

**CITY OF NORTHFIELD COUNCIL MEETING
FEBRUARY 10, 2009**

This meeting was called to order by Mary Canesi, Acting 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, there was a moment of silence to honor the men and women serving in our Armed Forces at home and in foreign countries; may they return home safely to their families.

ROLL CALL

Present: Mr. Carew, Mr. Martinez, Mr. O’Grady, Mr. Smith, Mr. Turon, Mr. Vain, and Mrs. Kern

City Solicitor Keith Bonchi and City Engineer Matt Doran were also in attendance.

AGENDA REVIEW

Council President Kern reviewed the agenda. Councilman O’Grady referred to an energy audit resolution that was removed from this evening’s agenda pending further discussion. The resolution would authorize an energy efficiency audit of all city buildings; if performed by a state approved contractors 75% of audit costs are refunded with the remaining 25% also refunded if audit recommendations are implemented within 6 months of the completion of the audit. Discussion ensued, with O’Grady offering to perform any administrative work required for the application that department heads are not able to handle. The program is brand new, so there are no examples for comparison purposes. Councilman Carew stated that the issue should be reviewed during budget discussions as all costs, including those for implementing anticipated recommendations, would have to be budgeted up front. Carew added that he is looking into possible sources of grant funding for making energy-efficient improvements. Councilman Martinez referred to www.sustainablejersey.com, a website with helpful information on clean energy options, adding that Rutgers University is partnering with the State to assist municipalities in creating sustainable energy programs. Grant money is available from companies such as Walmart, who is providing up to \$25,000 in grant money to participating municipalities. O’Grady referred to House Bill 1185 which would allow municipalities with an energy audit on file to contract with an ESCO to have all costs associated with making recommendations paid for up front, as long as the ESCO gets a percentage of the long term savings. Council President Kern asked if a guest speaker could come speak to Council; O’Grady stated that Roger Klemish with TRC, the state appointed grant administrator, would be willing to do so.

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Kern referred to Resolution 27-2009, to adopt the PBA contract. Kern asked if anyone would like further discussion prior to adoption; if so there is an Executive Session on the agenda this evening to authorize it. No discussion was requested and Kern announced that Resolution 37-2009, 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 Police Contract Negotiations, would be deleted from tonight's agenda.

Councilman Carew asked that Solicitor Bonchi provide an explanation to Council with regard to a rejected bid for the 'Drainage Improvements at Wabash Avenue Phase II' project, for which bids were accepted on January 30th. Bonchi stated that the lowest bid was found to be defective under NJ Case Law in the way it was prepared. As a result, the award of contract to the 2nd lowest bidder is being recommended. Kern stated that this award will be added to this evening's agenda in the form of Resolution 40-2009.

COMMITTEE REPORTS

Councilman Martinez stated that the Planning/Zoning Board did not meet in February, but he did attend a COAH compliance meeting with Mayor Mazzeo and other Planning/Zoning Board members. The COAH regulations are very complicated and Martinez is happy that we've retained the services of a consultant to assist with this project. He will report further at our next meeting.

Councilman Turon presented the Fire Department's January report. He thanked City Engineer Matt Doran for writing a letter to the County requesting that the County perform the line striping at Burton Avenue and Tilton Roads, which they have agreed to do.

Councilman Vain met with Cindy Ruffo, who was appointed Safety Coordinator for 2009. The Safety Committee will be having their 1st meeting February 26th at 10:30am and Ruffo has asked departments to come up with 2 safety improvement objectives for 2009. Vain also met with Housing and Zoning Officer Mike Dattalo and asks that Council funnel housing and zoning concerns and issues through Vain or Councilman Smith, as Council liaisons. The Allsports meeting scheduled for last month was canceled; Vain attended the Little League meeting on February 7th. Sign-ups are in full swing. For additional information visit their website www.northfieldll.org. Vain and Smith also met with Chief James for the Traffic Safety Committee to discuss the location for the new speed hump; Wabash came up as another area of concern and when the weather breaks Vain will investigate with the assistance of Matt Doran and report back to Council. Vain works with President

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Kern on the “Keep Kids Alive Drive 25” program at the Community School. The program kickoff will coincide with the ‘Happy Home Walk’ on April 25th at 9am. Anyone interested in volunteering should contact Vain.

Councilman Carew attended the MRHS Board of Education meeting on February 9th; there are many great things happening at the school and Dr. Dever would like to come speak to Council on March 10th to discuss the referendum question slated for the April 21st election. On April 7th he’d like to address Council with regard to the Budget. Referring to the \$300,000 grant to construct the new Birch Grove Park Snack Bar, Carew said he’s been working diligently through the Advisory Board to finalize plans for the building. In March, Carew hopes to have a rough plan for what will be submitted to the County. The City is very close to being able to go out for RFP for the tax revaluation; Mark Sykes is working on the criteria for the proposal requests. Carew said the position of part time laborer for Birch Grove Park needs to be filled some time in March; the position has been budgeted for and is needed for field maintenance and other tasks.

Councilman Smith presented the monthly statistics from the January Rescue Squad report. Smith and Carew met with Squad representatives on January 27th; some information requested is still pending but Smith was able to announce that the Squad will be assuming all fuel costs for 2009. Smith congratulated Deanna Krupp, Deputy Court Administrator for earning her Certification as a Court Administrator. Smith attended the Community School Board meeting in January; the search for a new superintendent has been narrowed to 2-3 candidates. He would like to invite school board representatives and Superintendent Baruffi to speak to council about the recent consolidation between Linwood and Mainland. Northfield Community School has been chosen as a “NJ School of Character” by Rutgers University, and they will be receiving recognition from the NJEA. Smith recently attended an orientation conducted by the NJLM for newly elected, re-elected, or experienced officials in Mt. Laurel. He shared a few points of discussion, noting that electronic communications that deal with public business are subject to the Open Public Meetings Act.

Councilman O’Grady said he was in attendance at the COAH ordinance meeting referred to earlier by Councilman Martinez; progress is being made but there is still more to do. O’Grady is in the process of adding an ‘email your councilperson’ link to the city web page, and encouraged all Council members to use their City email account for city business. He encouraged citizens to regularly visit www.cityofnorthfield.org, as new information is added regularly. Council President Kern inquired about how long it takes to update the City website. O’Grady noted that it is much quicker than it used to be, and that he will instruct Acting City Clerk Mary Canesi on how to make changes as well. Councilman Carew asked O’Grady to check

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on the progress of getting email at the Public Works garage. O'Grady also attended a meeting with Chief James regarding upgrading the telephone service; progress is being made and he will report as new information becomes available.

MAYOR'S REPORT

Mayor Mazzeo attended the ribbon cutting in late January for the Nazha Cancer Center on New Road; it is a beautiful state of the art facility. Last Sunday, he presented a proclamation to the Northfield Baptist Church in honor of their 15th anniversary. As Council will recall, Pastor Rice from the Church performed the benediction at our 2008 Memorial Day parade. Mazzeo noted that the 2008 Police Department Annual Report had been delivered to Council, and read the year-end statistics. He said the department has served the community well with various programs, in addition to public safety duties. Their goals for 2009 include updating the City website to be more informative to residents with regard to the Police Department, continue to solicit grant funding, and conduct mass evacuation critical incident exercises at the Northfield Community School. Mazzeo referred to an undersized lot on Yorkshire Avenue that he discussed with Council during 2008. The adjacent owner, Patricia Hughes would like to purchase the lot with Council's approval. He will forward the associated paperwork to Council for review and would like to move forward with the sale.

ENGINEER'S REPORT

The City Engineer's report was provided to Mayor and Council and is on file in the City Clerk's office. City Engineer Matt Doran inquired of Council as to what they wish to apply for in the 2009 Community Development Block Grant. Since all ADA compliance applications are automatically approved, Doran suggests retrofitting all handicapped curb cuts with truncated domes to bring them up to today's standard. Council agreed. Councilman Carew asked if a 2nd priority could be added to the grant application to include additional handicapped accessibility to the Birch Grove Park boardwalk. Doran affirmed that it could.

COUNCIL PRESIDENT'S REPORT

Council President Kern asked Chief James to speak about parking issues on Juniper Drive. James said he has solicited the input of 25 residents of that street via letters asking them to choose from 3 options: make no change; 2 hour parking between 7a-4p Monday through Friday; restrict parking on this Juniper to residents only. His staff has been doing an informal study and 19-21 cars are parked there daily for an

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extended period. Approximately 2/3 of those cars are school staff, and the Mill Road lot remains sparsely used with most of the 171 spaces empty. James will advise as to the sentiment of the residents when the letters are returned.

President Kern asked that Councilman Martinez continue his eco-friendly efforts but announced that we will not be forming a 'Green Committee'. The Municipal Alliance has a program for senior citizens on February 23rd highlighting healthy living and exercise at the 9:30am at the Atlantic City Country Club. The budget meeting canceled on February 9th will be rescheduled, with the new date to be determined. Kern attended the JIF meeting in late January, along with Smith and Vain; in addition to valuable information gleaned, the City will get \$250 premium credit for each attendee. She wished the T-Birds and Lady T-Birds good luck in the Northfield Invitational Basketball Tournament being held this week and next week. She also thanked Chief James for his report and for the weekly tips in the newspaper. Kern asked that all Council members stay in touch and communicate regularly with their Department Heads, counting on co-chairs where appropriate, or with Mary Canesi.

RESOLUTIONS/CONSENT AGENDA

On a motion of Councilman Turon second of Councilman O'Grady, all present in favor of a Consent Agenda for Resolutions 27-2009, and 36 through 40-2009 as follows:

- 27-2009** Resolution Authorizing the Execution of a Collective Bargaining Agreement Between the City of Northfield and New Jersey State Policeman's Benevolent Association, Inc., Mainland Local No. 77
- 31-2009** Authorizing Doran to Proceed with Certain Projects
- 32-2009** A Resolution Urging the New Jersey Legislature to Support the Municipal Revenue Restoration Act of 2008
- 33-2009** Final Change Order No. 1, 2007 Paving Project
- 34-2009** To Support the McCullough, Previti, Ruffu, Siracusa Family's Request to Install a Sign Over the Entrance to the VIP Lounge at Boardwalk Hall in Honor of Marie McCullough
- 35-2009** A Resolution Authorizing Participation in the New Jersey Safe and Secure Communities Program

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- 36-2009** A Resolution Authorizing the Northfield Police Department to Apply for and Obtain a ‘Hang Up Just Drive’ Cell Phone Use Enforcement Overtime Reimbursement Grant
- 37-2009** 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 Police Contract Negotiations
- 38-2009** 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 John Paff v. City of Northfield
- 39-2009** 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 Robert Bergmeister v. City of Northfield
- 40-2009** To Authorize the Award of Contract for Drainage Improvements at Wabash Avenue Phase II

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

ORDINANCES

On a motion of Councilman Vain, second of Councilman Martinez all in favor of reading Ordinance 1-2009 by title only.

- 1-2009** An Ordinance Establishing Cedarbridge Road as a One-Way Street from Juniper Drive to Wabash Avenue and Restricting Parking on the South Side of Cedarbridge Road
*Public Input /No Public Comments Were Received
Published in the Press 02/14/2009*

Roll call: Mr. Carew – yes; Mr. Martinez – yes; Mr. O’Grady – yes; Mr. Smith – yes; Mr. Turon – yes; Mr. Vain – yes; Mrs. Kern – yes. Motion carries for final adoption of Ordinance 1-2009.

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PUBLIC SESSION

Council President Kern opened this meeting to the public and asked if anyone from the public wished to speak. Seeing none, she closed the public session.

RESOLUTION FOR EXECUTIVE SESSION

38-2009 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 John Paff v. City of Northfield

At 8:23p.m., Councilman Vain motioned, Smith seconded to adopt resolution 38-2009 and enter into Executive Session. Solicitor Bonchi announced the following for the record: it is necessary for the Council of the City of Northfield to discuss in a session not open to the public certain matters relating to the Open Public Meetings Act violation suit in the matter of John Paff v. City of Northfield docket number L-3392-08 as authorized by N.J.S.A. 10:4-12 regarding pending litigation. Deliberations conducted in this closed session may be released when the Consent Order is signed by the Court. We will be discussing a technical aspect of the Consent Order, which may require a new resolution to be consistent with a prior resolution adopted in 2008 agreeing with the settlement.

Roll call: Mr. Carew – absent; Mr. Martinez – yes; Mr. O’Grady – yes; Mr. Smith – yes; Mr. Turon – yes; Mr. Vain – yes; Mrs. Kern – yes. Motion carries. Council remained in Council Chambers.

At 8:31p.m. this Executive Session was adjourned and Solicitor Bonchi announced a summary for the public as follows: during the Executive Session Mayor and Council reviewed a conflict between the Consent Order and what was agreed to in a prior resolution; The amount previously agreed to was \$45.00, and the updated figure is \$64.67. Councilman Carew motioned, Vain seconded to pay John Paff the sum of \$64.67.

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

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RESOLUTION FOR EXECUTIVE SESSION

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At 8:32 p.m., Councilman Turon motioned, Carew seconded to adopt resolution 39-2009 and enter into Executive Session. Solicitor Bonchi announced the following for the record: it is necessary for the Council of the City of Northfield to discuss in a session not open to the public certain matters relating to the employment practices liability suit in the matter of Robert Bergmeister v. City of Northfield docket number ATL-L-1346-08 as authorized by N.J.S.A. 10:4-12 regarding pending litigation. Deliberations conducted in this closed session may be released when a decision with respect to the matter has been made and all rights to litigate or appeal are exhausted provided said material is not subject to attorney client privilege. The purpose of this session is to give Council an update as to the status of this lawsuit.

Roll call: Mr. Carew – absent; Mr. Martinez – yes; Mr. O’Grady – yes; Mr. Smith – yes; Mr. Turon – yes; Mr. Vain – yes; Mrs. Kern – yes. Motion carries. Council remained in Council Chambers.

At 8:55p.m. this Executive Session was adjourned and Solicitor Bonchi announced a summary for the public as follows: a summary of the lawsuit was provided for the Governing Body and the Mayor, and questions were answered that are covered by attorney client privilege.

Councilman Smith read the meeting notices. City Council will meet for budget discussion on Tuesday February 24th at 7:00 pm.

On motions properly made and seconded, this meeting was adjourned.

Respectfully submitted,

Mary Canesi
Acting Municipal Clerk