

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
JULY 14, 2020**

At 8:18pm, this meeting was called to order by Mary Canesi, Municipal Clerk. It was advertised in the Press of Atlantic City on January 11, 2020 and July 10, 2020, in accordance with Public Law 1975, Chapter 231.

Pursuant to N.J.S.A. 10:4-8(b), this meeting will be live-streamed using Zoom conferencing service and the public is restricted from attending in-person. To join Zoom Meeting Join Zoom Meeting <https://us02web.zoom.us/j/81098527732> ; Meeting ID: 810 9852 7732; One tap mobile +16465588656,81098527732# US (New York) +13017158592,,81098527732# US (Germantown) Dial by your location +1 646 558 8656 US (New York) +1 301 715 8592 US (Germantown) +1 312 626 6799 US (Chicago) 1 669 900 9128 US (San Jose) +1 253 215 8782 US (Tacoma) +1 346 248 7799 US (Houston) Meeting ID: 810 9852 7732

FLAG SALUTE

The flag salute was led by Mayor Chau. Mayor Chau read the following statement:

The City of Northfield is so fortunate to have outstanding City employees. Everyday we see the results of their commitment to the delivery of excellent services to our residents. Northfield continues to enjoy cost effective quality city services because of these public servants and employees of the City and because of their innovative actions. I cannot adequately thank our city staff for what they do every single day. Northfield is very fortunate to be led by a committed team of City Council members who generously give their time because of their passion for our great city. We are so fortunate to have such a fine group of people who are working hard on our behalf. They have challenged one another to dig deep on the issues and have always treated each other with great respect. Our City Council members are smart, visionary thinkers who will continue to develop a great plan for our great City, Northfield.

Clerk Canesi read the following statement:

“Since March 24, 2020, Northfield City Council continues to provide access to and participation at its meetings during the Covid-19 pandemic through the use of Zoom video-conferencing and in accordance with the Governor’s Executive Orders and the Open Public Meetings Act. 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 can access Zoom have been made available on the municipal website and FB pages, and were published in the Press of Atlantic City.

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.

When the time comes for public comment, a specific announcement will be made; one by one, any telephone users will be asked to identify themselves and will be unmuted to permit commentary. Web-browser attendees may ask questions or make

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comments via the ‘chat’ function at the designated time. Please note that comments made via the chat function will not be acknowledged until the public comment portion of the meeting begins, at which time they will be read aloud into the record.”

ROLL CALL

Present (in person): Councilman Dewees; Councilwoman Korngut; Councilwoman Madden; Councilman O’Neill; Councilman Smith; Councilman Utts; Council President Perri; Mayor Chau

Solicitor Stein and Engineer Nassar were also in attendance.

Council President Perri called for a motion to approve the minutes.

READING AND APPROVAL OF THE MINUTES

On a motion of Councilman Smith, second of Councilman O’Neill, all present with the exception of Councilwoman Korngut were in favor of approving the minutes of the meeting of June 16, 2020 without formal reading.

Councilwoman Korngut stated for the record that was voting no because she did not recall saying “does Northfield have problems, no”. She can’t imagine saying that, perhaps it was context, she would like to listen to the tape.

COMMITTEE REPORTS

Councilman O’Neill - Inspections, Code Enforcement, Housing/Zoning; Court/Violations; FAN

Councilman O’Neill was not sure about football. We had a great conversation tonight about Code Enforcement. Businesses are hurting. With the Engineer and Police Chief we can figure it out.

Councilman Utts – Bike Path, 1st Street Playground, Veterans Park; Planning Board; Economic Development / Chamber of Commerce

Councilman Utts wanted to assure Mr. Ordille and Mr. Barone that we will be looking at the playground issues.

Councilwoman Korngut – Technology/MRHS Channel; Library; Municipal Alliance; Shared Services

Councilwoman Korngut reported that the Library was now open Monday-Saturday from noon until 5pm. Masks were required. There is a 20-person maximum, which we have not exceeded. They are looking at equipment to sanitize to make it safer, curbside was also available. As of July 20th, two computers would be available,

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customers could call ahead to reserve or if available by walk in. The Library Board had seen some changes but she understood all positions were filled.

Councilman O'Neill asked for a list of new Library Board members.

Mayor Chau would include it with his report.

Councilman Dewees - Buildings/Grounds; Birch Grove Park

Councilman Dewees, to Mayor Chau, asked to move forward on the appointment of the new Recreation Board members. He would like to resume the meetings.

Mayor Chau replied yes.

Councilman Smith – Finance/Collections; Little League/Babe Ruth; Cultural Committee; Northfield Community School

Councilman Smith expressed condolences to Councilwoman Korngut on the loss of her family member, whatever differences we have on policy. The Babe Ruth season did start, he congratulated Public Works and Council, it was nice to see the fields back in action, with safeguards in place, even with a shortened season. The Northfield Community School held commencement yesterday, he thanked Mainland Regional High School for allowing use of their facilities, he thanked MRHS administration and personnel. He congratulated the Class of 2020 including his daughter Kylie.

Councilman Dewees thanked Joe Bunting and Pat McCarthy for stepping up and taking on the ACBL program, and taking the steps necessary to get the kids out there playing again.

Councilwoman Madden – Fire Department / EMS; Insurance and Safety, Mainland Regional

Councilwoman Madden reported that Mainland Regional High School had commencement, with social distancing. She did not know the date of the next meeting.

Councilman Smith advised it was July 20th.

Council President Perri– Public Works: Roads, Engineering, Sewer Operations; Senior Citizens

Council President Perri reported that he had talked with Councilwoman Madden and Clerk Canesi regarding EMS. Linwood would advertise for EMS. He had nothing to report for Sewer, Roads or Seniors. Regarding the title search that was requested for the upgrade of the Zion Pump Station, we'd like to proceed.

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Engineer Nassar would handle it.

MAYOR’S REPORT

Mayor Chau read the following letter from Dr. Josiah Bunting into the record:

“Dated July 14, 2020

Dear Mayor Chau and City Council:

I apologize for not being able to attend tonight’s Northfield City Council meeting. I just wanted to make known my deep appreciation and gratitude to our amazing Police Department. I am a lifelong resident of this community along with being a local business owner. I am alive today because of the swift and dedicated officers that make this City safe for all of us. On two separate occasions my pharmacy was burglarized. On one of those occasions my mother and father along with myself were held up at gunpoint, it was only because of this incredible response time that two assailants were apprehended. After the emotional trauma of these events the officers continue to come by and check in on us. They would always tell me that they were here for us and always will be. They were true heroes. I wanted to also bring attention to what goes on when the officers are not working. These are not just some 9-5 workers; they are the first to volunteer their time for others and never get the recognition they deserve. That is not why they do their job. I remember when I moved my pharmacy from its original location on Tilton Road to our new home on New Road. Captain Steve Steinecke, on his day off, gave us a personal escort as we had to transport all of the pharmacy’s inventory to the new location. Knowing that we had an officer of the law protecting us during this time made all of the differences in the world. Besides my personal experiences I have seen each one of these officers perform random acts of kindness within our community and act as true community leaders. Northfield’s National Night Out is always an outstanding event that brings everyone closer together, I know that it attracts not only Northfield residents but also all of the surrounding communities. This only happens because of these amazing individuals. I can go on and on to sing the praises of these brave men and women, I just wanted City Council to know how important our Police Department is and I for one am grateful to call them my friends.

Sincerely,

Dr. Josiah Bunting”

With regard to Library Trustees, unfortunately last month we had six resignations. As requested by Councilman O’Neill he read the names of the new board members: Vesna Markovic, Fern Hedrick, Melanie Brozosky, Joy Flury-Brown and Roy Clark. He would be making one other appointment; that would make six, total.

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Mayor Chau thanked the owner of McDonald's for donating free ice cream sundae tickets for recognizing youth who wear bike helmets. He announced the recycling contest, and said there would be one winner for July and one for August. All were welcome to submit entries for the August meeting. He wanted to recognize that the winner would also receive a number of months of free cleaning for their recycle bin. He pulled the winning name: Tom and Diane Parr, 542 Ridgewood Drive.

Councilman O'Neill, to Mayor Chau, asked how many members do we have on the Library Board.

Mayor Chau replied that there were 7 members, plus the superintendent of the community school, a Council liaison and himself.

Councilman O'Neill asked if the whole board resigned?

Mayor Chau replied, all, but one.

Councilman O'Neill announced that he had the opportunity to witness Officer Sundstrom engage with local children. He complimented everyone who made the decision to bring him on board.

Mayor Chau added that the ice cream sundae program reinforces helmet use and establishes rapport with our Police Officers and the public.

Councilwoman Korngut asked Mayor Chau why he did not read another email, that he received. He read Bunting's letter but not the other email.

Mayor Chau replied that Mr. Bunting requested that it be read into the record.

CITY ENGINEER'S REPORT

Engineer Nassar reviewed the Engineer's Report as previously distributed to Council. He met with a contractor for South Jersey Gas regarding Cedar Bridge. They would be doing a full restoration from the Bike Path to Route 9 before school starts. Regarding the 2018 Local Road Program, there was a change order on tonight's agenda, it should be wrapped up by the next meeting. Punch list items are in progress for Shepherd Drive, there was a drainage pipe that collapsed; it was installed in a substandard manner. The project was delayed by about ten days as a result. The system is undersized but that's what we have. There would be drainage issues when there was heavy rain, as to be expected. A resident at 2009 Shepherd had shrubs in the right-of-way, Engineer Nassar contacted public works and the shrubs were then trimmed back so the contractor could resume. The homeowner has since requested \$1,500 for replacement of the shrubs. The issue was that we did not give them ample notice. Engineer Nassar said this happens. The town also has an ordinance requiring homeowners to maintain their landscaping; we can't have landscaping in the middle of the road that affects driver visibility. The municipal parking lot was discussed

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during the Work Session. There was a Resolution on tonight's agenda for NJDOT; certified Resolutions needed to be submitted by July 31st.

Mayor Chau said as we all know, speed bumps in public streets was not an option, but are we allowed to install speed bumps here at City Hall in the parking lot?

Engineer Nassar replied yes, and asked for the reason.

Mayor Chau replied, for when cars come around the corner.

Engineer Nassar felt we would address that with line-striping.

Mayor Chau shared his concern about vehicles turning corners at far ends of the building.

Engineer Nassar noted that we were re-striping to accommodate wider drive aisles.

Councilman O'Neill asked had concerned resident Mr. Mozitis contacted Engineer Nassar?

Engineer Nassar replied no; tell him to do so.

Councilman Dewees agreed with Engineer Nassar about the bushes, but also believed it was a shared responsibility. Did the contractor share in the damage claim?

Engineer Nassar explained that the issue is how the work was done; the same resident has shrubs covering a fire hydrant.

Councilman Dewees noted that the resident's concern is that they were not notified.

Engineer Nassar felt the claim was exorbitant.

Council President Perri asked what the issue was if they only cut what was in the cartway.

Engineer Nassar replied that the bushes were overhanging the pavement by three to three and a half feet. He could ask the contractor to give them shrubs.

Council President Perri asked why are we involved.

Engineer Nassar replied because Public Works cut them. Public Works said they can cut one foot inside the curb line, by law.

Councilman Dewees said that moving forward, the lesson learned was that going forward, are we more proactive? Around town everywhere are shrubs in the right of way.

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Engineer Nassar replied we need to pay more attention to what is going on in our streets and start giving violations. It's ok until it grows to an unsafe condition.

Clerk Canesi offered to contact the insurance adjuster to see where they are with the claim, and see what they say.

PUBLIC SESSION/FIVE MINUTES PER SPEAKER

Council President Perri opened the public portion of the meeting for any person to comment on any subject.

Via Zoom Chat – “My name is Melanie Brozosky. I live at 207 Surrey Ave. My first comment is to Mayor Chau. Mayor Chau, at the last meeting the council requested you post a statement in support of the Black Lives Matter Movement on the city's website. I am disappointed that you did not do so. I expect leaders to follow through on their commitments and urge you promptly post a statement as you agreed to do at the previous meeting. My next comment is directed to Councilman Smith Councilman Smith, whether you realize it or not, when you proposed a Resolution commending policing as the rest of the nation and the world is calling for an end to police brutality, racists heard a dog whistle. They mobilized, came here with blue shirts and flags, claiming to support police in the face of the “opposition,” when, in fact, the “opposition” is literally just asking for a statement supporting racial justice and opposing police brutality. But those on the side of social justice heard the dog whistle too and our response is that Northfield should be an inclusive place where all residents feel safe and free. The all-white police force does not signal an inclusive Northfield. The fact that use of force incidents in Northfield from 2012 to 2016 were enacted upon black people by white cops 50% of the time when Northfield is not nearly 50% black does not signal an inclusive Northfield. A black person in Northfield is 95% more likely to have force used against them than a white person is, according to the statewide database of police use of force. That's nothing to celebrate, in fact, from where I'm sitting, it looks like a celebration of white dominance. Maybe you are swayed by the white middle class glorifying officers here tonight. Don't be.”

Mayor Chau responded, and said he was very offended by that statement. Mayor Chau said he was inclusive, as an Asian person, in this City. He would not single out any ethnic group, he would address any issues appropriately.

Council President Perri added that for the record we have two minorities in the Police Department.

Mrs. Brozosky – via Zoom chat – “Policing has always been about protecting and serving that demographic. The plain truth is that all of Northfield supports the police every two weeks when they receive their entirely tax payer funded paychecks. What your supporters, and apparently you, fail to understand is the concept of systemic racism. Councilman Smith, you teach history and one day you may be teaching the history lessons of 2020 when a movement for social justice swept through a broken

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nation during a pandemic, and unfortunately, sir, you will be on the wrong side of history. Finally, I ask the entire council to insist that the social justice statement be immediately posted and that tone-deaf Resolutions like the one Councilman Smith is proposing be denied.

<http://force.nj.com/database/pd-dept/northfield-atlantic?fbclid=IwAR3ZDpsCq15ILZXUss0-cD3RPZOOpBCXW4vHSh2noC-JPYAN-mxr9NN-Ms2Q>

Thank you.”

Clerk Canesi stated that Ms Brozosky had provided a weblink in the Zoom chat. Canesi would share the link provided by Mrs. Brozosky tomorrow, she couldn't share it during the meeting.

Councilman Smith responded. For the record, Smith said he unequivocally condemns racism in all its forms, it has no place in our Country. He also rejected any narrative that suggested he was inherently racist because of the color of his skin. Councilman Smith's father was teacher in Pleasantville for twenty-plus years, there were times growing up that students, black students, stayed in Smith's home. Race wasn't discussed in his home. The privilege Smith has is that his parents instilled in him the respect for others based on interactions with them. Councilman Smith's father also served in Korea. He told a story about how his father was discharged and came across the Pacific Coast, traveling with fellow servicemen and came across a diner in Indiana where his compatriots would not be served because they were black. They left. This is who raised Councilman Smith. He taught Issues of Conscience for a number of years and does not need to be lectured about it. The Resolution was not about race. It was about support of our Police Department. He shared a story of recent event in Pleasantville that ended much better than it could have, had it been handled differently.

Via Zoom Chat - Donna Clark, 1924 Cedarbridge Rd. “As a retired employee with the City of Northfield, I am disheartened that Northfield has a councilwoman that would deliberately talk so negative about a department(police) yet expect them to come to work so eagerly. Yes, you are correct when you said they get their paycheck every 2 weeks. BUT You of all people should be aware of how dangerous their job is. Not even a simple traffic stop is safe. I seen this almost daily working in the court. You should be thanking the Northfield Police Department for taking so many dangerous drugs and weapons off of our streets. SURPRISE yes NORTHFIELD traffic stops are very dangerous. Our police must always be ready for anything at any time. I can't believe you could sit on council and look to start trouble with a department that works so hard for the city. I believe you also get a paycheck from the Northfield residents to do your job. Do you think their job is easy? Do you want to do police work? I know I would not!!”

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Councilwoman Korngut replied; to compare her paycheck to what police receive, she won't even comment. She does get a paycheck, that is why she is not asking for a Resolution saying she does a good job. She was not attacking them.

Councilman O'Neill noted that Councilwoman Korngut did not recognize the name of the commenter, yet she had worked here for 30 years.

Councilwoman Korngut responded: she did not recall the name of the individual identified by Clerk Canesi.

Via Zoom Chat - Alicia Garry 202 St James Place – “instead of pointing blame and criticizing, why do we not each take a stance and turn it around to what can I do to change racism . what can we do as a community? This is a community effort, but it starts with each one of us. in today’s current state, we need to support one another regardless of differences!”

Viz Zoom Chat - Terry Benjamin 315 Jackson Ave- “I asked once but apologize I didn’t hear the answer: will a statement be put on record re social justice by our city council..”

Council President Perri replied that individuals have stated individual opinions and views, we've stated our position. I guess it's no, at this point in time.

Clerk Canesi noted there was a police officer who did not want to give his name and address but wanted to make comment.

Council President Perri declined to accept the comment.

Viz Zoom Chat - Eric Leeds 802 Debora St. “I am was very upset to hear the accusation that Northfield and Linwood Police Target black people. In an OPRA request I filed, I was provided with the 2017 Traffic stop data (that was all which was available at the time of my request. The stats show the police made 2778 traffic stops, 551 were black, 241 were listed white Hispanic, 274 Hispanic / Other, and 1660 White. I do not have 2018, 2019 stats available, but from those stats furnished, it would appear the statement of targeting black motorist is not true. Perhaps we can educate our elected official”

Councilwoman Korngut asked if it doesn't cause concern that we only have one year of those stats. Mr. Leeds just made her point, if 20% of stops are blacks.

Via Zoom Chat - Mr Leeds “Motoring Public is not always residents”

Councilman O'Neill reminded all that Northfield's slogan is Gateway to the Shore. Hundreds of thousands of people drive through our town to get to the islands. Looking at specific numbers based on our population, the numbers seem to be right in line.

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Mayor Chau advised that he would share the information when available.

Councilman O’Neill asked for confirmation that we put in plate readers some years ago.

Mayor Chau responded yes.

Councilman O’Neill shared the story that law enforcement officers have commented to him that the plate readers don't provide race data, just that there is some sort of violation.

Clerk Canesi explained the issue with the dispatch data: when we switched to ProPhoenix from New World, in the old system the dispatcher automatically entered the data. In the new system, it wasn’t discovered until recently that that information was not automatically being entered. We are going back and entering it. The Police Department assumed dispatch was still doing it. Since it wasn’t a function of the new system it wasn’t. The part-time police secretary is assigned to a special project working additional hours on a temporary basis to get caught up. It was an oversight that was not found until someone asked for the data.

Via Zoom Chat - Ms Benjamin “to the police officer: I don’t like being requested to give my address either I feel for the fact you want to protect your family”

Clerk Canesi explained that our rules of order established at the beginning of the year require that people state their name and address for the record.

Seeing no one else wishing to make a comment Council President Perri closed the public session.

RESOLUTIONS

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.

On a motion of Councilman O’Neill, second of Councilwoman Madden, all present were in favor of voting by consent agenda on Resolutions 112-2020 through 121-2020.

- 112-2020** Inserting an Item of Revenue in the 2020 Municipal Budget
- 113-2020** A Resolution to Cancel Grant Balances
- 114-2020** Authorization to Create Municipal Lien for Property Maintenance Costs
- 115-2020** A Resolution for Approval to Submit a Grant Application and Execute A Grant Agreement with the New Jersey Department of

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- Transportation for the Project Known as ‘MA-2021 Reconstruction of Merritt Drive and a Portion of Ridgewood Drive – 00608’
- 116-2020** Work Change Order No. 1 – Final 2018 Local Road Program
- 117-2020** To Reject All Bids and Authorize Re-Advertisement of Request for Bids for ADA Improvements at the Rear Entrance to the Municipal Building
- 118-2020** To Authorize the Sale of Surplus Property No Longer Needed for Public Use on an Online Auction Website
- 119-2020** Resolution of the Common Council of the City of Northfield, County of Atlantic, New Jersey Authorizing the Mayor to Execute a License Agreement
- 120-2020** Governing Body Certification of the Annual Audit
- 121-2020** A Temporary and Limited Expansion of the Operations of Restaurants to Their Outside Areas

Clerk Canesi announced that she would make the Resolution available on the website in the morning, as well as the other Resolution that will need to be read into the record in full this evening.

Solicitor Stein read Resolution 121-2020 into the record:

**“CITY OF NORTHFIELD, NJ
RESOLUTION NO. 121-2020**

**A TEMPORARY AND LIMITED EXPANSION OF THE OPERATIONS
OF RESTAURANTS TO THEIR OUTSIDE AREAS**

WHEREAS, on March 9, 2020, in light of the dangers posed by COVID-19, Governor Philip D. Murphy declared both a Public Health Emergency and State of Emergency by way of Executive Order No. 103 (2020); and

WHEREAS, on March 16, 2020, Governor Murphy issued Executive Order No. 104 (2020), which established statewide social mitigation strategies for combatting COVID-19, and included the limitation of all restaurants, dining facilities, and food courts, with or without a liquor license, all bars, and all other holders of a liquor license with retail consumption privileges, to offering food delivery and/or take-out services only, meaning that they could not allow the on-premises consumption of food or beverages; and

WHEREAS, on March 21, 2020, Governor Murphy signed Executive Order No. 107, which superseded Executive Order No. 104 (2020) in full, but continued the prohibition of on-premises consumption of food or beverages; and

WHEREAS, on June 3, 2020, Governor Murphy signed Executive Order No. 150 (2020), which set an effective date of Monday, June 15, 2020 at 6:00 a.m., for all restaurants, cafeterias, dining establishments, and food courts, with or without a liquor license, bars, and all other holders of a liquor license with retail consumption

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privileges, collectively referred to as “food or beverage establishments,” to offer in-person service at outdoor areas, subject to provisos; and

WHEREAS, it is recognized by this governing body that the COVID-19 outbreak has caused substantial economic suffering and financial hardship for many of the businesses of the City of Northfield, as well as its employees, many of whom are residents of the City; and

WHEREAS, the governing body of the City of Northfield that when it is authorized to do so, it is appropriate to undertake certain actions to alleviate the financial hardship of its local businesses, and its employees during this COVID-19 outbreak and resulting State of Emergency.

NOW, THEREFORE, BE IT RESOLVED BY THE City Council of the City of Northfield that the City’s Zoning and Code Enforcement Official, in conjunction with the City Engineer, Chief of Police, and Fire Chief, is hereby granted the temporary authority and discretion to approve development applications pertaining to existing “restaurants engaged in the preparation and service of meals/food, which preparation and cooking has occurred on the premises of said entities” in order to permit said establishments to relocate existing tables/seating to locations contiguous or adjacent to their premises, the existing business premise. All such applications shall adhere to the requirements and restrictions of Executive Order 150 (2020) and all regulations, directives and proclamations from the Department of Health.

1. The approval of any temporary development in relation to this Resolution shall be subject to the following conditions:
 - a. Applicants will not be permitted to exceed the number of approved indoor tables/seats minus the seats permitted as a result of reduction in parking spaces due to the outdoor seating:
 - i. Any approved tables/seats located in an “outdoor dining area,” defined as “a designated area on the premises of a retail food establishment or restaurant, but located outside of the principal building, and where patrons may sit at tables while consuming food and beverages ordered from and served by a waiter or waitress,” are permitted to be utilized between the hours of 6:00 a.m. and 10:00 p.m.
 - b. Applicants may be able to utilize up to fifty (50%) percent of their required parking space inventory for use as part of the “outdoor dining area” during the time that this Resolution is in effect.
 - c. Applicants must submit a Litter Control Plan, which shall include a description of the number and location of trash receptacles proposed to service the outdoor dining area, and the frequency with which the outdoor dining area will be policed for litter in order to control the accumulation of trash/recycling.
 - d. In the event a restaurant is a tenant at a property tenant shall provide a copy of their lease and landlord’s written permission to use the requested designated space for outdoor dining.

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- e. The City of Northfield reserves the right to amend, terminate, or repeal this Resolution, and accordingly no property rights are granted to any person(s) or entities by virtue of this Resolution. All person(s) and/or entities electing to pursue temporary relief in accordance with the provisions of this Resolution are hereby given notice that the expenditure of any funds, or the incurrence of any costs, in reliance upon the provisions of this Resolution shall be at their sole and exclusive expense. All persons and/or entities are hereby given notice that the risk of loss for any expenditure and/or costs incurred shall be their sole and exclusive responsibility.
- f. To the extent that any of the temporary rights granted herein are in direct contravention to certain provisions of ordinances of the City of Northfield, it is the intent that said ordinances are hereby relaxed so as to allow for the limited expansion of the operations of outside food and beverage service as set forth herein. With the exception of this temporary relief set forth herein, applicants must comply with any and all other federal, state, county, and local laws and regulations, including any and all other existing zoning and/or general ordinances governing the operation of bars/restaurants, as well as those of outdoor dining.
- g. Applicants shall adhere to all noise, sound ordinances.
- h. In the event the City Zoning Officer, City Engineer, City Chief of Police and City Fire Chief determine that an applicant is in violation of the conditions of any temporary development plan approved in relation to this Resolution, the City Zoning Officer, City Engineer, City Chief of Police and City Fire Chief are hereby authorized to immediately revoke the temporary development plan approval received in relation to this Resolution.
- i. The City Zoning Officer, City Engineer, City Chief of Police and City Fire Chief are hereby authorized and empowered to enforce this Resolution and the several provisions thereof. The City Zoning Officer, City Engineer, City Chief of Police and City Fire Chief are hereby further empowered to enforce the discretionary powers which are considered necessary in order to make the provisions hereof properly effective and useful for the benefit of applicants. In order to avoid injustice, the possible abuse of discretion and to correct the possibility of error in judgment, any applicant whose temporary development plan application is denied by the City Zoning Officer, City Engineer, City Chief of Police and City Fire Chief has the right to appeal to the governing body by filing a notice of appeal with the City Clerk within seven (7) days of the denial of said application. Upon receipt of any such notice of appeal, the governing body will hear the appeal at its regular meeting, at which time the owner and any other persons appearing in the matter will be heard or afforded the opportunity to be heard. At the conclusion of said hearing, the governing body will consider the matter, determine whether to uphold or overturn the decision of the City Zoning Officer, City Engineer,

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City Chief of Police and City Fire Chief and thereafter notify the owner of its decision.

- j. Individual bars/restaurants seeking approval to relocate existing tables/seating to other locations on site such as parking areas, submit to the City Clerk a site plan application, and site drawing depicting the existing and proposed layout and location of tables/seating outside of said bar/restaurant, which shall also include but not be limited to, confirmation of the number of existing, approved tables/seats, a depiction of all aisles, routes of ingress and egress, clearances/distances between tables and between the seating area and the curb line, the location of all food preparation and service area, an illustration, rendering and/or photograph of all proposed furniture, umbrellas, tents, and trash receptacles. All proposed tables, chairs, furniture, umbrellas, tents and trash receptacles, etc. on site must be of similar nature and appearance. Applicants shall also submit a brief written narrative describing the proposed method of serving food and beverages in the newly proposed areas.

BE IT FURTHER RESOLVED that pending further Resolution, the force and effect of the within Resolution, and all temporary rights set forth herein, shall terminate upon the earlier of either the effective date and time of the State of New Jersey relaxing the provisions of Executive Order 107 relative to its provisions of on-premises consumption of food or beverages at restaurants and requirement of social distancing as set forth therein, or at 11:59 PM on August 11, 2020, at which time allowances provided herein shall be rescinded. Upon termination, any temporary approval afforded by the City in accordance with the terms and conditions of this Resolution shall be deemed void and all applicants shall be required to immediately return tables/seats to their previously approved locations and cease all outside operations.

Said permits may be reissued so long as the City Zoning Officer, City Engineer, City Chief of Police and City Fire Chief in their sole discretion are satisfied the tables/seating are in a safe and efficient manner.

BE IT FURTHER RESOLVED as a condition of said permit authorizing expanded outdoor dining restaurants shall sign a Joint Insurance Fund (JIF) approved hold harmless agreement and name the City of Northfield and the City Officials as an additional insured under a policy of insurance to not be less than \$1,000,000.00.

BE IT FURTHER RESOLVED nothing contained herein shall restrict or limit any rights currently held by any restaurant relative to outdoor food and beverage service.

BE IT FURTHER RESOLVED that the within Resolution shall be effective immediately.

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
JULY 14, 2020**

I, Mary Canesi, RMC, Municipal Clerk of the City of Northfield, do hereby certify that the foregoing Resolution was duly adopted at a Regular Meeting of the Common Council of the City of Northfield, held this 14th day of July, 2020.

Mary Canesi, RMC, Municipal Clerk”

Councilman O’Neill motioned, second of Councilwoman Madden, to adopt the consent agenda for Resolutions 112-2020 through 121-2020.

Councilwoman Korngut spoke; she said she was not going to reiterate what was said before, but some new things have come to light. The most common responses are anger and fear and they retain the racial hierarchy, this process is known as white fragility. We take comments as challenges to our identity as good people. When we say things like, ‘I don’t see color’ or ‘we never talked about race in my house’, that’s problematic. If that’s true how do you ever recognize someone else’s experience. When you say things like this you assume all people hold the power you hold. Everyone wants to defend how evolved they are and there is nothing they have to learn about this issue. There’s no ‘How can I be better or tell me more’. To Mayor Chau, your statement did not have any of what Councilwoman Korngut requested. She was confused as to how he thinks it did. All of this serves to say to black people that you are not a priority. She recounted in great detail a story of a police officer who pulled his gun on a black man who was just walking to give his wife her wallet. She was told confidentially during the break by another Councilperson that the stats are disproportionate. She shared story of a black singer who was denied the right to sing at Constitution Hall, built by the Daughters of the American Revolution. The Daughters the builders promised that only white singers would sing there, resulting in the resignation of Eleanor Roosevelt from the Daughters of the American Revolution. Roosevelt said, “You had the opportunity to lead in an enlightened way and it seems to me your organization failed.” City Council has failed and missed a moment and we are on the wrong side of history.

Mayor Chau thanked Councilwoman Korngut for her comments. The letter she referred to was from him, not from City Council. This was a democratic process; he submits to anyone that any member of Council can write a letter or Resolution.

Councilwoman Korngut announced that her comment was for Resolution 122-2020.

Roll Call: Mr. Dewees - yes, Ms. Korngut – yes, Mrs. Madden – yes, Mr. O’Neill - yes, Mr. Smith – yes, Mr. Utts - yes; Mr. Perri – yes; Motion carried.

Councilman O’Neill motioned, second of Councilman Utts, to adopt Resolution 122-2020.

Solicitor Stein read the following Resolution into the record:

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
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**“CITY OF NORTHFIELD, NJ
RESOLUTION NO. 122-2020**

**A RESOLUTION RECOGNIZING AND SUPPORTING THE CITY OF
NORTHFIELD POLICE DEPARTMENT**

WHEREAS, law and order in any community must be a collaboration between the citizens of that community, law enforcement and prosecutors; and

WHEREAS, policing in American communities is a stressful, highly technical vocation in which officers know that their every public interaction is subject to being photographed or filmed, and can be subject to public and media scrutiny; and

WHEREAS, the public often draws conclusions regarding an officer’s actions without the appropriate awareness, knowledge, or education of the circumstances of the incident; and

WHEREAS, recent studies by Harvard University (Policing the Police: The Impact of “Pattern or Practice” Investigations on Crime) and others have warned that crime will begin to rise as officers become less willing to initiate contact with the public; and

WHEREAS, law enforcement officers must have the full support of their communities and elected leaders to do their job safely and effectively; and

WHEREAS, increases in crime occurring as a result of law enforcement disengagement will be stemmed only by a clean and concise message to law enforcement that when they do the right thing, they will be supported by the citizen community, law enforcement leadership, prosecutors and elected officials; and

WHEREAS, in 2019, there were 48 felonious deaths and 41 accidental deaths of Law Enforcement Officers (LEOs) in the United States, and as of July 6, 2020 there have been 28 felonious deaths and 22 accidental deaths of LEOs in the United States (FBI UCR LEOKA report); and

BE IT RESOLVED, by the Common Council of the City of Northfield, New Jersey, a majority of all members elected thereto concurring:

The City Council of Northfield, New Jersey recognizes the extreme danger that comes with the chosen profession of law enforcement. Each day when the men and women of our law enforcement agencies don their uniform and equipment, they are accepting the responsibility to serve and protect the lives and property of their communities at all cost, which could include their life. We recognize that we live in a time of great turmoil where the trust between many communities and law enforcement agencies is at an all-time low.

The City Council of Northfield, New Jersey calls upon area governing bodies to join us in expressing their support for law enforcement officers who are daily on the job, “doing the right thing” and in many instances going far above and beyond their “call

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
JULY 14, 2020**

of duty” to aid and support the safe and law-abiding citizens of their community so that every law enforcement officer in this area knows that he and she is supported in their efforts to deliver high-quality public safety services.

I, Mary Canesi, Municipal Clerk of the City of Northfield, do hereby certify that the foregoing Resolution was duly adopted at a Regular Meeting of the Common Council of the City of Northfield, held this 14th day of July, 2020.

Mary Canesi, RMC, Municipal Clerk”

Roll Call: Mr. Dewees - yes, Ms. Korngut – no, Mrs. Madden – no, Mr. O’Neill - yes, Mr. Smith – yes, Mr. Utts - yes; Mr. Perri – yes; Motion carried.

ORDINANCES

Councilman Utts motioned, Councilman O’Neill seconded to adopt Ordinance 10-2020, to be read by title only.

10-2020 An Ordinance Amending and Supplementing the Code of the City of Northfield: Section 215, Article VB, Entitled “Housing Element and Fair Share Plan” and Article XI, Entitled “Zoning and District Regulations”
2nd Reading / Public Hearing / Final Consideration 07/14/2020
Published in the Press of AC 07/18/2020

The Municipal Clerk read the Ordinance by title, and 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 between the hours of 9:00am and 4:00pm, Monday through Friday to any member of the public who requested same. This Ordinance was referred to the Planning Board after its introduction on May 26th, the Planning Board’s response and sole recommendation was to correct the reference in the Ordinance to two publications that were incorrectly identified as weekly instead of daily and a correction to the name of the Press of Atlantic City, and elimination to an out of service TV station. These are not substantive changes and are not material to the content of the ordinance. These changes have been identified in the document before you this evening, and on the municipal website.

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

Roll Call: Mr. Dewees - yes, Ms. Korngut – yes, Mrs. Madden – yes, Mr. O’Neill - yes, Mr. Smith – yes, Mr. Utts - yes; Mr. Perri – yes; Motion carried.

Councilwoman Madden motioned, Councilwoman Korngut seconded to introduce Ordinance 11-2020, to be read by title only.

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
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11-2020 An Ordinance Amending Article XIV, Section 111-27, Schedule I, of the City of Northfield Municipal Code, Titled ‘No Parking’
*Introduction / No Public Input / Published in the Press of AC 07/15/2020
Public Hearing / Final Consideration 08/11/2020*

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 by contacting the office of the Municipal Clerk between the hours of 9:00am and 4:00pm, Monday through Friday to any member of the public who requests same.

Roll Call: Mr. Dewees - yes, Ms. Korngut – yes, Mrs. Madden – yes, Mr. O’Neill - yes, Mr. Smith – yes, Mr. Utts - yes; Mr. Perri – yes; Motion carried.

Councilman Dewees motioned, Councilman O’Neill seconded to introduce Ordinance 12-2020, to be read by title only.

12-2020 Bond Ordinance Appropriating One Million Seventy Thousand Dollars (\$1,070,000) And Authorizing the Issuance of One Million Sixteen Thousand Five Hundred Dollars (\$1,016,500) 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
*Introduction / No Public Input / Published in the Press of AC 07/15/2020
Public Hearing / Final Consideration 08/11/2020*

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 by contacting the office of the Municipal Clerk between the hours of 9:00am and 4:00pm, Monday through Friday to any member of the public who requests same.

Roll Call: Mr. Dewees - yes, Ms. Korngut – yes, Mrs. Madden – yes, Mr. O’Neill - yes, Mr. Smith – yes, Mr. Utts - yes; Mr. Perri – yes; Motion carried.

PAYMENT OF BILLS \$3,154,753.16

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

Roll Call: Mr. Dewees - yes, Ms. Korngut – yes, Mrs. Madden – yes, Mr. O’Neill - yes, Mr. Smith – yes, Mr. Utts - yes; Mr. Perri – yes; Motion carried.

Council President Perri read the meeting notices.

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At 10:05pm, on motion of Councilman Dewees, seconded by Councilman Utts, this meeting was adjourned.

Respectfully submitted,

Mary Canesi, RMC, Municipal Clerk