

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
MARCH 23, 2010**

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: Mr. Martinez, Mr. O’Grady Mr. Perri, Mr. Smith, Mr. Vain, Mr. Carew

Absent: Mrs. Kern (*Mrs. Kern was not present for roll call, but entered the meeting at 7:10pm.*)

Fran Ballak was in attendance for City Solicitor Keith Bonchi. Ed Stinson was in attendance for City Engineer Matt Doran.

READING AND APPROVAL OF MINUTES

Motion by Councilman Martinez, second by Councilman Vain, to dispense with the reading of the minutes of March 2, 2010 and March 9, 2010. They have been posted, distributed to Council and are on file in the Municipal Clerk’s Office. All present in favor, motion carries for approval of minutes.

COMMITTEE REPORTS

Councilman Martinez announced that the planning board meeting on April 1st will be their 2nd meeting of the year. The next Allsports meeting will be on April 14th; their number one priority will be the maintenance of the fields. He believes a decision has been made with regard to shared-services grounds fertilization.

Councilman Perri met with the sewer inter-local committee from Linwood and discussed a reallocation of the split to closer to 50/50. They may need one more meeting and then the contract can be finalized.

Councilman Vain met with Atlantic County regarding drainage problems on Oak and Madison; he provided a description of planned work in the area. The flashing light at Zion and Oak is in the final planning stages and should be installed in the next few weeks, as will the Shepherd Drive speed hump. Vain said due to residents’ concerns about the parking situation while school is in session, he’d like to extend the 2-hour parking zone on Cedarbridge further up towards Wabash; he asked for Council's opinion.

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Chief James explained the parking enforcement measures in use on Cedarbridge; Councilwoman Kern suggested asking those parking in the area to be more courteous when parking close to people's driveways. Vain agreed to continue to observe the parking situation for a bit, after which Council can make a decision.

Councilwoman Kern announced that she arrived late as a result of attending the viewing for Mrs. Barbara Yankuskie, a long-time Northfield School Crossing Guard who recently passed away. She offered her condolences to Mrs. Yankuskie's family, and thanked them for her service to the City.

Councilman Smith said an agreement has been reached for shared-service fertilization services with NCS, and suggested extending the agreement to other towns in the future. He attended the school board meeting last night and recapped the changes they have made in response to budget challenges. The budget still has to be voted on but he commended them for a job well done.

Councilman O'Grady said the Library Board has agreed to give back \$55,000 via the Moriarty bill. He noted that national Library Week is April 12th-17th and listed several events. Today was the deadline for local government energy audit proposals. We received 3; he will report at the next meeting.

COUNCIL PRESIDENT'S REPORT

Council President Carew said the snack bar bids for Birch Grove Park came in over project estimates; all bids will be formally rejected and the plans will be reviewed. He hopes to rebid the 1st week in April.

MAYOR'S REPORT

Mayor Mazzeo said he had a meeting with Diane Cheatham from Atlanticare as a follow up to the last year's Wellness Van event. He will be working with Atlanticare to develop the Mayor's Wellness Program and a committee is needed to assist with continuing education. Mazzeo said Chief James has already agreed to participate, and asked for representatives from Council. President Carew suggested EMS Chair Councilman Smith. Mazzeo said the City's budget is now \$517,000 over the levy cap. Some concessions have been made but things will have to move faster with regard to where cuts will be made while still maintaining services. He mentioned a letter from a resident complimenting Detective Steve Steinecke as a good role model for kids. Mazzeo read statistics from the police department report for February and mentioned humorous statistics from the 1937 police report for the same month, as taken from the Historical Society's newsletter.

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President Carew thanked CFO Dolcy for her help with the budget, and asked to meet with Dolcy and Mazzeo tomorrow. The next budget meeting will be March 30th at 6:00pm.

ENGINEER'S REPORT

The City Engineer's report was provided to Mayor and Council and is on file in the Municipal Clerk's office. There were no updates.

RESOLUTIONS/CONSENT AGENDA

Councilman Smith motioned, Councilman O'Grady seconded for a consent agenda for resolutions 53-2010 through 59-2010.

Council President Carew noted that resolutions 58-2010 and 59-2010 were Executive Sessions of Council, and would take place at the conclusion of the regular meeting.

Roll call: Mrs. Kern – yes; Mr. Martinez – yes; Mr. O'Grady – yes; Mr. Perri – yes; Mr. Smith – yes; Mr. Vain – yes; Mr. Carew – yes. Motion carries.

- 53-2010** Refund of Overpayment of Taxes on Block 59 Lot 2.04
- 54-2010** Authorizing Cancellation of a Tax Sale Certificate
- 55-2010** Refund of Remaining Escrow from Planning Board
- 56-2010** Award of Contract 2009-2010 Paving Project
- 57-2010** To Appoint Kevin Dixon as Conflict Engineer for the Burton Avenue Estates Project
- 58-2010** 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 Pending Litigation In The Matter Of Willie Williams v. Northfield Police Detective Michael Buccafurni, Case 1:09-CV-06192-NLH-AMD
- 59-2010** 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 Potential Litigation Against The City Of Northfield, The Northfield Fire Department, And The Northfield Police Department By Dr. Charles Boxman, DPM

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Councilman Smith motioned, Councilman O'Grady seconded to adopt resolutions 53-2010 through 59-2010.

Roll call: Mr. Martinez – yes; Mr. O'Grady – yes; Mr. Perri – no; Mr. Smith – yes; Mr. Vain – yes; Mr. Carew – absent; Mrs. Kern – yes. Motion carries.

ORDINANCES

On a motion of Councilman Vain, second of Councilman Smith, all in favor of reading Ordinance 3-2010 by title only.

3-2010 An Ordinance to Amend Section 35-12 of the Northfield Municipal Code
Introduction/No Public Input/Published in the Press 3/27/2010
Public Hearing/Final Adoption 04/13/2010

Roll call: Mrs. Kern – yes; Mr. Martinez – yes; Mr. O'Grady – yes; Mr. Perri – yes; Mr. Smith – yes; Mr. Vain – yes; Mr. Carew – yes. Motion carries for introduction of Ordinance 3-2010.

On a motion of Councilman Perri, second of Councilman Vain, all in favor of reading Ordinance 4-2010 by title only.

4-2010 An 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 3/27/2010
Public Hearing/Final Adoption 04/13/2010

Roll call: Mrs. Kern – yes; Mr. Martinez – yes; Mr. O'Grady – yes; Mr. Perri – yes; Mr. Smith – yes; Mr. Vain – yes; Mr. Carew – yes. Motion carries for introduction of Ordinance 4-2010.

PAYMENT OF BILLS

Councilman Smith motioned, Councilwoman Kern seconded, for payment of bills in the amount of \$ 2,107,085.40. Councilwoman Kern and Councilman Vain announced their abstentions from certain line items on the bill list.

Roll call: Mr. Martinez – yes; Mr. O'Grady – yes; Mr. Perri – yes; Mr. Smith – yes; Mr. Vain – yes; Mr. Carew – absent; Mrs. Kern – yes. Motion carries.

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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.

Carol Tadley, 2505 Oak Avenue, received a delinquent property tax bill that included a late fee. She feels online payments should be accepted and that weather-related delays in mail delivery should be considered if payments are late. Council President Carew said there may be a statutory requirement in place. Councilman O'Grady stated that in the past online payments were not cost effective, but may be now

Seeing no one else from the public wishing to speak, President Carew closed the public session.

Councilman Martinez read the meeting notices.

EXECUTIVE SESSION OF COUNCIL

The Municipal Clerk read the Paff injunction under which the City of Northfield has been bound with regard to closed sessions of Council, and read Resolution 58-2010 by title.

58-2010 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 Pending Litigation In The Matter Of Willie Williams v. Northfield Police Detective Michael Buccafurni, Case 1:09-CV-06192-NLH-AMD

Solicitor Ballak announced that strategy would be discussed during the closed session and therefore the minutes may never be released.

At 7:46pm, Council entered closed session; they remained in Council chambers. At 7:58pm, on motions properly made and seconded, the closed session was adjourned and Ballak announced a summary for the record as follows: the case we've been made aware of was discussed including defense strategy with regard to addressing the matter. The minutes of this closed session will not be released to the public.

EXECUTIVE SESSION OF COUNCIL

The Municipal Clerk read the Paff injunction under which the City of Northfield has been bound with regard to closed sessions of Council, and read Resolution 59-2010 by title.

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59-2010 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 Potential Litigation Against The City Of Northfield, The Northfield Fire Department, And The Northfield Police Department By Dr. Charles Boxman, DPM

Solicitor Ballak announced that the session was being convened to discuss a tort claim notice received as a result of the fire at the medical building; as strategy will be discussed it is not anticipated that minutes will be made available to the public.

At 8:00pm, Council entered closed session; they remained in Council chambers. At 8:04pm, on motions properly made and seconded, the closed session was adjourned and Ballak announced a summary for the record as follows: during the closed session we discussed a notice of tort claim received from Dr. Charles Boxman and potential defense strategy in the event litigation is pursued. It is unlikely minutes will be released.

At 8:05pm, on motions properly made and seconded, this meeting was adjourned.

Respectfully submitted,

Mary Canesi, RMC, Municipal Clerk