

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
JULY 26, 2011**

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: Mr. Dewees Mrs. Kern, Mr. Perri, Mr. Polistina, Mr. Vain,
Absent: Mr. Carew, Mr. Smith (*Mr. Smith entered the meeting at 7:20pm*)

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

Municipal Clerk Mary Canesi called for a motion to elect a Council President for this evening due to the scheduled absence of President Carew. Motion made by Councilman Vain and seconded by Councilman Polistina to elect Councilwoman Cindy Kern as Council President for this evening's meeting. All present in favor.

VETERAN HONOREES FOR THE MONTH OF JULY

Council President Kern announced the evening's honorees: Mr. Frank Nugent, Mr. Robert Nugent, and Mr. Vince Dabundo.

She introduced Frank Nugent and said he served in the US Navy's Torpedo Squad from 1942 to 1944, and was stationed on the Bunker Hill aircraft carrier. His duties included radio communications and torpedo bomber. Mr. Nugent was shot down in the Marshall Islands and received a purple heart. He will celebrate his 90th birthday on August 18th. Kern congratulated Mr. Nugent and thanked him for his service to our community and to our country. Mayor Mazzeo and Councilman Vain presented Nugent with a certificate of appreciation, and thanked him for his service.

Kern introduced Mr. Robert Nugent; Nugent served in the US Navy in Panama from 1944 to 1946 as a 3rd Class Aviator Machine Mate. Kern thanked Nugent for his outstanding service to our community and to our country. Mayor Mazzeo and Councilman Vain presented Nugent with a certificate of appreciation and thanked him for his service.

Kern introduced Mr. Vince Dabundo, who was drafted at age 18 in 1944. He served in the US Army, reporting to Ft. Dix on a Friday and spending Easter there. By Christmas he was on a boat to France where he rode cattle cars across the country and pitched a tent in two feet of snow. Mr. Dabundo served in the combat infantry and

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was awarded the Bronze Star. He arrived back in the US aboard the Queen Mary on V-J Day. Dabundo said his best reward came when he was discharged at Ft. Dix in 1946, and considers himself one of the lucky ones to have come home. Kern offered congratulations and thanked Dabundo for his service. Mayor Mazzeo and Councilman Vain presented Nugent with a certificate of appreciation and thanked him for his service.

Council President Kern announced a 5 minute recess; Councilman Smith entered the meeting.

AGENDA REVIEW

Council President Kern reviewed the agenda. Councilman Polistina requested that Resolution 113-2011 be voted separately from the consent agenda.

READING AND APPROVAL OF MINUTES

Motion by Councilman Dewees, second by Councilman Polistina, to dispense with the reading of the minutes of the June 28th meeting. They have been posted, distributed to Council and are on file in the Municipal Clerk's Office. All present in favor. Motion carried for approval of minutes.

COMMITTEE REPORTS

Councilman Perri thanked those involved in the July 4th ceremony; it was a very nice event and he congratulated everyone. He referred to a petition he received about a feral cat problem in the area of First Street. The City Clerk, Animal Control, and others have worked to alleviate the problem, but there is still an issue in the neighborhood. He referred the matter to Councilman Vain as the department head. The matter will be heard in court on Wednesday. Perri said he spoke with the Mayor about the Senior Committee; Perri is waiting for Mr. Carew regarding advertisement to get the word out.

Councilman Polistina said a delay in getting information from the state resulted in late mailing of our tax bills. We have our rate now and the bills are being processed for mailing next week. Residents will have 25 days from the date they are mailed to make payments.

Councilman Vain said the flashing light at Zion Road and Oak Avenue has been installed and are waiting for electric service to be connected. Hopefully the light will be up and running shortly. The Veteran's Park Committee met last week at the proposed park site and came up with new ideas. The Mayor's cousin is putting

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together a rendering at no cost to the City, and it should be available for public viewing shortly. This will be a park for all to enjoy. The project to put crosswalks at Tilton and Wabash, and Burton and Mill is progressing, but is not out to bid yet.

Councilman Smith apologized for being late. He read the mid-year Fire Department report for January through June, and read the EMS report for the month of June. He extended thanks and recognition to the Fire Department to Atlanticare for the presentation they made at the Good Shepherd Church, and for their responsiveness to the community.

Councilman Dewees had no report this evening.

COUNCIL PRESIDENT'S REPORT

Council President Kern thanked the Veteran honorees for the month of July for their attendance this evening, and announced the August honorees as Dominick Serago, Ron Mathis, and Nelson Candelario. Candelario is presently on active duty in Afghanistan.

MAYOR'S REPORT

Mayor Mazzeo thanked the Cultural Committee for their continued successful efforts organizing the July 4th parade, and thanked all participants. On July 17th, fifteen people attended the Mayor's Wellness Walk. The next Walk is schedule for August 14th at 8am at the Library. The City will move forward with Veteran's Park and work towards returning the property to its natural state. We will be soliciting private donations to fund it. The 2011 Best Practices worksheet has been distributed and is due September 1st. Mazzeo referred to a letter he received from a resident of Yorkshire Avenue who is requesting a sign to warn motorists that there is an autistic child in the area; she is referring to her own child. Mazzeo read the letter.

Councilman Perri motioned to install two signs, based on availability of funds, at a cost not to exceed \$180.00. Councilman Vain seconded.

Roll call: Mr. Dewees – yes; Mrs. Kern – yes; Mr. Polistina – yes; Mr. Perri – yes; Mr. Smith – yes; Mr. Vain – yes; Mr. Carew – absent. Motion carries.

Mazzeo said he got a phone call from George Edwards with the American Legion asking if there is any interest on the part of the City in taking over that building. Council President Kern said they have been maintaining the building for a long time and that there are only a few Veterans remaining. Solicitor Bonchi suggested that the

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deed be reviewed for possible restrictions before the City proceeds. Mazzeo said he is meeting with representatives from the American Legion next week and he will follow up with a report.

Recently residents have complained about the speed of vehicles and frequent accidents on Jackson Avenue, Mazzeo said he reviewed the speed sentry data. Recommendations include opening a dialogue with the County about a left turn off of Tilton Road onto Route 9. At Mazzeo's request, Chief James explained how Jackson Avenue became a spur and said he reviewed accident data for the past 3 years. James has discussed the matter with County Engineering offices and they made a recommendation to do four-way stops at Jackson and Burton, and at Maple and Jackson. James said that City ordinance has long established the 600 block of Jackson Avenue as a no parking zone, but there are not signs installed at present. Signs will be ordered and put in place. James also suggested that the City may want to take the solar array at Zion and Oak and put it at Jackson and Burton. Council President Kern asked that Solicitor Bonchi and Chief James work together on an ordinance for the next meeting.

Councilman Dewees asked about the minimum distance required for 'stop ahead' signage, adding that the length of Jackson Avenue between Tilton and Burton is very short. Chief James replied that he did not know off the top of his head; James suggested street striping in addition to signage and said he encourages a lot of communication on the subject if this is implemented.

Mazzeo concluded his report by announcing the date and time for National Night Out and the 1st Annual Fun Run, and read the Police Department report for the month of June.

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: it is hoped that the contract for the 2011 Paving Project will be awarded at the August meeting.

Mayor Mazzeo asked for the due date for the 2012 Municipal Aid Application; Doran replied that it is due in October

RESOLUTIONS / CONSENT AGENDA

Councilman Polistina motioned, Councilman Perri seconded for a consent agenda for resolutions 104-2011 through 112-2011 and 114-2011 through 116-2011. Solicitor

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Bonchi announced that Resolution 114-2011 is to authorize a closed session to take place at the end of the regular council meeting.

Roll call: Mr. Dewees – yes; Mrs. Kern – yes; Mr. Polistina – yes; Mr. Perri – yes; Mr. Smith – yes; Mr. Vain – yes; Mr. Carew – absent. Motion carries.

- 104-2011** Final Change Order No. 1 Drainage Improvements on Hollywood Drive
- 105-2011** Release of Escrow Monies from the Planning Board
- 106-2011** To Authorize a Raffle License for the Church of St Gianna
- 107-2011** A Resolution Requesting Approval of Items of Revenue and Appropriation as per N.J.S.A. 40A:4-87
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- 109-2011** A Resolution Requesting Approval of Items of Revenue and Appropriation as per N.J.S.A. 40A:4-87
- 110-2011** Change Order No. 1 Reconstruction of Willow Drive and Locust Drive
- 111-2011** Amending Resolution 98-2011, Which Established Salaries for Non-Union Employees in the City of Northfield for 2011
- 112-2011** To Authorize Cancellation of Tax Balances Under \$10.00
- 114-2011** Acknowledging the Terms and Conditions of the South Jersey Power Cooperative Bid Results for the Purchase of the Commodity Natural Gas
- 115-2011** Authorizing the Hiring of William Fitzpatrick as Part Time Electrical Sub Code Official
- 116-2011** 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 Related to Music Copyright Licensing

Councilman Perri noted his abstention from the final adoption vote on Resolution 111-2011.

Councilman Polistina motioned, Councilman Perri seconded to adopt the consent agenda for resolutions 104-2011 through 112-2011 and 114-2011 through 116-2011.

Roll call: Mr. Dewees – yes; Mrs. Kern – yes; Mr. Polistina – yes; Mr. Perri – yes; Mr. Smith – yes; Mr. Vain – yes; Mr. Carew – absent. Motion carries.

Councilman Polistina motioned, Councilman Perri seconded to adopt resolution 113-2011. The Municipal Clerk read resolution 113-2011 by title.

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113-2011 To Authorize the Expansion of the Otto Bruyns Free Public Library of Northfield

Councilman Polistina expressed concern; he is not comfortable with the cost of expansion and it is not meeting the exact size requirements of the state. Vain clarified that the City must authorize the expansion in order to receive the \$300,000 return of funds from the Library.

Mayor Mazzeo explained that he feels the State Librarian will approve the planned expansion. He added that excess funding has to be returned and noted that in the past, the library's expansion plans have required additional funding from the City, this is entirely with library funds.

Discussion ensued. Councilman Perri said he thinks it is a good investment in the community and in the infrastructure. Councilman Smith said he supports the project; if we do nothing, we get nothing back. Smith also referred to an email blast that encourages community feedback via a library survey. Polistina said he is just not sure the expansion is a must-have.

Roll call: Mr. Dewees – yes; Mrs. Kern – yes; Mr. Polistina – no; Mr. Perri – yes; Mr. Smith – yes; Mr. Vain – yes; Mr. Carew – absent. Motion carries for adoption of resolution 113-2011.

ORDINANCES

On a motion of Councilman Vain, second of Councilman Dewees, all in favor of reading the amendment to Ordinance 5-2011 by title only.

5-2011 Ordinance Providing for and Establishing Salary Ranges of Officers and Employees of the City of Northfield and Repealing All Ordinances Heretofore Adopted, the Provisions of Which Are Inconsistent Herewith
Amendment

The Municipal Clerk explained that upon introduction on June 28th, Ordinance 5-2011 reflected the compensation for the Electrical Sub-Code Inspector as an annual salary and that the ordinance is being amended to express the compensation for this position as an hourly wage; she read the full text of the amendment.

The Municipal Clerk noted that the ranges for other sub-code inspectors are already expressed as an hourly wage and said this change does not materially change the

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substance of the ordinance, and therefore did not require separate advertisement or an additional public hearing.

Council President Kern asked if members of Council had any questions; none responded.

Roll call: Mr. Dewees – yes; Mrs. Kern – yes; Mr. Polistina – yes; Mr. Perri – yes; Mr. Smith – yes; Mr. Vain – yes; Mr. Carew – absent. Motion carries for adoption of the amendment to Ordinance 5-2011.

Council President Kern opened this meeting to the public and asked if anyone from the public wished to speak on Ordinance 5-2011, as amended.

Craig Tanzola, 10 Magnolia Court, requested the actual salaries of municipal employees, not ranges, including pensions.

Seeing no other members of the public wishing to speak, the public session was closed.

On a motion of Councilman Vain, second of Councilman Dewees, all in favor of adopting Ordinance 5-2011, to be read by title only.

5-2011 Ordinance Providing For and Establishing Salary Ranges of Officers and Employees of the City Of Northfield and Repealing All Ordinances Heretofore Adopted, the Provisions of Which Are Inconsistent Herewith
As Amended
Published in the Press 07/30/2011

Roll call: Mr. Dewees – yes; Mrs. Kern – yes; Mr. Polistina – yes; Mr. Perri – yes; Mr. Smith – yes; Mr. Vain – yes; Mr. Carew – absent. Motion carries for final adoption of Ordinance 5-2011.

PAYMENT OF BILLS

Councilman Smith motioned, Councilman Vain seconded, for payment of bills in the amount of \$ 4,970,005.41. Councilman Vain provided the Municipal Clerk with abstentions from certain items on the bill list; said abstentions are on file in the Clerk's office.

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Roll call: Mr. Dewees – yes; Mrs. Kern – yes; Mr. Polistina – yes; Mr. Perri – yes; Mr. Smith – yes; Mr. Vain – yes; Mr. Carew – absent. Motion carries for payment of bills.

PUBLIC SESSION

Council President Kern opened this meeting to the public and asked if anyone from the public wished to speak.

Dennis Mahon, 7 Twelve Oaks Court; referred to a resolution he urged Council to adopt at the last meeting; he said towns across New Jersey are waiting to see what Northfield does. He read the sample resolution for the record.

Peri Pantazes, 1 Madison Avenue, thanked Council for voting for the library expansion, she is a Board Member but also knows, as a resident, how much the library means to the community.

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

Councilman Perri read the meeting notices.

EXECUTIVE SESSION OF COUNCIL

The Municipal Clerk read Resolution 116-2011 by title. The resolution was adopted earlier in the evening under the consent agenda.

Solicitor Bonchi announced that Council would be going into closed session to discuss how to avoid potential litigation about playing copyrighted music in Birch Grove Park; the City has a licensing agreement in place but it may not be sufficient. Most of what is discussed will be released a future date when the matter has been resolved.

116-2011 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 Related to Music Copyright Licensing

At 8:11 pm Council entered closed session and remained in Council Chambers. At 8:20pm, the closed session was adjourned and Bonchi announced a summary for the record as follows: he explained issues involving a licensing agreement and playing music in the City of Northfield. There are two companies, and one company has asserted that we may be playing music out of their catalogue. The minutes of the closed session can be released at future date once Council agrees what it want to do.

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Councilman Smith motioned to pay ASCAP a one-time music licensing fee of \$309.00, based on the availability of funds. Councilman Dewees seconded.

Roll call: Mr. Dewees – yes; Mrs. Kern – yes; Mr. Polistina – yes; Mr. Perri – yes; Mr. Smith – no; Mr. Vain – yes; Mr. Carew – absent. Motion carried.

On motions properly made and seconded, this meeting was adjourned at 8:22pm.

Respectfully submitted,

Mary Canesi, RMC, Municipal Clerk