

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
APRIL 12, 2022**

At 7:03pm this meeting was called to order by Municipal Clerk Mary Canesi, who welcomed the audience. This meeting was properly advertised in the Press of Atlantic City in accordance with Public Law 75, Chapter 231, on January 8, 2022.

FLAG SALUTE

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

ROLL CALL

Present: Councilwoman Bucci; Councilman Dewees; Councilman Leeds; Councilman Notaro; Councilman Utts; Council President Polistina; Mayor Chau

Absent: Councilman Smith

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

READING AND APPROVAL OF THE MINUTES

On a motion of Councilwoman Bucci with a second of Councilman Dewees, all members present were in favor of approving the minutes of March 22, 2022 without formal reading.

MAYOR'S REPORT

Mayor Chau reported there was an active shooter drill at NCS, it was very well attended by local agencies. He gave kudos to our Office of Emergency Management staff and all participants. He received a letter from County Executive Levinson, the County has been approached by the Diocese of Camden to develop senior housing on County property. County Executive Levinson was participating and asked for City participation at a meeting with the Diocese. This would assist with our affordable housing obligations. He asked Council President Polistina to designate representatives.

Council President Polistina asked for volunteers.

Councilwoman Bucci and Councilman Notaro offered.

Mayor Chau advised he would coordinate with Councilwoman Bucci and Councilman Notaro.

Council President Polistina would work with them as well.

CITY ENGINEER'S REPORT

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Engineer Nassar reviewed the Engineer’s report as previously distributed to Council. Engineer Nassar reported the slip lining was complete, they would fix the problem at Roosevelt and Route 9. He explained the Change Order that was on the agenda this evening. NJ American Water was still working, they moved to Hemsley and should be wrapped up this week; then the company would have about four weeks to complete the lines. The contractor started the project on Merritt and Ridgewood; they should be complete in three weeks.

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.

Seeing no one wishing to speak, Council President Polistina closed the public comment portion of this meeting.

RESOLUTIONS

Council President Polistina stated that “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 of funds 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.”

Council President Polistina reminded all that Resolution 92-2022 would be voted on separately at the request of Councilman Leeds.

- 91-2022** Work Change Order No. 1 – Final Slip Lining Portion of the Existing Sanitary Sewer Mains
- 93-2022** Resolution Approving Settlement Agreement and Consent Order
- 94-2022** 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 (7) (b) (7) Regarding Matters Falling within the Attorney Client Privilege

On motion of Councilman Utts, seconded by Councilman Notaro all members present were in favor of voting on Resolutions 91-2022 and 93-2022 through 94-2022, by Consent Agenda.

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Councilman Utts motioned, Councilman Notaro seconded, to adopt the Consent Agenda.

Roll Call: Mrs. Bucci – yes; Mr. Dewees- yes; Mr. Leeds – yes; Mr. Notaro – yes; Mr. Smith – absent; Mr. Utts – yes; Mr. Polistina – yes; Motion carried.

92-2022 A Resolution Authorizing the Chief Financial Officer to Execute a Contract with an Approved State Contract Vendor Pursuant to N.J.S.A. 40A:11-12a

Councilman Utts motioned, Councilman Notaro seconded, to adopt Resolution 92-2022.

Roll Call: Mrs. Bucci – yes; Mr. Dewees- yes; Mr. Leeds – abstain; Mr. Notaro – yes; Mr. Smith – absent; Mr. Utts – yes; Mr. Polistina – yes; Motion carried.

PAYMENT OF BILLS \$ 2,170,474.71

Councilman Dewees motioned, Councilman Leeds seconded, for payment of bills.

Roll Call: Mrs. Bucci – yes; Mr. Dewees- yes; Mr. Leeds – yes; Mr. Notaro – yes; Mr. Smith – absent; Mr. Utts – yes; Mr. Polistina – yes; Motion carried.

Councilman Leeds read the meeting notices.

Council President Polistina announced the Executive Session for Resolution 94-2022.

EXECUTIVE SESSION

94-2022 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 (7) (b) (7) Regarding Matters Falling within the Attorney Client Privilege

Clerk Canesi announced to the members of the public who were participating via Zoom that when the Executive Session commenced, she would be muting the audio, and the video would be temporarily paused. Council would resume the public session, including reactivating the audio and video, as soon as the Executive Session concluded and a public statement would be made for the record.

The Municipal Clerk read the resolution by title. Clerk Canesi further 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. She deferred to the Solicitor for further explanation.

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Solicitor Facenda announced that the matter to be discussed was specifically preparation and review of a Developer's Agreement, with special counsel for the City of Northfield, requiring confidentiality and attorney client privilege. 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 remain in Council Chambers and return to the general public when the Executive Session is complete for a short statement.

At 7:16pm Council entered Executive Session, and remained in Council Chambers.

At 7:36pm the Executive Session of Council was adjourned, and the Regular Meeting resumed in Council Chambers.

Solicitor Facenda announced that the Executive Session had concluded. Council met with Special Counsel, the matters discussed were specifically the contents, terms and conditions of a Developers Agreement. Matters discussed were attorney client privileged and confidential and will remain that way. The minutes would be kept and made available when permitted and required by law. The timeframe for the release of those minutes is unknown. No official action will be taken tonight.

Clerk Canesi asked Special Counsel Holm to comment on Block 66, Lot 11. We had a private party interested in purchasing it. Before offering it to the private party, Clerk Canesi asked Ms Holm to explain the general process if we were to donate the land to a group such as Habitat for Humanity, instead.

Counsel Holm stated that we'd enter into a developer's agreement with Habitat For Humanity, there was an Atlantic County division. The City would donate the land, and Habitat would receive funding and they may ask for a contribution from the City, there was a community-build component to it. They follow the affirmative marketing process; it takes a little longer because that person has a sweat-equity component.

Councilwoman Bucci asked why we picked Habitat; there were Veterans organizations that build homes for disabled vets.

Counsel Holm noted Habitat was not the only game in town but it's hard to find a developer that does small projects, its' the best fit for an affordable housing project. The issue was that in 90 days if they don't have a qualified Veteran in 90 days it has to be marketed to the general public. Veterans usually want a requirement that it be reserved for Veterans. Bergen County United Way also does small projects.

Clerk Canesi summarized: we just need to get the ball rolling.

Counsel Holm confirmed, and added that the small developers usually do stacked flats or townhouses.

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Councilman Notaro asked if it generated tax revenue?

Counsel Holm replied it's an adjusted tax rate.

Solicitor Facenda asked if this was something we'd do by RFP?

Counsel Holm replied you could, but it's not required.

Solicitor Facenda felt if not required, we may not want to assume the expense and time of an RFP.

Council President Polistina then formed a committee to explore the issues; members are Councilman Utts, Councilman Dewees and himself.

Solicitor Facenda suggested Homes For All may be interested in developing the parcels we currently own.

At approximately 7:47pm, on motions properly made and seconded, this meeting was adjourned.

Respectfully submitted,

Mary Canesi, RMC, Municipal Clerk