

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
APRIL 24, 2012**

At 7:00 pm, 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: Mrs. Brown, Dewees, Mr. O'Neill, Mr. Perri, Mr. Polistina, Mr. Vain, Mr. Carew

Mayor Vincent Mazzeo, CFO Dawn Stollenwerk, City Engineer Matt Doran, Police Chief Robert James, and City Solicitor Keith Bonchi were also in attendance.

VETERAN HONOREE FOR THE MONTH OF MAY

Councilman Vain introduced May's Veteran of the Month honoree, Lieutenant Colonel Wayne Palaia. Lieutenant Colonel Palaia is the Deputy Group Commander of the 177th Maintenance Group, New Jersey Air National Guard, based at the Atlantic City International Airport, in Egg Harbor Township. Lieutenant Colonel Palaia enlisted in the New Jersey Air National Guard in 1986 and served until 1991, when he was commissioned as a Second Lieutenant. After completing basic training, he was assigned to the 3371st Student Squadron, at Chanute Air Force Base in Illinois, where he trained as a Fuels Specialist. Following completion of that training, he was assigned to the 177th Resource Management Squadron, Atlantic City Air National Guard Base, where he performed as a Fuels Specialist servicing military with jet fuels and liquid cryogenics. Following graduation from the Academy of Military Science, McGhee Tyson Air National Guard Base, Tennessee, he began his service as a commissioned officer (2nd Lieutenant) in February 1992, as a Supply Officer. In March of 1996 he followed a Logistics career field and assumed responsibility as the Officer In Charge of Operations Support. Subsequent duty assignments included Officer in Charge of Weapons System Support and Officer in Charge of Sortie Generation Flight. He assumed command of the 177th Maintenance Squadron in July 2004 and then in May 2011 was assigned and presently serves as Deputy Group Commander of the Maintenance Group. Lt Col Palaia and his wife Susan reside in Northfield and have two children, John "Jack" and Joseph "Joey". Some of the major awards Lieutenant Colonel Palaia has received include the Meritorious Service Medal with one Oak Leaf Cluster, Air Force Commendation Medal, Air Force Achievement Medal, Meritorious Unit Award, Air Force Outstanding Unit Award, Air Reserve Forces Meritorious Service Medal with one Oak Leaf Cluster, National Defense Service Medal with one Oak Leaf Cluster, Global War on Terrorism Service Medal, AF Longevity Service Award Ribbon with

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two Oak Leaf Clusters, Armed Forces Reserve Medal with Hour Glass, and the AF Training Ribbon with one Oak Leaf Cluster. Vain thanked Lieutenant Colonel Palaia for his continued service to Northfield and to the United States, and presented him with a certificate of appreciation. He also said that Northfield is lucky to have Palaia as a member of our Northfield Veterans' Park committee, where he has proven to be a valuable resource to the planned construction of the park.

Lieutenant Colonel Palaia spoke, and said he enlisted for the educational benefit and came to appreciate, as a reservist, the minuteman type status that this brought as a member of part-time military. Palaia said he has seen countless military operations in the United States and elsewhere. It is a very personal decision to join military, not one for public recognition. He greatly appreciates that Northfield is recognizing those who serve and have served.

Mayor Mazzeo added that Lieutenant Colonel Palaia was the keynote speaker in two of the last five Memorial Day parades in Northfield, and said his contributions are greatly appreciated.

At 7:11pm, Council President Carew announced a brief minute recess.

AGENDA REVIEW

At 7:13pm, Council President Carew resumed the meeting and reviewed the agenda.

READING AND APPROVAL OF THE MINUTES

Motion was made by Councilman Perri, Second by Councilman Dewees to dispense with the reading of the minutes of February 28, 2012. They have been posted, distributed to Council and are on file in the Municipal Clerk's Office.

Roll call: Mrs. Brown – yes; Mr. Dewees – yes; Mr. O'Neill – yes; Mr. Perri – yes; Mr. Polistina – yes; Mr. Vain –yes; Mr. Carew – yes. Motion carries.

COMMITTEE REPORTS

Councilman Perri said Mr. Webb did a presentation on trains and trolleys at the recent Senior Meeting; he thanked Mr. Webb. Perri said the Committee will meet this week and the next open meeting will be May 17th at 7pm. They are looking to develop a long term plan; all are welcome. Perri said the Sewer Interlocal Committee will meet Thursday at 5pm; he hopes to finalize their agreement.

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Councilman O'Neill said Mainland is looking to increase their budget by 1 cent, the average Northfield tax increase will be about \$18. No vote will be taken. He said Bernadette Daley was named Atlantic County teacher of the year. O'Neill said he did an IT inventory over the past week and sent a list to the Finance Chair and to the CFO. He said we have been paying for services we don't need. He will contact our vendor to determine if a refund is due. O'Neill also made a suggestion to outsource the City's mail server, possibly to the firm used by the Northfield school. He said he is looking at one other firm as well. He is looking at bringing in a DSL business line; this will save us money, possibly as much as \$25,000. He added that the average computer in Northfield is 7-8 years old; we may want to look at upgrading.

Councilman Vain referred to a letter in today's AC Press that misrepresented his role in the EMS service contract; Vain said he is not a member of the EMS Committee and has never attended any meeting with Atlanticare. He worked with Polistina and with Linwood on the terms of new RFP for EMS service, which should go out at the end of the month. Vain met with the Veterans' Park Committee; he said the group is making progress. He thanked City Engineer Doran for the pro bono work on the park, and Robbie Dollard and Lt Colonel Wayne Palaia as well. Vain said the City will go out for RFP to get a cost for the monument and for pavers. He is working with Solicitor Bonchi to ensure compliance with the terms of the Green Acres Grant.

Councilman O'Neill requested a copy of the RFP for EMS service before it is published. He said he has no information on what is going on with Atlanticare. Councilman Polistina advised that there will be a public forum on April 30th to get input on future ambulance service. O'Neill asked if there have been conversations with Linwood; has this already been decided? Vain replied that they met with Linwood last month and a week ago. Councilman Perri asked who changed the protocol in allowing Atlanticare to track their own times. Polistina replied that they were reporting their own times because they were being dispatched through Medcom.

Solicitor Bonchi spoke, and said the City had to deal with non renewal and had to act in a certain amount of time; we are not lead agent so we had to work with Linwood. Atlanticare was noticed of non renewal. We are taking action to have orderly transition. This governing body will approve, or not, to continue shared service with Linwood. Real times are being reported through the police department.

Councilman O'Neill asked if anyone gave permission for Atlanticare to keep their own times; he said the City needs to figure out how it happened so it doesn't happen again. Council President Carew said due diligence will be done before proceeding. O'Neill said he wants to be a 3rd person on the EMS committee. Councilman Vain noted that the Shared Service Committee would also attend, so if one person wants to recuse themselves then Mr. O'Neill would be welcome. Councilman Perri said that

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as Lead Agent, Linwood should have investigated the Northfield time problems. O'Neill added that Linwood should pay Northfield's legal fees, as Lead Agent

Councilman Polistina announced upcoming Library events, adding that flyers are available in the lobby. The Library should begin process of selecting a contractor for expansion soon. He read the Fire Department report. Polistina said he met with Linwood, and began working on the EMS RFP. He re-announced the April 30th public forum regarding ambulance service, and said we will need a new contract in place by the end of August. He said the budget will be amended this evening; more surplus will be used to take Northfield to a zero increase. The amendment will be introduced after the public hearing. He said the State is behind and we could not adopt tonight anyway, but we will be adopting the amendment.

Councilman Dewees had no committee report this evening.

Councilwoman Brown asked who writes RFP's. Polistina replied that an attorney does. She said she will be attending an Economic Development meeting May 5th at 7pm. Brown said she would like to reschedule the September 25th meeting due to the Jewish holiday of Yom Kippur, and would like to resume holding workshop meetings before Council meetings, to bring matters to light before the meetings.

Councilman Carew replied that Council used to have workshops first, but got away from it in 2008. Several members of Council said they would be in favor; hearing no objections, Carew said we will re-advertise a workshop at 6pm with regular meeting to follow for the rest of the year.

COUNCIL PRESIDENT'S REPORT

Council President Carew referred to the recent bear sighting at Birch Grove Park; he commended the park supervisor, park employees and Chief James for the handling of the situation. He also announced that street sweeping would be done between April 30th and May 9th. Carew introduced and thanked John from MRHS, the evening's videographer.

MAYOR'S REPORT

Mayor Mazzeo announced the details for the Memorial Day Parade and Ceremony; this day honors those who made the ultimate sacrifice. Fun Fest has been scheduled for the last Saturday in September. Bill Coulter has been running the committee for past 5 years; meetings will be twice a month as date gets closer. He referred to a spreadsheet for Shared Court that he provided to Council. He explained the current situation with regard to sharing, and a new proposal to bring all court dates to

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Northfield, and the proposal for one flat fee for the service for a three year term. The City may possibly be looking at a profit under the terms of the agreement. Councilman Vain asked if Linwood would share the costs of updating our facility. Mazzeo said they would not; we already budgeted for it and we have to do it anyway. Mazzeo said they will be paying 43% of the costs with only 30% of the docket. Councilman O'Neill asked if administrative costs were included; Mazzeo replied that they were, in the amount of \$18,000. Mazzeo referred to changes in the Policies and Procedures manual, specifically the background checks for the Library and Birch Grove Park. Councilman Vain suggested including Public Works; O'Neill suggested including members of Council. Solicitor Bonchi stated that he will have to review State law. Mazzeo announced that the City Code has the Personnel Officer as the City Administrator, a position that is vacant. Councilman Perri suggested that the Mayor serve as the Personnel Officer. Council President Carew replied that he would discuss it with the Mayor.

At the request of Mayor Mazzeo, Chief James announced that in conjunction with the Prosecutor's Office, the Police Department affected a search warrant today at ACRAT as the result of the sale of drug paraphernalia and Cannabinoids. Two people are in investigative custody and James would like to begin taking steps to pull their mercantile license. Mazzeo replied that James could proceed. James also said that residents are asking for 4 way stops at Davis Avenue and 2nd Street due to traffic associated with Carluccio's. James said he is in agreement with their suggestions. Solicitor Bonchi said he will draft an appropriate ordinance. James continued, and said he is still working on issues at 2307 Merritt Drive. The owner has to appear in court tomorrow and residents have been noticed that a summons was issued. The Police Department is also continuing to address the speed and parking issues, and wants Council to consider a loitering ordinance. Councilman Vain presented James with a sample ordinance regulating automobile repairs in a residential zone for his review.

ENGINEER'S REPORT

The City Engineer's report was provided to Mayor and Council and is on file in the Municipal Clerk's office. Updates were as follows: the engineer hopes to have Marita Ann Phase II bid and awarded in May. They have information from the State on the Davis Avenue drainage, and design work can start. Doran noted that the City received \$220,000 for paving of Broad Street from the NJDOT. He hopes to start this project in the near future; they will start at Dolphin and go as far as the money will take them.

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Councilman Perri advised that at Fuae Avenue and Mt Vernon Avenue, where the trash receptacle is, heavy trucks are tearing up macadam and bike path. Doran advised that he would take a look.

RESOLUTION/2012 BUDGET

PUBLIC HEARING

Introduced as Resolution 56A-2012 on March 27, 2012

Open to the Public

56B-2012 Final Adoption of the 2012 Budget

At 8:20pm, Council President Carew announced and opened the public hearing for the 2012 budget; seeing no one wishing to speak, he closed the public session.

The Municipal Clerk assigned Resolution number 56C-2012 to the budget amendment.

Councilman Polistina motioned, Dewees seconded to adopt Resolution 56C-2012 to amend the 2012 budget. Polistina explained the use of additional monies from surplus to result in a zero tax increase; the amendment makes no other changes.

The Municipal Clerk read the budget amendment in full and announced a final adoption date of May 8, 2012, pending state approval.

Roll call: Mrs. Brown – yes; Mr. Dewees – yes; Mr. O’Neill - yes; Mr. Perri – yes; Mr. Polistina – yes; Mr. Vain – yes; Mr. Carew – yes. Motion carries.

RESOLUTIONS / CONSENT AGENDA

Councilman O’Neill motioned, Councilman Polistina seconded, to vote by consent agenda on resolutions 57-2012 through 64-2012.

Roll call: Mrs. Brown – yes; Mr. Dewees – yes; Mr. O’Neill - yes; Mr. Perri – yes; Mr. Polistina – yes; Mr. Vain – yes; Mr. Carew – yes. Motion carries.

57-2012 Authorizing Doran to Proceed

58-2012 To Authorize the Issuance of a Raffle License to the Dominic DiCicco Memorial Trust

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- 59-2012** Authorizing a Shared Services Agreement Between the Atlantic County Utilities Authority and the City of Northfield for Certified Recycling Professional Services
- 60-2012** Authorization to File the 2011 Recycling Tonnage Grant Application
- 61-2012** Cancellation of Grant Fund Receivables and Appropriation Reserves
- 62-2012** Release of Escrow Monies from the Planning Board
- 63-2012** Approving a Rider to the Agreement Between the City of Northfield and Government Workers Union Local No 430 for the Period January 1, 2008 through December 31, 2012
- 64-2012** To Hire a Seasonal Concession Stand Attendant at Birch Grove Park

Councilman O'Neill motioned, Councilman Polistina seconded, to adopt the consent agenda for resolutions 57-2012 through 64-2012.

Roll call: Mrs. Brown – yes; Mr. Dewees – yes; Mr. O'Neill - yes; Mr. Perri – yes; Mr. Polistina – yes; Mr. Vain – yes; Mr. Carew – yes. Motion carries.

RESOLUTION

Councilwoman Brown motioned, Councilman Polistina seconded, to adopt resolution 65-2012.

- 65-2012** Resolution Opposing Senate Bills 1451 and 1452

Councilman O'Neill said information on the Bills was not included with the resolution; and he was only able to review them today, with the assistance of Mr. Brown. He feels they are quality Bills. Councilman Polistina agreed that there is good information in the Bill, but feels it goes too far. Council President Carew added that the Bills have good intentions, but will inundate municipalities like Northfield. Solicitor Bonchi spoke, and said when the Bills were introduced the NJ State League of Municipalities contacted him and asked him to contact Senator Whelan. Under the terms of the Bills, subcommittee meetings will have to keep minutes; most of these minutes are at night. There are also shorter time frames to respond to OPRA. There are many new items that will warrant the hiring of additional staff. Mayor Mazzeo said the Atlantic County Mayor's Association opposes these Bills as well; he explained that the names and addresses of children who participate in a community walk could become subject to an anonymous OPRA request. Councilwoman Brown

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suggested tabling the resolution; she does not feel she has enough information. Council President Carew said he does not wish to do so. Mayor Mazzeo said he is not against transparency, but these Bills as written just create extra work for municipalities.

Roll call: Mrs. Brown – no; Mr. Dewees – abstain; Mr. O’Neill - no; Mr. Perri – no; Mr. Polistina – yes; Mr. Vain – yes; Mr. Carew – yes.

The Municipal Clerk announced that the vote resulted in a tie, and called upon Mayor Mazzeo to cast the deciding vote: Mayor Mazzeo voted yes. Motion carries.

Councilman O’Neill motioned, Councilman Polistina seconded, to adopt resolution 66-2012.

66-2012 Revisions to the Personnel Policies and Procedures Manual for the City of Northfield

Councilwoman Brown requested to add the word “or” to section 301 page 3 item 3, and/or absences. Labor Attorney Larry Pepper approved the change in verbiage. Brown asked about compensation; Pepper said the language comes from the Fair Labor Standards act.

Roll call: Mrs. Brown – yes; Mr. Dewees – yes; Mr. O’Neill - yes; Mr. Perri – yes; Mr. Polistina – yes; Mr. Vain – yes; Mr. Carew – yes. Motion carries.

Councilman O’Neill motioned, Councilman Vain seconded, to adopt resolution 67-2012.

67-2012 Resolution Opposing the Electronic Billboard and CAFRA Permit Authorizing the Billboard Contained in Block 9801, Lot 13 in the Tax Map of Egg Harbor Township, Atlantic County, State of New Jersey

Councilman O’Neill commented that he thinks the billboard is obnoxious and is okay with the resolution except for one thing; do we know if the company did or did not get the appropriate approvals. Solicitor Bonchi replied that he did not research it, but said he was advised by Dr. Levitt that he and his attorney researched it, and that they did not. Bonchi suggested striking the last sentence of the resolution. Councilwoman Brown stated that she also feels the billboard is obnoxious, but said she does not understand why we are doing this. Bonchi replied; he said Northfield residents are living near it. Northfield was not properly noticed or advised. He said we are making

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the point so that CAFRA understands that even though we are not on a 200 foot list, it does affect us. Brown asked if Northfield be paying any legal fees. Bonchi replied that we would not; Northfield is not getting involved in the lawsuit. The City is just making the powers that be aware that we don't like it.

Dr. Richard Levitt addressed Council, and presented a notice of violation from the DEP for the Solicitor to review. He stated that the DEP has a list of criteria of what they review, one of which is that it is visually compatible with the surrounding communities. This resolution is evidence to CAFRA of the lack of compatibility. Levitt stated that he would personally indemnify the City and pay for any legal expenses that the City incurred as a result of the resolution.

Council President Carew requested that the Municipal Clerk strike the sentence in the Resolution that asserts the lack of permits and approvals for the billboard.

Roll call: Mrs. Brown – yes; Mr. Dewees – yes; Mr. O'Neill - yes; Mr. Perri – yes; Mr. Polistina – yes; Mr. Vain – yes; Mr. Carew – yes. Motion carries.

Councilman O'Neill motioned, Councilman Polistina seconded, to adopt resolution 68-2012.

68-2012 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 Possible Future Litigation in the Matter of a Former Employee

Councilman O'Neill asked which employee this resolution pertained to; the Municipal Clerk advised that it was the member of the Government Workers Union 420. The Municipal Clerk read the resolution by title, and announced that she would defer to the Solicitor for a statement as to the subject matter to be discussed and the amount of time that could be expected to elapse before the matter will be resolved and when the minutes of the non-public session could be disclosed, if they could be disclosed.

Solicitor Bonchi explained that the discussion will revolve around a former employee named Bill Morris who was terminated and has filed a grievance through the Collective Bargaining Agreement. Bonchi said it is his understanding that during the previous proceeding with the employee, that there was discussion about resolving the matter pursuant to a settlement. This discussion will involve Labor Counsel, who will disclose to the Governing Body the terms of the proposed settlement, the merits of the proposed settlement will be discussed and it is possible that there will be a vote

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in public session to vote to accept or not accept that settlement. The strategy and litigation strategy will not be disclosed since OPRA does not require it to be disclosed.

Councilman O'Neill asked if the former employee received a RICE notice; Bonchi replied that a RICE notice is not required in the case of a former employee.

Roll call: Mrs. Brown – yes; Mr. Dewees – yes; Mr. O'Neill - yes; Mr. Perri – yes; Mr. Polistina – yes; Mr. Vain – yes; Mr. Carew – yes. Motion carries.

Councilman O'Neill motioned, Councilman Polistina seconded, to adopt resolution 69-2012.

69-2012 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 Possible Future Litigation in the Matter of a Former Employee

Councilman O'Neill asked which employee the session referred to; Bonchi replied that the discussion will involve a proposed settlement with former CFO Dolcy. O'Neill asked if there was an investigation done; Bonchi replied that he did what was agreed upon at the last session.

The Municipal Clerk read the resolution by title, and announced that she would defer to the Solicitor for a statement as to the subject matter to be discussed and the amount of time that could be expected to elapse before the matter will be resolved and when minutes of the non-public session could be disclosed, if they could be disclosed.

Bonchi stated that at the conclusion of the closed session, depending on what happens, if there is a decision to proceed with the settlement that vote will take place in public and the result will be immediately known. Any decision or vote will be in public. Strategy or litigation strategy of the City, including the advice of legal or labor counsel, will not be disclosed.

Roll call: Mrs. Brown – yes; Mr. Dewees – yes; Mr. O'Neill - yes; Mr. Perri – yes; Mr. Polistina – yes; Mr. Vain – yes; Mr. Carew – yes. Motion carries.

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ORDINANCES

Councilwoman Brown motioned, Vain seconded, to adopt Ordinance 2-2012, to be read by title only.

2-2012 Calendar Year 2012 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A: 4-45.14)
2nd Reading/Public Hearing/Final Adoption
Published in the Press April 28, 2012

The Municipal Clerk read the Ordinance by title, and stated that since introduction, full copies of the ordinance have been posted on the City Website, on the bulletin board at City Hall, and have available at no cost in the office of the Municipal Clerk between the hours of 9:00am and 4:00pm, Monday through Friday.

Council President Carew opened the public hearing; seeing no one wishing to speak, he closed the public hearing.

Roll call: Mrs. Brown – no; Mr. Dewees – yes; Mr. O’Neill - no; Mr. Perri – no; Mr. Polistina – yes; Mr. Vain – yes; Mr. Carew – yes. Motion carries.

Councilwoman Brown motioned, Polistina seconded, to adopt Ordinance 3-2012, to be read by title only.

3-2012 An Ordinance Adopting a Codification and Revision of the Ordinances of the City of Northfield, County of Atlantic, State of New Jersey, Providing for the Maintenance of Said Code; Repealing and Saving from Repeal Certain Ordinances Not Included Therein; Establishing a Penalty for Altering or Tampering with the Code; and Making Certain Changes in Previously Adopted Ordinances
2nd Reading/Public Hearing/Final Adoption
Published in the Press April 28, 2012

The Municipal Clerk read the Ordinance by title, and stated that since introduction, full copies of the ordinance have been posted on the City Website, on the bulletin board at City Hall, and have available at no cost in the office of the Municipal Clerk between the hours of 9:00am and 4:00pm, Monday through Friday.

Council President Carew opened the public hearing; seeing no one wishing to speak, he closed the public hearing.

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Roll call: Mrs. Brown – yes; Mr. Dewees – yes; Mr. O’Neill - yes; Mr. Perri – yes; Mr. Polistina – yes; Mr. Vain – yes; Mr. Carew – yes. Motion carries.

PAYMENT OF BILLS

Councilman Polistina motioned, Councilman Perri seconded, for payment of bills in the amount of \$ 1,493,663.35

Roll call: Mrs. Brown – yes; Mr. Dewees – yes; Mr. O’Neill - yes; Mr. Perri – yes; Mr. Polistina – yes; Mr. Vain – yes; Mr. Carew – yes. Motion carries for payment of bills.

PUBLIC SESSION

Council President Carew opened this meeting to the public and asked if anyone from the public wished to speak.

John Haffner, Cresson Avenue, said he had a conversation with Mr. Dewees about the Road Department. He commended Dewees for calling him back. He said they would not take his trash for 5 weeks because of a wheelbarrow handle and that City employees have attitude issues. A year ago he reported a street light out; he once had a light out for 10 years. When he was a Police Officer they used to call in the pole numbers.

Tom Wolfe, Davis Avenue, said Carluccio’s has compromised the neighborhood. He asked when the 2nd Street project will be done; the City Engineer replied that the hopes to have the job bid by the 2nd meeting in June. Wolfe continued, and said tractor trailers unload at Carluccio’s for several hours, they have outside seating, a tent, and inadequate handicapped parking. He questioned the credentials of Northfield’s Zoning Officer and asked for his job description. The Municipal Clerk replied that it could be obtained from her office. The Engineer requested that Wolfe put his concerns in writing so that they can be addressed. Wolfe stated he does not want to write anything down. Wolfe said that ex-Councilwoman Kern's husband does business out of his house and no one does anything; he said the City has to go after everyone, not just who you want.

Craig Tanzola, 10 Magnolia Court, asked who changed dispatch protocol for Atlanticare. He said he had 7 wooden spindles that Public Works would not take. He wants the City to spend more money to pick up construction debris and said he is disappointed with vote on the OPRA opposition resolution.

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Seeing no others wishing to speak, Council President Carew closed the public session.

Councilman Perri read the meeting notices.

EXECUTIVE SESSIONS OF COUNCIL

68-2012 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 Possible Future Litigation in the Matter of a Former Employee

At 9:23pm, Council President Carew announced that Council would be going into closed session as authorized by Resolution 68-2012, which was adopted earlier in the evening. He said when the public session resumes, action may or may not be taken. Council left the dais and entered the caucus room; Solicitor Bonchi and Labor Attorney Pepper were also in attendance. At 9:51pm, the closed session was adjourned and the regular meeting of Council resumed. Bonchi announced a summary for the record as follows: in the Executive Session, Council discussed the merits of a settlement agreement and William J Morris. The Labor Counsel and members of Council discussed the pros and cons of the settlement agreement. There will be a public vote and the agreement will be made public.

70-2012 Approving a Settlement Agreement between the City of Northfield and William J Morris

The Municipal Clerk read resolution 70-2012, as follows: **WHEREAS**, William J. Morris was employed by the City of Northfield as a laborer in the City's Public Works Department; and **WHEREAS**, the City issued a letter to Morris terminating his employment on February 8, 2012; and **WHEREAS**, Morris has challenged his termination through the grievance procedure; and **WHEREAS**, Morris and the City of Northfield have decided to resolve any and all issues subject to the terms of the attached settlement agreement; **NOW, THEREFORE, BE IT RESOLVED** that the governing body of the City of Northfield, County of Atlantic and State of New Jersey hereby approves this settlement between the City of Northfield and William J. Morris as set forth in the written Settlement Agreement attached hereto as Exhibit "A".

Councilman Perri motioned, Polistina seconded to adopt Resolution 70-2012.

Roll call: Mrs. Brown – yes; Mr. Dewees – yes; Mr. O’Neill - yes; Mr. Perri – yes; Mr. Polistina – yes; Mr. Vain – yes; Mr. Carew – yes. Motion carries.

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- 69-2012** 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 Possible Future Litigation in the Matter of a Former Employee

At 9:53pm, Council President Carew announced that Council would be going into closed session as authorized by Resolution 69-2012, which was adopted earlier in the evening. Solicitor Bonchi added that there may be a public vote when the closed session adjourns. Council left the dais and entered the caucus room. Solicitor Bonchi was also in attendance. At 10:03pm, the closed session was adjourned and the regular meeting of Council resumed. Bonchi announced a summary for the record as follows: during the Executive Session Council discussed the merits, pros and cons of a settlement between the City and Marilyn Dolcy. Bonchi said he answered questions; strategies were discussed but will not be disclosed. A vote will now be taken and the settlement agreement is public.

- 71-2012** Approving a Settlement Agreement between the City of Northfield and Marilyn Dolcy

The Municipal Clerk read Resolution 71-2012 as follows: **WHEREAS**, Marilyn Dolcy was employed as the Chief Financial Officer (hereinafter "CFO") for the City of Northfield; **WHEREAS**, Dolcy terminated her employment with the City of Northfield as a full time CFO to take employment with Galloway Township as its CFO; **WHEREAS**, a dispute has arisen between Dolcy and the City of Northfield as to her entitlement to certain alleged accrued vacation days, accrued sick time, accrued compensatory time and other claims; **WHEREAS**, the Solicitor of the City of Northfield has recommended to the City of Northfield to settle this matter in accordance with the Settlement Agreement which is attached hereto: **NOW, THEREFORE, BE IT RESOLVED** that the governing body of the City of Northfield, County of Atlantic and State of New Jersey hereby approves this settlement between the City of Northfield and Marilyn Dolcy as set forth in more detail in the Settlement Agreement which is attached hereto as Exhibit "A".

Councilman O'Neill motioned, Vain seconded to adopt Resolution 71-2012.

Councilman O'Neill stated that he wanted to go on record that this matter would be investigated by the City Council and the Mayor. Polistina refuted O'Neill's assertion, saying that was never said. Mayor Mazzeo echoed Polistina's comment. Polistina continued, stating that the investigation O'Neill is referring to was into bills that may not have been paid. O'Neill said he disagrees. Solicitor Bonchi advised O'Neill not to discuss what was discussed in closed session. O'Neill said taxpayers

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are getting the short end of stick and he will be voting no. Polistina noted that the settlement is less than the amount of time she had accrued.

Roll call: Mrs. Brown – yes; Mr. Dewees – yes; Mr. O’Neill - no; Mr. Perri – yes; Mr. Polistina – yes; Mr. Vain – no; Mr. Carew – yes. Motion carries.

At 10:08pm, on motions properly made and seconded, this meeting was adjourned.

Respectfully submitted,

Mary Canesi, RMC, Municipal Clerk