

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
AUGUST 10, 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 August 10, 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 August 10, 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/89170120254> or by telephone using one tap mobile +13017158592,,89170120254# or direct dial +1 301 715 8592 using Meeting ID: 891 7012 0254. 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 August 10, 2021.

Municipal Clerk Canesi read the following statement:

“As you may know, in late May, Governor Murphy issued Executive Order No. 242, related to Covid-19 and which eased restrictions on face coverings in indoor public spaces, under certain conditions. The order permits employers to impose stricter requirements regarding face coverings in indoor settings, which, in the best interests of our employees and visitors, the City of Northfield opted to do in May, and continues to do. Based on CDC guidelines, the City of Northfield continues to require face coverings and social distancing in our indoor public spaces, and visitors are made aware of this decision with signs at the entrances to the building.

Due to the continued social distancing requirements, there are limited seats for in-person attendance by members of the public this evening. 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, 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

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
AUGUST 10, 2021**

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. 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 Councilman Perri with a second of Councilman Notaro, all members present were in favor of approving the minutes of July 13, 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 would pull the August winner for recycle contest tomorrow and announce the winner. He created the program and pays for the container himself. Northfield was in the top recyclers in Atlantic County. He thanked all. He was proud to announce the new bus shelter at Oakcrest and Shore was moving

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
AUGUST 10, 2021**

forward, he hoped it to be complete by year's end. He announced the Body Worn Camera grant, \$48,912.00, to purchase body cams and necessary equipment. Kudos to Chief Newman and his department for pursuing the grant. As Councilman Smith pointed out, there would be a joint court meeting tomorrow. The County should be able to present firmer financial numbers, committees would be identified, and we could move forward. We heard comments regarding businesses vacating along Tilton Road, we were all aware of the effects of Covid 19 and the problems associated with it. In past two months we've had 12 new businesses open or express interest. Mr. Howell asked what Council did to promote businesses. We had certain limitations. It's a big pie, we have Council members who serve as liaisons to the schools. This brings in businesses. Councilman Utts, Councilman Perri and Mayor Chau have served on the Planning Board, we were looking for businesses but we were looking for quality businesses, this addresses taxes and community development. He offered kudos to Council. There was a lot done behind the scenes. The owner of McDonald's in Northfield has donated free ice cream cones, the program developed along with Chief Newman, to support and reward children who practice safe habits with bicycling. Northfield Police Department would be hosting a bike rodeo. He thanked the owner of McDonald's; this was the fourth year they have done that. Regarding comments and suggestions that were made to Mayor Chau, he holds no malice, this is America and we were all entitled to our opinions. He thanked all for their comments and concerns, whether they agree or disagree.

CITY ENGINEER'S REPORT

Engineer Nassar reviewed the Engineer's Report as previously distributed to the Council. Final payment was on the agenda for the City Hall project; the maintenance bond was on file. There was a change order due to the price of fuel, it was close to a \$5,000.00 increase, sometimes it works in your favor, sometimes not. Also, at the library when the bumper stops were removed, the majority were broken and had to be replaced, and lastly the asphalt curbing at the rear of the municipal building had to be raised to address a flooding concern that was affecting the resident who lives behind the municipal building. That resulted in an increase of \$16,203.15. The 2020 Local Road punch list items were being addressed. There was also an issue at Tilton and Roosevelt due to settling. He had asked the contractor to get us a price, we have to get it done, it's been a long time. The cost will be around \$10,000.00, it's a big area and castings for manhole have to be raised. The project will be done overnight.

Clerk Canesi asked Engineer Nassar if it would be on the next agenda?

Engineer Nassar would like to have approved tonight. He had verbal approval on availability of funds from CFO Stollenwerk.

Council President Polistina asked if Solicitor Facenda has prepared a resolution to be added to agenda?

Councilman Dewees did not want to wait until the 31st to vote.

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
AUGUST 10, 2021**

Engineer Nassar noted the cost would be \$10,743.86 and the vendor was South State.

Engineer Nassar reported that Fuae Avenue was substantially completed, there were punch list items and some documents that needed to be provided. He was waiting for a start date from the contractor. Regarding Municipal Aid 2021, the package was sent to NJ Department of Transportation, he was waiting to hear from them as well.

Engineer Nassar and Councilman Perri discussed the slip lining project, they had the preconstruction meeting, Public Works was there, along with members of the Northfield Police Department. Public Works would need to be present for the Slip Lining Project, an inspector from his office was not qualified to do that. He discussed with Superintendent Vitale, who would come up with a recommendation. Some work would be done overnight; work was to begin in September. He would have more info for next meeting.

Councilman Notaro asked for street paving bids, do we account for curbing and aprons?

Engineer Nassar replied we do, if we were changing the grade of the road. If we change it drastically, we may change the curb and sidewalk. If the contractor damages something, they replace it.

Councilman Notaro added that in his travels he had seen a lot of issues that may need to be addressed in new projects.

Engineer Nassar stated that manholes, etc. get reset. If we break a curb, we replace it. We may have to replace a driveway if we are changing the street grade. If the grade does not change, we do not replace curb or driveways. On Madison Avenue, Engineer Nassar noticed it's in bad shape, so he added it since the contractor will be across the street anyway.

Councilman Notaro asked if there was any update on Wabash?

Engineer Nassar reported it's done.

Councilman Perri asked about the stop bars on Wabash and Northfield?

Engineer Nassar replied it's a punch list item.

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 stated there was no-one in Zoom.

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
AUGUST 10, 2021**

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

At 8:25pm, on motion of Councilman Utts with a second of Councilman Dewees, all members present were in favor of taking a recess.

At 8:38pm Council resumed the regular session.

RESOLUTIONS

Solicitor Facenda read the following Resolution into the record:

**“CITY OF NORTHFIELD, NJ
RESOLUTION NO. 149-2021**

**WORK CHANGE ORDER NO. 1 - FINAL
2020 LOCAL ROAD PAVING PROGRAM**

WHEREAS, pursuant to Resolution of Council No. 185-2020, the City of Northfield did award a contract for the project known as “2020 Local Road Paving Program” and did enter into a contract with South State, Inc. for the amount of \$527,756.00; and

WHEREAS, during performance of the project, the scope of the project was modified to include repair of a portion of the intersection of Tilton Road and Roosevelt Avenue, with the work described attached hereto as Exhibit A; and

WHEREAS, the net effect of these changes is a total increase in the contract price of \$10,743.86 (+2.0%)

WHEREAS, approval contingent upon certification of funds from the Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED that the Contract for “2020 Local Road Paving Program” be and is hereby amended from \$527,756.00 to \$538,499.86.

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 10th day of August, 2021.

Mary Canesi, RMC, Municipal Clerk”

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
AUGUST 10, 2021**

Solicitor Facenda also read minor revisions to Ordinance 9 in the Now, Therefore Be It Ordained paragraph that added “which shall include the obligation that the City of Northfield pay Mr. and Mrs. Schwenker attorney fees not to exceed \$1,500.00;”

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.”

Council President Polistina asked if anyone has any resolutions they would like pulled? There were no responses.

Council President Polistina reminded Council that Resolutions 147 and 148 would will not be part of the consent agenda and have been removed. Resolution 149-2021 has been added.

On a motion of Councilman Dewees, second of Councilman Utts, all members present were in favor of voting by consent agenda for Resolutions 129-2021 through 146-2021 and 149-2021.

- 129-2021** Authorizing Schaeffer, Nassar, Scheidegg Consulting Engineers to Proceed with Engineering Services for the Project Known as 2021 Local Road Program
- 130-2021** Authorizing Schaeffer, Nassar, Scheidegg Consulting Engineers to Proceed with Engineering Services for the Project Known as Slip Lining Deep Sanitary Sewer Pipes
- 131-2021** Work Change Order No. 1 – Final City Hall Parking Area Repaving and Library Parking Area Repaving
- 132-2021** Inserting an Item of Revenue in the 2021 Municipal Budget
- 133-2021** Memorialize Resignation of Special Law Enforcement Officer, Class II
- 134-2021** Memorialize the Retirement of Zoning Official
- 135-2021** Accumulated Absence
- 136-2021** Authorizing the Acceptance of Funds From the State of New Jersey Department of Law and Public Safety, Office of the Attorney General Sfy21 Body-Worn Camera Grant Program
- 137-2021** Authorizing Refund of Construction Permit Fees
- 138-2021** To Approve an Application for Use of Facilities
- 139-2021** To Approve an Application for Use of Facilities
- 140-2021** A Resolution Appointing a Temporary Code Enforcement Officer and Code Inspection Officer
- 141-2021** A Resolution Appointing a Temporary Zoning Officer
- 142-2021** Appointment of Housing Officer
- 143-2021** Northfield Municipal Alliance Committee Appointments

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
AUGUST 10, 2021**

- 144-2021** A Resolution to Affirm the City of Northfield’s Civil Rights Policy with Respect to All Officials, Appointees, Employees, Prospective Employees, Volunteers, Independent Contractors, and Members of the Public that Come into Contact with Municipal Employees, Officials and Volunteers
- 145-2021** Resolution of the City of Northfield, Atlantic County, New Jersey, Authorizing Fireworks Display on Private Property Pursuant to N.J.S.A. 21:3-3
- 146-2021** Resolution of the City of Northfield, Atlantic County, New Jersey, Authorizing Fireworks Display on Private Property Pursuant to N.J.S.A. 21:3-3
- 147-2021** Deleted
- 148-2021** Deleted
- 149-2021** Work Change Order No. 1 – Final 2020 Local Road Paving Program

Mayor Chau asked for the time of fireworks displays.

Clerk Canesi believed the window was between 9 and 10pm, but the displays were short in duration.

Councilman Dewees motioned, second of Councilman Utts, to adopt the consent agenda for Resolutions 129-2021 through 146-2021 and 149-2021.

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

Council President Polistina announced Ordinance 7-2021.

- 7-2021** An Ordinance by the City of Northfield in the County of Atlantic, New Jersey Permitting the Operation of Certain Classes of Cannabis Businesses within its Geographical Boundaries, as Amended
2nd Reading / Public Hearing / Final Consideration
Published in the Press of AC 08/14/2021

The Municipal Clerk read the ordinance by title, stated that there would be a public hearing, after which the matter may 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.

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
AUGUST 10, 2021**

Jeffrey King, 24 Elizabeth Parkway, Eatontown, speaking on the telephone via Zoom, advocated for cannabis businesses in the community. It was an asset. He appreciated the opportunity to reiterate his support.

Seeing no one wishing to speak he closed the public hearing.

Council President Polistina announced 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
2nd Reading / Public Hearing / Final Consideration
Published in the Press of AC 08/14/2021

The Municipal Clerk read the ordinance by title, stated that there would be a public hearing, after which the matter may 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.

Jeffrey King, 24 Elizabeth Parkway, Eatontown, via Zoom, urged opposition or tabling. Do not vote in favor of prohibition; it was based on racism, propaganda and misinformation. We have been failing. The drug war was ending and it was time for drug peace. He thanked Council again.

At the request of Council President Polistina, Ordinance 8 was moved first.

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

Clerk Canesi stated the title had already been read, she reiterated the particulars.

Councilman Perri and Councilwoman Madden questioned why we were going out of order.

Discussion ensued between Councilwoman Madden, Council President Polistina, Councilman Perri and Councilman Notaro with regard to why there were two ordinances and the reasons for each.

Council President Polistina read a letter regarding Ordinance 8, from the Planning Board, verbatim, which indicated the Board supported the adoption of Ordinance 8.

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
AUGUST 10, 2021**

Councilman Utts disagreed; he said he was in attendance at the Planning Board meeting, and that was not what was discussed. He reiterated the endorsement to adopt an opt-in ordinance.

Councilman Smith had stated his opinion. A lot could go wrong. Citizens did vote to approve it, and they voted in favor of legalization but not in favor of having it in their town. He read an opinion piece from Dr. Gregory Shengel, President of the Connecticut State Medical Society. He read additional excerpts including the statement that this issue has been cast as a budget matter; it was a health matter, physicians nationwide have seen alarming data from states that have legalized recreational use. This is due to an ever-increasing percentage of THC, which has jumped from 4% in 1983 to up to 28% in 2018. The study also saw a usage increase of 10% in the 18-25 age group. He felt it was a bad policy and will not support it in any form.

Councilman Utts asked how was banning it in Northfield was going to change anything? If you want to regulate it take it off the street.

Council President Polistina explained that if Ordinance 8 passes, and we still have 7, that has passed at its first reading, and can be passed with one more reading.

Council President Polistina asked a for motion on 8, he wanted to keep 7 available.

Clerk Canesi noted there was already a motion by Councilman Notaro with a second from Councilman Smith for Ordinance 8.

Solicitor Facenda suggested Council President Polistina call for a new motion and a second on whichever Ordinance he wanted to proceed with.

Council President Polistina requested that Council move Ordinance 8-2021.

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

Roll Call: Mr. Dewees - abstain, Mrs. Madden – no, Mr. Notaro – yes, Mr. Perri - no, Mr. Smith – yes, Mr. Utts - no; Mr. Polistina – yes.

Clerk Canesi announced the vote had resulted in a tie, and under our form of government, Mayor Chau would be called upon to break the tie.

Mayor Chau voted yes.

Clerk Canesi read the votes: four in the affirmative, three in the negative and one abstention. The motion carried.

Councilman Smith motioned, second of Councilman Perri, to introduce Ordinance

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
AUGUST 10, 2021**

9-2021.

9-2021 An Ordinance Providing for the Purchase of Real Property within the City of Northfield from Robert J. Schwenker and Susan E. Schwenker
1st Reading / No Public Input / Published in the Press of AC 08/14/2021
2nd Reading / Public Hearing / Final Consideration 08/31/2021

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.

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.

PAYMENT OF BILLS \$1,492,698.43

Councilwoman Madden motioned for the payment of bills, noting the typo on the agenda packet in the dollar amount; Councilman Utts seconded.

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 Dewees read the meeting notices.

At 9:24pm, on motion of Councilman Utts, seconded by Councilman Dewees, this meeting was adjourned.

Respectfully submitted,

Mary Canesi, RMC, Municipal Clerk