

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

At 7:34pm, 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 Mayor Chau, followed by a moment of silence.

ROLL CALL

Present (in person): Councilman Dewees Councilwoman Madden; Councilman Notaro; Councilman Perri; Councilman Smith; Councilman Utts; Council President Polistina; Mayor Chau

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

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READING AND APPROVAL OF THE MINUTES

On motion of Council President Polistina with a second of Councilman Dewees, all members present were in favor of approving the minutes of February 16, 2021 without formal reading.

MAYOR'S REPORT

Mayor Chau reported regarding the ACUA contract, the costs would increase .77 % effective May 1st. The annual fee for trash would be \$213,342.75, in addition, the annual fee for recycling would be \$146,830.88; yard waste \$140,883.39 for a total of 43 collections. There would be a meeting with our Library Director and the County Administration regarding the possible concept of joining the County Library system. He did not have hard numbers yet, but Mayor Chau saw many benefits. It would require a Referendum to proceed. He met with representatives regarding County court; many area communities have expressed interest. He would keep everyone informed. He asked for Council's support on Resolution 65-2021, which the County would use to apply for a grant. This resolution did not commit Northfield to joining the County court. He reminded all that the entrance and exit to City Hall are one-way, he had seen a few near-misses. There were signs posted.

Councilwoman Madden asked about the meeting date for the library.

Mayor Chau responded that as of right now it was scheduled for the 9th at 9:30am but it may be rescheduled.

Councilman Perri, to Mayor Chau, asked would the control of the building be under the library or would the citizens of Northfield still be able to use the auxiliary room? He urged Mayor Chau to ask, in the meetings, what the requirements would be for use of the meeting room.

Mayor Chau replied that in initial conversations with the County Administrator was that the building would belong to Northfield and the County would pay rent, Mayor Chau would check.

Councilman Perri reiterated that his concern was would citizens of Northfield still be able to use the meeting room, without the insurance requirements, hold harmless, etc.? He asked what would be the protocol for residents to use the facility?

Councilman Notaro asked would the County be leasing the building? He suggested it could be incorporated into the lease.

Councilman Perri stated that the Library tax was a separate line, there was no savings.

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Mayor Chau replied that where we would see savings was that the staff were no longer part of the City payroll system, the costs, benefits etc. Another would be cost of computer upgrades, magazines, etc., we would no longer bear that expense. We would also have the resources of the County system.

Mayor Perri would have to see what the final dollars are, and the public would have a say.

Councilman Smith appreciated Mayor Chau including him as the Shared Service Chair, but he won't be able to attend the meeting, he urged any member of Council to submit their questions to Mayor Chau. Councilman Smith was interested in seeing the results.

CITY ENGINEER'S REPORT

Engineer Nassar reviewed the Engineer's Report as previously distributed to the Council. He reported that final inspection had been completed for Shepherd Drive, the NJDOT had found it to be in substantial compliance, the core sampling had been submitted, he hoped to bring the final change order, and close out the project with the final payment, under budget. Regarding the municipal parking lot, the tentative start date for paving would be March 21st, the prefab ramp installation would take about a week. Mayor Chau had requested a small section be paved, 10'x40', in the back, he needed Council's approval to proceed. The cost could be approximately \$1,000.00.

Mayor Chau added that during the budget meetings, he requested a container that was approximately \$6,000.00 and CFO Stollenwerk advised funding was available. It would replace our current shed, which Councilman Notaro inspected and found to be at capacity. The Police Department storage needs were not being met; he knew Council cannot fund a new building so Mayor Chau looked in to a storage container. He noted the Volunteer Fire Company has had one for several years, as long as he can remember. He offered stone or gravel as an alternative.

Engineer Nassar responded that for the long term, asphalt was a better solution.

Councilman Perri noted that he didn't have an issue with the pad, but he questioned a 40' metal container in a residential area. He was not sure our Land Use Ordinance would allow it.

Mayor Chau replied that it would be surrounded by vegetation.

Councilman Dewees felt a shed would look better than a metal container; he had seen the one at the fire house.

Mayor Chau asked if Council would be willing to purchase a 40' shed?

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Councilman Dewees, to Councilman Notaro: asked what was in the shed now and did they need that much storage?

Councilman Perri reiterated that the unit would be unsightly to the neighbors.

Councilman Dewees stated that he would speak with Chief Newman tomorrow.

Councilman Perri noted setbacks, drainage, etc.

Mayor Chau stated this was brought up during the budget meetings.

Councilman Dewees added it was brought up last year and was turned down.

Mayor Chau replied that he had the right to bring it up again.

Council President Polistina would evaluate alternative storage.

Councilwoman Madden commented that she saw a picture of the containers and believed that architects have made houses out of them. With some creativity, she suggested a community artisan to paint it, it could be quite nice.

Mayor Chau had suggested it be painted, landscaped. The Police Department had insufficient storage.

Councilman Dewees reiterated that he would contact Chief Newman to ascertain what his storage needs were.

Council President Polistina asked to have something by the next meeting so Council could consider whether we needed to fund the asphalt.

Engineer Nassar, regarding the 2020 Local Road Program, advised that the contractor should be complete with drainage on Maple Avenue by Thursday, then paving in 60 days. The area near Public Works required relocation of a water main, Engineer Nassar spoke with NJAMW to ensure this was done.

Councilman Smith asked if Engineer Nassar had recommendations for next year's paving project?

Engineer Nassar replied that Council could provide any suggestions over the next few months.

Councilman Dewees asked Engineer Nassar about a driveway on Shepherd that had been the source of complaints.

Engineer Nassar replied that the area was pitched backwards and historically low, they could not raise it any more than they did without causing further problems.

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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.

Eileen Toland, 4304 Dolphin Avenue, Northfield (speaking via Zoom) – advised that 21 million background checks were done in the year 2020, an 8 million increase over 2019. Gun deaths in NJ were up 21% in 2020. 60% of suicides were due to guns and the same percentage of domestic violence incidents involved guns. How many NJ residents would still be alive if it weren't for guns? This Resolution was moot because the Council had no authority. This should be put on the ballot for residents to decide. Mrs. Toland noted that the residents who spoke in favor of the Resolution were all from towns other than Northfield. It was very difficult to hear some of the comments, but she caught something about teaching children about gun safety. She had a 4-year-old granddaughter and could not imagine that. To Ms Hickerson: you really didn't need to thank Mr. Notaro, since he was part of your organization. It was nice to see that his crossed guns that cover the City seal off of his Facebook page. She said Councilman Notaro threatened her on Facebook.

Councilman Notaro stated he did not recall that.

Mrs. Toland reminded all that they swore to uphold the Constitution.

Mayor Chau, to Council President Polistina, asked was there somewhere in the Resolution that you want to change the Constitution?

Councilman Notaro replied no, just supporting the Constitution.

Mayor Chau asked were you supporting teaching children to use guns?

Council President Polistina replied that was a comment made during the public session.

Councilman Notaro replied that some people choose to raise their children a certain way, Councilman Notaro didn't know if he would do that. He was just trying to uphold the Constitution.

Mayor Chau stated this was a Resolution, this was not an ordinance. It was just a statement of whoever votes in favor of it, supports.

Councilman Perri commented that it did state that if legislation were changed, we would not approve it. The 2nd Amendment was that one of many that we take an oath

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of office to support. He reiterated that approving the Resolution opposes laws at a Federal or State level. He did not remember ever having opposed the Constitution. He would not go against the government of the United States. He felt it was unbelievable how much time had been spent on this.

Councilman Notaro felt Councilman Perri exaggerated the number of hours.

Councilman Perri rephrased to 20 hours.

Councilman Notaro noted that Absecon was 99% democrat.

Councilman Perri stated, take the politics out of it.

Councilman Smith asked if the insertion of the word proposed in front of legislation would make a difference to Councilman Perri?

Councilman Perri replied, no.

Councilman Smith did not think anyone here was going to oppose any law that was passed. It was Councilman Smith's understanding is that we were opposing proposed legislation, not necessarily legislation that existed or may exist in the future.

Councilman Polistina asked wouldn't legislation have to amend the Constitution?

Councilman Perri responded or through the court.

Councilman Notaro felt it was a blessing in disguise that it gives the people a mouthpiece.

Sandy Hickerson, 210 Upland Avenue, Absecon, said this was a Resolution, not an ordinance it does not change any existing laws. This was to help stop upcoming laws. If they were not successful, they will not break the law. It was a heated subject, but this was to help stop laws from becoming laws. For the record Mr. Notaro was not part of her organization. Yes, she lived in Absecon, but lived in Atlantic County. She reiterated that she would like the Council to strike references to gun manufacturers.

Councilman Notaro asked where one of the public speakers lived.

Ms. Hickerson replied Northfield. She referred to Dominic Branca and his speaking of teaching gun safety to a 4-year-old. The Eddie Eagle Program teaches children to stop, don't touch and run away.

Shelly Kennedy, Atlantic Highlands (speaking via Zoom), commended the Council for the robust debate. The Resolution was non-binding, it was just expressing the sentiment of the governing body. She gave examples of why tools should not be

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blamed, for example texting and driving was bad but no one was proposing banning cars. She thanked Council.

Amanda Minarik, 916 Second Street (speaking via Zoom) wanted to again bring up the question of why Northfield was aligning themselves with towns that have adopted similar Resolutions and are now refusing to uphold laws. Even if our law enforcement personnel do not refuse to uphold laws, we are aligning ourselves with those who do. It was dangerous for Northfield to say it would oppose legislation. Litigation was expensive. What is to stop someone from coming in to Northfield and breaking laws. Councilman Notaro said this was not taking much time, just this meeting, this evening was 2 hours and 40 minutes. She asked Councilman Notaro if he was aware of other states and towns that were not enforcing gun laws?

Councilman Notaro replied no, but asked for examples.

Mrs. Minarik provided examples from Oregon, West Virginia, Colorado, New Mexico, Washington State, and Fayette and York Counties in Pennsylvania.

Eric Leeds, 802 Debora Street, Northfield, said he knew, having spoken with Councilmen Notaro and Polistina, that both have supported the rights of the 2nd amendment, as did those who voted for them.

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

At approximately 8:34pm Mayor Chau left the dais, he returned at 8:44pm

RESOLUTIONS

Councilwoman Madden commented regarding the 2A resolution. This was not about Absecon or any other town, this was about Northfield. This organization came to the Council before, under a different name, and it never made it to a Resolution, for a reason. The grass roots... organization was a lobbying organization and they want to stop upcoming laws. She had heard from Northfield residents tonight that this was not what Northfield wanted, she felt it was not something that will make Northfield proud and agreed with Councilman Perri about what it meant. She cited an Atlantic City Press article that relayed how NJ gun laws work and that they were rated A. She shared details of mass shootings and that the guns involved were legally purchased. She opposed to the Resolution.

Councilman Notaro would like to take Councilman Smith's suggestion and add the word proposed and strike certain language about gun manufacturers. He did not feel they should be responsible for the actions of gun users.

Councilman Utts said he was almost sorry he asked questions last night. As far as gun manufacturers not being liable, they are probably the only manufacturer not held

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liable. He cited car manufacturers who only improved vehicle safety because of litigation. He felt product liability was key, which is why he was willing to work with Councilman Notaro. The United States far outstrips other countries in gun deaths. This country had a gun problem, and standing up and saying we were opposed to legislation, does not do it for him. He would be opposing the legislation.

Councilwoman Madden said she constantly hears phrases 'lawful gun ownership' and 'infringing on rights'. It was wearing thin. The 2nd Amendment was written in the 1700's when the weapon of choice was a musket, not an AK15.

Councilman Notaro noted that what a legal gun owner does with his AK15 is his prerogative.

Solicitor Facenda suggested a motion to amend, and seconded, with amendments set forth; if that passes, then the Resolution gets voted on in due course.

Councilman Notaro motioned, second of Councilman Smith to amend Resolution 64-2021.

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

Councilman Notaro motioned, second of Councilman Perri to adopt Resolution 64-2021 as amended (added text underlined, deleted text stricken), as follows:

**“CITY OF NORTHFIELD, NJ
RESOLUTION NO. 64-2021**

RESOLUTION CONCERNING THE SECOND AMENDMENT

WHEREAS, the Second Amendment of the United States Constitution reads: “A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.”; and

WHEREAS, upon information and belief, the State of New Jersey was the first state to ratify the Bill of Rights; and

WHEREAS, while the Common Council for the City of Northfield fully supports and promotes gun safety and lawful gun ownership and use, it is opposed to any proposed legislation that could have the effect of infringing on the rights of law-abiding citizens to keep and bear arms and that may be contrary to those rights provided by the Second Amendment of the United States Constitution.

WHEREAS, the Common Council of the City of Northfield recognizes that firearm safety is a public health issue but is concerned about the passage of any proposed law

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without significant positive impact on public health containing language which could be interpreted as infringing on the rights of the citizens of the City of Northfield; and

WHEREAS, the Common Council of the City of Northfield supports and encourages: (i) the efforts of firearms manufacturers and community organizations to promote gun safety, gun safety mechanics and safer gun laws, as well as increased resources for firearms safety education, without undue burden on responsible gun owners; (ii) opposes proposed laws that inhibit the law abiding citizen's Second Amendment rights; ~~and (iii) recognizes that the burden of product liability belongs on firearms manufacturers and irresponsible firearms use and ownership.~~

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Northfield opposes any proposed legislation that is inconsistent and contrary to the rights provided by the Second Amendment of the United States Constitution.

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 March, 2021.

Mary Canesi, RMC, Municipal Clerk”

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

On a motion of Councilman Notaro, second of Councilman Perri, all members present were in favor of voting by consent agenda for Resolutions 57-2021 through 63-2021 and 65-2021 through 66-2021.

- 57-2021** A Resolution of the Common Council of the City of Northfield Authorizing the Removal of Personal Property No Longer Needed or Suitable for Public Use
- 58-2021** To Approve an Application for Use of Facilities – Mens’ Senior League Baseball
- 59-2021** To Approve an Application for Use of Facilities – Northfield Cardinals
- 60-2021** To Approve an Application for Use of Facilities – South Jersey Surf
- 61-2021** To Approve an Application for Use of Facilities – South Jersey Ospreys 10U
- 62-2021** To Approve an Application for Use of Facilities – 9U SJ Sand Sharks
- 63-2021** A Resolution to Cancel Grant Balances
- 65-2021** Resolution Supporting the Exploration of Feasibility for a Shared and/or Joint Municipal Court
- 66-2021** A Resolution Extending A Contract with Tri-Care Medical Transportation for Shared Emergency Medical Services in The City of Linwood And the City of Northfield

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Solicitor Facenda read Resolution 66-2021, authorized to be added to the agenda by the Council during the Work Session portion of this meeting, into the record.

**“CITY OF NORTHFIELD, NJ
RESOLUTION NO. 66-2021**

**A RESOLUTION EXTENDING A CONTRACT WITH TRI-CARE
MEDICAL TRANSPORTATION FOR SHARED EMERGENCY
MEDICAL SERVICES IN THE CITY OF LINWOOD AND THE CITY OF
NORTHFIELD**

WHEREAS, on February 28, 2021 the term of a shared service agreement between the Cities of Linwood and Northfield (hereinafter the Cities) and Tri Care Medical Transportation for the provision of shared emergency medical services ended; and

WHEREAS, the Cities of Linwood and Northfield are desirous of extending said agreement for an additional period of ninety (90) days, commencing March 1, 2021 at a cost of \$5,000 per month to the City of Northfield and \$5,000 per month to the City of Linwood, for a total of \$10,000 per month.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Northfield that, contingent upon the City of Linwood also approving said extension, that the Agreement for Basic Life Support for shared emergency medical services in the City of Linwood and the City of Northfield be and is hereby extended for a period of ninety (90) days under the same terms and conditions as set forth in the agreement with the exception of the monthly compensation as set forth herein.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk be and are hereby duly authorized, empowered and directed to execute any documents to effectuate the purpose and intent of this resolution.

I, Mary Canesi, RMC, Municipal Clerk of the City of Northfield, do hereby certify that the foregoing resolution was duly adopted at a Meeting of Northfield City Council, held this 2nd day of March, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 2nd day of March, 2021.

Mary Canesi, RMC, Municipal Clerk
Erland Chau, Mayor”

Councilman Notaro motioned, second of Councilman Perri, to adopt the consent agenda for Resolutions 57-2021 through 63-2021 and 65-2021 through 66-2021.

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Councilman Perri spoke; regarding Resolution 66-2021, he stated that for the monthly premium and what we are going to spend on EMS, we could bring this back in house, it should be considered. We could start billing.

Councilman Notaro and Councilwoman Madden wanted to explore as well.

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.

ORDINANCES

Councilwoman Madden motioned, second of Councilman Dewees, to introduce Ordinance 3-2021.

3-2021 An Ordinance Amending Section 215 of the Code of the City of Northfield Governing Land Use and Development
Introduction / No Public Input / Published in the Press of AC 03/06/2021
Referral to Planning Board 03/02/2021
2nd Reading / Public Hearing / Final Consideration 04/06/2021

The Municipal Clerk 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. In accordance with Municipal Land Use Law, the ordinance would be referred to the Planning Board, who then had 35 days to comment.

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 \$1,021,883.56

Councilman Smith motioned, Councilman Dewees 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 Utts read the meeting notices.

At 9:05pm, on motion of Councilman Utts, seconded by Councilman Smith, this meeting was adjourned.

Respectfully submitted,

Mary Canesi, RMC, Municipal Clerk