

**CITY OF NORTHFIELD COUNCIL MEETING AGENDA  
FEBRUARY 6, 2024**

**MEETING CALLED TO ORDER** by Mary Canesi, Municipal Clerk. This meeting has been properly advertised in the Press of Atlantic City on Saturday, January 6, 2024, and in accordance with Public Law 1975, Chapter 231.

**FLAG SALUTE**

**COUNCIL ROLL CALL:**

Bucci, Carfagno, Dewees, Polistina, Notaro, Smith; Leeds

**MAYOR:** Chau

**APPROVAL OF MINUTES** – January 16, 2024

**MAYOR’S REPORT**

**CITY ENGINEER’S REPORT**

**PUBLIC SESSION/FIVE MINUTES PER SPEAKER**

**RESOLUTIONS**

- 43-2024** Resolution to Hire Substitute Adult School Crossing Guard
- 44-2024** Resolution of the Common Council of the City of Northfield, County Of Atlantic, New Jersey Authorizing the Mayor and the Office Of Emergency Management Coordinator to Execute the Office of Emergency Management Memorandum of Understanding
- 45-2024** Authorizing DeBlasio and Associates Consulting Engineers and Planners to Proceed with Engineering Services for the Project known as FY2024 NJDCA Local Recreation Improvement Grant Application
- 46-2024** A Resolution Approving the Application for the Project known as “Recreation Improvements at Birch Grove Park” for the FY 2024 Local Recreation Improvement Grant (LRIG)
- 47-2024** To Approve an Application for Use of Facilities – Mainland/Northfield Babe Ruth
- 48-2024** To Approve an Application for Use of Facilities – South Jersey Shore Baseball
- 49-2024** Resolution of the City of Northfield, County of Atlantic, Opposing Assembly Bill No. 4/Senate Bill No. 50, Which Proposes to Overhaul the Fair Housing Act (“FHA”) in a Way that Imposes Unrealistic Obligations with Unrealistic Deadlines Based Upon Onerous Standards
- 50-2024** 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. 10:4-12b(4), Regarding Contract Negotiations between the City of Northfield and Mainland PBA Local No. 77



**CITY OF NORTHFIELD, NJ  
RESOLUTION NO. 43-2024**

**AUTHORIZATION TO HIRE SUBSTITUTE  
ADULT SCHOOL CROSSING GUARD**

**WHEREAS**, the need exists within the Police Department to fill the position of substitute School Crossing Guard; and

**WHEREAS**, an application submitted by Idza Ordille was received; and

**WHEREAS**, after the interview, the recommendation to hire Idza Ordille was made by Crossing Guard Supervisor Heather Mellon and Captain of Police Steve Steinecke.

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by the Common Council of the City of Northfield that the hiring of Idza Ordille effective Wednesday, February 7, 2024, is hereby approved.

**BE IT FURTHER RESOLVED**, that compensation for the Substitute Adult School Crossing Guard shall be \$40.00 per day in accordance with the Crossing Guard Rider Agreement between the City of Northfield and Government Workers Union, Local No. 430.

I, Mary Canesi, RMC, Municipal Clerk of the City of Northfield, do hereby certify that the foregoing Resolution was duly adopted at a Regular Meeting of the Common Council of the City of Northfield, held this 6th day of February 2024.

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Mary Canesi, RMC, Municipal Clerk

**CITY OF NORTHFIELD, NJ  
RESOLUTION NO. 44-2024**

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF  
NORTHFIELD, COUNTY OF ATLANTIC, NEW JERSEY AUTHORIZING  
THE MAYOR AND THE OFFICE OF EMERGENCY MANAGEMENT  
COORDINATOR TO EXECUTE THE OFFICE OF EMERGENCY  
MANAGEMENT MEMORANDUM OF UNDERSTANDING**

**WHEREAS**, in accordance with N.J.S.A. App. A:9, every municipality must develop a plan for the sheltering of displaced individuals in their community during times of disaster and/or local emergencies, to include the need for warming and/or cooling centers during times of extreme weather conditions; and

**WHEREAS**, due to limited resources in the City of Northfield, as well as the City of Linwood and the City of Somers Point, the three municipalities have jointly entered into this agreement with the Linwood Community Church to provide said services; and

**WHEREAS**, the attached Memorandum of Agreement (MOA) sets forth the terms between a shared services agreement among the Cities of Linwood, Northfield and Somers Point and the Linwood Community Church (LCC) regarding sheltering of City residents during times of emergency and/or disaster; and

**WHEREAS**, the purpose of the MOA is to formally establish a partnership between the above listed entities in support of their efforts to provide shelter capability to their communities during times of emergencies and disasters as well as times of extreme weather conditions; and

**WHEREAS**, it is the position of the Common Council of the City of Northfield that the execution of the MOA and the purposes of the MOA are in the best interests of the health, safety, and welfare of the residents of the City of Northfield and that the execution of the MOA is necessary to carry out the purpose of the above cited Ordinance.

**NOW, THEREFORE BE IT RESOLVED**, by the Common Council of the City of Northfield in the County of Atlantic, New Jersey, duly assembled in public session, as follows:

The Mayor and Office of Emergency Management Coordinator are hereby authorized and directed to execute the MOA on behalf of the City of Northfield.

All resolutions, or parts thereof, inconsistent herewith are hereby repealed and rescinded to the extent of any such inconsistency.

I, MARY CANESI, RMC, 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 6<sup>th</sup> day of February 2024.

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Mary Canesi, RMC, Municipal Clerk

**CITY OF NORTHFIELD, NJ  
RESOLUTION NO. 45-2024**

**AUTHORIZING DEBLASIO AND ASSOCIATES CONSULTING  
ENGINEERS AND PLANNERS TO PROCEED WITH ENGINEERING  
SERVICES FOR THE PROJECT KNOWN AS FY2024 NJDCA LOCAL  
RECREATION IMPROVEMENT GRANT APPLICATION**

**WHEREAS**, DeBlasio and Associates Consulting Engineers and Planners have submitted expenditure requests outlining professional engineering services that will be provided to the City of Northfield; and

**WHEREAS**, copies of said expenditure requests have been provided to the Common Council of the City of Northfield for their review; and

**WHEREAS**, the Common Council has deemed it appropriate to authorize the expenditure of these monies as follows:

<u><b>Project Description</b></u>	<u><b>Estimated Purchase Order Amount</b></u>
Engineering services – project identification; preparation of construction cost estimate, narrative, and concept plan; submission of grant application	
<b>Total</b>	<b>\$3,000.00</b>

**WHEREAS**, certification of funds has been received from the Municipal Finance Officer.

**THEREFORE, IT IS HEREBY RESOLVED** by the Common Council of the City of Northfield that this Project is approved as submitted by DeBlasio and Associates Consulting Engineers and Planners.

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 Common Council of the City of Northfield held this 6<sup>th</sup> day of February 2024.

\_\_\_\_\_  
Mary Canesi, RMC, Municipal Clerk

**Roll Call:**  
**Aye:** Bucci, Carfagno, Dewees, Notaro, Polistina, Smith, Leeds  
**Nay:**  
**Abstain:**  
**Absent:**

**CITY OF NORTHFIELD, NJ  
RESOLUTION NO. 46-2024**

**A RESOLUTION APPROVING THE APPLICATION FOR THE PROJECT  
KNOWN AS “RECREATION IMPROVEMENTS AT BIRCH GROVE  
PARK” FOR THE FY 2024 LOCAL RECREATION IMPROVEMENT  
GRANT (LRIG)**

**WHEREAS**, the City of Northfield desires to apply for and obtain a grant from the NJ Department of Community Affairs for approximately \$100,000 to create Recreation Improvements at Birch Grove Park.

**BE IT THEREFORE RESOLVED:**

1. That the Common Council of the City of Northfield does hereby authorize the application for such a grant; and
2. Recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the City of Northfield and the New Jersey Department of Community Affairs.

**BE IT FURTHER RESOLVED** that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

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Erland V. L. Chau  
Mayor

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Mary Canesi, RMC  
Municipal Clerk

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 Common Council of the City of Northfield held this 6<sup>th</sup> day of February 2026.

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Mary Canesi, RMC, Municipal Clerk

**CITY OF NORTHFIELD, NJ  
RESOLUTION NO. 47-2024**

**TO APPROVE AN APPLICATION FOR USE OF FACILITIES**

**WHEREAS**, Mr. Pat McCarthy has properly submitted an Application for Use of Facilities requesting use of the Babe Ruth Field for baseball games and practices as follows:

Sundays, Tuesdays\*, Wednesdays, Fridays, and Saturdays as follows:

April 1, 2024 – July 31, 2024  
and  
September 1, 2024 - November 30, 2024

5:00pm to 10:00pm on all dates

*\*if approved, Mr. McCarthy will coordinate Tuesday-use during the Spring with South Shore Baseball.*

**WHEREAS**, Mr. Pat McCarthy has presented this request on behalf of the Mainland/Northfield Babe Ruth; and

**WHEREAS**, said approval requires the use of lights during some hours of play where it may be needed and fees shall be paid in accordance with Chapter 250 of the Municipal Code.

**THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Northfield hereby approves the Application for Use of Facilities presented by Mr. Pat McCarthy is subject to the full execution of the Use of Facilities Agreement, and compliance with its terms and conditions, the terms and conditions of the current Use of Facilities Guidelines and the representations made in the subject Applications for Use of Facilities; and

**BE IT FURTHER RESOLVED** that all baseball facilities are presently open to the public, however, the decision to open and or close the baseball facilities to the public for use shall be solely at the discretion of the City of Northfield; and

**BE IT FURTHER RESOLVED**, the approval granted pursuant to this Resolution may be rescinded at any time at the sole discretion of the City of Northfield.

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 Common Council of the City of Northfield, held this 6th day of February 2024.

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Mary Canesi, RMC, Municipal Clerk



# CITY OF NORTHFIELD

## Application for Use of Facilities

*(Other than Use of Birch Grove Park Center)*

Name and Address of Organization: MAINLAND BABE RUTH BASEBALL

Tell Us Who You Are / Description and Purpose of Organization: 13-15 YEAR OLD LOCAL  
YOUTH BASEBALL -  
NORTHFIELD-LINWOOD - SP

Is the Group a Not-For-Profit Organization?  Yes  No

Do Participants Pay a Fee for Your Sport / Event?  Yes  No

If Yes, How Much? \$ 125- per:  Person  Day  Season  (other)

Name of Applicant / Responsible Party: Bill RAVIZINO (PRES) / Title/Affiliation PAT McCARTHY (MEMBER)

Home Address: 2002 BAY DRIVE NORTHFIELD NJ

Telephone: (H) \_\_\_\_\_ (C) \_\_\_\_\_

Name and Location of Facility(ies) Being Requested: BIRCH GROVE BABE RUTH FIELD

For the Following Purpose: GAME'S / PRACTICES  
\*Sundays, Tuesdays (will coordinate Tuesdays during the Spring with South Shore Baseball), Wednesdays, Fridays, and Saturdays. Per email from Pat McCarthy

on the Following Date(s): April 1-July 31\* and Sept 1-Nov 30, 2024

Specify Hours of Use: From: 5pm To: 10pm Are Field Lights Requested\*?  Y

\*If Yes, Provide Dates / Times for Requested Light Use: TBD

\*LIGHT USE FEE APPLIES, IN ACCORDANCE WITH CHAPTER 250-3 OF THE CITY OF NORTHFIELD MUNICIPAL CODE

# of Participants per Date: Approx 25 # of Participants who are Northfield Residents: TBD

Will Juveniles be Present?  Yes  No If Yes, What Ages? 13-15

Have You Applied to Other Municipalities for Use of their Facilities for this Event?  Yes  No

If Yes, Name of Municipality/ies: SOMERS POINT (SEASONAL PLAY)

Date/s and Disposition of Request/s: SAME

*Applicant has received a copy of the City of Northfield Use of Facilities Guidelines, Use of Facilities Agreement and City of Northfield "Protection and Safe Treatment of Minors" Policy and agrees to abide by and comply with the terms of the Guidelines, Policy, and Agreement. Applicant further acknowledges that IF THE INTENDED USE IS FOR ANY ATHLETIC FIELD, s/he must obtain from the Municipal Clerk's Office the date/time of the Council Meeting at which the Application will be considered, and attendance at same is required in order for the Application to be heard.*

**NO ALCOHOLIC BEVERAGES PERMITTED**

APPLICANT: [Signature] DATE: 1/24/24  
Signature PAT McCARTHY

Note: The City of Northfield has the right, in its sole discretion, to deny, limit, or revoke the use of requested facility(ies) when in the opinion of the City of Northfield the use presents a risk of unreasonable injury to persons or damage to property of the City of Northfield or others.

**FAILURE TO COMPLETE ANY PORTION OF THE APPLICATION WILL RESULT IN AUTOMATIC REJECTION**



**CITY OF NORTHFIELD, NJ  
RESOLUTION NO. 48-2024**

**TO APPROVE AN APPLICATION FOR USE OF FACILITIES**

**WHEREAS**, Mr. Joe Bunting has properly submitted an Application for Use of Facilities requesting use of the Babe Ruth Baseball Field as follows:

Mondays and Thursdays, with the possibility of a few Tuesdays\*, as follows:

May 28, 2024 – August 15, 2024  
7:00pm – 9:00pm on all dates

*\*if approved, Mr. Bunting will coordinate Tuesday-use during the Spring with Mainland/Northfield Babe Ruth Baseball*

**WHEREAS**, Mr. Bunting has presented this request on behalf of South Jersey South Shore Baseball League; and

**WHEREAS**, said approval requires the for use of lights during some hours of play where it may be needed and fees shall be paid in accordance with Chapter 250 of the Municipal Code.

**THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Northfield hereby approves the Application for Use of Facilities presented by Mr. Joe Bunting subject to the full execution of the Use of Facilities Agreement, and compliance with its terms and conditions, the terms and conditions of the current Use of Facilities Guidelines and the representations made in the subject Applications for Use of Facilities.

**BE IT FURTHER RESOLVED**, that all baseball and softball facilities are presently open to the public, however, the decision to open and or close the baseball facilities to the public for use shall be solely at the discretion of the City of Northfield; and

**BE IT FURTHER RESOLVED**, the approval granted pursuant to this Resolution may be rescinded at any time at the sole discretion of the City of Northfield.

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 Common Council of the City of Northfield, held this 6th day of February 2024.

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Mary Canesi, RMC, Municipal Clerk

TEAM:  
NORTHFIELD CARINALS  
SOUTH JERSEY SUNS



# CITY OF NORTHFIELD

## Application for Use of Facilities

*(Other than Use of Birch Grove Park Center)*

Name and Address of Organization: SOUTH JERSEY SOUTH SHORE BASEBALL LEAGUE  
1337 NEW ROAD NORTHFIELD, NJ 08225

Tell Us Who You Are - Description and Purpose of Organization: WE ARE A NON-PROFIT  
BASEBALL LEAGUE PRIMARILY MADE UP OF HIGH SCHOOL  
SENIORS AND COLLEGE PLAYERS. OUR GOAL IS TO PROVIDE AN

Is the Group a Not-For-Profit Organization?  Yes  No OPPORTUNITY TO PLAY BASEBALL  
Do Participants Pay a Fee for Your Sport - Event?  Yes  No AND PROVIDE INSTRUCTION BALL  
TO YOUTH IN THE  
COMMUNITY

If Yes, How Much? \$ 40 per:  Person  Day  Season  (other)

Name of Applicant - Responsible Party: JOE BUNTING Title/Affiliation: LEAGUE PRESIDENT

Home Address: 509 PIERCE AVE LINWOOD, NJ 08221 COACH NORTHFIELD  
CARINALS

Telephone: (H) [REDACTED] (C) [REDACTED] (W) [REDACTED]

Name and Location of Facility(ies) Being Requested: NORTHFIELD BABERUTH FIELD  
BIRCH GROVE PARK

For the Following Purpose: TO PLAY BASEBALL ON BABERUTH FIELD  
on the Following Date(s): 5/28/24 TO 8/15/24 MONDAY AND THURSDAY NIGHTS PLUS

Specify Hours of Use: From: 7 PM To: 9 PM A FEW POSSIBLE TUESDAY  
Are Field Lights Requested?  Yes

\*If Yes, Provide Dates, Times for Requested Light Use: 8 PM TO 9 PM BASED  
ON TIME OF SEASON

Will coordinate with McInland  
Babe Ruth

LIGHT USE FEE APPLIES IN ACCORDANCE WITH CHAPTER 255 OF THE CITY OF NORTHFIELD MUNICIPAL CODE

# of Participants per Date: 15 # of Participants who are Northfield Residents: 8

Will Juveniles be Present? Yes  No  If Yes, What Ages? \_\_\_\_\_

Have You Applied to Other Municipalities for Use of their Facilities for this Event?  Yes  No

If Yes, Name of Municipality is: \_\_\_\_\_

Date s and Disposition of Request: \_\_\_\_\_

*Applicant has received a copy of the City of Northfield Use of Facilities Guidelines, Use of Facilities Agreement and City of Northfield "Protection and Safe Treatment of Minors" Policy and agrees to abide by and comply with the terms of the Guidelines, Policy, and Agreement. Applicant further acknowledges that IF THE INTENDED USE IS FOR ANY ATHLETIC FIELD, s/he must obtain from the Municipal Clerk's Office the date time of the Council Meeting at which the Application will be considered, and attendance at same is required in order for the Application to be heard.*

**NO ALCOHOLIC BEVERAGES PERMITTED**

APPLICANT: Joseph Bunting DATE: 1/17/24  
Signature

Note: The City of Northfield has the right, in its sole discretion, to deny, limit, or revoke the use of requested facility(ies) when in the opinion of the City of Northfield the use presents a risk of unreasonable injury to persons or damage to property of the City of Northfield or others.

FAILURE TO COMPLETE ANY PORTION OF THE APPLICATION WILL RESULT IN AUTOMATIC REJECTION

**CITY OF NORTHFIELD, NJ  
RESOLUTION NO. 49-2024**

**RESOLUTION OF THE CITY OF NORTHFIELD, COUNTY OF  
ATLANTIC, OPPOSING ASSEMBLY BILL NO. 4/SENATE BILL NO. 50,  
WHICH PROPOSES TO OVERHALL THE FAIR HOUSING ACT  
("FHA") IN A WAY THAT IMPOSES UNREALISTIC OBLIGATIONS  
WITH UNREALISTIC DEADLINES BASED UPON ONEROUS  
STANDARDS**

**WHEREAS**, in 1983, the Supreme Court decided a landmark case, commonly referred to as Mount Laurel II, wherein it created an easy standard for developers to satisfy to secure a "builder's remedy" and established standards to provide general guidance to the newly appointed Mount Laurel judges as to an appropriate fair share formula; and

**WHEREAS**, the State exploded with builder's remedy lawsuits in the wake of Mount Laurel II seriously depriving many municipalities of their home rule power to zone and control their destiny; and

**WHEREAS**, in 1984, Judge Serpentelli decided the AMG case in which he established a fair share formula that generated high fair share responsibilities that were widely regarded as grossly excessive; and

**WHEREAS**, the combination of the avalanche of builder's remedy lawsuits precipitated by Mount Laurel II and the grossly excessive fair share responsibilities generated by the AMG formula fueled a movement for a legislative response to the Mount Laurel doctrine; and

**The Fair Housing Act of 1985**

**WHEREAS**, a week after Judge Serpentelli issued the AMG decision, committees of the Legislature started to meet to develop affordable housing legislation; and

**WHEREAS**, the legislators on both sides of the aisle recognized that any legislation had to be bipartisan to work; and

**WHEREAS**, those efforts culminated in the adoption of the Fair Housing Act ("FHA") by both houses early in 1985; and

**WHEREAS**, on July 2, 1985 -- less than a year after Judge Serpentelli decided the AMG case -- former Governor Kean signed the New Jersey Fair Housing Act ("FHA") into law to curb the excesses caused by Mount Laurel II and to restore balance to legitimate public purposes; and

**WHEREAS**, more specifically, the Legislature enacted the FHA to restore home rule, to bring the fair share numbers back to reality and to reduce the burdens of Mount Laurel compliance; and

**WHEREAS**, more specifically, the FHA sought *to restore home rule* by imposing a moratorium on the builder's remedy and by providing an administrative process that municipalities could voluntarily pursue wherein they would be insulated from developers seeking builder's remedies to try to compel them to capitulate their zoning demands; and

**WHEREAS**, the FHA sought *to bring the fair share numbers back to reality* by among other things defining the prospective need as the need "based on development and growth which is reasonably likely to occur" and by calling for the fair share to be adjusted to a number lower than the fair share formula generated if the municipality lacked sufficient land to satisfy the obligation generated by the fair share formula; and

**WHEREAS**, the FHA sought *to reduce the burdens on municipalities* by prohibiting any requirement for municipalities to expend their own resources to comply; and

### **The New Jersey Council on Affordable Housing**

**WHEREAS**, the FHA created COAH and conferred "primary jurisdiction" on COAH to administer the FHA and to implement the affordable housing policies of our State; and

**WHEREAS**, FSHC argued "that COAH's enabling legislation established such a delicate balance of control, as evidenced not only by its use of the phrase "in but not of," but also by its detailed attention to the composition of its Council. Accordingly, the Legislature could not have intended to allow the Governor to unilaterally disrupt that balance" *In re Plan for Abolition of Council on Affordable Hous.*, 424 N.J. Super. 410, 419-420(App.Div.2012) 419-420; and

**WHEREAS**, COAH adopted regulations for Round 1 in 1986 and for Round 2 in 1994 to implement the FHA and processed applications by municipalities for approval of their affordable housing plans in accordance with the regulations it adopted; and

**WHEREAS**, all acknowledged -- even Fair Share Housing Center ("FSHC") -- that COAH functioned just fine in Rounds 1 and 2; and

**WHEREAS**, the regulations COAH adopted in Round 2 made the obligations for Rounds 1 and 2 cumulative and adjusted the cumulative number downwards because the State did not grow as much as was anticipated in Round 1; and

**WHEREAS**, COAH's new construction obligation for Rounds 1 and 2 **averaged 5,034.5 units per year**, or 50,345 units for every 10 years as noted in 36 N.J.R. 5748(a) (November 22, 2004), COAH's comment regarding 5:94: Appendix A; and

**WHEREAS**, COAH's Round 1 and/or 2 regulations permitted a 1-for-1 rental bonus credit for up to 25% of the obligations and provided flexible standards for adjustments predicated upon lack of adequate vacant developable land; and

**WHEREAS**, the same expert who calculated the Round 2 obligations provided a technical appendix in 2014 when COAH proposed regulations for Round 3; and

**WHEREAS**, COAH's expert in 2014 calculated a prospective need obligation (then 2014-2024) of less than 40,000 units for the 10-year cycle, plus roughly an additional 23,000 units for the "gap" which were to be phased in between 2014-2034 due to concerns over what could be reasonably anticipated as a result of market absorption; and

**WHEREAS**, housing advocates attacked the regulations COAH adopted for Round 3 the first time it adopted them in 2004, the second time it adopted them in 2008 and the third time it proposed them in 2014, thereby crippling COAH's ability to certify the plans that municipalities petitioned COAH to approve because the FHA required that COAH only certify municipalities consistent with its regulations; and

**WHEREAS**, COAH's inability to certify Round 3 plans severely limited the production of affordable housing in Round 3 because COAH found itself fending off attacks instead of certifying affordable housing plans that municipalities could implement; and

#### **Mount Laurel IV**

**WHEREAS**, in 2015, the Supreme Court issued a decision, commonly referred to as Mount Laurel IV, in response to a motion to transfer the responsibilities of COAH back to the courts; and

**WHEREAS**, in Mount Laurel IV, the Supreme Court returned the task of implementing the doctrine back to the Courts because COAH had failed to do its job; and

**WHEREAS**, notwithstanding the foregoing, the Court emphasized that it preferred the administrative remedy created by the FHA to a judicial one and hoped that one day COAH would be effective so that towns could comply once again through the administrative process created by the FHA; and

**WHEREAS**, transferring the implementation of the doctrine from COAH back to the courts deprived the citizens of our State of an evenly balanced administrative body with four representatives of municipalities and four representatives of low-

and moderate-income (“LMI”) households adopting regulations consistent with the FHA and processing petitions for substantive certification; and

**WHEREAS**, the Court process proved to be far more expensive than the COAH process and was ill-suited for resolving comprehensive planning disputes over affordable housing; and

**WHEREAS**, even municipalities that complied voluntarily in the newly minted court process were subject to intervention from developers, who were then able to leverage the process, litigate the municipalities into the ground, and often obtain site-specific rezoning contrary to one of the overriding public purposes of the FHA; and

**WHEREAS**, the judicial process the Supreme Court fashioned in Mount Laurel IV required municipalities to spend municipal resources not only on their own attorneys and planners, but also on Court appointed masters in a litigation process that was much more expensive than the administrative process the legislature established in the FHA; and

**WHEREAS**, as if that was not bad enough, FSHC routinely demanded that municipalities make a payment to them; and

**WHEREAS**, the Round 3 process was a disaster with judges pressing municipalities to comply before even establishing the obligations with which they must comply; and

**WHEREAS**, ultimately, on March 8, 2018, after a 41-day trial in Mercer County, Judge Jacobson issued an opinion in which she set forth a fair share methodology; and

**WHEREAS**, in that trial and in various other instances throughout the state, FSHC took the position that the Statewide obligation should exceed 300,000 affordable units to be produced between 2015 and 2025; and

**WHEREAS**, municipalities, through Dr. Robert Powell, presented evidence that the State could only absorb less than 40,000 affordable units, in a best-case scenario, and thus argued that FSHC’s calculations was not grounded in reality whatsoever; and

**WHEREAS**, the Court, having been constrained by the Supreme Court to prescriptively utilize a formula from 1993, ultimately concluded that the Statewide obligation to be constructed between 2015-2025 was roughly 153,000 units; and

### **The 354 Settlements with FSHC**

**WHEREAS**, FSHC reports that it entered 354 settlements in Round 3; and

**WHEREAS**, many municipalities are reeling under the burden of satisfying their obligations under those settlements entered between 2015 and 2023; and

**WHEREAS**, Round 4 is set to begin in 2025 and there is no comprehensive analysis on the impacts of the 354 Round 3 settlements and over-zoning described above; and

**WHEREAS**, indeed, the A4/S50 Bill fails to consider the impact from affordable housing projects that were approved during the Third Round, but are still not yet under construction, as said projects, as well as additional future projects, will impact legitimate public concerns like infrastructure, the environment, schools, traffic, parking and open space; and

**WHEREAS**, the Round 3 process destroyed the balance achieved by the Fair Housing Act in 1985; and

#### **A-4/S-50**

**WHEREAS**, against the above backdrop, on December 19, 2023, the Housing Committee of the Assembly unveiled the Legislation (A-4) that it stated it had been working on for a long time and scheduled the bill for a vote at a hearing scheduled less than 24 hours later; and

**WHEREAS**, on December 19, 2023, the Administrative Office of the Courts wrote to the Legislature and made clear that it could not structure the bill in the manner set forth in the proposed legislation; and

**WHEREAS**, notwithstanding the foregoing, the Housing Committee of the Assembly voted the bill out of Committee and announced that the bill needed to be ready for signing by the Governor before the end of the lame duck session on January 8, 2024; and

**WHEREAS**, the bill was not rammed through in the lame duck session and on January 16, 2024, the Legislature released a new version of the bill, Assembly Bill No. 4/Senate Bill No. 50 (hereinafter the “A4/S50” or “the Bill”); and

**WHEREAS**, A4/S50 Bill seeks to abolish the Council on Affordable Housing (“COAH”) and purports to reform municipal responsibilities concerning the provision of affordable housing and

**WHEREAS**, the Bill would purportedly reduce litigation and municipal expenses; and

**WHEREAS**, A4/S50 details the methodology to be used for determining the fair share numbers of municipalities in Round 4 and in subsequent rounds; and

**WHEREAS**, the Bill is premised on the proposition that 40 percent of all households qualify as low or moderate; and

**WHEREAS**, A4/S50 calls for the determination of the prospective need by subtracting the number of households reported in the 2010 Decennial Census from the number of households reported in the 2020 Decennial Census and multiplying that figure by 40 percent; and

**WHEREAS**, we calculate that number to be 84,690; and

**WHEREAS**, A4/S50 calls for that number to be adjusted by the number of conversions and demolitions; and

**WHEREAS**, the statewide fair share would be increased from 84,690 to 96,780, if we assume the same number of demolitions and conversions used by Judge Jacobson in her formula for Round 3; and

**WHEREAS**, the 96,780 fair share compares to the roughly 211,000 COs issued between 2010 and 2020; and

**WHEREAS**, the 96,780 fair number divided by 211,000 COs equals roughly 46 percent (45.867 percent to be more precise); and

**WHEREAS**, all municipalities should be able to cure any violations of the prohibition against exclusionary zoning with inclusionary zoning; and

**WHEREAS**, traditional inclusionary zoning ordinances generally require no more than 20 percent of the units to be affordable; and

**WHEREAS**, it is mathematically impossible to satisfy a 46 percent problem with a 20 percent solution and, therefore, the number generated by the statutory formula is patently excessive; and

**WHEREAS**, while this mathematical error conceptually may have existed at COAH, COAH utilized its discretion to reduce the statewide number to roughly 5,000 units per year in Rounds 1-2 (or lower for prospective need in its attempted regulations in 2014); and

**WHEREAS**, in addition, COAH's Round 2 regulations had flexible standards, Regional Contribution Agreements (RCAs), an achievable bonus structure, waivers and other flexible standards to further mitigate the problem; and

**WHEREAS**, had COAH not mitigated the problem, it is likely that the regulations would have been challenged by municipalities; and



**WHEREAS**, A4/S50 also, systemically, calcifies the Court process and indeed makes critical changes which severely prejudice municipal interests and undercut the incentive to comply voluntarily; and

**WHEREAS**, in stark contrast to current laws that preserve a municipality's immunity in the absence of proof that the municipality is "determined to be constitutionally noncompliant", A4/S50 creates multiple opportunities to strip municipalities of immunity and expose them to litigation; and

**WHEREAS** A4/S50 subjects municipalities to litigation not only as they seek approval of their Housing Element and Fair Share Plans, but also even after they secure approval of those plans; and

**WHEREAS**, more specifically, while A4/S50 provides municipalities a "compliance certification" if the municipality secures approval of its affordable housing plan, that certification only protects municipalities from builder's remedy lawsuits-not from exclusionary zoning lawsuits by FSHC or anyone else who is not seeking a builder's remedy; and

**WHEREAS**, in stark contrast to the goal of A4/S50 to reduce litigation, A4/S50 dramatically proliferates litigation by providing many opportunities to sue the subject municipality and through other means; and

**WHEREAS**, even if a municipality, via the adoption of a resolution, accepts the Fourth Round affordable housing obligation numbers that will be promulgated by the Department of Community Affairs (the "DCA") under the A4/S50 Bill, there is still a risk that the affordable housing obligation numbers will increase during the subsequent process required by the bill, as both housing advocates like FSHC and developers can subsequently challenge the fair share number the municipality accepts; and

**WHEREAS**, the A4/S50 Bill creates a judicial entity made up of 3-7 retired Mount Laurel judges called "The Program", which, unlike COAH, is not comprised of an equal number of municipal and housing representatives, and is not made up of an equal number of Republicans and Democrats, thereby depriving the citizens of our State of the carefully crafted COAH Board that included a diversity of interests and that was the centerpiece of the FHA adopted in 1985; and

**WHEREAS**, the A4/S50 Bill does not require the promulgation of affordable housing obligations, or the adoption of substantive regulations, in a way that utilizes an open and transparent process that COAH used and that gave all interested parties an opportunity to comment and receive COAH's response to their comments; and

**WHEREAS**, the A4/S50 Bill reduces, and in some cases completely eliminates affordable housing bonus credits, and creates an overcomplicated and difficult process to obtain the bonus credits that are still available under the bill; and

**WHEREAS**, the initial version of the A4/S50 Bill allowed for municipalities to utilize age -restricted affordable units to satisfy up to thirty-three percent (33%) of its Fourth-Round obligation in recognition that roughly 33 percent of the demand for affordable housing came from this age group; however, the current version of A4/S50 unfairly and unceremoniously reduced the cap on age-restricted housing down to twenty-five (25%); and

**WHEREAS**, the Legislature previously capped the fair share of any municipality down to 1,000 in recognition that any obligation above 1,000 would be “onerous”; A4/S50 applies the 1,000-unit cap only to a component of the municipality’s fair share -- the prospective need – and authorizes the imposition of an obligation that is onerous; and

**WHEREAS**, the A4/S50 Bill creates unfair requirements and ambiguity when it comes to the Vacant Land Adjustment process, which could lead to municipalities that lack sufficient vacant land being required to produce more affordable housing units than is practical; and

**WHEREAS**, the A4/S50 Bill includes many other provisions and changes to the FHA that are impractical and devoid of any consideration of the burdens created by the statute; and

**WHEREAS**, the Office of Legislative Services (OLS) has not evaluated the formula required by the A4/S50 Bill for calculating a municipality’s Fourth Round or Prospective Need Obligation for its magnitude or reasonableness.

**NOW, THEREFORE, BE IT RESOLVED**, that for all of the above reasons, the Common Council of the City of Northfield objects to and opposes Assembly Bill No. 4/Senate Bill No. 50, and requests that the bill be tabled, re-written and re-introduced in way that imposes achievable obligations and facilitates the ability of the municipality to satisfy its obligations.

A certified copy of this resolution shall be sent to the Legislators in the State Assembly and Senate representing our District.

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 Common Council of the City of Northfield, held this 6th day of February 2024.

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Mary Canesi, RMC, Municipal Clerk

**CITY OF NORTHFIELD, NJ  
RESOLUTION NO. 50-2024**

**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. 10:4-12b(4), REGARDING CONTRACT NEGOTIATIONS BETWEEN THE CITY OF NORTHFIELD AND MAINLAND PBA LOCAL NO. 77**

**WHEREAS**, the Common Council of the City of Northfield is subject to certain requirements of the Open Public Meetings Act, NJSA 10:4-6 et seq.; and

**WHEREAS**, the Open Public Meetings Act, NJSA 10:4-12 provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

**WHEREAS**, it is necessary for the Common Council of the City of Northfield to discuss in a session not open to the public certain matters relating to items authorized by NJSA 10:4-12b(4), specifically, the contract negotiations between the City of Northfield and Mainland PBA Local No. 77, and an updated to be provided to the Common Council by the City's Labor Attorney.

**NOW THEREFORE, BE IT RESOLVED** by the Common Council of the City of Northfield that Council move into Executive Session, closed to the public.

**IT IS FURTHER RESOLVED** that the deliberations conducted in 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, that material entitled to Court protection or subject to attorney-client privilege shall not be disclosed.

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 Common City Council of Northfield, held this 6<sup>th</sup> day of February 2024.

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Mary Canesi, RMC, Municipal Clerk

**CITY OF NORTHFIELD, NJ  
RESOLUTION NO. 51-2024**

**A RESOLUTION APPROVING A MEMORANDUM OF AGREEMENT  
BETWEEN THE CITY OF NORTHFIELD AND MAINLAND PBA  
LOCAL NO. 77 COVERING THE PERIOD JANUARY 1, 2024,  
THROUGH DECEMBER 31, 2027, AND AUTHORIZING THE  
EXECUTION OF A COLLECTIVE NEGOTIATIONS AGREEMENT  
INCORPORATING THE TERMS OF THE MEMORANDUM OF  
AGREEMENT.**

**WHEREAS**, the existing Collective Negotiations Agreement between the City of Northfield, Atlantic County, New Jersey, and Mainland PBA Local No. 77 expired December 31, 2023; and

**WHEREAS**, the City and PBA engaged in collective negotiations for a successor agreement; and

**WHEREAS**, the parties have agreed to the terms for a successor agreement which are set forth in the Memorandum of Agreement between the parties which covers the period January 1, 2024, through December 31, 2027, a copy of which is attached hereto; and

**WHEREAS**, the PBA has ratified the terms of the Memorandum of Agreement; and

**WHEREAS**, the City has reviewed the terms of the Memorandum of Agreement during an executive session on February 6, 2024, and desires to approve same.

**NOW, THEREFORE, BE IT RESOLVED** by the Common Council of the City of Northfield, County of Atlantic and State of New Jersey as follows:

1. The terms of the preamble are hereby restated as if set forth herein.
2. The terms and conditions of the Memorandum of Agreement between Mainland PBA Local No. 77 and the City, effective January 1, 2024, through December 31, 2027, are hereby adopted, and a copy of said Agreement is hereby annexed to this Resolution.
3. The terms of the Memorandum of Agreement shall be incorporated into a final agreement, subject to editing by City Labor Counsel, which the Mayor is hereby authorized to execute on behalf of the City.
4. All other employees and officers of the City are hereby authorized to act in accordance with the terms of the Memorandum of Agreement.

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 Common Council of the City of Northfield, held this 6<sup>th</sup> day of February 2024.

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Mary Canesi, RMC, Municipal Clerk

# ENGINEER'S REPORT

# DEBLASIO & ASSOCIATES

CONSULTING ENGINEERS AND PLANNERS

4701 NEW JERSEY AVENUE • WILDWOOD, NJ 08260

PHONE: 609-854-3311 • FAX: 609-854-4323

## Engineer's Report

**To:** Mayor & Council  
City of Northfield

**From:** Marc DeBlasio, P.E., P.P., C.M.E.  
City Engineer

**Cc:** Mary Canesi, Clerk (via email)  
Dawn Stollenwerk, CFO (via email)  
Qwin Vitale, Superintendent of Public Works (via email)

**Date:** February 6, 2024

### Grant Applications

1. FY2024 NJDCA Local Recreation Improvement Grant (LRIG)
  - The New Jersey Department of Community Affairs has announced that they are accepting LRIG applications and the submission deadline is February 27, 2024.
  - City will be applying for Recreational Improvements at Birch Grove Park. Proposed improvements to be considered include pickleball courts, basketball courts and disc golf course.
2. USDA Water and Waste Disposal-Predevelopment Planning Grant (PPG)
  - The PPG application was submitted and accepted by USDA system in September 2023. Since this submission was prior to September 20, 2023, it allows 2010 census data to be used in the evaluation of the grant application which is fortuitous to the City.
  - USDA is requesting updated financial information from the City to finalize their evaluation.
3. New Jersey Department of Transportation Local Projects Fund (NJDOT LTPF)
  - Subject to funding appropriation, the Local Transportation Projects Fund is established to address specific focused local transportation issues throughout the state.
  - Applications can be submitted at any time via SAGE (System for Administering Grants Electronically).
  - City projects to be evaluated for eligibility and submission. Our office transmitted a proposal to complete and submit the grant application on January 30, 2024.

### Proposals to be submitted

- Geotechnical Study for proposed pole barn in DPW yard.
- Stormwater ordinance updates.