

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
OCTOBER 12, 2010**

At 7:00pm, 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. Kern, Mr. Martinez, Mr. O'Grady, Mr. Perri, Mr. Smith, Mr. Vain, Mr. Carew

Mayor Vincent Mazzeo, City Solicitor Keith Bonchi, and City Engineer Matt Doran were also in attendance.

AGENDA REVIEW

Council President Carew reviewed the agenda.

READING AND APPROVAL OF MINUTES

Motion by Councilman Martinez, second by Councilman Vain, to dispense with the reading of the minutes of September 14th. They have been posted, distributed to Council and are on file in the Municipal Clerk's Office. All present in favor, motion carries for approval of minutes.

COMMITTEE REPORTS

Councilman Martinez said for the Planning Board, the litigation with Hansen is over; the project on Argo Lane will come to fruition and will be a great project for the area residents and for the City. We are waiting on delivery of additional vending machines; he reiterated the program benefits, including possible acquisition of score boards and backstops. Carew asked if these items would be donated; Martinez replied that there is a tendency to towards score boards, but it is open to discussion based on sponsorship. Carew asked for a time frame and point of contact. Martinez said we have to get the program up and running to generate the revenue to justify a project.

Councilman Perri said there has been no word back on the sewer interlocal agreement. He referred to a repair at Roosevelt and Route 9, and said the repair that caused the problem occurred closer to 15 years ago, making recovery more complicated. He is still looking into water-usage charge information from NJ American Water. He said he also looked at our own ordinance and it does contain

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the flexibility to allow us to amend our billing processes to a use-based system. He will keep Council posted. He thanked all who were involved in the Family Funfest and said it was a great event.

Mayor Mazzeo commented that Linwood has said they are willing to go to 47.5/52.5 split this year, and revisit another 2.5 next year. They will discuss at their meeting on October 13th. Perri said he thinks that only 3 votes from the sewer interlocal committee are required to make the change to the split

Councilman Vain said Robbie Dollard from Doran Engineering requested a meeting with the County to discuss City issues, including sidewalks and crosswalks. The last day for voter registration is today; Vain gave instructions on how to meet the deadline.

Councilwoman Kern said the Cultural Committee yard sale is November 6th from 9am-2pm, with proceeds to benefit the museum. On October 21st, the Historical Society will have their antique appraisal from 6pm-8pm. Kern mentioned that we need additional recycle bins for the bike path and said she contacted the ACUA for possible donations. Mr. Perez said they will give us 18 new trash cans and 18 recycle bins at no charge; she thanked them. O'Grady asked about using some at the park. Kern said since they were given to us, she didn't ask for more. Kern said she wants to write a thank you note to the ACUA and Mr. Perez; she will contact city clerk to make arrangements.

Councilman Smith read statistics from the EMS report and Fire report for the month of September. He met with the NCS Business Administrator and School Board members about initiating shared service discussions. Carew stated that he also spoke with the Northfield Board of Education and with Linwood's Council President. He is also in contact with Somers Point. He should know more by the next meeting.

Councilman O'Grady said the Library Board met on September 16th; he read a list of upcoming library events. The Board meets again October 16th. The e-commerce RFP is complete and will be reviewed by the Solicitor for submission to the City Clerk this week. He issued a reminder about information available on the City website. Work will start on the SustainablejerseyTM grant soon. A significant grant is available for energy efficiency upgrades and an application has been submitted. O'Grady offered to coordinate the sharing of web information for Councilman Smith.

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COUNCIL PRESIDENT’S REPORT

Council President Carew thanked all involved in the Family Funfest and said it was a great day to be in Northfield. The haunted and family hayrides start this week, come out and see. Volunteers are still needed.

MAYOR’S REPORT

Mayor Mazzeo said the Funfest was a great success; he thanked the Municipal Alliance for their sponsorship of the fishing tournament. All Funfest committee members did a great job. Next year’s Funfest will be October 1, 2011; please make a note of it on your calendar. He referred to an email sent by the City Clerk about the Library Maintenance agreement and advised that Council members see him or Mr. Brilliant with any questions. Mazzeo would like to wrap up the agreement by the end of the year. The City used JIF safety money to purchase rain gear and coats for the crossing guards. The CFO is going out for notes in the amount of \$1.425M for capital projects. Mazzeo had meeting with the City’s Labor Counsel regarding discussion of the PBA contract. Mazzeo would like to recommend a negotiating committee of himself, Carew and one other member of Council. There are many unknowns in the next budget year.

Carew said he would like to discuss the matter.

Mazzeo concluded his report by saying he would like to resurrect the Economic Development Commission; possibly put an ad in the paper to solicit business leaders interested in joining.

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: pending rain may delay work on Hollywood Drive but this is hard to predict.

RESOLUTIONS/CONSENT AGENDA

Councilwoman Kern motioned, Councilman Vain seconded for a consent agenda for resolutions 171-2010 through 179-2010. All present in favor.

171-2010 Final Change Order No. 1 Lights at Babe Ruth Field

172-2010 Final Change Order No. 1 Reconstruction of Mt Vernon Avenue, Phase II

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- 173-2010** Release of Escrow Monies by the Planning Board
- 174-2010** Authorization to Cancel Tax Sale Certificate Number 10-10010
- 175-2010** Authorization to Cancel Tax Sale Certificate Number 10-10005
- 176-2010** Authorization to Cancel Tax Sale Certificate Number 10-10004
- 177-2010** Final Change Order No. 1 Reconstruction of Mt Vernon Avenue,
Phase I
- 178-2010** To Authorize the Sale of Surplus Property
- 179-2010** Amending the Cash Management Plan for the City of Northfield

Councilman Vain motioned, Councilwoman Kern seconded to adopt by consent agenda resolutions 171-2010 through 179-2010.

Roll call: Mrs. Kern – yes; Mr. Martinez – yes; Mr. O’Grady – yes; Mr. Perri – yes; Mr. Smith – yes; Mr. Vain – yes; Mr. Carew – yes. Motion carries.

ORDINANCES

On a motion of Councilman Perri, second of Councilman Smith, all present in favor of reading Ordinance 15-2010 by title only.

- 15-2010** An Ordinance Amending Chapter 68 of the Code of the City of Northfield, Entitled Fire Prevention
*Final Adoption/No Public Comments Received
Published 10/16/2010*

Roll call: Mrs. Kern – yes; Mr. Martinez – yes; Mr. O’Grady – yes; Mr. Perri – yes; Mr. Smith – yes; Mr. Vain – yes; Mr. Carew – yes. Motion carries for final adoption of Ordinance 15-2010.

On a motion of Councilman Smith, second of Councilwoman Kern, all present in favor of reading Ordinance 16-2010 by title only.

- 16-2010** An Ordinance Providing for Two-Hour Parking on a Portion of Cedar Bridge Road from Juniper Drive to Wabash Avenue
*Introduction/No Public Input/Published in the Press 10/16/2010
Second Reading/Public Hearing/Final Adoption 10/26/2010*

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Roll call: Mrs. Kern – yes; Mr. Martinez – yes; Mr. O’Grady – yes; Mr. Perri – yes; Mr. Smith – yes; Mr. Vain – yes; Mr. Carew – yes. Motion carries for introduction of Ordinance 16-2010.

On a motion of Councilwoman Kern, second of Councilman Smith, all present in favor of reading Ordinance 17-2010 by title only.

17-2010 Bond Ordinance Appropriating One Hundred Forty-Two Thousand Dollars (\$142,000) And Authorizing The Issuance Of One Hundred Thirty-Four Thousand Nine Hundred Dollars (\$134,900) In Bonds Or Notes Of The City Of Northfield For Roadway Improvements To Jack Sloan Court And Joseph Court In The City Of Northfield, In The County Of Atlantic, New Jersey
Introduction/No Public Input/Published in the Press 10/16/2010
Second Reading/Public Hearing/Final Adoption 10/26/2010

Full copies of the ordinance are available upon request at no cost in the City Clerk’s Office Monday-Friday, 9:00am to 4:00pm

Councilman Martinez requested discussion and asked for a synopsis of how we got here, without going into details of executive session. He said the City pulled the bond and is now borrowing additional money to complete the project; he referred to various options being presented.

The Municipal Solicitor cautioned that some of the details can only be appropriately discussed in executive session, and offered to summarize since we are currently in litigation. Bonchi said the options cannot be compared in open discussion due to litigation. He said every developer who builds in Northfield has to go before the Planning Board for approval, and the Planning Board Engineer has to review the plans. The developer refused to build streets in accordance with the approved plans and the City would not accept the streets as built. A conflict engineer made recommendations that the City accepted in accordance with the originally approved plans.

Mayor Mazzeo stated that the conflict engineer said bidding in fall or winter may result in a more favorable bidding environment; we went out to bid in August. Mazzeo suggested rebidding because we are using the money of all taxpayers.

Council President Carew reiterated Bonchi’s statement that this must be discussed in Executive Session.

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Solicitor Bonchi said resolution 180-2010 authorizing a closed session of Council would be added to the agenda.

EXECUTIVE SESSION OF COUNCIL

The Municipal Clerk read the Paff injunction under which the City of Northfield has been bound with regard to closed sessions of Council, and read Resolution 180-2010 by title.

180-2010 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, Regarding Pending Litigation In The Matter Of Inadequate Drainage And Other Unacceptable Improvements In The Burton Estates Subdivision

Roll call: Mrs. Kern – yes; Mr. Martinez – yes; Mr. O’Grady – yes; Mr. Perri – abstain; Mr. Smith – yes; Mr. Vain – yes; Mr. Carew – yes. Motion carries.

Councilman Perri excused himself from the closed session due to a conflict. Solicitor Bonchi announced that during the closed session the details of the plans drawn up for the reconstruction of Joseph Court and Jack Sloan Court would be discussed; these options cannot be discussed in public due to the litigation between the City of Northfield and Dr. Trocki. Any decision of Council will be in public session. No strategy discussions will be released, but other information can be when the lawsuit is finally over.

At 7:42pm, Council left the dais and entered the meeting room. CFO Marilyn Dolcy and Municipal Clerk Mary Canesi were also in attendance. At 8:19pm, on motions properly made and seconded, the closed session was adjourned and Mr. Bonchi announced a summary for the record as follows: Council discussed the merits of going forward with the bid received for remediation. Ultimately there will be a vote based upon that tonight. The plans are public records; the reasons are part of strategy but will not be released until litigation has been exhausted.

Council President Carew reiterated that there was motion on the floor, which had been properly made and seconded to introduce ordinance 17-2010.

Roll call: Mrs. Kern – yes; Mr. Martinez – no; Mr. O’Grady – no; Mr. Perri – abstain; Mr. Smith – yes; Mr. Vain – yes; Mr. Carew – yes. Motion carries for introduction of Ordinance 17-2010.

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PAYMENT OF BILLS

Councilman O'Grady motioned, Councilman Vain seconded, for payment of bills in the amount of \$ 2,356,965.87. Perri announced that he had give the City Clerk abstentions from certain line items on the bill list.

Roll call: Mrs. Kern – yes; Mr. Martinez – absent; Mr. O'Grady – yes; Mr. Perri – yes; Mr. Smith – 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 from the public wished to speak.

Jim Turner, 6 Joseph Court, President of the Homeowner's Association for Burton Estates, commented that he has had contact from everyone from Council but Martinez and O'Grady on the Burton Estates issue. He said the average tax bill is over \$12,000 and residents have been very patient. The Association is incurring legal costs as well. He is asking Northfield to do what is right.

Robert Webb, 218 West Revere Avenue, said he wants to know what will be done at Revere and Route 9 with regard to parking. He spoke with Craig Tanzola about having flags at City Hall or at Birch Grove Park to honor Veterans. Mr. Webb also said crossing guards should be able to sit in their cars. Mayor Mazzeo noted that concerns about crossing guards should be directed to Chief James or to the Mayor.

Mark Doherty, 405 Chestnut Avenue, said crossing guards do not have adequate protective gear and that there has been a change in policy that they have to stand outside on their post; cannot sit in their cars even when children are not present. He asked if there was a lawsuit against Northfield regarding the action or inaction of a crossing guard. Bonchi replied that there is no lawsuit that we are aware of. Doherty asked if a car had been dedicated to make the rounds to supervise crossing guards. Carew replied that Chief James has to manage his department; Council does not know everything the police department does at all times. Carew said he has faith in the police department to do the right thing. Mazzeo said officers do monitor flow at guard posts, adding that he has had complaints from residents about guards sitting in their cars; there is an argument that they should be at their posts.

Craig Tanzola, 10 Magnolia Court; said his street floods and does not have proper drainage. He wants the City to look at his street when they are done with Burton; he feels the elevation is incorrect and there are drainage issues. The snack bar was rebid

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3 times for a 20% savings and he feels 20% is worth rebidding the Burton Avenue project. Whoever was in charge of oversight at Burton Estates did not do their job. The Atrium basins are not properly maintained.

Robin Margulis, 20 Jack Sloan Court, thanked Council for the crosswalks in her neighborhood, but said she still sees a problem with cars failing to stop at the crosswalks and feels more enforcement is needed. The street needs signs warning drivers of approaching crosswalks. She said plans for her neighborhood have not come to fruition and asked why Trocki's bond was not enough to cover fixing the streets properly. She feels it's time for the city to fix it and go after Trocki for reimbursement.

Eric Shenkus, 11 Jack Sloan Court, said they have waited long enough. They want action. Professional studies have been done that document the problem.

Joan Brennan, 116 Dolphin Avenue commented that cars are now traveling at excessive speeds down her street due to 4-way stops along Wabash Avenue. She said a police car should be posted there. The next Neighborhood Watch Meeting is October 28th at Chido Burrito at 7pm; attendees get 10% off. She raised \$70 at the Family Funfest and will invest in engraving equipment so that members can mark their valuables. She said Chief James found a Neighborhood Watch sign in the basement and will post it at Dolphin Avenue. Mazzeo commented that he will discuss the speeding issue with Chief James. Brennan said a resident of Somers Point told her he sent out a mass email urging all residents to boycott Northfield because of speed traps, cell phone traps, etc. set up by our police. She said this is affecting businesses because people are avoiding Northfield. She said Linwood doesn't do the traps.

Helen Havlick, 203 West Revere Avenue disagreed with Brennan about the traps. She said there is too much abuse of speeding and cell phones. She said Linwood does do them, and frequently. She also said bicyclists do not obey traffic rules; they don't stop and walk their bikes.

Robert Webb, 218 West Revere Avenue asked if a police officer would have to stand out of his car; Mazzeo replied yes. Webb also said the stop sign is on the wrong side of the bike path on Oakcrest Avenue.

Tom Evans, 400 Davis Avenue; said his street's flooding has not been fixed. Carew replied that Davis is being addressed; the work has not been done yet but we will be moving forward and will see how much money remains for flooding issues.

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Nunzi Cupo, 1 Joseph Court, thanked Council for the crosswalks but said during football games, cars park in the middle of the crosswalks. Vain said Chief James is addressing it. Cupo said he is a Veteran, and volunteered to be honored with a flag. He said he would like his street fixed.

Vain said he would like to head up a committee to honor veterans

Robin Margulis, 20 Jack Sloan Court; said parking on Burton Avenue during athletic events is causing traffic to be reduced to one way, and asked how close cars are allowed to park to the corner. She said parked cars are causing blind spots; the City needs to paint lines to restrict parking and possibly add signage.

Seeing no others wishing to speak, Council President Carew closed the public session.

Councilman Perri read the meeting notices.

On motions properly made and seconded, this meeting was adjourned at 8:43pm.

Respectfully submitted,

Mary Canesi, RMC, Municipal Clerk