

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
AUGUST 27, 2013**

At 8:02pm, 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
Absent: Mahon

Mayor Vince Mazzeo, Chief Robert James, Solicitor Marc Nehmad, Municipal Engineer Dan Kwapinski, and Deputy Clerk Mimi Marlor were also in attendance.

Council President Travagline announced that City Solicitor Facenda would be absent and Marc Nehmad will be serving in his place for the evening.

VETERAN HONOREE FOR THE MONTH OF SEPTEMBER

Council President Travagline introduced September Veteran Honoree Mike Bocelli and called Councilman Polistina forward to make the presentation.

Councilman Polistina said Mike Bocelli has been a Northfield resident for 46 years and presently lives on Glenwood Drive with his wife Linda, a life-long resident of the City. They have two children, Michael and Bonnie. Bocelli graduated from Pleasantville High School in 1961. He and his wife met in high school and married in 1964. They will celebrate their 50th wedding anniversary next year. He joined the United States Air Force during the Cuban Missile Crisis and served active duty from 1961-1965. He attended training at Lackland Air Force Base in San Antonio Texas and served as a dispatcher. During his tenure he was a member of the Special Services Air Force Boxing Team. He was awarded the Good Conduct Medal. His daughter, Bonnie recently donated a brick in his honor to be placed at the new Veterans Park. Polistina stated that he had the brick here to show Bocelli before it is installed at the park.

Mayor Mazzeo presented the certificate and noted that he has known Mike Bocelli for years. He also introduced Mike's wife, Linda and their two children. He thanked Bocelli for his service and congratulated him.

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Honoree Mike Bocelli shared that when he entered the service in 1961 it was customary to make a choice between the service and college. He chose the service because it was just the thing to do and it was an honor to serve his country.

At 8:06pm Deputy Clerk Marlora left the meeting and did not return.

PRESENTATION: COMMERCIAL UTILITY CONSULTANTS

Mayor Mazzeo introduced George Van Istendal, with Commercial Utility Consultants. The Mayor referred to information presented in his Mayor's report from the last meeting regarding attendance at a presentation in Margate. He noted the need for an Ordinance and a town to serve as lead agency to participate in such an arrangement. He further explained that as a 3rd party contractor for a co-op arrangement it would save the residents money on electric bills.

George Van Istendal thanked Council and opened with a brief history of Commercial Utility Consultants. He shared a list of current clients. He explained that AC Electric would still deliver the electricity but the supplier would be different. He explained the current legislation that allows energy aggregation, as per Title 14. The process starts with an Ordinance as the legal foundation which allows Commercial Utility Consultants to contact Atlantic City Electric to gather information needed to conduct a reverse auction, from which a winning bidder is selected. Commercial Utility Consultants does all the outreach, which includes mailings, a call center and a website. He further explained it is an opt-out program; if they do not opt out they are included and there are several methods to do so. He said the DCA has preapproved Commercial Utility Consultants for energy procurement; the City will not have to go out for RFP/RFQ. The only change a customer would see is one line on their bill where the supplier is listed. Commercial Utility Consultants projects an average household in Northfield would save 1½-2 months' bills per year.

Mayor Mazzeo asked Commercial Utility Consultants how they made their money.

George Van Istendal replied that they make their money from the supplier as a percentage of the KWH rate the resident pays.

Councilman Perri asked if commercial accounts are included. Van Istendal answered that commercial accounts are not included through this program but are in another program. He stated they would like to do the residents first.

Nick Reynolds, COO for Commercial Utility Consultants explained how a resident who is currently with another 3rd party supplier can opt in. He stated they are looking to reach 30,000 meters to have this be beneficial and by forming the co-op it may be

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possible. He said Northfield has approximately 3200 meters. He stated that each resident will have the ability to opt out at any time and no fees will be charged. He asked if Council had any questions.

READING AND APPROVAL OF THE MINUTES

A motion was made by Councilman Carew, seconded by Councilman Dewees to dispense with the reading of the minutes of July 23, 2013. They have been posted, distributed to Council and are on file in the Municipal Clerk's Office.

Roll call: Mr. Carew – yes; Mr. Dewees –yes; Mr. Mahon – absent; Mr. O'Neill – yes; Mr. Perri – yes; Mr. Polistina – yes; Mr. Travagline – yes Motion carries

COMMITTEE REPORTS

Councilman Perri stated that at the August 1, 2013 meeting of the Planning Board a "D" variance was denied to Riska Properties. He congratulated all on National Night Out; everyone did a fine job. He reported that the ice cream social and concert, sponsored by the Cultural Committee was an enjoyable evening. On August 22, 2013 the Seniors met at the Park Center. He said that Bob Webb, Eleanor Webb and Joyce Pullan gave a fine presentation. He thanked Vicki Rutter for her hospitality in hosting the Seniors and for making the lunch.

Councilman O'Neill reported that the new phone system will be installed in the next few weeks. He said that the City will be entering into an agreement with Comcast for internet and long distance service.

Councilman Polistina said that M&M Landscaping will be donating labor, materials and equipment for the sprinklers at the Veterans Park. He thanked M&M owner Matthew Marshall for his donation.

Councilman Dewees had no report this evening.

Councilman Carew reported that the Friends of Birch Grove Park have donated a new fountain at the main lake at the Park. He noted that the value of this substantial donation of between \$4,000 and \$5,000 is very nice and the Friends, who do a lot for the Park, deserve to be recognized. He noted that the long range plan is to place a fountain at each lake. He also thanked Mike Zarillo and TJ Wolfe for doing all the electrical work for the fountain noting they did a great job and saved the City a lot of money. He also identified frequently flooded areas, such as the old zoo, old bathrooms and the play area as problematic when the water does not recede quickly. He said he is working with the Engineer on new inlets to address these areas and at

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the possibility of adding a three-inch force main to address the times of heaviest flooding. He thanked the Engineer for his assistance.

Council President Travagline stated he is still acclimating to his new role as Council President. He reported that he has attended several meetings with various volunteer groups. He noted that he met Roy Clark, saw his work at the museum and praised his accomplishments and his spirit of volunteerism.

MAYOR'S REPORT

Mayor Mazzeo announced the ribbon cutting on August 28th for the new mini golf course and invited all of Council to attend. He stated it was a nice addition to the community. He said the Library Director is retiring and a new Director will be hired by the end of the month. He reminded Council of the proclamation that he did for the Sandy Rollman Ovarian Cancer Foundation and noted the placement of teal ribbons in various places in Northfield for the 3rd year in a row. He reported that he attended the bi-annual meeting with DEP for the Stormwater Permit review and the only recommendation was with regard to vehicle washing. Councilman Dewees is working on this issue. He commended the Northfield Police Department for their efforts on National Night Out and read the monthly Police Department report.

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 stated that the work on the City garage has been completed and he noted that the contractor did an excellent job. He said he has had conversations with ACIA regarding CDBG funding. He noted that additional funding is available and instead of \$16,000 the City has \$21,000 available. Engineer Kwapinski recommended that the City make ADA enhancements at the athletic fields and possibly Birch Grove Park. He will work on the proposal for Council.

Councilman Carew stated that there are areas of Birch Grove Park near the playground that require ADA compliant upgrades. He offered to show the Engineer.

Councilman Perri asked when the sewer bids would be back. Engineer Kwapinski answered September 5, 2013 and he clarified that Linwood would be accepting the bids.

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RESOLUTIONS/ CONSENT AGENDA

Council President Travagline 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. The executive sessions 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 each executive session. Any vote made on subjects discussed will be made in public.

Council President Travagline motioned, Councilman Carew seconded to remove Resolution 76-2013 from the table.

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

Roll call: Mr. Carew – yes; Mr. Dewees –yes; Mr. Mahon – absent; Mr. O’Neill – yes; Mr. Perri – yes; Mr. Polistina – yes; Mr. Travagline – yes Motion carries

Councilman Polistina motioned, Councilman Carew seconded to adopt Resolution 76-2013.

Councilman Perri stated he still has unanswered questions and reiterated that he was not interviewed. He shared that the audit report said Council should declare any emergency and a limit in the amount of the WECO contract. He stated he will not be voting in the affirmative.

Roll call: Mr. Carew – yes; Mr. Dewees –yes; Mr. Mahon – absent; Mr. O’Neill – no; Mr. Perri – no; Mr. Polistina – yes; Mr. Travagline – yes Motion carries

Councilman Carew motioned, Councilman Polistina seconded to adopt Resolution 154-2013.

154-2013 Appointment of Personnel Coordinator

Councilman Perri stated he was not opposed to some of the language in Ordinance 8 but he has concern that there is no time check on the interfaces with payroll and no time cards. He asked if anyone was interviewed or if the position was advertised. Mayor Mazzeo answered no.

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Council President Travagline announced that City is implementing paper time sheets in the very near future.

Councilman Carew stated that he supports the position and wishes Canesi well.

Councilman O'Neill asked if Canesi can approve/disapprove overtime and comp time. Mayor Mazzeo replied that this would be brought to the department head and Council chair.

Councilman Perri stated that the Council chair has to sign off on pay records daily and he believes this still isn't happening in the Fire Department. He asked that the new Personnel Coordinator address this.

Municipal Clerk Canesi explained the new time sheet and the controls that are in place.

Council President Travagline noted Municipal Clerk Canesi's experience and stated that the City is getting a quality employee for very little money.

Councilman Perri stated he was in favor of an at-will employee as City Administrator.

Roll call: Mr. Carew – yes; Mr. Dewees –yes; Mr. Mahon – absent; Mr. O'Neill – yes; Mr. Perri – no; Mr. Polistina – yes; Mr. Travagline – yes Motion carries

Councilman Perri motioned, Councilman Dewees seconded, to vote by consent agenda on Resolutions 152-2013, 153-2013, 155-2013 through 162-2013 and 164-2013.

- 152-2013** Authorizing Refund of Overpayment of Taxes
- 153-2013** Inserting an Item of Revenue in the 2013 Budget
- 155-2013** Authorize the Hiring of a Seasonal Concession Stand Attendant for Birch Grove Park
- 156-2013** In Support of the Drive Sober or Get Pulled Over 2013 Statewide Crackdown
- 157-2013** Authorizing the Municipal Clerk to Proceed with the Advertisement of a Request for Information from Grant Writers

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- 158-2013** Resolution Approving Alternate Name for Economic Development Commission
- 159-2013** Authorizing Schaeffer, Nassar, Scheidegg Consulting Engineers to Proceed –Drainage Improvements – Broad Street and Fuae Avenue Areas
- 160-2013** Award of Contract for Rebid of Football Restrooms and Sewer Upgrade at Birch Grove Park
- 161-2013** 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
- 162-2013** 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(4), Regarding Contract Negotiations with the Government Workers’ Union
- 164-2013** Authorization to Initiate Competitive Contracting for the Provision of Employee and Retiree Health Benefits in the City of Northfield

Roll call: Mr. Carew – yes; Mr. Dewees –yes; Mr. Mahon – absent; Mr. O’Neill – yes; Mr. Perri – yes; Mr. Polistina – yes; Mr. Travagline – yes Motion carries

Councilman Perri motioned, Councilman Dewees seconded, to adopt by consent agenda Resolutions 152-2013, 153-2013, 155-2013-162-2013 and 164-2013.

Roll call: Mr. Carew – yes; Mr. Dewees –yes; Mr. Mahon – absent; Mr. O’Neill – yes; Mr. Perri – yes; Mr. Polistina – yes; Mr. Travagline – yes Motion carries

ORDINANCES

Councilman Carew motioned, Councilman O’Neill seconded to adopt Ordinance 10-2013, to be read by title only.

- 10-2013** An Ordinance Establishing Traffic Control Standards and Requirements for Construction and Road Repairs in the City of Northfield
2nd Reading/Public Hearing/Final Adoption
Published in the Press of AC 8/31/2013

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The Municipal Clerk read the Ordinance by title, and stated that since introduction, the 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 Travagline opened the public hearing on Ordinance 10-2013.

Larry Carlson, 922 First Street, stated he was an MUTCD (Manual on Uniform Traffic Control Devices) certified police officer and has no issues with sections 1 or 2. He stated he is concerned about section 3, as he is not sure that the MUTCD is intended for this purpose. As long as the Traffic Control Director is certified the Police Department is not necessary. He noted that the Ordinance does not address emergencies and further stated the Ordinance only addresses planned events. He stated that the Ordinance alludes to the requirement that any contractor must use the Police Department. If a contractor employs a bona fide MUTCD Traffic Control Director they should be able to use that person.

Chief Robert James stated that Mr. Carlson is partially correct; if it is an intersection at a traffic light it must be staffed by a police officer. Presently we don't have anything that requires that they come to us. If at a preconstruction meeting the contractor certifies their personnel, James stated he would have no problem with that. He further commented that with regard to emergencies departmental orders will be put into place.

Councilman Perri stated that it does not state emergencies but there will be a standard operating procedure in place. He noted that in a natural disaster the contractor may be equipped to handle it than the Police Department.

Seeing no one else wishing to speak regarding Ordinance 10-2013, Council President Travagline closed the public session.

Roll call: Mr. Carew – yes; Mr. Dewees –yes; Mr. Mahon – absent; Mr. O'Neill – yes; Mr. Perri – yes; Mr. Polistina – yes; Mr. Travagline – yes Motion carries.

PAYMENT OF BILLS

Councilman Polistina motioned, Councilman Carew seconded, for payment of bills in the amount of \$ \$5,045,148.02.

Roll call: Mr. Carew – yes; Mr. Dewees –yes; Mr. Mahon – absent; Mr. O'Neill – yes; Mr. Perri – yes; Mr. Polistina – yes; Mr. Travagline – yes Motion carries

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

Larry Carlson, 922 First Street, stated he would like the 5 minute rule abolished, believing it hinders the public. Mr. Carlson addressed Mayor Mazzeo directly and read an excerpt from the Current newspaper which was attributable to the Mayor regarding the cost of the expansion and the Library's return of funds. He questioned whether or not the expansion could have been built without the use of City funds.

Mayor Mazzeo explained the 1/3 of the mill and the Library's accumulation of surplus. He also outlined the provisions of the Moriarty bill, and explained that the money was from taxpayer funds but could not be used for anything other than Library purposes.

Mr. Carlson responded that it was not clear that the money was taxpayer money. He changed the subject and asked if all members of Council received the same information he did from the City Clerk pertaining to the Sewer Ad-Hoc Committee.

Council President Travagline confirmed that all of Council received it in the late stages of the investigation. He reported that he has not interviewed the Council people yet but did meet with the CFO, the former engineer, and the contractor. He stated that this should be complete within a month or two.

Mr. Carlson said he understands from the County that there is an agreement that it is the municipalities' responsibility to perform this type of work. He indicated he would like to see the agreement. Councilman Perri replied that County Counsel Pagano can provide the information, adding that it is case law.

Seeing no one else wishing to speak, Council President Travagline closed the public session.

Councilman Perri read the meeting notices

EXECUTIVE SESSION OF COUNCIL

Council President Travagline announced that Council will be entering an executive session and the resolution was adopted earlier in the evening.

161-2013 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

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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 Nehmad stated that Council will discuss ongoing negotiations regarding the Maple Run Sewer Force Main and minutes may be released when negotiations conclude and it's not likely they will conclude this evening.

At 9:32pm, Council left the dais and entered closed session in the Mayor's office. Mayor Mazzeo was also in attendance.

At 10:00pm, the Executive Session was adjourned and the regular meeting of Council resumed in Council Chambers. Solicitor Nehmad announced that he was not present in the Executive Session as he is the Assistant Solicitor in Egg Harbor Township and recused himself due to the perception of conflict.

Councilman Perri announced a statement for the record as follows: discussion occurred regarding the Maple Run Sewer Force Main and no agreement was made on the line rental agreement. He noted that the City will move forward to solicit three quotes to possibly have the City relocate the force main at the City's expense provided funds are available.

Solicitor Nehmad stated minutes will be made available when a contract has been agreed upon.

Municipal Clerk Canesi read Resolution 165-2013 to authorize Engineer Kwapinski to solicit three quotes for the City of Northfield to relocate the Maple Run Sewer Force Main on its own.

165-2013 Authorization for the City of Northfield Municipal Engineer to Solicit Quotes for the Relocation of the Maple Run Sanitary Sewer Force Main

Councilman Perri motioned, Councilman Carew seconded to adopt Resolution 165-2013.

Roll call: Mr. Carew – yes; Mr. Dewees –yes; Mr. Mahon – absent; Mr. O'Neill – yes; Mr. Perri – yes; Mr. Polistina – yes; Mr. Travagline – yes Motion carries

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EXECUTIVE SESSION OF COUNCIL

162-2013 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(4), Regarding Contract Negotiations with the Government Workers' Union

This resolution was adopted earlier in the evening.

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 Nehmad stated that Council will discuss on-going negotiations with Government Workers Union and if they conclude this evening the minutes will be made available in due course for public inspection.

At 10:04pm Council left the dais and entered closed session in the Mayor's office.

Solicitor Nehmad and Mayor Mazzeo were also in attendance. At 10:16pm, the Executive Session was adjourned and the regular meeting of Council resumed. Solicitor Nehmad announced a summary for the record as follows: Council discussed the proposal from the White Collar union and Council will be voting to ratify the contract and minutes will become available when the contract has been fully executed and negotiations have concluded.

Councilman Perri motioned, Councilman Dewees seconded, to adopt Resolution 163-2013

163-2013 A Resolution Approving an Agreement between the City of Northfield and Government Workers' Union Local No. 430 for White Collar Employees Effective January 1, 2013 through December 31, 2015

Roll call: Mr. Carew – yes; Mr. Dewees –yes; Mr. Mahon – absent; Mr. O'Neill – yes; Mr. Perri – yes; Mr. Polistina – yes; Mr. Travagline – yes Motion carries

At 10:18pm, on motions properly made and seconded, this meeting was adjourned.

Respectfully submitted,

Mary Canesi, RMC Municipal Clerk