

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
JULY 13, 2021**

At 7:56pm, this meeting was called to order by Municipal Clerk, Mary Canesi This meeting was properly advertised in the Press of Atlantic City on January 9, 2021, in accordance with Public Law 1975, Chapter 231.

Pursuant to N.J.S.A. 10:4-8(b), and N.J.A.C. 5:39-1.1 - 1.7, this meeting will be held in-person and as a remote public meeting (live-streamed) using Zoom conferencing service. Due to social distancing requirements related to Covid-19, there are limited seats for in-person attendance by members of the public. Visit the event calendar page for July 13, 2021 at www.cityofnorthfield.org to determine current seating availability. Face coverings and social distancing will be required for in-person attendance. To reserve an available seat, contact the Office of the Municipal Clerk at 609-641-2832, ext 125, no later than 4:00pm on July 13, 2021. Once all available seats have been reserved, virtual attendance will be required using a web-browser to Join the Zoom Meeting <https://us02web.zoom.us/j/82618879501> or by telephone using one tap mobile +16465588656,,82618879501# or direct dial +1 646 558 8656 using Meeting ID: 826 1887 9501. For those wishing to comment during the dedicated public comment portion of the meeting, but who may be unable to attend (in person or via Zoom), public comments may also be submitted in advance via email to mcanesi@cityofnorthfield.org or by written letter to the Office of the Municipal Clerk, 1600 Shore Road, Northfield NJ 08225, or by hand delivery to the drop box in the parking lot at the south corner of the municipal building, addressed to the attention of the Municipal Clerk. Comments shall contain the name and address of the author, will be read aloud and addressed during the remote public meeting, and must be received by 2:00pm on July 13, 2021.

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 entrance 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.

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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, Engineer Nassar and Chief Newman were also in attendance.

READING AND APPROVAL OF THE MINUTES

On motion of Councilwoman Madden with a second of Councilman Utts, all members present were in favor of approving the minutes of June 15, 2021 and June 24, 2021 without formal reading. They were posted, distributed to Council, and on file in the Municipal Clerk’s Office.

MAYOR’S REPORT

Mayor Chau announced he sent information out to all of Council regarding a webinar he attended regarding the implications of OPRA and social media. Anyone with questions about the implications of OPRA and social media should contact the JIF or the solicitor. He acknowledged the resignation of our Senior Class II Officer; Mayor Chau was not able to make a commitment during budget time. He would be working to replace him, he hoped to minimize cost by hiring someone who was trained. He wished the officer well in his new job in Hamilton Township. He also emailed Council about the sound ordinance and shared information with how other towns enforce their sound ordinance, it involved a yearly certification and having someone on call 24 hours a day. It was not an easy thing, he offered to work with Council if they wished to pursue. Councilman Utts already shared information about new businesses. Mayor Chau noted that hiring and finding employees is and has been a very difficult task. Zoning Official Mike Dattalo would be leaving us at the end of

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July, he thanked him for his many years of service to the City, and on behalf of Mayor and Council we wished him well in his retirement. We got our new vehicle. He had been advised that next year vehicles may be harder to get, because of Covid. He congratulated Mothers' League, the 1st Baby and Miss 4th of July for their recognition, he thanked Jay Hurley for his efforts on the Connolly Mile; it was well attended. He extended personal thanks to Councilman Notaro and all involved in the parade, especially Joan Brennan and her husband David. He thanked the Volunteer Fire Company for the hot dogs. He congratulated all graduates; he had the opportunity to participate in the Northfield Community School Graduation at Mainland. He wished all well.

CITY ENGINEER'S REPORT

Engineer Nassar reviewed the Engineer's Report as previously distributed to the Council. The 2020 Road Program would resume this Thursday, we were awaiting water company work, and the settlement period. He submitted the grant application for the reconstruction of Oak Avenue, there was a resolution tonight for Council to authorize the submission of the grant; the State has a new document submission system, we had an issue with the submission because Northfield was not listed as a municipality in their system. The worst-case scenario was that we would submit via paper. Arawak was hired to do patch paving in the County right of way, while the work was being done, the County came out and changed the scope of work, which added to the value. He was not sure how to proceed.

Clerk Canesi advised it would have to be by Resolution of Council; if more than \$17,500 we would need a Pay to Play disclosure. She advised Engineer Nassar she would assist him.

Mayor Chau noted a resident near the synagogue had reported that there was a high spot on Shore Road where paving was done.

Engineer Nassar replied he needed the address.

Councilman Utts offered Ridgewood and Shore.

Council President Polistina asked didn't the County have responsibility for the bill?

Engineer Nassar replied, we opened the County road, they made us restore to their standards.

Councilman Perri asked what about Wabash with storm drain damage?

Engineer Nassar replied it was a seepage pit that was put in, it was substandard, it needed to be custom made, it would be addressed when they come back to complete the work.

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Councilman Perri asked about the sewer fee ordinance.

Engineer Nassar replied that Clerk Canesi asked him to review sections, but he dropped the ball. He would try to have it for the next meeting.

Mayor Chau invited Class II Officer Johnathan Scull in to Council Chambers to introduce him.

Officer Scull thanked all, he had lived here his whole life, he enjoyed being here in Northfield.

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 meeting was now open to the public for anyone wishing to speak.

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

RESOLUTIONS

Council President Polistina read the following statement: “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.

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 asked if anyone has any resolutions they would liked pulled? There were no responses.

Council President Polistina reminded Council that Resolutions 126 and 128 would will not be part of the consent agenda and have been removed.

On a motion of Councilman Perri, second of Councilman Dewees, all members present were in favor of voting by consent agenda for Resolutions 118-2021 through 125-2021 and 127-2021.

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- 118-2021** To Approve an Application for Use of Facilities
- 119-2021** A Resolution to Request Street Lighting Installation and Upgrades from Atlantic City Electric
- 120-2021** A Resolution for Approval to Submit a Grant Application and Execute a Grant Agreement with the New Jersey Department of Transportation for the Project Known as MA-2022 Reconstruction of Oak Avenue – 00621
- 121-2021** Work Change Order No. 1 – Final, City Hall ADA Ramp/Stair/Canopy Compliance
- 122-2021** Inserting an Item of Revenue in the 2021 Budget
- 123-2021** Amending Ordinance 7-2021 as Introduced, Establishing a Clarification which does not Constitute a Material Change to the Substance of the Ordinance
- 124-2021** Authorizing the Tax Collector of the City of Northfield, County of Atlantic to Amend the Grace Period for 3rd Quarter Property Tax Payments
- 125-2021** 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(B)(7) – Matters Covered Under the Attorney Client Privilege
- 126-2021** Deleted
- 127-2021** Resolution Joining the Establishment of the Central Municipal Court of Atlantic County
- 128-2021** Deleted

Councilman Perri motioned, second of Councilman Dewees, to adopt the consent agenda for Resolutions 118-2021 through 125-2021 and 127-2021.

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

Councilman Smith motioned, second of Councilman Perri, to adopt Ordinance 5-2021.

- 5-2021** Bond Ordinance Appropriating Eight Hundred Ninety Thousand Dollars (\$890,000) and Authorizing the Issuance of Eight Hundred Forty-Five Thousand Five Hundred Dollars (\$845,500) in Bonds or Notes of the City of Northfield for Various Improvements or Purposes Authorized to be Undertaken by the City of Northfield, in the County of Atlantic, New Jersey
2nd Reading / Public Hearing / Final Consideration 07/13/2021

The Municipal Clerk stated that there would be a public hearing, after which the matter would be considered for final adoption and thereafter published with the

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required estoppel statement. 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 by contacting the office of the Municipal Clerk to any member of the public who requested same.

Council President Polistina opened the public hearing. Seeing no one wishing to speak he closed the public hearing.

Councilman Smith asked what was the estoppel statement?

Clerk Canesi explained it was required under Bond Law, when we advertise, we advise the public that they have 20 days to protest the ordinance before it becomes final and we are authorized to spend the money.

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 Notaro motioned, second of Councilman Smith, to adopt Ordinance 6-2021.

6-2021 An Ordinance Creating a New Chapter 39 of the Municipal Code of the City of Northfield Entitled “City of Northfield Municipal Alliance”
2nd Reading / Public Hearing / Final Consideration 07/13/2021

The Municipal Clerk stated that there would be a public hearing, after which the matter would be considered for final adoption and thereafter published. 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 by contacting the office of the Municipal Clerk to any member of the public who requested same.

Council President Polistina opened the public hearing. Seeing no one wishing to speak he closed the public hearing.

Councilman Perri asked if there was anyone in mind for the Committee; he would like to be considered.

Clerk Canesi replied, absolutely.

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.

Solicitor Facenda asked for page 6 of Ordinance 8. Some pages were missing.

Clerk Canesi apologized and briefly left the dais to make copies of the missing pages, distributing them upon return.

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Councilman Smith motioned, second of Councilman Notaro, to introduce Ordinance 8-2021.

8-2021 An Ordinance by the City of Northfield in the County of Atlantic, New Jersey Prohibiting the Operation of Any Class of Cannabis Businesses within its Geographical Boundaries and Adding Section 215-151b. (16) of the City of Northfield Municipal Code
*Introduction / No Public Input / Published in the Press of AC 07/17/2021
2nd Reading / Public Hearing / Final Consideration 08/10/2021*

The Municipal Clerk read the Ordinance by title, 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. Pursuant to Land Use Law, this Ordinance would be referred to the Planning Board.

Councilman Utts asked why 7-2021 was not on tonight's agenda.

Solicitor Facenda advised it was introduced and referred to the Planning Board, they had 35 days to respond, that did not give us time for tonight's agenda.

Council President Polistina reminded all that this is just so we have both options up to the last minute, it was a safety net if nothing else.

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.

PAYMENT OF BILLS \$2,991,474.14

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

125-2021 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), Matters Covered Under the Attorney Client Privilege

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

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the Solicitor for further explanation. Clerk Canesi announced to the members of the public who were participating via Zoom that when the Executive Session commenced, she would be turning off the audio, and the video would be temporarily paused. Council would resume the public session, audio and video, as soon as the Executive Session concluded.

Solicitor Facenda announced that the matter to be discussed related to matters falling under the attorney client privilege, specifically potential matters of public safety. 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.

Fire Chief Bruce Cummings, Fire Captain Ben Nixon and Fire Assistant Chief Eric Shenkus were also in attendance during the Executive Session.

At 8:38pm Council entered Executive Session, and remained in Council Chambers.

At 9:13pm the Executive Session of Council was adjourned, and the Regular Meeting resumed in Council Chambers.

Solicitor Facenda announced that the Executive Session had concluded. The matters discussed were matters falling under the attorney client privilege, specifically potential matters of public safety. The minutes would be kept and made available when permitted and required by law. The timeframe for the release of those minutes is unknown.

At 9:14pm, on motion of Councilman Utts, seconded by Councilman Dewees, this meeting was adjourned.

Respectfully submitted,

Mary Canesi, RMC, Municipal Clerk