Mr. Aiken disagreed; he always listed them all. Perhaps Northfield goes back further. He tried to get the best employees he can. He had talked with both individuals; the offenses were a long time ago.

Chief Newman replied it was non-discretionary as far as our Ordinance was concerned. It may be discretionary in other towns.

Councilman Smith asked what Mr. Aiken's connection was to law enforcement?

Mr. Aiken stated that he was a Police Officer in Lower Township. His staff was very professional. He felt background checks should be updated every year, and said it was a little unfair if other tow operators have been here for years and may have committed a crime. He reiterated that he uses an outside agency to do preemployment background checks, and repeats it every 30 days.

Mayor Chau asked Mr. Aiken if he asked the applicants for employment if they had any offenses.

Mr. Aiken replied, yes.

Mayor Chau asked how long these individuals been with his firm.

Mr. Aiken noted that one had been there for eight years and the other for six years. Mayor Chau asked if this is the first time he applied to Northfield.

Mr. Aiken replied, yes.

Councilman Smith, to Clerk Canesi or Solicitor Stein, asked do we do checks after the tow operator comes on board.

Clerk Canesi replied, no, only on initial application.

Solicitor Stein added once they were on the rotation they stayed on the rotation.

Clerk Canesi replied no; it was a one-year mercantile license, with a renewal. If you don't renew your license you are not on the list.

Solicitor Stein responded that it was the same thing, as long as they renew, they were on the rotation.

Mr. Aiken added that it was an evolving industry that required trained professionals.

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
FEBRUARY 18, 2020**

Council President Pro-tempore O'Neill asked Councilman Utts if he had any questions.

Councilman Utts replied, generally no, but felt we should be checking backgrounds after they come on board.

Council President Pro-tempore O'Neill thanked Mr. Aiken for his professionalism. He felt that based on how long ago the offenses were, and how hard it is to get employees, that he did not have any issue with the appeal.

Councilman O'Neill motioned, Councilman Utts seconded, to approve the appeal.

Councilwoman Madden felt our Ordinance was specific; she knew they were many years ago, it was a concern. This could this set us of for liability in the future.

Solicitor Stein noted the Ordinance did not give discretion to the Chief; it gives Council discretion. In terms of liability, and stuff was remote. If it was the other day, he'd have a different opinion. There was never 'no' liability, but in this case it's slim.

Mayor Chau asked if something should happen mid-year, can Council revisit this or is it etched in stone.

Solicitor Stein asked for an example and then suggested one. Like if we got reports of thefts from cars. If the Chief starts receiving complaints, the Chief would bring them in, and suspend them.

Chief Newman replied he would relay to the Clerk; the Clerk had the authority to suspend.

Clerk Canesi explained that an affirmative vote meant ANA's appeal of the denial was successful.

Roll Call: Mr. Dewees - absent, Ms. Korngut – absent, Mrs. Madden – yes, Mr. O'Neill - yes, Mr. Smith – yes, Mr. Utts - yes; Mr. Perri – absent; Motion carried.

At 8:06pm, on motion of Councilman O'Neill, seconded by Councilman Utts, this meeting was adjourned.

Respectfully submitted,

Mary Canesi, RMC, Municipal Clerk