

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
SEPTEMBER 24, 2019**

At 6:54pm, this meeting was called to order by Mary Canesi, Municipal Clerk. It was advertised in the Press of Atlantic City on January 5, 2019, in accordance with Public Law 1975, Chapter 231.

FLAG SALUTE

The flag salute was led by Mayor Chau.

ROLL CALL

Present: Dewees, Korngut, Madden, O'Neill, Perri, Smith
Absent: Lischin

Mayor Chau, Solicitor Facenda, Chief Newman and Engineer Nassar were also in attendance.

READING AND APPROVAL OF THE MINUTES

On motion of Councilman Perri, seconded by Councilwoman Madden all members present were in favor of approving the minutes of September 10, 2019 without formal reading.

Council President Pro-Tempore O'Neill announced that Carolyn Peterson should come forward.

7PM PRESENTATION - Carolyn Peterson – Dementia Friendly Community

Carolyn Peterson introduced herself and Mary Beth Lewis. Dementia Friendly America started in 2015 as a grass roots effort to ensure that people with dementia, their caregivers and families are respected in the workforce and the community. She gave a history of the task force, which included Northfield Police Chief Newman. In February, the Atlantic County Freeholders passed a Resolution in support of Dementia Friendly New Jersey, and Somers Point did recently as well. She asked for Council's support. They will be starting an education and awareness campaign that fosters a sense of community and creates empathy. Sometimes it is an impairment that is hard to recognize. She shared stories of how it could be difficult for caregivers and sufferers of dementia. It can be embarrassing and uncomfortable. There were things that we could do. In Atlantic and Cape May Counties there are currently 30,000 people with some type of cognitive impairment. She hoped to go out and train businesses and their staff. She again asked for Council's support.

Councilwoman Korngut thanked Ms. Peterson and supported what she was doing.

Councilman Smith supported Ms. Peterson as well; he asked what next step for Ms. Peterson would be.

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Ms. Peterson explained that volunteers would just go in to a business and say they have City Council's support. All were volunteers, and it doesn't cost the businesses or the City anything. There were "DFNJ" stickers that identify a business as dementia friendly.

Councilman Smith would certainly support it; he felt it was a great idea.

Mayor Chau totally agreed with the program, he urged Council to support via a Resolution.

Solicitor Facenda asked for a sample Resolution.

Ms. Peterson replied that there was one in the packet.

Councilman Perri would like to invite Ms. Peterson to a future Seniors meeting; he would support this wholeheartedly.

Clerk Canesi confirmed the Resolution would be on the agenda for October 15th.

COMMITTEE REPORTS

Councilman Perri - Public Works, Roads, Engineering, Sewer Operations, Planning Board, Senior Citizens

Councilman Perri reported there had been situations recently with the Mill Road project with some cleanouts; we were addressing that. Everyone knows there is a lot of road work going on. The new Public Works dump truck was in and on the road. The Planning Board has two applications scheduled for next month. There were over 50 attendees at the seniors meeting; long time member Marie McGlynn received a Mayor's Proclamation. It was a very nice event. Councilman Perri thanked Mayor Chau and Clerk Canesi. It was a great day.

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

Councilman O'Neill had no report this evening.

Councilwoman Korngut – Library, Municipal Alliance, Northfield School, Economic Development, Chamber of Commerce, Technology/MRHS Channel

Councilwoman Korngut thanked Councilman Perri for the presentation to Marie McGlynn; it meant so much to her. The Northfield Community School Board of Education met last night, there were some parents in attendance about an incident that happened in the 7th grade; some kids decided to organize a climate strike and

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were met with resistance from other kids. There were other related issues. The school was looking into some incidents. The next meeting was scheduled for October 28th. The Library Board met earlier this month, 4,233 people visited the library, 2,810 items were in circulation, they collected \$500.85 in fines, hosted 61 total programs and had 515 program attendees. The next Library Board meeting was scheduled for October 10th.

Councilman Dewees - Buildings/Grounds, Athletic Fields, Bike Path, Parks, Playgrounds

Councilman Dewees reported hayrides at Birch Grove would be different this year, there will be one hayride on October 11th in conjunction with Trunk or Treat, and it would be a smaller route, through the campground. All of the information was on the website and Facebook page. It should be a fantastic event, and Councilman Dewees was looking forward to it.

Councilman Smith– Finance/Collections, Little League/Babe Ruth, Shared Services

Councilman Smith reported Council would be honoring the 10U Little League team at the next meeting and asked if we needed a roster or certificates.

Deputy Municipal Clerk Shannon Campbell, in the audience, noted that we already had the certificates.

Councilman Smith would like to get the Girls 16U Softball team on the agenda for November.

Councilman Dewees believed the County wanted to honor them as well, he suggested the boys one night and the girls another night.

Councilman Smith acknowledged a Resolution on the agenda for Shared Court Services, and he would talk more about that later.

Councilwoman Madden – Insurance and Safety, Mainland Regional

Councilwoman Madden reported she received an email from Deputy Municipal Clerk Campbell regarding training. She attended the Mainland Regional School board meeting there was not much discussion. Awards presented by the school would start next month. Back to School Night was September 12th; Mr. Marrone discussed actions to combat the vaping issue.

Council President Lischin - Fire Department/EMS, Cultural Committee

Council President Lischin was absent; Council President Pro-tempore O'Neill stated that Council President Lischin did not have anything to report.

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Mayor Chau asked Clerk Canesi if Labor Counsel Curio was coming tonight.

Clerk Canesi replied no.

MAYOR'S REPORT

Mayor Chau reported that at a future meeting, Council would get an update from Labor Counsel Curio regarding PBA negotiations. At the next meeting, representatives from the ACUA would be coming to discuss the City's acquisition of recycling toters. The cost would be spread out over five years. He acknowledged we had a Class II on the agenda this evening, and we are looking to hire another and would be advertising for the position. He referred to the CGI videos on the website; once finally approved, the new videos would be on the website. He noted that he had received several calls about what the Mayors do. He announced that we run a form of government called strong council-weak mayor. As Mayor, he was Chief Executive, he ensured that all laws and rules were executed, and he was the head of the Police Department, but he did not control the day to day operation of the Police Department. He appointed officers with advice and consent of Council, and ensured they had the funds to carry out their duties. The Mayor also has veto power, which can be overturned by a 2/3 vote. In essence, City Council is in charge of everything. He still had to have Council approval when he needed something for the Police Department.

Council Pro-tempore O'Neill thanked Mayor Chau, he appreciated all he does, and thanked him for the new officers. He knows they would do a great job.

Mayor Chau thanked Councilman Dewees for driving the tractors during the hayrides; Mayor Chau offered to assist but Councilman Dewees would be driving the whole night.

CITY ENGINEER'S REPORT

Engineer Nassar reviewed the Engineer's report as previously distributed to Council. He mentioned the Veterans Park and said he hoped all have seen the monument in its new location. He referred to the 911 steel that will be installed at the former site of the Veterans Memorial.

Council President Pro-tempore O'Neill asked did Engineer Nassar need anything from Council.

Engineer Nassar believed it was being funded through Veterans Park.

Engineer Nassar reported that the water company was working on Infield Avenue and an unexploded mortar shell was discovered; the State Police and Bomb Squad were called. There were no incidents as a result. The bid opening was this Thursday for Shepherd Drive; he hoped to have recommendation of award on October 15th.

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The 2018 Road Paving Project was well under way. He hoped to have all streets done within 4 weeks, with work starting tomorrow.

Council President Pro-tempore O'Neill asked Engineer Nassar for a ballpark timeframe on Shepherd.

Engineer Nassar replied if Council authorized it on October 15th, depending on weather it may be done this year, or may have to wait until next year.

PUBLIC SESSION/FIVE MINUTES PER SPEAKER

Council President Pro-tempore O'Neill opened the public portion of the meeting for any person to speak on any subject.

Darren Boyd, 402 Franklin Avenue, asked about owner occupied rentals. Residents can't have a roommate?

Solicitor Facenda replied they can have a roommate, they are not charging that person rent.

Seeing no one wishing to speak Council Pro-tempore O'Neill closed the public session.

RESOLUTIONS

Council Pro-tempore O'Neill 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 of funds are supported by a Certification of Availability of Funds.

The Executive Session 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 the executive session has concluded. Any vote made on subjects discussed will be made in public.

Councilwoman Korngut, Councilman Smith seconded, and all were in favor of voting on Resolutions 188-2019 through 197-2019 by consent agenda.

188-2019 A Resolution Approving Release of a Performance Guarantee, for Block 115 Lot 5 Located at 1112 1st Street, Posted as a Condition of a Hardship Exception from Road Opening Moratorium

189-2019 Authorizing the Award of Contract without Public Advertisement for Bids to Calvi Electric Pursuant to the Provisions of N.J.S.A. 19:44A-20.5

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- 190-2019** To Approve an Application for Use of Facilities - NCS Cross Country
- 191-2019** Authorizing Refund of Overpayment of Taxes
- 192-2019** Resolution Authorizing Cancellation and Refund of Taxes Pursuant to N.J.S.A. 54:4-3.30 & N.J.S.A. 54:4-3.32 on Property Known as Block 9.02 Lot 34 (2307 Raymond Drive)
- 193-2019** Appoint Special Law Enforcement Officer, Class II
- 194-2019** Resolution Recognizing Family Association of Northfield Volunteers for 2019 Season
- 195-2019** Resolution in Support of Assembly Bill A-5275 Permitting Certain Firefighter Training Courses to be Completed Online
- 196-2019** Authorizing the Award of Contract without Public Advertisement for Bids to Trinity Code Inspections, LLC, to Perform Private On-Site Plumbing Sub-Code Inspections, Pursuant to the Provisions of N.J.S.A. 19:44A-20.5
- 197-2019** 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) – Contract Negotiations Regarding an Agreement for Shared Municipal Court

Councilwoman Korngut motioned, Councilman Smith seconded, to adopt Resolutions 188-2019 through 197-2019 by consent agenda.

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

ORDINANCE

Councilman Dewees motioned, Councilman Perri seconded, to introduce Ordinance 13-2019, to be read by title only.

- 13-2019** An Ordinance Amending § 275-9 of the Code of the City of Northfield Prohibiting Short Term (30 Days or Less) Residential Rentals
*Introduction / No Public Input / Published in the Press of AC 09/28/2019
2nd Reading / Public Hearing / Final Consideration 10/15/2019*

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 9:00am and 4:00pm, Monday through Friday to any member of the public who requests same.

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Councilman Perri asked if the occupancy limits were addressed in this ordinance.

Solicitor Facenda replied that they were regulated by the DCA.

Engineer Nassar agreed; we can't regulate that.

Councilwoman Korngut added that it was her understanding that rental of a room or any portion of a premises was not allowed; if she lives in her home and wanted to take in a roommate, this would preclude that.

Solicitor Facenda replied that was correct, the way the ordinance is worded you would have to rent the entirety of your house. You cannot sublet your house; you can't rent your basement.

Clerk Canesi explained that under the current ordinance you can not rent a part of your home.

Councilwoman Korngut thanked Solicitor Facenda and Clerk Canesi for the clarification and confirmed that that portion of the ordinance was not being changed.

Council President Pro-tempore O'Neill reconfirmed that a home could not be rented out by the week but had to be for at least thirty days.

Councilman Smith did not know if he had enough information, and asked if we heard about someone who does it. He was approached after the last meeting by a resident who was doing this legally without incident.

Clerk Canesi clarified for Councilman Smith that Airbnb's are not legal now; in order to have a rental in Northfield you have to have it inspected by the Zoning Officer, while it is vacant, and a lease has to be presented. To her knowledge there has not been a single Airbnb who has followed that regulation. No one has done it legally; all that have been reported or found to be advertising have been put on notice by the Code Enforcement Officer. This ordinance just closes the gap. If someone where to have it vacant, inspected, and present a lease, the rental would be legal. Clerk Canesi explained how someone could do it legally: if the rentals were staggered in such a way that they could apply, have the home inspected while vacant, and present a lease. Before renting again they would have to do all of the steps again.

Councilman Perri added ignorance of the law was no excuse. What you are doing is regulating the term; you can regulate it to make it acceptable but you'd need a comprehensive ordinance. This was an attempt to control a community of homes, the Planning Board and Master Plan did not consider this. This was regulating it without prohibiting it. He researched the Ordinance in Ocean City, Maryland, and it was very comprehensive.

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Councilman Smith asked, in the Ocean City ordinance, is it acceptable?

Councilman Perri replied they were allowed in certain zones; he explained the complicated nature of the Ocean City Ordinance.

Councilwoman Korngut stated that she had a few people approach her who were grateful for the action taken. She also got positive feedback from the school board.

Councilman Perri replied he could see how if you have different people coming next door to you every day, most people live here year-round, he could also see where it could be lucrative but it was not the intent of the Master Plan to have this in our community

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

PAYMENT OF BILLS \$ 1,573,546.77

Councilwoman Madden motioned, Councilwoman Korngut seconded, for payment of bills.

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

Council President Pro-tempore O’Neill read the meeting notices and announced the Executive Session.

197-2019 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) – Contract Negotiations Regarding an Agreement for Shared Municipal Court

Municipal Clerk Canesi read Resolution 197-2019 by title and deferred to Solicitor Facenda.

Solicitor Facenda announced the executive session was in regard to continued contractual negotiations with neighboring municipalities regarding shared municipal court. With respect to the minutes, Council will keep minutes of the Executive Session as required by law and they would be made promptly available for public inspection when required and permitted by law. The time frame for publication and approval was unknown. Council would return to make a statement for the record.

For the record, Clerk Canesi asked Solicitor Facenda if there would be any discussion of personnel matters in the closed session.

Solicitor Facenda replied there will not.

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Clerk Canesi advised that since there would be no discussion of employment the employees were not issued Rice Notices.

At 7:39pm Council moved to the Mayor's Office.

At 7:59pm Council returned to Council Chambers, and resumed the Regular Meeting.

Solicitor Facenda announced that the Executive Session had concluded, it was not open to the general public, matters discussed were continued contractual negotiations with the City of Linwood and the Township of Egg Harbor regarding shared court. It was indicated earlier that negotiations are continuing; they have not concluded and will continue beyond today. Minutes were in fact kept; when law permits minutes would be released.

Council President Pro-tempore O'Neill thanked everyone for allowing him to be Council President for the evening.

At 8:00pm, on a motion of Council President Pro-tempore O'Neill, seconded by Councilwoman Korngut, all members present were in favor of adjourning this meeting.

Respectfully submitted,

Mary Canesi, RMC, Municipal Clerk