

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
AUGUST 28, 2012**

At 6:55 pm, this meeting was called to order by Mary Canesi, Municipal Clerk. It was properly advertised according to Public Law 1975, Chapter 231.

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

ROLL CALL

Present: Mrs. Brown, Mr. Dewees, Mr. O'Neill, Mr. Perri, Mr. Polistina,
Mr. Vain, Mr. Carew

Mayor Vince Mazzeo, City Solicitor Keith Bonchi, Police Chief Robert James, City Engineer Matt Doran, and Planning Board Chairman Dr. Richard Levitt were also in attendance.

VETERAN HONOREE FOR THE MONTH OF SEPTEMBER

Council President Carew introduced Veteran of the Month honoree for September, Mark Doherty.

Councilman Vain said Mark Doherty entered the U.S. Coast Guard in September 1976 at the age of 22. After boot camp in Cape May, NJ he was stationed at the search and rescue station in Ocean City, NJ where he met his wife to be, Debbi Ranger. After a year at Ocean City he attended the Marine Science Technician School in Yorktown, VA for 5 months of specialty training in weather and oceanography. After completion of Marine Science Technician School he was stationed on the ice breaker Polar Star where he made a trip to Antarctica in support of scientific operations there. After returning from that 5 month trip, he and Debbi were married in September 1979.

Mark was then assigned as a flight weather briefer at the Coast Guard air station in Elizabeth City, NC, then as weather briefer and ground school instructor billet at the Coast Guard Aviation Training Center in Mobile, Alabama. Mark and Debbi were able to return to New Jersey in 1984 when he was assigned to Base Gloucester City as an environmental specialist, E-6. Mark received several promotions during that tour and was able to begin new tours at the same location, eventually serving 13 years in this area before retiring at the Marine Safety Office in Philadelphia in August 1997 as a Chief Warrant Officer.

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While assigned in Philadelphia Mark served as a pollution investigator, marine casualty investigator, marine safety inspector, and finally as the unit planning officer, a job similar to an emergency management coordinator but for maritime activities on the Delaware River. During his tour in Philadelphia Mark responded to, and coordinated the clean-up of, over 2000 oil spills including 5 of over 100,000 gallons and one over one-half million gallons. Mark is most proud of his time spent developing a marine fire fighting training program for the Delaware River Basin where he personally provided classroom and hands-on training for over 1,100 local fire fighters in the tri-state region over a period of 7 months.

During his active duty time of over 21 years Mark attended more than 75 weeks of military and private industry training schools. With the support of his family he was also able to attend college part-time where he received an Associate's Degree, Bachelor's degree, and in 1994 received his Masters Degree in Environmental Education from Rowan College. For his Master's thesis he wrote a pollution response training program which was later adopted by the Coast Guard as a best management practice and distributed to all Marine Safety units nationwide. Among many service decorations Mark was awarded the National Defense Medal, Commandant Achievement award, five Meritorious Team Commendation ribbons, seven Meritorious Unit Commendations, was twice awarded the Coast Guard Achievement Medal, and received the Coast Guard Commendation Medal.

Mark is currently self-employed as an environmental consultant.

Vain, along with Mayor Mazzeo, congratulated Mark Doherty and presented him with a Certificate of Appreciation. Doherty said service to his country was his privilege, not a duty, and he gave it everything he had. He thanked his family for their support.

Council President Carew announced a brief recess and resumed the meeting at 7:03 pm.

CERTIFICATES OF APPRECIATION

Council President Carew introduced Alexa Massari and Julia Massari. Mayor Mazzeo explained that Carluccio's Coal Fired Pizza had donated 1,000 pounds of ice after the Derecho storm. The Massari girls, along with Councilman Jim O'Neill delivered the ice to residents in need. Mazzeo thanked the girls for their community spirit and presented each with a Certificate of Appreciation.

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Council President Carew announced a brief recess and resumed the meeting at 7:16 pm, announcing the public hearing and discussion of Ordinance 9-2012.

ORDINANCE

Councilman Polistina motioned, Councilman O'Neill seconded to adopt Ordinance 9-2012, to be read by title only.

9-2012 An Ordinance Amending the 1986 Land Use and Development Ordinance, as Amended, and Amending the City's Zoning Map and Schedule of District Regulations
2nd Reading/Public Hearing/Final Adoption
Published in the Press September 1, 2012

The Municipal Clerk read the ordinance by title, and announced that since introduction, full copies of the ordinance have been posted in the lobby of City Hall and on the Municipal website, and have been available at no cost in the Office of the Municipal Clerk to any person requesting same. All property owners within the proposed zone changes and within 200' of the boundaries of the proposed zone changes have been properly noticed in accordance with Municipal Land Use Law.

Council President Carew read a letter from Northfield resident and former Councilman and Planning Board Member Erland Chau regarding the Land Use Ordinance amendment. Chau's letter raised concerns about future signage technology and Code Enforcement. Dr. Levitt responded to the concerns in Chau's letter; he said the language in the new ordinance refers to it as electronic message board signage. Levitt explained the history behind proposed changes as well as limitations in new language. He said there are existing signs that are clearly in violation of existing language.

Councilman Vain proposed changing the text on LED signs every three minutes as opposed to the every five minutes that is in the proposed ordinance; he noted that businesses are attempting to be competitive.

Dr. Levitt continued, and stated that Mr. Landgraf had suggested that the electronic message boards can be automatically connected to the DOT's amber and silver alert program. Landgraf then commented, and said that owner participation in the DOT program could be made a condition of the permit for the electronic sign. He also suggested that signs cannot be lit when a business is closed, but that amber/silver alerts come on anyway. Dr. Levitt noted that enforcement is the key to success.

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Council President Carew read a letter from Leo Schoffer, Managing Member of Kensington Square that requested the addition of language to the sign ordinance that allows banners on poles in parking lots to promote businesses, seasons, and community events. Carew presented the letter to Dr. Levitt for review. Levitt reiterated his concerns regarding enforcement, and feels the poles and banners would be a safety concern because of too many things competing for drivers' attention on Tilton Road. Mayor Mazzeo said he feels signage is too restrictive in Northfield; Tilton Road is a business district; this will help businesses. Council President Carew suggested a committee to explore Schoffer's idea, and said perhaps it can be added to the land use ordinance in six months or so.

Solicitor Bonchi noted for the record that at Golfview and Casey Drives, Council will recommend that this remain R1. In the new RB zone, coin operated laundry, food store, tobacco stores and stands, and dry cleaning would be removed from that zone.

Council President Carew opened the public hearing for Ordinance 9-2012 to anyone wishing to speak.

Craig Tanzola, 10 Magnolia Court, said electronic signs are the wave of the future for retail, and pictures should be allowed on the LED signs. Tilton Road is a bustling commercial area, this would help businesses. Dr. Levitt replied, saying that the DOT restricts number of times electronic billboards can change and you cannot have moving text. It would cause more accidents.

David Goldstein, 116 Dolphin Avenue, suggested that residents be involved in the committee to explore future signage changes, residents who live in the areas bordering commercial areas.

Andrew Miller said he was in attendance on behalf of Ron Rodio and asked for clarification that the Golfview and Casey Drive area will be proposed to remain R1.

Chris Nugent, 9 Golfview Drive, asked for clarification that Casey Drive would be recommended to stay R1. He said a protest was organized by area residents, and thanked Council for listening and taking action.

Renee Diorio, 6 Golfview Drive, said she lost the sale of her property because of the potential change in zoning. She hopes the zone will not change.

Cathy Engel, 1501 Shore Road, lives near the Golfview Drive and Casey Drive area and said she is against the change to RB. She thanked Council for considering leaving it R1.

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Wendy Fox, 110 East Mill Road, said she chose to live in Northfield and raise a family here because of the Master Plan's intention of preserving the residential integrity of certain areas. In her neighborhood there are three businesses and twenty four homes. The zoning change will devalue her home. Dr. Levitt responded and dispelled the rumor that Mill Road will become commercial; the changes allow flexibility for other office professional uses. Councilman Perri noted that the wooded lot that fronts Mill Road that can be converted to OP if the change is passed. Fox inquired about plans to handle increased traffic, and noted the presence of Caring, Inc. Dr. Levitt stated that assisted living facilities are permitted in any residential zone.

Mike Powers, 20 East Mill Road, asked the advantage to rezoning the one side of Mill Road; he wants Mill Road to remain residential. Dr. Levitt replied, and said only two properties on that side are not OP now, and they are not the best maintained. Any changes have to go before the Planning Board. The change seemed like a logical progression; the offices are small, with twenty five foot setbacks, and the parking requirements are prohibitive.

Solicitor Bonchi explained the reason for a public hearing and the process of recommending to amend.

Arlene Groch, 1413 Shore Road, thanked Council for doing what they are required to do by law and for doing it well. She is glad Golfview will stay R1, and correctly clarified the impact of the zone changes. She asked why other business areas were not considered to be changed to RB. Dr. Levitt responded, and explained clusters and zones versus spot zoning. Groch said she disagrees and feels this could create a legal challenge. Mayor Mazzeo commented that the Planning Board professionals agreed with Dr. Levitt.

Robert Webb, 218 West Revere Avenue, asked about the wooded area on Mill Road. Dr. Levitt replied that it is the front of the Nugent property. Webb asked if that property is environmentally protected due to some sort of rare wildlife.

Rick DeLucry from Cooper Levinson and representing Caesar's Entertainment referred to section thirty of the proposed ordinance and the minimum lot sizes of one acre and other bulk standards. Caesar's opposes the one acre minimum as substantially greater than any other zone. They feel R1's standard of 10,000 square feet is appropriate. Dr. Levitt responded and said the City can't zone a golf course or country club. A developer could, if they want to, divide the site into minimum size lots. The City does not have the police or infrastructure to support this. Based on the exclusivity of the area and of the surrounding homes, and the panoramic views, the one acre lot size is justified. Mr. Landgraf spoke and said the yield at minimum lot

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size would be 350 homes in the country club; at the one acre size it would be 50. Mayor Mazzeo said he thought the country club was in agreement and expressed his surprise at DeLucry's comments.

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

Councilman Polistina motioned, O'Neill seconded to table Ordinance 9-2012.

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

On a motion of Councilman Polistina, second of O'Neill, all in favor of referring Ordinance 9-2012 back to the Planning Board for amendment.

Solicitor Bonchi reviewed the proposed amendments as follows: the Shore Road, Golf View and Casey Drives zone will return to the original R1 zoning. The new RB zone will have food stores up to 3000 square feet, coin operated laundry, tobacco stores and dry cleaning removed as conditional uses. Mill Road between Shore Road and Bay Drive shall remain as the existing R1 zone.

Council President Carew added that electronic message boards will be changed to a three minute interval, instead of five.

Councilman O'Neill said he wants Shore Road and Erie Avenue to remain "as is". Mayor Mazzeo responded and said he thought that was addressed by taking out the less intense uses. Bonchi stated that Shore Road and Erie Avenue will not be on the joint resolution; Mr. O'Neill can make his own.

Council President Carew thanked the public for their input.

Councilman Perri announced he would vote 'no' because the changes do not maintain the character of Shore Road.

Bonchi said the changes will refer the Ordinance back to the Planning Board and that Council will request that the Planning Board adopt the recommendations of Council into Ordinance 9-2012.

RESOLUTION

Councilman Polistina motioned, Vain seconded to adopt Resolution 136-2012.

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136-2012 Referral Of Ordinance 9-2012, to Amend the Land Use and Development Ordinance, Zoning Map, and Schedule of District Regulations, Back to the Planning Board with Recommendations

WHEREAS, the City of Northfield Planning Board has made recommendations for revisions of the City of Northfield Land Use and Development Ordinance and Master Plan in accordance with State law; and

WHEREAS, the Council of the City of Northfield held a public session and a public meeting and heard input both prior to the meeting, and during the meeting from concerned citizens about these changes; and

WHEREAS, the City Council, with all due respect to the Planning Board, understands all the hard work they have done, but would like the Planning Board to go back one more time and make changes in accordance with the public input, to include the following:

1. That the new proposed R-B (Residential Business) zone at Shore Road, Golfview Drive and Casey Drive be taken out of that zone and remain as the existing R-1 zone.
2. That Mill Road, between Shore Road and Bay Drive, remain the existing R-1 zone and not the proposed OP zone.
3. That the new zone known as R-B be modified to remove the following as permitted conditional uses:
 - a. Food up to 3000 square feet
 - b. Tobacco stores and stands
 - c. Coin operated laundries and dry cleaning.
 - d. That regarding “Electronic Message Boards”, Section 21, Article 8, Section 34, Paragraph L, the following change be made:
 - i. Item (c) iii, shall read that a maximum of one text change every 3 minutes shall be permitted.

THEREFORE BE IT RESOLVED, by the governing body of the City of Northfield, County of Atlantic, State of New Jersey, that the recommendations listed above, to amend Ordinance 9-2012 (as introduced) be approved for referral to the Planning Board for review.

BE IT FURTHER RESOLVED, in accordance with NJSA 40:55D-64, that the Planning Board shall have 35 days to respond to these recommendations.

BE IT FURTHER RESOLVED and that a hearing shall be held to allow for public comment on this Resolution on October 9, 2012.

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Roll call: Mrs. Brown – yes; Mr. Dewees – yes; Mr. O’Neill - no; Mr. Perri – no; Mr. Polistina – abstain; Mr. Vain – yes; Mr. Carew – yes. Motion carries.

The Municipal Clerk explained that the Planning Board has up to 35 days to review the proposed changes, but it is anticipated that they will do so much sooner. There will be a 2nd public hearing on the Resolution to Amend, to be held on October 9th, at 7:30pm, after which Ordinance 9-2012 will be taken up for final adoption

Dr. Levitt thanked Council.

At 8:46 pm, Council President announced a brief recess and resumed the meeting at 8:57 pm.

AGENDA REVIEW

Council President Carew reviewed the agenda.

READING AND APPROVAL OF THE MINUTES

A motion was made by Councilman Perri, second by Councilwoman Brown to dispense with the reading of the minutes of June 26, 2012. They have been posted, distributed to Council and are on file in the Municipal Clerk’s Office.

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

COMMITTEE REPORTS

Councilman Perri thanked all who participated in National Night Out; he said the Senior Committee will be back on track in September.

Councilman O’Neill had no committee report this evening.

Councilman Vain said Phase I of Veteran’s Park has been completed, and the brick engraving is in the works. There will be a ceremony in September to raise the flag when the bricks are installed. He thanked Public Works for their assistance with the Park.

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Councilman Polistina said the EMS contract is being reviewed by legal; he thanked Chief James for working hard on the transition to the new EMS service on August 31st. Councilman Perri asked why our dispatch isn't handling mutual aid. Chief James responded; our dispatch will handle toning out the rig. They are more inclined to farm out transports so that 911 calls are handled by Shore Medical. He said EHT dispatch will adhere to original protocols.

Councilman Dewees said Action Landscaping has completed their work and collected 998 tons of debris in 10 days. The City picked up an additional 100 tons and the ACUA approximately 250 tons for a grand total 550 tons of debris through a cooperative effort. Public Works will be collecting any remaining storm debris through September 7th; after that, normal ACUA collection rules will apply. Councilman O'Neill questioned if we got everything we needed from Action Landscaping for FEMA. Dewees confirmed that we did. Councilman Perri asked what was going on with football field sod. Dewees replied that the sod was put down before the storm, and there was no irrigation for several days after as a result, some did not take. It will be replaced. Perri asked how it would be funded; Dewees said we may have to do every year.

Councilwoman Brown said the Economic Development Commission met and named officers; the body chair will step down if elected to Council. NCS has eliminated a librarian and added a new tech position. The blue top will be completed by the beginning of school.

COUNCIL PRESIDENT'S REPORT

Council President Carew had no report.

MAYOR'S REPORT

Mayor Mazzeo said Fun Fest meetings continue, and listed various events that are scheduled to be included. Mazzeo said he and Council President Carew met with County officials regarding Tilton Road drainage; they've hit a few bumps in the road regarding utilities and Northfield may have to pay for some utility relocation. He will know more after Labor Day. Mazzeo attended the South Jersey Police Chief's Association meeting today, where Chief James was installed as President. He read a complimentary letter from a resident about Officer Cornell's response to a recent burglary call. He also read the Police Department report for the month of July. Mazzeo announced that the Clean Communities Household Renovation Debris Collection will be the week of September 10th through 14th. This will be funded using Clean Communities Grant money.

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ENGINEER'S REPORT

The City Engineer's report was provided to Mayor and Council and is on file in the Municipal Clerk's office. Updates were as follows: the plans for Broad Street paving are 90% complete, but they must go to the state for approval. West Revere and Leeds are complete and the paving should be done tomorrow. The Hemsley Avenue pump station design is almost complete; Doran hopes to award the bid in October. The Valves at Oak and Cedar Bridge project underway, and will be done by next week. The Roosevelt and Davis design is at the state; when it comes back he will put the bid documents together. 2012 Paving Project field work has begun.

Council President Carew announced that the 2013 application for Municipal Aid is due in October. He recommends continuing down Broad Street. Doran responded that he will plan accordingly. Carew inquired with Chief James about the Bike Way Grant; does James have any suggestions? Councilman Dewees suggested new cinders for the running paths. Doran said he will inquire. Dewees also asked about the 2012 Safe Routes to Schools grant, and for an update on the installation of sidewalks on Mill. Vain said the plans call for sidewalks from the school to Sutton Woods. Doran stated that we don't yet know what we will get under the grant.

Councilman Perri asked if all new drainage was going into the same pipe that will take it to Birch Grove; down Tilton Road by the movie theater. Dewees responded that it will not; it will be fed into the basin off of Burton Avenue. Perri asked about the environmental impact, and suggested that it should be brought up with the County when they meet again.

RESOLUTIONS / CONSENT AGENDA

On a motion of Councilman Dewees, second of Councilman Vain, all in favor of voting by consent agenda on Resolutions 126-2012 through 134-2012. Council President Carew stated that Resolution 134-2012 would authorize a closed session of Council, to take place at the end of the regular meeting. Action may or may not be taken when Council resumes the public session.

126-2012 In Support of the Drive Sober or Get Pulled Over 2012 Statewide Crackdown

127-2012 To Award County Cooperative Rock Salt Contract

128-2012 Cancellation of Taxes on Block 34, Lots 20.17, 20.09 and 20.01

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- 129-2012** Cancellation of a Tax Sale Certificate
- 130-2012** Inserting an Item of Revenue in the 2012 Budget – Community Development Block Grant
- 131-2012** Inserting an Item of Revenue in the 2012 Budget – Drive Sober or Get Pulled Over 2012
- 132-2012** Cancellation of Reserve Balances
- 133-2012** Requesting Additional Community Development Block Grant Funding From The Atlantic County Improvement Authority
- 134-2012** A Resolution Providing For An Executive Session Not Open To The Public In Accordance With The Provisions Of The New Jersey Open Meetings Public Act, N.J.S.A. 10:4-12B(4), Regarding Contract Negotiations For The Northfield Fire Department

Councilman Dewees motioned, Councilman Vain seconded to adopt the consent agenda for Resolutions 126-2012 through 134-2012.

Roll call: Mrs. Brown – yes; Mr. Dewees – yes; Mr. O’Neill - yes; Mr. Perri – yes; Mr. Polistina – yes; Mr. Vain – yes; Mr. Carew – yes.

ORDINANCE

Councilman Polistina motioned, Councilwoman Brown seconded to introduce Ordinance 10-2012, to be read by title only.

- 10-2012** Bond Ordinance Appropriating Nine Hundred Thousand Dollars (\$900,000) And Authorizing The Issuance Of Eight Hundred Fifty Four Thousand Dollars (\$854,000) 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 9/1/2012
2nd Reading/Public Hearing/Final Adoption 9/11/2012*

The Municipal Clerk read the ordinance by title, and announced that full copies of the ordinance have been posted in the lobby of City Hall and on the Municipal website

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and will be available at no cost in the Office of the Municipal Clerk to any person requesting same until the date of the public hearing.

Councilman Perri asked how much the City lost in ratables this year over last year. Mayor Mazzeo responded that the Assessor said there were 237 tax appeals that resulted in a reduction of approximately \$12,137,300.00; he should have an exact number in the next few days. Mazzeo noted there were 162 tax appeals last year. Perri asked how much taxes will have to go up to account for tax appeals. Council President Carew said they will have to review the budget for next year, and referred Perri to the CFO with any questions.

Roll call: Mrs. Brown – no; Mr. Dewees – yes; Mr. O’Neill - yes; Mr. Perri – no; Mr. Polistina – yes; Mr. Vain – yes; Mr. Carew – yes. Motion carries for introduction of Ordinance 10-2012.

PAYMENT OF BILLS

Councilman Perri motioned, Councilman Polistina seconded, for payment of bills in the amount of \$ 5,432,482.64.

Councilman Perri questioned the \$6,000.00 for a monument at the park; Council President Carew replied that the money is from the Trust, and was largely donated by a local family.

Roll call: Mrs. Brown – yes; Mr. Dewees – yes; Mr. O’Neill - yes; Mr. Perri – yes; Mr. Polistina – yes; Mr. Vain – yes; Mr. Carew – yes. Motion carries for payment of bills.

PUBLIC SESSION

Council President Carew opened this meeting to the public and asked if anyone wished to speak.

Robert Webb, 218 West Revere Avenue, thanked Steve Vain and Bill Vain for their hard work on Veteran's Park. Councilman Polistina thanked Mr. Webb for his assistance as well.

Tom Evans, 400 Davis Avenue, asked for an update on drainage plans for his street. City Engineer Doran said the design is at the state, but that he will stop by Evans’ house with the plans. Evans reported storm drains in need of cleaning and inquired

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about the tear-down home on his street. Dewees advised that he will address the storm drain issue and that it is his understanding that the owners of the damaged home have come in for a demo permit. Evans stated that Carluccio's is causing bad odors in the neighborhood from the washing of mats, food waste, and spilling oil; they also have a 3 inch trough drain. Evans asked where it drains. Doran stated that when he visits Evans tomorrow, he will take a look.

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

Councilman Dewees read the meeting notices.

EXECUTIVE SESSION OF COUNCIL

The resolution was adopted earlier in the evening.

134-2012 A Resolution Providing For An Executive Session Not Open To The Public In Accordance With The Provisions Of The New Jersey Open Meetings Public Act, N.J.S.A. 10:4-12B(4), Regarding Contract Negotiations For The Northfield Fire Department

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 Bonchi stated that this session would be convened to provide the Mayor the opportunity to update Council with regard to contract negotiations. There may or may not be an agreement. If there is, there may be a vote when the public session resumes. Strategy negotiations will not be made public but any vote as well as the contract itself will be public.

At 9:35pm, Council left the dais and entered the City Clerk's Office; Solicitor Bonchi was also in attendance. At 10:56pm, the closed session was adjourned and the regular meeting of Council resumed. Bonchi announced a summary for the record as follows: Council has just come out of a closed session and changes to the proposed Collective Bargaining Agreement were reviewed and Council discussed the merits of same. Strategy discussions will not be released at a future date.

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RESOLUTION

Councilman Polistina motioned, Vain seconded to adopt Resolution 137-2012.

137-2012 A Resolution Approving an Agreement Between the City of Northfield and Northfield Professional Fire Fighters Association, Local No. 2364, International Association of Fire Fighters, AFL-CIO Effective January 1, 2012 Through December 31, 2014

Roll call: Mrs. Brown – yes; Mr. Dewees – yes; Mr. O’Neill - yes; Mr. Perri – no; Mr. Polistina – yes; Mr. Vain – yes; Mr. Carew – yes. Motion carries.

At 10:58pm, on motions properly made and seconded, this meeting was adjourned.

Respectfully submitted,

Mary Canesi, RMC, Municipal Clerk