

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
MAY 28, 2013**

At 7:19pm, this meeting was called to order by Mary Canesi, Municipal Clerk. It was advertised in the Press of Atlantic City on January 7, 2013, in accordance with Public Law 1975, Chapter 231.

FLAG SALUTE

The flag salute was led by Mayor Mazzeo. Following the flag salute a moment of silence was observed.

ROLL CALL

Present: Carew, Dewees, O'Neill, Perri, Polistina, Travagline, Brown

Mayor Vince Mazzeo, City Solicitor Kris Facenda, Municipal Engineer Dan Kwapinski, and Acting Lieutenant Paul Newman were also in attendance.

PRESENTATION – OLIVIA GRACE JOSEPHSEN - MISS JULY 4TH

Carol Patrick, 905 Ridgewood Drive, Chairwoman of Northfield Cultural Committee introduced Olivia Grace Josephsen, age 17 and stated a short bio with the audience. Her parents are Fred and Francie Josephsen. She is lifelong resident of Northfield and attended Northfield Community School. She is presently completing her third year at Our Lady of Mercy Academy. She is an excellent student maintaining a 4.1 G.P.A. while attending all honors classes. Olivia plays softball for Our Lady of Mercy Academy and for the Northfield/Linwood girls travel team. She is committed to others and engages in a variety of volunteer activities. She also works to save feral cats. We learned she would not be able to be here on June 25, 2013, as she will be on a school trip in Spain. The audience is encouraged to come out for the July 4th Parade and cheer for Olivia Grace Josephsen.

Joyce Pullan, of the Cultural Committee, placed the crown on Olivia's head.

Mayor Mazzeo presented Ms. Josephsen with a certificate from the City of Northfield for her scholastic and volunteer achievements.

READING AND APPROVAL OF THE MINUTES

A motion was made by Councilman Dewees, seconded by Councilman Perri to dispense with the reading of the minutes of May 14, 2013. They have been posted, distributed to Council and are on file in the Municipal Clerk's Office.

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

Council President Brown announced that there may be a change to the agenda. She explained that Resolution 76 is still in the table and took a survey from Council members as to what they would like to do this evening.

Councilman Perri and Councilman O’Neill both stated they would like to wait to see what the Ad Hoc Committee reports.

Councilman Travagline, Councilman Dewees and Councilman Carew all stated the same sentiment that the vendor has to be paid and they are fine to bring it back up for consideration.

Council President Brown added Resolution 76-2013 to the agenda but noted that it will be voted separately from the consent agenda.

VETERAN HONOREE FOR THE MONTH OF JUNE

Councilman Polistina announced that in honor of Memorial Day the City of Northfield shall honor all members of the military who have paid the ultimate sacrifice.

COMMITTEE REPORTS

Councilman Perri thanked Mayor Mazzeo and all involved in the Memorial Day celebration. He stated that it was a very nice event and he was proud to see the guest speakers and the performances were all very nice. He reported that he attended the JIF safety meeting on May 23rd and all departments were represented and re reiterated his concerns that were addressed in the earlier workshop session. He commended the Safety Committee for doing a good job. He reported that he is still working on the health benefits census and awaiting the report from the state.

Municipal Clerk Canesi stated that the CFO had sent something yesterday and she would check and follow up with Mr. Perri.

Councilman Perri noted that he will bring everyone up to date when he has reviewed the information.

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He also reported that the Planning Board has possible new commercial activity for July. The June agenda presently has three applications pending. He reported that he attended a meeting with Solicitor Kris Facenda and they met with Egg Harbor Township Municipal Utilities Authority, their Solicitor and Engineer on May 23rd. He stated that he would update Council in executive session. He noted that he had one final issue pertaining to the Engineer and the Sanitary Sewer bid and did not wish to bring it up at this time.

Councilman O'Neill reported that he attended the Mainland Education Foundation dinner and presented an award to Robert Wood for his work in Northfield. He also stated that the City has been having issues with the e-mail server. He stated that he requested a quote from United Computer and it came back at \$23,000-\$24,000 which he believes is too high. He elaborated that the equipment price is only \$5,000 and the in service cost is estimated at \$17,000-\$19,000. He reported that he is investigating a stated service agreement with the Northfield Community School. Under such an agreement the Board of Education would manage our IT needs. If they can't handle a problem remotely, they would visit that day or the next day to attend to the problem. The agreement would also include an onsite visit from the IT staff monthly, regardless of need. The school gets a significant discount on all equipment therefore a server might cost in the range of \$3,500 and then the school would install it and maintain it for a fraction of the cost. He stated that the new email server and installation would be around \$10,000. He suggested that he would like to present the IT stated service agreement to the Solicitor for review. He noted that he has received communication from the CFO indicating that the new phone system will be ordered and installed within 45-60 days.

Councilman Travagline had no committee report this evening.

Councilman Polistina reported as a follow up to a question about Fire Department overtime from the meeting of 5/14/2013, that 5 hours was monthly training, 3 hours due to mutual aid and 42 hours to cover the shifts for vacation and sick days and other low manpower situations. He clarified that the bill list for 5/28/2013 included 14 hours of overtime which was due to a call out. He also reported that a fireman had an off duty injury and will be out 3-6 weeks. Additionally he reported there was an injury today that may result in a 1-7 day absence, all resulting in anticipated additional overtime for May, June and July of 70-80 more hours.

Councilman Perri asked what is the level of staffing during the day? Councilman Polistina replied that with the one person out injured there are two during the day, one fireman and the Assistant Chief.

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Councilman Perri asked if the first responder is still there. Councilman Polistina answered that the first responder is not a position, but is instead the ability of serving as the first responder if necessary if the manpower is present.

Councilman Perri clarified that we do not have three men on the shift.

Councilman Polistina stated that we are down staff and schedules are being adjusted to accommodate for vacations that are already scheduled that cannot be changed.

Councilman Polistina stated he has spoken to the CFO and there has not been a lot of response for capital requests. He noted that he would like to add capital discussions to the 6/25 work session. He reported that two benches were installed at Veterans Memorial Park and there was a nice ceremony at the Park following the Memorial Day parade. He stated that bricks will be installed on Thursday May 30, 2013 with the help of the Mainland Regional HS "School-to-Work" Program students. Councilman Polistina also acknowledged the passing of local sports coach, Tom Giannetta and extended condolences to the family.

Councilman Dewees reported that he is meeting with Mr. Russo and Mr. Murray on Wednesday 29th at 7:00pm to do a walkthrough of the football complex area to address a couple of issues that were brought up by Mr. Gerber.

Councilman Carew congratulated all involved with the Memorial Day Parade, including Mayor Mazzeo and Bill Coulter.

MAYOR'S REPORT

Mayor Mazzeo announced that on May 15th the Otto Bruyns Library had a bookmark contest for the First, Fourth and Seventh graders and it was well attended. The event was sponsored by the Friends of the Library and he extended his congratulations to all winners. He stated that he also attended two more Eagle Scouts ceremonies, for a total of six in the last two years; an unheard of number and a great accomplishment. These children go on to do many community projects and it makes our community a better place. He stated that he attended the Memorial Day ceremony at the Northfield Community School and thanked Mrs. Devine, who always does a great job. Mayor Mazzeo acknowledged Mr. Webb and thanked him for attending the event too. He thanked all the attendees of the Memorial Day Parade and the ceremony following. He commented that the great weather kept the gnats away. He stated that the Veterans' Park bricks were on display at City Hall and it was a nice addition to the ceremony. In addition, he thanked Adams Perfect Funeral Home for the donation of the banner which everyone was invited to sign and it will be sent to a serviceman

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overseas. Mayor Mazzeo noted that there is a home on Cedar Bridge that was damaged in the Derecho storm last June and it has been determined that it is in foreclosure and we are trying to get where we have to be to make it suitable for the neighborhood. He deferred to the Solicitor for further comment.

Solicitor Facenda stated that the home is in bad condition and that he has been in communication with the construction officer. He reported that the construction officer will issue an unsafe structure notice under the Uniform Construction Code. The Solicitor stated that he discovered in his research that the owner is deceased but he was able to obtain the name and contact information for the Executrix for the Estate. He noted that all interested parties will be notified that the unsafe conditions exist and then they will go through the arduous process of determining if there are repairs that can be made or if the house needs to be demolished. The construction officer is reviewing that situation and will make that recommendation.

Councilman Dewees asked how long this process will take.

Solicitor Facenda explained this depends on the action taken by the homeowner. It's the City's intention to return the home to a safe condition without spending city money. He reiterated that it is a time consuming process and it can be uncertain.

Mayor Mazzeo stated that delays resulted because the city thought the home was bank owned and it turned out to be in foreclosure.

Councilman Carew reiterated that demolition by the City is a process and it must be strictly followed to avoid problems and protect the City.

Councilman O'Neill asked if the City is working on the crossing guard contract. Mayor Mazzeo stated that labor counsel advised him that a proposal was given to Mr. Tucker, a union representative, and we have not yet heard back from him.

Councilman O'Neill asked Mayor Mazzeo if he has provided Council with any notes or other information pertaining to the white collar contract. Mayor Mazzeo replied no.

Council President Brown clarified for Councilman O'Neill that Council won't see it until there is a formal recommendation.

Councilman Perri stated he had an additional question regarding the home on Cedar Bridge and asked if the City has a demo ordinance. Mayor Mazzeo replied that the City does have an Ordinance but the notification process has to happen first. He continued that there would be a demolition committee and a hearing.

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Councilman Perri asked if someone could explain the verification process. Solicitor Facenda replied that if the homeowner chooses to appeal then the appeal would go before the construction board of appeals. He further noted that the construction code official is proceeding under the Uniform Construction Code. He reiterated the notification requirements, hearing requirements, posting requirements and recouping of the funds expended by the City are a lengthy process.

ENGINEER'S REPORT

The City Engineer's written report was provided to Mayor and Council and is on file in the Municipal Clerk's office. Dan Kwapinski of Schaffer, Nassar, Scheidegg Consulting Engineers, LLC, was in attendance and available for questions. Engineer Kwapinski referred to the Broad Street paving project noted on his report and stated that the material testing for Phase I was acceptable so far as they are working on the final punch list. In addition he hopes to have the Birch Grove Park bathroom/sewer project out to bid next month. He stated that he has reached out to the Municipal Engineer of Linwood regarding the sewer contract. He stated that the Linwood Engineer told him that they are not working on updating this contract and that Northfield is the Chair and would be doing it.

Councilman Carew asked Frank Perri if they switch every year to serve as Chair on this contract. Councilman Perri stated that the Mayor is the current Chair and they switch every other year. He stated that since the Mayor is the Chair but as a member of that committee and said he recommends that Northfield put it out to bid and he wants our Engineer to take the lead on it.

Mayor Mazzeo explained that Northfield did the last contract for the last two year period.

Engineer Kwapinski replied that the inter-local agreement is off cycle with the repairs contract.

Municipal Clerk Canesi clarified the difference between the two year inter-local agreement and the two year maintenance contract. She noted that it is off cycle because they switched the one year inter-local agreement to a two year agreement in the middle of the term for the maintenance contract. She stated that she had contacted the Linwood Clerk in January and they indicated that they were doing the contract and she noted this was the first she's hearing that they are not doing it.

Engineer Kwapinski stated this contract expires June 29, 2013 and there is a discrepancy as to who is doing it.

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Council President Brown asked for clarification that if this is still off cycle, is it still Linwood's responsibility. Engineer Kwapinski clarified that he thought it was a gentlemen's agreement as he has seen nothing in writing.

Councilman Perri stated correspondence dated April 2006 that Linwood was doing the contract and again, in April 2011, that Linwood was going out to bid and we paid a portion of the cost in 2011.

Mayor Mazzeo stated he will do some research and Council President Brown thanked him.

Engineer Kwapinski commented on the Tilton Road Paving project and noted that this project seemed to be delayed by a few months and the cause was reported to be a direct correlation to the Hurricane Sandy. The contractor was doing work in the aftermath of the storm and that pushed the Tilton Road project out a few extra months. Engineer Kwapinski stated that they are still on track for completion around Thanksgiving.

Councilman O'Neill asked if he had a date that they are scheduled to complete the black top. Engineer Kwapinski reiterated that it appears on track for completion by the end of November.

Councilman Perri reverted back to the Sanitary Sewer issue and stated that if Linwood is not doing it he thinks Northfield should proceed since the deadline is June 29th, 2013. He asked for a voice vote to authorize our Engineer to bid the sanitary sewer and move forward.

Councilman Carew commented that we should bid this out and when this inter-local comes back up we should just handle this within our sewer department and split the cost.

Councilman Perri noted that there is language in the agreement that costs can be split between Linwood and Northfield.

Council President Brown stated that she thought the Mayor was going to reach out and the Solicitor would reach out to see if it's us or them. She clarified for Mayor Mazzeo that in addition to him reaching out, Councilman Perri is asking for a vote to proceed if Linwood is not doing it.

Municipal Clerk Canesi stated that this should be reduced to writing and voted on by Resolution.

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Council President Brown asked that those individuals reach out and let us know, but tonight they would vote on a Resolution contingent on whether or not Linwood is already committed to do the bid package.

Solicitor Facenda reads the title for Resolution 115-2013 as authorizing the Municipal Engineer to prepare the bid package for general repairs and construction of sanitary sewer facilities condition upon the City of Linwood not bidding same.

RESOLUTIONS/ CONSENT AGENDA

Councilman O'Neill motioned, Councilman Carew seconded, to vote by consent agenda on Resolutions 103-2013 through 115-2013.

- 103-2013** Salary Resolution
- 104-2013** To Approve an Application for Use of Facilities
- 105-2013** Release of Escrow Monies and Application Fees from Planning Board
- 106-2013** To Authorize Liquor License Renewal for the Year 2013-2014
- 107-2013** Amending Resolution No. 96-2013, which Authorized the Conduct of a Legislative Inquiry and Investigation by an Ad Hoc Committee of City Council of the City of Northfield into the Award of A Certain Sewer Utility Relocation Contract
- 108-2013** Inserting an Item of Revenue in the 2013 Budget
- 109-2013** Inserting an Item of Revenue in the 2013 Budget
- 110-2013** Resolution Amending Resolution No. 84-2013 Authorizing Rails To Trails Conservancy To Conduct User Count Using An Infrared Counter On Northfield Bike Path
- 111-2013** 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. 10:4-12b(7) Regarding Contract Negotiations in the Matter of the Maple Run Sewer Force Main
- 112-2013** To temporarily waive the insurance requirement for Cultural committee events for the 2013 Summer Concert Series
- 113-2013** To extend the employment term of the part time mechanic for another sixty days

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114-2013 Authorizing the Municipal Engineer to prepare the bid package and publicly advertise for the football field rest rooms and sewer project.

115-2013 Authorizing the Municipal Engineer to prepare the bid package and publicly advertise for bids for general repairs and construction of Sanitary Sewer Facilities conditioned upon the City of Linwood not bidding the same.

Council President Brown 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 are supported by a Certification of Availability of Funds.

Council President Brown stated for the record that she would be abstaining on Resolution 104-2013

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

Councilman Carew motioned, Councilman O’Neill seconded to adopt consent agenda for Resolutions 103-2013 through 115-2013.

Councilman Perri commented that specific to resolution 107-2013 he would like to be considered on some of these committees. He stated that we are a bipartisan government and he would like to be considered in the future on some of these inquires.

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

Councilman Carew motioned, Councilman Polistina seconded to take Resolution 76-2013 off of the table.

76-2013 Work Change Order No. 1 General Repairs and Construction of Sanitary Sewer Facilities

Councilman O’Neill asked if the resolution has anything that says the vendor can add 20% overhead.

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Councilman Travagline stated his concerns about the starting point of \$215,000 and the ending point of \$185,000. He stated he didn't understand how the negotiations resulted in a \$25,000 reduction to the balance due. He asked if they are overbilling us.

Councilman O'Neill asked for a review of the contract.

Councilman Carew rescinded his motion regarding resolution 76-2013.

PUBLIC HEARING

Council President announced Public Hearing on Resolution 101-2013.

101-2013 To Amend Ordinance No. 4-2013, Prior to Final Adoption
Amendment Published in the Press of AC 5/18/2013
Public Hearing on Amendment 5/28/2013

The Municipal Clerk the read the Resolution to Amend 101-2013 by title, and announced that after the upcoming public hearing on the amendment, Ordinance 4-2013 would be considered for final adoption.

Council President Brown opened the public hearing for Resolution 101-2013. Seeing no one from the public wishing to speak on Resolution 101-2013, she closed the public hearing.

ORDINANCES

Councilman Polistina motioned, Councilman Travagline seconded to adopt Ordinance 4-2013, to be read by title only.

4-2013 An Ordinance Amending Sections 128-2, 128-3 And 275-4 of the City of Northfield Code
Public Hearing on Ordinance No. 4-2013, as Introduced
Final Adoption 5/28/2013

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

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

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Councilman Travagline motioned, Councilman Perri seconded, to adopt Ordinance 5-2013, to be read by title only.

5-2013 An Ordinance Amending Section 111 of the City of Northfield Code
(Parking Restrictions)
Introduction/No Public Input/Published in the Press of AC 5/18/2013
2nd Reading/Public Hearing/Final Adoption 5/28/2013

The Municipal Clerk read the Ordinance by title, and stated that since introduction, the full ordinance has been posted in the lobby of City Hall and on the City website, and copies have been 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 Brown opens the public hearing. Seeing no one from the public wishing to speak on Ordinance 5-2013, she closed the public hearing.

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

Councilman Carew motioned, Councilman O’Neill seconded, to adopt Ordinance 6-2013, to be read by title only.

6-2013 Ordinance Providing for and Establishing Salary Ranges of Officers
and Employees of the City of Northfield and Repealing All
Ordinances Heretofore Adopted, the Provisions of Which are
Inconsistent Herewith
Introduction/No Public Input/Published in the Press of AC 5/18/2013
2nd Reading/Public Hearing/Final Adoption 5/28/2013

The Municipal Clerk read the Ordinance by title, and stated that since introduction, the full ordinance has been posted in the lobby of City Hall and on the City website, and copies have been 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 Brown opens the public hearing. Seeing no one from the public wishing to speak on Ordinance 6-2013, she closed the public hearing.

Roll call: Mr. Carew – yes; Mr. Dewees –yes; Mr. O’Neill – yes, Mr. Perri – No; Mr. Polistina – yes; Mr. Travagline –yes; Mrs. Brown – No. Motion carries

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PAYMENT OF BILLS

Councilman Dewees motioned, Councilman Polistina seconded, for payment of bills in the amount of \$ 322,385.82.

Councilman Perri asked if the Joint Insurance Fund can pay for part of the estimated \$9,000.00 cost for the state mandated physicals for the Fire Department. He suggested that they look into it further.

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

Council President Brown opened this meeting to the public and asked if anyone wished to speak on any subject.

Robert Webb, 218 West Revere, thanked the mayor and Councilman Polistina for the parade and ceremony. He thanked Steve and Bill Vain for their faithful performance and tireless efforts since the beginning of the plans for the park. He additionally expressed concern about the City spending. He noted that the potholes on his street are getting worse every day. He asked the City to give his suggestion of looking into military surplus generators serious consideration.

John Dunn, 30 East Revere Avenue, stated that he attended the flag raising ceremony at Veterans’ Park and commended Robert Webb for a job well done. He also praised the work of Tom Polistina, Bill Vain and Steve Vain for all their work on Veterans’ Park development. He referred to the vacant house on Cedar Bridge and stated that the first step is to confirm vacancy. Once private insurance is cancelled the bank should have the property on their blanket policy. He recommended that the City look into whether or not the insurance on the house will cover anything related to the storm damage.

Mark Doherty, 405 Chestnut Avenue, reported to Council that he is having drainage problems from his neighbor’s yard. He stated that the neighbor put an addition on his home and extended his basement and the basement fill is now large piles of dirt in the neighbor’s yard. He stated that the water runs off the mounds of dirt and into his yard. He noted that he has spoken to the zoning inspector twice and the proposed solution, which was to plant sod on the piles of dirt, which was originally agreed upon by both homeowners is not working. Mr. Doherty has tried several solutions to remedy the situation himself but those admittedly are not working either. Mr. Doherty distributed photos to Council. He reported that the zoning inspector has told him that his current solution does not meet setback requirements. He was also

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directed that in order to make a formal complaint he would have to come to City Hall; but he believes others are permitted to make anonymous complaints by phone.

Council President Brown stated she will speak to the zoning officer and investigate the situation. She offered to report back to Mr. Doherty at the next Council meeting.

Councilman Dewees stated he too will look into the situation.

At 8:48 pm seeing no one else from the public wishing to speak, Council President Brown closed the public session.

EXECUTIVE SESSION OF COUNCIL

The resolution was adopted earlier in the evening.

111-2013 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. 10:4-12b(7) Regarding Contract Negotiations in the Matter of the Maple Run Sewer Force Main

The Municipal Clerk read the resolution by title and said she would defer to the Solicitor for an explanation of the subject matter to be discussed and the amount of time which could be expected to elapse before the minutes of the non-public session could be released.

Solicitor Facenda stated that Council will discuss ongoing negotiations with EHT regarding the matter of the Maple Run Sewer Force Main that provides sewer services to 11 homes. Council will keep minutes of that executive session as required by law and will be made available for inspection when the negotiations conclude. It is not likely they will conclude this evening and will continue to next meeting. If a contract is agreed upon the minutes will be made available at that time.

At 8:49pm, Council left the dais and entered the Mayor's Office; Solicitor Facenda, Mayor Mazzeo and Deputy Municipal Clerk Mimi Marlor were also in attendance.

At 9:25pm, the Executive Session was adjourned and the regular meeting of Council resumed. Facenda announced a summary for the record as follows: during the Executive Session Council discussed continuing negotiations with Egg Harbor Township Municipal Utility Authority regarding the Maple Run Sewer Force Main. He noted that no decision will be rendered tonight and no vote will be taken. He stated that when the contract is agreed upon and negotiations conclude the contents of the minutes of the executive session will be made public.

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Councilman Perri read the meeting notices.

At 9:26pm, on motions properly made and seconded, this meeting was adjourned.

Respectfully submitted,

Mary Canesi, RMC Municipal Clerk