

**CITY OF NORTHFIELD WORK SESSION
FEBRUARY 5, 2019**

At 6:04pm this meeting was called to order by Municipal Clerk Mary Canesi. This meeting was properly advertised in the Press of Atlantic City on January 5, 2019, in accordance with Public Law 75, Chapter 231.

FLAG SALUTE

The flag salute was led by Mayor Chau.

ROLL CALL

Present: Dewees, Korngut, Madden, O'Neill, Perri, Smith, Lischin

Mayor Chau, Solicitor Facenda, Chief Newman and Engineer Nassar were also in attendance.

Council President Lischin welcomed everyone, and explained that Mr. Pantalone from the Atlantic County Utilities Authority (ACUA) was here to address concerns reported by residents of Catherine Place regarding one of the ACUA's sanitary sewer pump stations. Mr. Pantalone would give an overview of what occurred and what has been done to prevent it from happening in the future.

6PM: Mr. Joe Pantalone, Vice President, Atlantic County Utilities Authority, Wastewater Division

Mr. Pantalone introduced himself and distributed to the Council a handout that had a timeline of the events that occurred on Catherine Place. On December 7, 2018, the pump station had a communication failure alarm; upon arrival at the station it was determined that a power surge unit needed that to be replaced. The 2nd event, on January 8, 2019, involved a programming bug that gave a false signal - there was a failure but a false reading indicated the station was operating. The ACUA would be installing additional redundancies to prevent such an event from occurring in the future. There were two events that were two different failures at the same station within a month of each other; this had not happened in the past.

Council President Lischin thanked Mr. Pantalone. He referred to the two reported incidents and stated that the residents of the area have said there were more than two incidents.

Mr. Pantalone replied that he had not been aware of the other events residents had said occurred.

Engineer Nassar asked Mr. Pantalone if it would make sense to put a high-water line at the manhole before the station?

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Mr. Pantalone said he could look in to that.

Councilman Perri asked if the system was hard-wired or cell tower.

Mr. Pantalone replied both.

Councilman Perri advised that the cell service in that area can be totally dead at some points in the day. He asked if our flows could be calibrated or looked at to be sure that the large flow associated with these events aren't calculated as our flows?

Mr. Pantalone responded yes, he could have them checked.

Councilman Perri asked how long before the events were reported.

Mr. Pantalone replied it was hard to tell.

Councilman Perri informed Mr. Pantalone that our staff was notified via dispatch, who received the report from a resident.

Mr. Pantalone replied that they have taken precautions in the form of extra redundancy; he would provide Engineer Nassar with the 24/7 ACUA contact.

Councilman Perri felt the ACUA or Northfield is going to have to put check-valves in the homes; we may have to look at it jointly.

Mr. Pantalone agreed that it could be looked at.

At 6:17pm, Clerk Canesi noted that the recording equipment did not seem to be functioning. She turned it off, and then on again, and it then seemed to be working. It was determined after the conclusion of the meeting that the recording equipment had failed and no audio record of these proceedings exists.

Councilwoman Korngut asked Mr. Pantalone if they had a communication set up so residents could contact the ACUA directly so they don't have to go through this.

Mr. Pantalone noted that he would provide this information, and it could be put on the City's website as well.

Councilman Smith identified himself as an affected homeowner; he acknowledged that he was aware of more than two incidents. He asked what was coming out of the manhole cover onto people's properties.

Mr. Pantalone replied it was wastewater. He advised that any time there was an event like this, the DEP is notified and the area is cleaned according to standards. If this

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had not been done to resident's satisfaction, please let Mr. Pantalone know. He offered to give Councilman Smith his card with direct contact information on it. Mr. Pantalone stated that he felt this dialogue was very helpful.

Council President Lischin opened the meeting to public for anyone to speak regarding this issue.

Dave Notaro, 111 Catherine Place, asked Mr. Pantalone if there were any long-term effects of the sewerage in the street.

Mr. Pantalone replied if it was cleaned up within a reasonable amount of time there should be no long-term effects.

Mr. Notaro was concerned about kids playing in the streets and yards. Was it e-coli? Should he get a secondary test?

Mr. Pantalone replied that he would never dissuade anyone from getting other testing done.

Mr. Notaro asked if the ACUA has anyone on staff that can do this?

Mr. Pantalone replied yes, they have their own certified personnel.

Engineer Nassar asked if the cleanup was done correctly, was it sufficient?

Mr. Pantalone responded that the DEP always also does a follow up inspection; the resident can always request that the DEP come out again.

Mr. Notaro said he was not too keen on check-valves, he would probably rather not put such a device in, but his neighbors may. He asked could the ACUA do this as a courtesy to the residents?

Mr. Pantalone explained how anything done would be precedent-setting and they do represent many other towns; anything like that would have to be explored carefully. He offered contact information so that information can be reported to possibly spot trends.

Mr. Notaro reported an odd sound at the pump station, and asked a resident in audience to confirm.

Linda Victor, 109 Catherine Place, confirmed. She heard sound like a tin can at the pump station.

Mr. Notaro asked about odor control.

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Mr. Pantalone replied that there were chemical additives.

Mr. Notaro asked if it could be done on a preventive basis?

Mr. Pantalone replied yes, he could look at that.

Linda and Frank Victor, 109 Catherine Place, reported that their home was very low, and their downstairs bathroom toilet fills up with black water and it starts seeping out. They had lived in the home for 31 years; it had happened three times in the last two months.

Mr. Pantalone asked if they have had any issues since January 8th?

Mr. Victor replied no.

Mr. Pantalone offered his contact information; if the Victor's should hear the gurgling sound contact him directly.

Mrs. Victor said she had been given phone numbers in the past; no one answers. And what if they are not home?

Mr. Pantalone reiterated the additional precautions that were explained earlier in the meeting. Mr. Pantalone assured he would be responsive.

Council President Lischin, seeing no others wishing to speak regarding the ACUA sanitary sewer issue, closed the public session.

Councilman Perri asked if it was possible to move an overflow unit to the station itself, as a fail-safe, so it won't go on anybody's property?

Mr. Pantalone replied that they could look at other methods of containment.

Mr. Notaro asked if they could put an outlet closer to the pump station.

Mr. Pantalone explained the effect of that would be to push the problem somewhere else.

Council President Lischin suggested that the Victors and the Notaros stay in contact with Mr. Pantalone to report any issues immediately.

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WORK SESSION TOPICS FOR DISCUSSION – OLD BUSINESS

Council President Lischin moved to the balance of the topics on the work session agenda and deferred to Solicitor Facenda for an update on the potential land sale.

- Potential Sale of Landlocked City Owned Property

Solicitor Facenda advised that the ordinance was revised, notices were sent out to adjoining owners, and bids were due February 12th. Thereafter, we will go out for public bid.

Councilman Perri said the blocks and lots on our sale list in the vicinity of Harvey Drive may be incorrect.

Solicitor Facenda replied he would check.

- Sign Ordinance Changes
 - Update from Committee, if any

Council President Lischin reported that the sign committee met with the Planning Board representatives; there was a disagreement. The Council committee's recommendation was to allow an LED sign at the Country Club, along with a few other changes. He believed the Planning Board would be voting on their recommendations. The Council would then decide how to proceed.

For the benefit of newer members of Council, Solicitor Facenda added that historically, this arose because of concern about political signs. That prompted a review of the entire sign ordinance. A draft ordinance was prepared and referred to the Council in 2015, the Planning Board responded with comments, and the matter seemed to have died on the vine in 2016. Solicitor Facenda recommended that if there were changes to the draft that was circulated in 2016, they needed to be incorporated, and then it should be referred back to the Planning Board. The Planning Board would have to provide Council with their comments within 35 days. The Planning Board would identify inconsistencies with the Master Plan, and give their recommendation to the Council. Once we received that report back, we were free to agree or disagree in part or in whole with any or all of it. If there was any disagreement, Council would have to set forth the reasons.

Councilman O'Neill added that this had been going on for years; we had a lot of businesses in this town that employ a lot of people. He felt it was a balance between making the town look nice and giving businesses the opportunity to succeed.

Councilman Perri advised that the Country Club came before the board for an LED sign and it was turned down by the Planning Board, for several reasons. There are no

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LED signs on Shore Road, and the Planning Board wanted to maintain the historic character. He felt these lights were intrusive; if it goes there it needs to be highly regulated. If the County Club gets it, it would be hard to turn down any other business on Shore Road who wanted a variance.

Solicitor Facenda reminded Council that in any zoning district, you have to have standards; you have to know what is permitted and what is not permitted. He felt the technical aspects of the LED signage may have been the reason this has languished, no one really understands them enough to explain to Solicitor Facenda so they can be incorporated into an ordinance.

Council President Lischin advised that the current ordinance only allows the Country Club to have a 4'x4' sign; with 400 feet of road frontage. They are no longer a private country club.

Solicitor Facenda reminded Council that we are not doing this for the County Club. We are looking at our entire sign ordinance for the entire town. It was a complete evaluation of the ordinance; that may be the only source of contention between the Planning Board and the Council, but the issue is the ordinance for the entire town.

Councilwoman Madden said she has seen an explosion of LED signs on Route 9 and on Tilton Road; she found them garish and distasteful and a distraction to drivers. She felt LED signs would be inappropriate in a residential area. The sign colors: red, yellow, turquoise, were all too bright.

Solicitor Facenda pointed out that signs anywhere in town can be addressed, not just in the Country Club Zone. The colors, size, flashing, not flashing, etc., could be regulated.

Councilwoman Korngut would like to hear more from both sides as to the objections. She hasn't heard anything that the Country Club was struggling because they don't have an LED sign and if they don't get it there will be COAH housing; she thought that was too much of a leap. She was concerned about talk that they are our largest tax payer; it was a slippery slope and can make lesser taxpayers feel less important.

Councilman O'Neill replied that he never thought there would be a 450-unit development with COAH housing in our town. If you say it can't happen? It can. He would hate to be on Council in a few years if we were not doing everything we could to help our businesses.

When it was his turn, Mayor Chau declined to speak, citing a conflict of interest.

Councilman Smith said he would be amenable to a sign done in a tasteful manner, LED or not.

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Councilman Lischin wanted to be proactive; wanted to tell them what we want as opposed to the other way around.

- Cresson Avenue Paving Project – Tree Conflicts on Walnut Avenue

Council President Lischin asked about the tree conflicts on Walnut Avenue.

Engineer Nassar replied that Council needed to decide how to handle the three trees.

Councilman Perri asked if we sent out a letter.

Councilman Dewees replied he was considering knocking on the doors.

Councilman Perri would defer to Councilman Dewees' recommendation.

Councilman Dewees would meet with Councilman Perri and Engineer Nassar on Monday to discuss.

WORK SESSION / TOPICS FOR DISCUSSION – NEW BUSINESS

- Standing Item – New Grant Opportunities

Council President Lischin complimented Engineer Nassar on recent grant opportunities, and asked if anyone knew of any others. There were no responses.

- Invitation from Freeholder Board to Host Freeholder Meeting at Northfield City Hall

Councilman Lischin referred to an invitation to host a Freeholder meeting here at City Hall.

Mayor Chau explained that many towns are located far away from the Freeholder meetings and this was a way to include residents in the meeting.

Council President Lischin replied we are here in Northfield, so it's not far.

Council President Lischin conducted a straw poll; all were in favor of hosting a meeting. Council would choose a date at the next meeting.

Council President Lischin asked Councilwoman Korngut to speak regarding the youth of the month agenda item.

- Youth of the Month – *Requested by Councilwoman Korngut*

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Councilwoman Korngut felt there are youths who are rock stars but don't have the opportunity to be recognized. Through this program they can be nominated by any adult, parent, child, or teacher. The Mayor could present them with a proclamation, or something else. She wanted to shed light on acts of kindness. It could be as simple as sharing a sandwich, or their jacket. She thanked her top advisor in the audience, Andrew Lisa.

Council President Lischin was all for it. He conducted a straw poll, all were in favor.

Mayor Chau asked would it just be Northfield Community School students or the high school also?

Council President Lischin asked how it would be advertised.

Councilwoman Korngut said she thought it would just be the Community School but it could be high school too. She would create a flyer that the school could send out and could be put on the website.

- Girls in Government – *Requested by Councilwoman Korngut*

Councilwoman Korngut said when she ran for office, she was concerned about the lack of female representation in office, it was hovering around 19%. She also wanted to get girls involved in activities that increase their self-esteem; she contacted the school who indicated they would work with her in creating the club. The club would consist of 7th and 8th grade girls who would either consider running for office, or were just interested in the process.

Mayor Chau asked if this was being run by the City or the school.

Councilwoman Korngut replied the school.

Council President Lischin encouraged Councilwoman Korngut to bring the club members to the council meetings.

Councilwoman Korngut suggested the possibility of a student representative to the Council.

- Emergency Road Opening, NJAMW, at Rosedale Avenue – *Requested by Councilman Perri*

Council President Lischin asked Engineer Nassar to speak about the emergency road opening.

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Engineer Nassar explained that New Jersey American Water Company had an emergency road opening at Rosedale; he needed approval from Council on the restoration requirements.

Solicitor Facenda asked for clarification as to the Engineer's recommendation

Engineer Nassar explained that a simple restoration would be acceptable.

Councilman Perri asked if it was a mechanical issue that needed to be addressed.

Councilwoman Madden said she would defer to the Engineer's recommendation.

Councilman O'Neill, Councilwoman Korngut, Councilmen Smith, and Dewees had no objection to the trench restoration being recommended by the Engineer.

Council President Lischin preferred full width.

Council President Lischin moved to a fee ordinance for field light use.

- Fee Ordinance for Use of Athletic Field Lights – *Requested by Council President Lischin*

Councilman Dewees stated that he was not prepared with an actual cost tonight; he suggested we address this next year.

Councilman Smith said he needed more information.

Council President Lischin explained the issue of lights being used excessively last year, and increased control this year. He asked if Council would approve of adding a fee for just light use, but not for the fields.

Mayor Chau asked who controls the lights.

Councilman Dewees explained that they were in locked panels or inside locked facilities; coaches have keys.

Councilwoman Korngut replied that this came up last week; she believed Councilman Smith would like to wait until next year because applications are coming in now. She spoke with Clerk Canesi about a field use fee; she understood that this has been batted around before. She would like more information on why that is not a good idea.

Councilman Dewees explained that with fees come expectations; we don't always have people available.

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Councilwoman Korngut suggested a fee that would make it worth it.

Mayor Chau asked what other communities do in this situation.

Councilman Smith replied that this was one of the reasons he did not want to rush; he wanted to take this time to assess where we are. He wanted to accommodate and have access to the fields for our citizens and groups that provide service to our citizens. He wanted to look at all of the information so he could provide Council with more of a comprehensive policy.

Councilwoman Korngut would also like to hear from some of the people who use the fields. She was fine with a fee for the lights.

Councilman Smith advised that he had questions for the Solicitor about what conditions and parameters we could put in place.

Solicitor Facenda explained that when you start to charge fees for City land, you are losing control of who you can say yes and no to. You may have an organization you don't necessarily want in your town, holding an event on your field, that you don't have the ability to say no to, because you are charging a fee.

Councilwoman Korngut asked Councilman Smith if there was something Council should know; as a league player he is affected by these rules.

Council President Lischin felt that was a positive; Councilman Smith is someone who knows baseball.

Councilwoman Korngut felt it was important that everyone knew.

Councilman O'Neill wanted to get everybody back to normal; he did not object to a fee, but wanted to move on.

Councilwoman Korngut announced that she submitted a resolution after the agenda had already been drafted; it had passed the Senate and was working its way to the Governor's desk. The resolution would require hotel employers with more than 100 rooms to provide panic devices to employees such as room service and housekeeping. These employees were mostly women and often marginalized members of society. She felt it was important for their safety. She offered to answer any questions.

Council President Lischin advised it could be placed on the agenda for the next meeting.

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REVIEW OF REGULAR MEETING AGENDA

Council President Lischin reviewed the regular meeting agenda and made assignments.

Councilwoman Korngut asked that Resolutions 42-2019 and 47-2019 be voted separately from the consent agenda.

Solicitor Facenda advised that Resolution 42-2019 had to be acted on this evening.

PUBLIC SESSION/ FIVE MINUTES PER SPEAKER

Council President Lischin opened up this portion of the meeting for any member of the public to speak on any subject, announcing a five minute per-speaker time limit.

Richard Levitt, 2200 Bay Drive, Chairman of the Planning Board, advised Council that the Planning Board would be voting on the sign ordinance on Thursday. Every six years they review the Master Plan. He explained that from the Master Plan, comes the Zoning Ordinance; these are subject to change as long as they are consistent with the Master Plan. The hardest job in his many years on the Planning Board is the balance between residential and commercial. At the request of Council, the Planning Board did loosen up the rules on signs, which Dr. Levitt described as archaic. They also added sandwich boards in many zones, but they did not include LED on Shore Road. One of the reasons was that one of the goals of the Master Plan was to maintain the residential character of Shore Road. He advised that the church sign was not currently in compliance with the approvals granted - their sign included movement. He had left a message for the Code Enforcement Officer but did not hear back from him. Bootleggers was another. The Country Club was not our biggest taxpayer, our residents were. For some people, it was a quality of life issue. Shore Road was a dark, residential area at night. In terms of the Country Club going all-housing, it can't be. As soon as they commit to housing, it was in the ordinance that they have to commit to a golf course.

At 7:27pm Councilman O'Neill left the meeting and returned at 7:28pm.

Councilman O'Neill asked Dr. Levitt for a legal opinion that the golf course could never flip.

(There was an approximately one-minute discussion between Dr. Levitt and Councilman Lischin that was not recorded in the log notes, and more specificity was later unavailable due to the failure of the audio recording equipment.)

Dr. Levitt stated that you can't advocate for a single person. If the Country Club gets an LED sign, you can't deny any other business on Shore Road. He gave examples

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such as where House and Garden used to be, where the post office used to be; there were plenty of offices, dental offices. It will turn Shore Road into a commercial zone.

Councilman Smith asked if the Country Club was zoned in one area, but other areas of Shore Road were not in a County Club Zone, was Dr. Levitt saying you cannot deny it in another zone?

Dr. Levitt replied, you certainly could, but they are all residential zones. He felt if it went before a judge, we'd lose it. We can only control by being consistent.

Solicitor Facenda stated that he felt an applicant would have put before the board a prima facie case, which the board denied and that a judge would overturn it. He felt they were apples and oranges.

Dr. Levitt replied that the Country Club was a residential zone. It was just called Country Club; he felt it weakened restrictions.

Mayor Chau asked for clarification.

Solicitor Facenda explained that a sign in one zone does not automatically permit a sign at an adjacent property if the adjacent property was in a different zone.

Dr. Levitt added that there were residents that did not want signs and lights interfering near their property. He looked forward to working with the Council.

Council President Lischin opened up this portion of the meeting for any member of the public to speak on any subject, announcing a five minute per-speaker time limit.

Jason Yard, 700 Hollywood Drive, announced that he was a Board Member of Northfield Little League, the Past President and a member for past 13 years. He said he is responsible for the issue of field use that Council is now facing. Prior Northfield Little League boards had been opposed to other teams using our fields, but at a meeting a few years ago, a process was developed. Northfield fields were best in the area. The City of Northfield pays the electric bills, water bills, maintains the structures, and mows; everything else was done by Northfield Little League. He explained the process as he understood it. When they (Northfield Little League) say fields are available, it was because Northfield Little League has been consulted first. They came up with an unwritten rule in their organization that only one team could use their fields. Little League needs the fields from March to April at any time possible. He had heard that there were personal issues that affect field use; it is not personal. All of the equipment belonged to Little League.

Council President Lischin apologized to Mr. Yard; he thought Northfield Little League was only saying if the field was available.

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Mr. Yard replied that the process was that Northfield Little League was approached by the team; if Northfield Little League says the field is available it is because the team already checked with them.

Clerk Canesi thanked Mr. Yard for his volunteer service. She explained that her recollection of that meeting with Mr. Yard and others was very different than his. The process for field use was already in place when she started working here in 2008. The process then and now is that an application is requested from and returned to the City Clerk's Office; the Clerk's Office then contact the appropriate sports entity to check the availability of the field, and Council then approved or denied the request by resolution.

(There was an approximately one-minute discussion between Mr. Yard and Councilman Lischin that was not recorded in the log notes, and more specificity was later unavailable due to the failure of the audio recording equipment.)

Mr. Yard recommended that only one outside team per season be permitted to use each of the baseball fields.

Mayor Chau asked Mr. Yard how he determined who got what field

Mr. Yard replied that they approach the organization.

Council President Lischin felt that with Councilman Smith as the new chair, he was confident it could be worked out.

(There was an approximately ten-second exchange between Councilman Lischin, Council President Dewees, and Clerk Canesi that was not recorded in the log notes, and more specificity was later unavailable due to the failure of the audio recording equipment.)

Councilman Perri said he was looking at the big picture. He always yielded to Councilman Dewees and would take his recommendation, but it seemed like there needed to be someone overseeing this.

Mr. Yard would love to have the Council give them autonomy.

Joe Gouckler, 14 Jack Sloan Court, said it was well known that he had been trying to get the field. He had an hour-long discussion with Jason Yard.

Mayor Chau asked for clarification.

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Mr. Gouckler claimed there was disparity in responses as to why his field use request was denied, he was told it was due to a conflict, then it was wear and tear on the field. He was on the Family Association of Northfield (FAN) Board; FAN was very cooperative with field use, but it very difficult for him to be able to use the baseball field. He said he would take any two hours of field use.

Mayor Chau asked if Mr. Gouckler was asserting that the fields were intentionally being blocked so he couldn't play.

Mr. Gouckler replied yes, but he couldn't prove it.

Council President Lischin responded that he and Councilman Smith have discussed how to work this out so everyone could play.

Mr. Gouckler replied that he was willing to work with Northfield Little League, if his team gets bumped, they get bumped.

Councilwoman Korngut asked was it possible to have one big meeting at the beginning of the year.

Mr. Yard replied that Northfield Little League determines its schedule after registration and the draft was done, and that does not usually occur until the middle to end of March.

Councilman Smith thought there was a happy medium, there were two teams and two fields, the simple solution was that each team has a little bit of time on each field, and begin the process of having an official policy.

Mr. Yard advised that Northfield Little League had no objections to the split of the time between the two fields.

Keith Burke, 13 Haviv Drive, said he was on the agenda for the 10 U Sandsharks field use request; he was here to answer any questions. There were none.

Bill Garry, 202 St. James Place, stated that after the gas meter relocation in the City it was brought to his attention that the punch list was complete. He wanted to know who on Council is represented Northfield to make sure utility work restoration was done. He asked where the punch list was.

Engineer Nassar replied that he had the list.

Mr. Garry asked when his curb was being replaced.

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Engineer Nassar advised that Mr. Garry did not have curb; he had railroad ties. The rail road ties were not on the punch list.

Council President Lischin advised that he would have Engineer Nassar put Mr. Garry in contact with the gas company.

Blair Rosenfeld, 2111 Sutton Avenue, said he was a 30-year Northfield resident. He had put in an application, as in the past, for use of the Babe Ruth facility, one night a week, with seven or eight games. For the past ten years the City had been so generous in granting the field use. He understood the issues with the lights, and the expense. He had no problem with a fee ordinance, he would do whatever it took for this year to get is passed this year. He had volunteered a lot for the town and had umpired through the years.

Council President Lischin thanked Mr. Rosenfeld, noting that he has been a good steward for the fields. He explained that Mr. Rosenfeld's Resolution was tabled at the last meeting because of the lights and the expense to the taxpayer.

Seeing no one else wishing to speak, Council President Lischin closed the public session.

At 8:39pm, on motions properly made and seconded, this meeting was adjourned.

Respectfully submitted,

Mary Canesi, RMC, Municipal Clerk