

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
SEPTEMBER 14, 2021**

At 7:16pm, 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 Executive Order of the Governor of the State of NJ Nos. 242 and 243, the previously advertised September 14, 2021, meeting of Northfield City Council, to be held in Council Chambers, 1600 Shore Road, Northfield, New Jersey, 08225, will be held in-person and as a remote public meeting (live-streamed) using Zoom conferencing service. Due to continued 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 September 14, 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 September 14, 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/82082685864> or by telephone using one tap mobile +13017158592,,82082685864# or direct dial +1 301 715 8592 using Meeting ID: 820 8268 5864. 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 September 14, 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

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they can access the meeting using a web-browser, and be able to view and listen. Instructions on how members of the public could reserve one of the limited seats, as well as how they can access Zoom have been made available on the municipal website and were published in the Press of Atlantic City. The full text of the public meeting notice has been posted at the entrance to the municipal building and includes Zoom instructions, information on where to find the meeting agenda and relevant documents, as well as instructions on how members of the public could submit comments in advance of tonight's meeting.

For those participating via Zoom, all participants will be 'muted' upon entry to the meeting. Web-browser participants will not be able to share their screens or see the camera-view of anyone other than the host, which is the City of Northfield. 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."

Clerk Canesi offered explanation regarding technical difficulties.

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 Notaro with a second of Councilwoman Madden, all members present were in favor of approving the minutes of August 31st, 2021 without formal reading. They were posted, distributed to Council, and on file in the Municipal Clerk's Office.

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MAYOR'S REPORT

Mayor Chau thanked all involved in the 911 event, he thanked Deputy Clerk Campbell for the enormous amount of work done to organize, and to Mr. Schenk for the offer of his daughter to sing. He noted that Council President Polistina had indicated we'd like to continue this an annual event, he would request that Clerk Canesi and Chief Newman work to secure the road closing approval from the County. He referred to West Nile positive tests at Birch Grove, he had discussed this with County Mosquito Control personnel and urged all to eliminate all standing water.

At 7:23pm it was determined that the Zoom 'recording' feature had not been activated, however the City's audio recording software was operating.

Mayor Chau announced the ribbon cutting for the bike trails at Birch Grove would be held at the bike rodeo on September 25th, the bike rodeo begins at 10am and the ribbon cutting at 11am. He also gave a shout-out to McDonald's for donating ice cream coupons to be distributed by the Northfield Police Department in recognition of children observing good bicycle safety; it was a successful program in its 3rd year. He was notified by the County Health Department about flu clinics, adding that Covid 19 shots would also be offered at all clinics to all age 18 and over. Face coverings were required. Mayor Chau also sent out information about how legalized marijuana would affect employees, we may have to update our policy manuals.

Solicitor Facenda replied he could look at that, he would also want to get the advice of Ms Curio.

Mayor Chau announced that the Court Personnel Committee had met and information was available on the County website. Mayor Chau was the Chair of the Governance Committee, and there were upcoming meetings. He recognized the swearing-in of our Crossing Guards, and thanked them for their dedication and work and for their irregular schedules during the Covid 19 crisis. He reminded Council that the Atlantic County League of Municipality meeting would occur this Friday at Fred and Ethel's, with Jim Ferguson speaking regarding the Court, and Tim Kreisler, who would speak regarding shared services. Regarding the preschool, there were three classes at the former Owl Tree location; it was funded by the state. He believed classes were already in session.

CITY ENGINEER'S REPORT

Engineer Nassar reviewed the Engineer's Report as previously distributed to the Council. He was finalizing the ACIA process for payment to the City for the ramp project. The 2020 Local Road Program punch list was 90% complete. Regarding Fuae Avenue, a majority of the punch list was also complete. There would be an asphalt and fuel adjustment that will be significant, because of the changes in the past year. The slip lining project has not commenced due to difficulty in getting a fire

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hydrant dedicated for the project. The project should start next week, he would contact the Police Department when the firm schedule was known, to coordinate road closures.

Council President Polistina asked if some work would still be late night?

Engineer Nassar believed Tilton Road would be, yes.

Councilman Notaro asked if Maple Avenue was a part of the punch list?

Engineer Nassar replied that had been resolved.

Referring to slip-lining work, Council President Polistina, to Engineer Nassar or Councilman Perri, asked had the staffing issue been resolved, with the men or the manager to be present?

Councilman Perri believed they plan on being there.

Engineer Nassar noted that the contractor was told to contact Superintendent Vitale directly and Engineer Nassar would be involved.

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 wishing to speak.

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

RESOLUTIONS

Council President Polistina read the following statement: “All matters listed under the consent agenda are considered to be routine in nature, and having been reviewed by Council, will be enacted by one motion. Any item may be removed from the Consent Agenda at the request of any Council Member and if so removed, will be treated as a separate matter. Any items requiring expenditure are supported by a Certification of Availability of Funds.

The Executive 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 has concluded. Any vote made on subjects discussed will be made in public.

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Resolution 163 will not be part of the consent agenda; if 163 is considered it will be after the Executive Session of Council has concluded and the public portion of the meeting has resumed.”

On a motion of Councilman Utts, second of Councilman Dewees, all members present were in favor of voting by consent agenda for Resolutions 157-2021 through 162-2021.

- 157-2021 A Resolution Authorizing Contract with Watchguard Video, An Approved State Contract Vendor for Contracting Units Pursuant to N.J.S.A. 40A:11-12a
- 158-2021 Governing Body Certification of the Annual Audit
- 159-2021 Amending Northfield Municipal Alliance Committee Appointments
- 160-2021 Authorizing Refund of Zoning Permit Fees
- 161-2021 A Resolution Providing for an Executive Session Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12(b)(7) Matters Covered Under the Attorney Client Privilege
- 162-2021 A Resolution Providing for an Executive Session Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12(b)(4) – Contract Negotiations and N.J.S.A. 10:4-12(b)(7) Matters Covered Under the Attorney Client Privilege

Councilman Utts motioned, second of Councilman Dewees, to adopt the consent agenda for Resolutions 157-2021 through 162-2021.

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

- 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 Atlantic City 09/18/2021*

Councilman Perri motioned to adopt Ordinance 7-2021.

Councilman Utts announced that the Cannabis Regulatory Commission had sent out extensive regulations, it allowed municipalities to set certain parameters, such as a licensing fee, and limits on licenses. This body should decide if it wished to consider some of these limitations.

Council President Polistina agreed that we should have a licensing fee.

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Councilman Utts also believed we should expand the types of licenses that are permitted, we should also seek to consider how many microbusiness licenses should be permitted. He was in favor of amending the ordinance prior to final adoption.

Council President Polistina asked if any members of Council opposed an amendment?

Councilman Utts asked would it be the original committee, who considered possible amendments?

Councilman Dewees stated that he was on the original committee, but now wished to be removed.

Council President Polistina offered to be on the committee. It would consist of himself, Councilman Utts and Councilman Perri.

Councilman Perri felt if we were putting an ordinance together it was not solely on the members of the committee, we would need help, we have to conform to the 160-page regulations. He suggested we look at other town's ordinances, he didn't understand why we had such a generic ordinance. He saw the recommendations of Administrator Canesi and felt they are all good points, but felt the ordinance should be drafted by a professional.

Council President Perri agreed.

Solicitor Facenda was happy to provide assistance, tonight was the first time he had received any direction as to further amendment.

Councilman Notaro said he would yield to Chief Newman regarding enforcement issues and staffing.

Council President Polistina said he would encourage and request the involvement of Chief Neman in the meetings of the amendment committee.

Solicitor Facenda advised if changes to the ordinance were substantial, we would further advertise as required.

Councilman Smith stated that he believed there were 400 municipalities who have voted against this; he urged all to do more research as he has done, and which had continued to increase his level of concern. He was not swayed by financial concerns. Linwood and Somers Point have voted against it and urged that Northfield do the same.

Councilman Perri urged a straw poll, if the votes weren't there, don't move forward; he further clarified, if you don't have four votes now, don't move forward.

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Council President Polistina replied we don't know that we don't have the votes.

Councilman Perri added that it seemed like a lot of time and money.

There was no 'second' to the motion to adopt Ordinance 7-2021, therefore the ordinance was not considered for final adoption at this meeting.

Council President Polistina announced Ordinance 10-2021.

Councilwoman Madden motioned, second of Councilman Dewees, to adopt Ordinance 10-2021.

10-2021 An Ordinance Amending Chapter 43 and Chapter A376 of the Code of the City of Northfield
*2nd Reading / Public Hearing / Final Consideration
Published in the Press of Atlantic City 09/18/2021*

The Municipal Clerk read the ordinance by title, stated that there would be a public hearing, after which the matter will 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 asked Council if they had any questions, none were asked

Council President Polistina opened the public hearing on Ordinance 10-2021.

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

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 \$2,419,419.20

Councilman Dewees motioned for the payment of bills, seconded by Councilman Notaro.

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.

Mayor Chau announced that he received an informal inquiry with regard to hazard pay, he asked were we going to discuss this?

Solicitor Facenda advised that is the subject of a closed session on this evening's agenda.

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Councilwoman Madden read the meeting notices.

EXECUTIVE SESSION

161-2021 A Resolution Providing for an Executive Session Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12(b)(7) Matters Covered Under the Attorney Client Privilege

Clerk Canesi announced to the members of the public who were participating via Zoom that when the Executive Session commenced, she would be muting the audio, and the video would be temporarily paused. Council would resume the public session, including reactivating the audio and video, as soon as the Executive Session concluded and a public statement would be made for the record.

The Municipal Clerk read the resolution by title. Clerk Canesi further stated that we are required to set forth as much information as possible as to the subject matter to be discussed as well as provide for the public the amount of time they can expect to elapse before the non-public portion of the minutes can be disclosed. She deferred to the Solicitor for further explanation.

Solicitor Facenda announced that the matter to be discussed are specifically requests from various municipal departments for payment of hazard pay for work performed during the 2020 Coronavirus Pandemic using American Rescue Plan Act funds. The minutes would be kept and made available when permitted and required by law. The timeframe for the release of those minutes is unknown. Council will remain in Council Chambers and return to the general public when the Executive Session is complete for a short statement.

At 7:55pm Council entered Executive Session, and remained in Council Chambers.

At 8:22pm the Executive Session of Council was adjourned, and the Regular Meeting resumed in Council Chambers.

Solicitor Facenda announced that the Executive Session had concluded. The matters discussed were specifically requests from various municipal departments for payment of hazard pay for work performed during the 2020 Coronavirus Pandemic using American Rescue Plan Act funds. The minutes would be kept and made available when permitted and required by law. The timeframe for the release of those minutes is unknown.

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EXECUTIVE SESSION

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The Municipal Clerk read the resolution by title. Clerk Canesi further stated that we are required to set forth as much information as possible as to the subject matter to be discussed as well as provide for the public the amount of time they can expect to elapse before the non-public portion of the minutes can be disclosed. She deferred to the Solicitor for further explanation. Clerk Canesi announced to the members of the public who were participating via Zoom that when the Executive Session commenced, she would be turning off the audio, and the video would be temporarily paused. Council would resume the public session, audio and video, as soon as the Executive Session concluded.

Solicitor Facenda announced that the matter to be discussed were the terms of a Memorandum of Agreement between the City and the PBA relating to officer in charge pay, the topics require attorney client privilege and also involve contract negotiations. The minutes would be kept and made available when permitted and required by law. The timeframe for the release of those minutes is unknown. Council will remain in Council Chambers and return to the general public when the Executive Session is complete for a short statement.

At 8:22pm Council entered Executive Session, and remained in Council Chambers.

At 8:39pm the Executive Session of Council was adjourned, and the Regular Meeting resumed in Council Chambers.

Solicitor Facenda announced that the Executive Session had concluded. The matters discussed in the Executive Session concluded, discussed negotiations and terms of a Memorandum of Agreement between PBA and the City related to officer in charge pay, matters required confidentiality and attorney client privilege. The minutes would be kept and made available when permitted and required by law. The timeframe for the release of those minutes is unknown. Solicitor Facenda understood Council would now consider Resolution 163-2021.

Councilman Utts motioned, second of Councilman Notaro, to adopt Resolution 163-2021.

163-2021 A Resolution Approving a Memorandum of Agreement Between the City of Northfield and the NJ State PBA, Mainland Local 77

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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.

At 8:41pm, on motion of Councilman Utts, seconded by Councilman Dewees, this meeting was adjourned.

Respectfully submitted,

Mary Canesi, RMC, Municipal Clerk

DRAFT