

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
NOVEMBER 20, 2012**

At 7:11pm, 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
Absent: Mr. Carew

Mayor Vince Mazzeo, City Solicitor Keith Bonchi, Police Chief Robert James, City Engineer Matt Doran, and Deputy Municipal Clerk Mimi Marlor were also in attendance.

Councilwoman Brown motioned, Dewees seconded to elect Councilman Tom Polistina as Council President for this evening's meeting due to the absence of President Carew. All present in favor.

VETERAN OF THE MONTH HONOREE

Councilman Vain announced that all servicemen and women serving around the world will be honored this month

AGENDA REVIEW

Council President Polistina reviewed the agenda.

READING AND APPROVAL OF THE MINUTES

A motion was made by Councilman O'Neill, second by Councilman Dewees to dispense with the reading of the minutes of October 23, 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. Vain –yes; Mr. Carew – absent; Mr. Polistina – yes. Motion carries.

COMMITTEE REPORTS

Councilman Perri thanked all who participated in the creation of Veterans Park, mentioning Councilman Vain and Mayor Mazzeo specifically. Perri said it is a great

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addition to the community. He said several sewer department projects with the County have been completed, including Tilton Road; he said Maple Run is pending. He wished all a happy Thanksgiving.

Councilman O'Neill said he reached out to MRHS in response to Solicitor Bonchi's concerns with regard to the student program. O'Neill thanked Councilman Vain, and resident Bill Vain, for their work on Veterans Park, adding that the memorial looks great.

Solicitor Bonchi announced that Mr. Capasso from MRHS may call Bonchi directly with questions; the two are acquainted.

Councilman Vain said the Park dedication went very well with a good number in attendance. He thanked Mayor Mazzeo for being instrumental in getting the monument, and thanked Mr. Webb, who is raising and lowering the flag until it can be illuminated. Vain stated that Webb has said he considers doing so an honor. Vain thanked Bill Coulter for encouraging participation of local Veterans' groups, and thanked his brother Bill Vain as well as local attorney Mark Biehl for his tireless work on soliciting donations. He also thanked Matt Doran and Robbie Dollard from Doran Engineering for their pro bono work on the project, and Councilman Polistina for his assistance. Vain thanked local Veteran Wayne Palaia for donating the flag, which was recently flown on Patriot Day, as well as during a combat mission in Afghanistan. Vain said he has enjoyed his work on the Park; this is Phase I and a few more phases are scheduled. He thanked Council for future capital funding and Atlantic County for the initial grant. Vain wished all a happy Thanksgiving.

Councilman Dewees had no committee report this evening and wished all a happy Thanksgiving.

Councilwoman Brown announced that the Economic Development Commission will meet the Thursday following Thanksgiving. Current Commission President Travagline will resign and a new President will be appointed. Brown said she was unable to attend the dedication of Veterans' Park, but offered congratulations to all, especially to Councilman Vain.

COUNCIL PRESIDENT'S REPORT

Councilman Polistina thanked the 1st responders, including Police, Fire, and OEM, for their efforts during storm, and those who helped get information out during and after the storm. He stated that he felt the operations went seamlessly. He read the EMS report for the month of October., and said Veterans' Park was a perfect day

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with a great turnout. He thanked Mayor Mazzeo for the initial plan concept, the County for the funds, and Council then, now, and future as we go forward.

Councilman Vain commended the use of text messaging during the storm, referring to Nixle.

Councilman Perri said he was approached by a First Ward resident regarding a bill received for an ambulance transport; he said he would like to enter a letter sent to the Mayor into the record about the matter.

Mayor Mazzeo stated that he did receive the letter and turned it over to the Chief of Shore Memorial. Perri responded that as of yesterday it was not resolved.

Council President Polistina said he will investigate and follow up; he stated that initial information on the matter indicated that the call may have required ALS as opposed to BLS, which is a different billing structure.

MAYOR'S REPORT

Mayor Mazzeo said the month of November was Veterans month, and he participated in the NCS school program, which included a very nice ceremony for the Veterans. On November 11th the flag was raised in front of the American Legion; many members were in attendance as was Councilman Perri. These are great traditions in Northfield. On November 12th, MRHS held a Veterans' Breakfast; Mazzeo thanked Marty Peary for transporting the Veterans on his own time. He also thanked MRHS Veterans Program Coordinator Mrs. Kearney, and Councilman Vain and the Veterans' Park Committee. Mazzeo is looking forward to the completion of the Park. He provided details for the Tree Lighting on December 7th, and congratulated all on the election, those who won and those who ran. At the December meeting of Council the DEP will be in attendance to present information on Sunshine Cleaners. Mazzeo provided a summary of storm activities, as obtained from OEM Coordinator George Clark, including overtime statistics and damage done to City property. Mazzeo noted that the Davis Avenue pump station sustained damage, and said repair estimates are forthcoming. He said the mainland towns fared better during Sandy than in the Derecho, and thanked all responders for a job well done. He read the Police Department report for October, and noted that the Maintenance Agreement for the Library is up at the end of the year. He provided a brief explanation and asked that it be sent to Council for review.

Councilman Perri asked about the status of the town map. The Municipal Clerk replied that it is at the printer for final review and printing.

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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 Broad Street project is out to bid; the project will start in the spring. *(At 7:33pm, Councilwoman Brown left the dais.)* Doran said the Roosevelt bids are due December 4th and he hopes to award on December 11th. He said he hopes to bid the paving job to have spring construction, and that Birch Grove Park Phase 3 should be complete by mid-December. The Tilton Road drainage project is complete, and they are working on final numbers for time and material. The 2nd Street force main is being discussed with the County now, which is similar to the situation on Tilton Road. *(At 7:34pm, Councilwoman Brown returned to the dais.)*

RESOLUTIONS / CONSENT AGENDA

Councilman Vain motioned, Councilman Perri seconded to vote by consent agenda on Resolutions 162-2012 through 167-2012. The Municipal Clerk read Resolution 167-2012 in full, as it was added to the agenda during the Work Session earlier in the evening.

RESOLUTION NO. 167-2012, A REQUEST TO THE COUNTY OF ATLANTIC TO USE COUNTY ROADS FOR MUNICIPAL HOLIDAY TREE LIGHTING

WHEREAS, the City has a desire to use a County Road for the annual municipal holiday tree lighting; and WHEREAS, the City of Northfield has the following request to be made to the County: Annual Holiday Tree Lighting – Friday, December 7, 2012. Close Shore Road from Zion Road to Tilton Road (6:30 p.m. to 9:00 p.m.). NOW THEREFORE, BE IT RESOLVED, that the Insurance Certificate and Indemnification Agreement are attached as requested by the County. I, Mary Canesi, Municipal Clerk of the City of Northfield, do hereby certify that the foregoing Resolution was duly adopted at a regular meeting of the City Council of Northfield, held this 20th day of November, 2012.

- 162-2012** To Authorize Release of Maintenance Guarantee and Inspection Escrow for Block 46 Lot 14

- 163-2012** Budget Transfers

- 164-2012** A Resolution Approving an Employment Agreement between the City of Northfield and Mary Canesi, Registered Municipal Clerk

- 165-2012** Community Development Block Grant Program

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- 166-2012** 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 Possible Future Litigation in the Matter of an Insurance Claim Filed Against the City of Northfield that was Previously Denied
- 167-2012** Request To The County Of Atlantic To Use County Roads For Municipal Holiday Tree Lighting

Roll call: Mrs. Brown – yes; Mr. Dewees – yes; Mr. O’Neill – yes; Mr. Perri – yes; Mr. Vain –yes; Mr. Carew – absent; Mr. Polistina – yes. Motion carries to vote by consent agenda.

Councilman Vain motioned, Councilman Perri seconded to adopt the consent agenda for Resolutions 162-2012 through 167-2012.

Council President Polistina announced that the Executive Session of Council would be held at end of the regular meeting and that Council will resume the public session thereafter; there may or may not be an announcement at that time.

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

ORDINANCE

- 11-2012** Amending Ordinance 8-2008, an Ordinance Amending the 1986 Land Use and Development Ordinance, Regarding Tree Removal and Protection
The ordinance is slated for 2nd Reading and Final Adoption following a Public Hearing. If adopted the Ordinance will be published in the Press on November 24, 2012

Council President Polistina opened the public hearing.

Tom Wolfe, Davis Avenue, asked for Council’s plans. Polistina replied that after getting public input, the ordinance will be tabled and discussed in Committee with the planning board. Wolfe continued and said he opposes the tree ordinance, commenting that residents don't take care of their trees. He said a high percentage are diseased. The ordinance should address dead or diseased trees that are not taken care of by the owner. Polistina said he would contact Wolfe to address further in regard to specific issues.

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Clem Scharff, 105 Circle Drive, Vice Chairman of the Planning Board, stated that the ordinance needs work and that it was intended to keep people from clear cutting. Diseased trees can be removed and up to three healthy trees can be removed. We don't want to have a recurrence of what happened at Tilton, Mill and Shore. He said the original ordinance was a year and a half in the making.

Councilman O'Neill asked if a professional assessment is required if an individual homeowner identifies a tree as diseased. Scharff replied that he does not have the ordinance with him, but he believes that dangerous trees can be removed. O'Neill mentioned the requirement of services of an arborist. Scharff replied that he thinks that refers to specimen trees. Councilman Vain commented that it can be difficult to tell when a tree is dead. Scharff said we don't want Northfield to be like Margate, with no trees. You can't take a section of forest out without affecting the other trees. He reiterated that the ordinance just needs work.

Councilman Perri asked if large but otherwise healthy tree be reduced in size by trimming to keep it away from a house. Scharff replied that one would need a good arborist; but there are different approaches that may work. He said trimming and maintenance are not an issue, removal is.

Wolfe added that economic conditions prevent clear cutting.

Mayor Mazzeo stated that the penalty is quite high if the ordinance, unchanged, were enforced.

Seeing no other members of the public wishing to speak regarding Ordinance 11-2012, Council President Polistina closed the public session.

Councilwoman Brown motioned to table Ordinance 11-2012. Councilman Dewees seconded.

Councilman Vain asked when discussions would start. Council President Polistina stated that he will request that Council President Carew form a Committee within the next month.

Scharff announced that the Planning Board has formed a tentative Committee. Councilwoman Brown spoke and requested that Tom Wolfe participate with the Committee.

Roll call: Mrs. Brown – yes; Mr. Dewees – yes; Mr. O'Neill – yes; Mr. Perri – yes; Mr. Vain –yes; Mr. Carew – absent; Mr. Polistina – yes. Motion carries to table Ordinance 11-2012.

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The Municipal Clerk noted for the record that an ordinance should not be introduced and adopted in different years, and explained that Council will have to reintroduce the tree ordinance if not adopted by the end of the year.

PAYMENT OF BILLS

Councilman O'Neill motioned, Councilman Vain seconded, for payment of bills in the amount of \$ 2,818,913.54

Councilman Perri asked about the costs associated with the bond sale; are these all hard costs? Council President Polistina replied that they were; he said he conferred with the CFO and they are in line with the costs as estimated. Perri asked if the costs were bonded; Polistina replied that he is not 100% certain, but will follow up.

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

PUBLIC SESSION

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

Tom Wolfe, Davis Avenue, asked if there is a standard cost for an ambulance ride. Polistina explained the range, adding that Advanced Life Support care is a higher fee. Wolfe referred to the pole at the field that came down, and said he saw it fall. He said there are others in poor shape. He asked where people are supposed to go in an evacuation. Chief James replied that residents are encouraged to seek shelter with family if possible. Wolfe commented that the school does not have a generator. Councilman Vain stated that he thinks it is worth looking into.

Seeing no others wishing to speak, Council President Polistina closed the public session. He announced that Council would be going into closed session.

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EXECUTIVE SESSION OF COUNCIL

The resolution was adopted earlier in the evening.

166-2012 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 Possible Future Litigation in the Matter of an Insurance Claim Filed Against the City of Northfield that was Previously Denied

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 a resident named Mr. Yarger filed an insurance claim with the City when a tree that fell during Hurricane Irene in 2011 damaged his property at 137 East Revere Avenue. The tree fell from the bird sanctuary and damaged his porch. This session would be convened to discuss this claim. Bonchi does not think the thought process or strategy of the City will be disclosed. If there is a result or a decision it will be disclosed and voted on in public.

Council President Polistina invited Councilman-elect to join the closed session of Council. At 8:03pm, Council left the dais and entered the City Clerk's Office; Solicitor Bonchi was also in attendance, as were Deputy Clerk Mimi Marlor, Mayor Mazzeo and Councilman-elect Jim Travagline.

At 8:24pm, the closed session was adjourned and the regular meeting of Council resumed. Bonchi announced a summary for the record as follows: Council discussed the merits of the claim. The JIF is looking for direction from Council but there is nothing to vote on. There may be a vote in the future. The Municipal Clerk will notify the JIF of Council's thinking on the matter.

Councilman Vain read the meeting notices.

At 8:25pm, on motions properly made and seconded, this meeting was adjourned.

Respectfully submitted,

Mary Canesi, RMC, Municipal Clerk