

**CITY OF NORTHFIELD COUNCIL MEETING MINUTES
MARCH 22, 2016**

At 7:06pm, this meeting was called to order by Mary Canesi, Municipal Clerk. It was advertised in the Press of Atlantic City in accordance with Public Law 1975, Chapter 231.

FLAG SALUTE

The flag salute was led by Mayor Chau, followed by a moment of silence.

ROLL CALL

Present: Dewees, Lischin, O'Neill, Perri, Piergiovanni, Travagline

Mayor Chau and Acting Chief Newman were also present. Solicitor Facenda and Engineer Kwapinski were in the Clerk's office researching the bid related issue for the Bay Drive Project that was discussed during the work session.

Mayor Chau announced that he was giving out awards for heroism and read the following statement:

On Tuesday morning, February 2, 2016, an ambulance was requested for a patient experiencing a medical emergency on Mt. Vernon Ave. in Northfield. EMS, Police and Fire personnel responded and arrived within 3 minutes of the initial call for help. Acting police Sergeant Cornell reported that the patient was experiencing a severe cardiac event and was in cardiac arrest. The patient presented without a pulse and was not breathing; Acting Sergeant Cornell began CPR. TriCare EMT's Wright and Sulzer applied the AED or Automated External Defibrillator with Firefighter Sacco's assistance, and shocked the patient once, restoring a heartbeat and breathing. The patient's care was continued at the residence and with advanced care from paramedics from AtlantiCare, the patient was transported to AtlantiCare Mainland Campus for continued treatment and care. With the rapid arrival of emergency personnel and appropriate and life-saving treatment administered by all who stand here tonight, we would like to extend our thanks for a successful outcome for this resident and her family, and acknowledge your heroic actions.

At 7:09pm Solicitor Facenda and Engineer Kwapinski entered the meeting.

Mayor Chau called forward the woman whose life was saved, Mrs. Porch, and her mother, Mary Ciambella.

Mayor Chau then called forward Acting Sergeant William Cornell, Firefighter Christopher Sacco, EMT Kyle Sulzer and EMT William Wright, as well as Fire

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Chief Bruce Cummings and Assistant Fire Chief Lauren Crooks. He thanked them all for turning this situation into a happy situation.

Chief Cummings presented each individual with a CPR save pin.

Mrs. Porch thanked each of the men as her mother presented a check to Chief Cummings for the Volunteer Fire Company.

Council President Travagline commented that volunteers and paid personnel who go above and beyond were another reason Northfield was so great.

READING AND APPROVAL OF THE MINUTES

A motion was made by Councilman O'Neill, seconded by Councilman Perri to dispense with the reading of the minutes from March 8, 2016. They have been posted, distributed to Council, and were on file in the Municipal Clerk's Office.

Roll call: Mr. Dewees –yes; Mr. Lischin –yes; Mr. Murray –yes; Mr. O'Neill –yes; Mr. Perri –yes; Mr. Piergiovanni –yes; Mr. Travagline –yes; Motion carried.

COMMITTEE REPORTS

Councilman Perri - Sewer Inter Local, Planning Board, Senior Citizens

Councilman Perri announced that the next Planning Board meeting was scheduled for April 7th and the next seniors meeting would be March 31st at the Library by RSVP. He had no report for the Sewer department.

Councilman O'Neill - Court/Violations, FAN, Library, Shared Services

Councilman O'Neill stated that he had nothing to report.

Councilman Piergiovanni – Insurance and Safety, Chamber of Commerce, Municipal Alliance, Northfield School

Councilman Piergiovanni reported that Northfield Community School passed their Budget Resolution last night; it included a reduction in the tax levy due to debt service for an overall reduction of 4.6%. The Board of Education would present the budget to Council at the at the April 12th meeting.

Councilman Dewees - Buildings/Grounds, Athletic Fields, Bike Path, Veterans' Park, 1st Street Playground, Birch Grove, Public Works, Roads, Engineering, Little League/Babe Ruth, Sign Sub Committee

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Councilman Dewees reported that the jogging trail along the bike path had been replenished and was funded with capital. The baseball field bathrooms would be open this week; he stated he would monitor to ensure this happens. The Birch Grove Park conduit issue had been repaired and last step would be to activate the sump pump. The sign for Lake Avenue had been delayed due a mix-up with the vendor and a retiring employee; the order had been reinitiated and as soon as the sign came in it would be installed promptly. A resident reported an issue with a utility easement alongside Jack Sloan Court and Pasadena Drive; several entities had an interest in this easement. Councilman Dewees noted that he had met with the resident about a tree that needed to be removed. He would get prices to remove the tree as soon as possible.

Councilman Murray - Finance/Collections, Mainland Regional, Economic Development, Traffic Safety

Councilman Murray had nothing to report.

Councilman Lischin – Fire Department/EMS, Inspections, Code Enforcement, Housing/Zoning, Technology/MRHS Channel 2, Cultural Committee, Green Team, Sign Sub Committee

Councilman Lischin echoed the Mayor's sentiments about the Fire Department, Police Department and EMS 1st Responders for doing a great job. He also reported that the Cultural Committee had a very successful flea market at the school.

MAYOR'S REPORT

Mayor Chau read a letter from the resident from 1414 Shore Road that commended Officer Justin Heller.

Mayor Chau commended and recognized Officer Heller. Mayor Chau stated that he appreciated when city employees go above and beyond for our residents.

Council President Travagline asked if the Police Department gave plans on the bottleneck issue on Chestnut Avenue and the parking situation.

Mayor Chau replied that Lieutenant Dettinger recommended a no parking area which would require an Ordinance. He also announced that our noise Ordinance was never approved by the State, and we had to act.

Council President Travagline requested that Solicitor Facenda prepare a draft Ordinance.

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Councilman Dewees asked Mayor Chau for an update on the status of the signs for Veterans' Park.

Mayor Chau replied that he wrote a letter and was waiting to hear back from County Executive Levinson. He then asked Council for suggestions for guest speaker's for our Memorial Day event and noted that we will be renting chairs this year.

ENGINEER'S REPORT

Engineer Kwapinski reviewed the Engineer's report; he and Solicitor Facenda researched the bid issue and recommended that Council award the lower number.

At 7:34pm Mayor Chau left the room and returned moments later.

Solicitor Facenda verbally amended Resolution 90-2016 to have an award of contract amount of \$256,000.00.

Engineer Kwapinski announced that there would be a Community Block Development Grant meeting at the County this week and asked Council for suggestions.

Councilman Perri asked if the funds could be used for Veterans' Park.

Engineer Kwapinski stated possibly, but, it would depend on the improvements.

Clerk Canesi recalled that the handicapped ramp at the museum was also suggested as a possibility for this grant.

Engineer Kwapinski noted that the handicapped ramp would definitely qualify.

Engineer Kwapinski informed Council that letters were sent to affected residents in the Oxford / Amherst area, asking for feedback. The bike path bench pads were also included in the paving project as an alternate bid.

PUBLIC SESSION

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

Chris Cafiero, 303 West Revere Avenue - asked if streets for paving have been identified.

Engineer Kwapinski replied, not yet.

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Mr. Cafiero asked why the tree in the easement referred to during the work session couldn't be removed in-house.

Councilman Dewees replied that it was a large tree and machinery will be required; but doing it in house would be explored.

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

RESOLUTIONS/CONSENT AGENDA

Councilman Lischin motioned, Councilman Murray seconded for Resolutions 81-2016 through 91-2016 with Resolution 90-2016 as amended, to be voted on by consent agenda.

Council President Travagline stated that all matters listed under the Consent Agenda are considered to be routine in nature, and having been reviewed by Council, will be enacted by one motion. Any item may be removed from the Consent Agenda at the request of any Council Member and if so removed, will be treated as a separate matter. Any items requiring expenditure are supported by a Certification of Availability of Funds. The Executive Session of Council will be held at the end of the meeting and we will come back in public session to make a comment for the record after the Executive Session. Any vote made on subjects discussed will be made in public.

Roll call: Mr. Dewees –yes; Mr. Lischin –yes; Mr. Murray –yes; Mr. O'Neill - yes; Mr. Perri – yes; Mr. Piergiovanni –yes; Mr. Travagline – yes; Motion carried to vote by consent agenda.

- 81-2016** Amending Resolution No. 78-2016, Establishing Salaries for Non-Union Employees for the City of Northfield for 2016
- 82-2016** Release of Escrow Monies from the Planning Board
- 83-2016** A Resolution Authorizing the Northfield Police Department to Apply for and Obtain a 'Click it or Ticket' Grant
- 84-2016** A Resolution Approving Participation with the State of New Jersey Federal Grant Program Administered by the Division of Criminal Justice, Department of Law and Public Safety
- 85-2016** Authorizing a Reduction in the Performance Guarantee for Block 76, Lots 18-19, and Block 78, Lots 14, 19-20
- 86-2016** Authorize the Hiring of Stephen McKeone as a Seasonal Maintenance Employee for Birch Grove Park
- 87-2016** Amendment to Northfield Cultural Committee Appointments
- 88-2016** Authorize the Hiring of Loretta Mazzone as a Seasonal Concession Stand Attendant for Birch Grove Park

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- 89-2016** Self Examination of Budget Resolution
- 90-2016** New Jersey Department of Transportation, Division of Local Aid and Economic Development Recommendation of Award State Aid Project Reconstruction of Bay Drive
- 91-2016** 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 Daniel T. Mitchell v the City of Northfield and Robert James

Councilman Lischin motioned, Councilman Murray seconded for Resolutions 81-2016 through 91-2016 to be adopted by consent agenda.

Roll call: Mr. Dewees –yes; Mr. Lischin –yes; Mr. Murray –yes; Mr. O’Neill - yes; Mr. Perri – yes; Mr. Piergiovanni –yes; Mr. Travagline – yes; Motion carried to adopt by consent agenda.

ORDINANCE

Councilman Dewees motioned, Councilman Piergiovanni seconded to introduce Ordinance 6-2016.

- 6-2016** Calendar Year 2016 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A: 4-45.14)
Introduction / No Public Input / Published in the Press of AC 3/26/2016
2nd Reading / Public Hearing / Final Consideration 4/12/2016

The Municipal Clerk read the Ordinance, and stated that this is the introduction, and there will be no public input. The public hearing date, and requisite publication dates were announced. The full Ordinance has been posted in the lobby of City Hall and on the City website, and copies will be available at no cost in the office of the Municipal Clerk between the hours of 9:00am and 4:00pm, Monday through Friday to any member of the public who requests same.

Roll call: Mr. Dewees –yes; Mr. Lischin –yes; Mr. Murray –yes; Mr. O’Neill - yes; Mr. Perri – yes; Mr. Piergiovanni –yes; Mr. Travagline – yes; Motion carried to introduce Ordinance 6-2016.

PAYMENT OF BILLS \$ 1,765,604.78

Councilman Lischin motioned, Councilman Murray seconded, for payment of bills.

Roll call: Mr. Dewees –yes; Mr. Lischin –yes; Mr. Murray –yes; Mr. O’Neill - yes; Mr. Perri – yes; Mr. Piergiovanni –yes; Mr. Travagline – yes; Motion carried.

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RESOLUTION/2016 BUDGET

Councilman Perri motioned, Councilman O'Neill seconded to introduce Resolution 80A-2016.

80A-2016 Introduction of the 2016 Budget
No public input on introduction
Budget Synopsis Published in the Press of AC 3/26/2016
Public Hearing and Final Adoption: 7:30 pm 4/26/2016

The Municipal Clerk read the Resolution, and stated that this is the introduction, and there will be no public input. The public hearing date, and requisite publication dates were announced. The Municipal User Friendly Introduced Budget has been posted in the lobby of City Hall and on the City website, and copies will be available at no cost in the office of the Municipal Clerk between the hours of 9:00am and 4:00pm, Monday through Friday to any member of the public who requests same.

Roll call: Mr. Dewees –yes; Mr. Lischin –yes; Mr. Murray –yes; Mr. O'Neill - yes; Mr. Perri – yes; Mr. Piergiovanni –yes; Mr. Travagline – yes; Motion carried to introduce Resolution 80A-2016.

Council President Travagline read the meeting notices.

EXECUTIVE SESSION

91-2016 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 Daniel T. Mitchell v the City of Northfield and Robert James

The Municipal Clerk read the resolution by title and deferred to the Solicitor for further explanation.

Solicitor Facenda stated that the Executive Session is in regards to a potential settlement agreement. The minutes will be kept and made available when permitted and required by law.

At 7:48pm members of Council moved to the Mayor's Office.

At 8:24pm Council returned from the Mayor's Office.

Solicitor Facenda announced that the Executive session had concluded. Council had determined to entertain Resolution 92-2016 which would take affirmative action if approved. Solicitor Facenda read Resolution 92-2016 in full for the record:

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92-2016 Resolution Approving Settlement Agreement and General Release

WHEREAS, on or about February 27, 2016, Daniel T. Mitchell filed a Complaint and Demand for Jury Trial in the United States District Court – District of New Jersey in an action captioned DANIEL T. MITCHELL v. THE CITY OF NORTHFIELD, Case No.: 1:15-cv-01499-NLH-KMW (the “Mitchell Litigation”); and

WHEREAS, the City of Northfield has been represented by counsel assigned by the Joint Insurance Fund, to wit: Richardson Employment & Civil Rights Law, LLC in connection with the Mitchell Litigation; and

WHEREAS, the Parties to the Mitchell Litigation have litigated this action since its filing, including but not limited to the pre-trial exchange of discovery and the participation in a voluntary mediation session; and

WHEREAS, the Parties to the Mitchell Litigation now wish to amicably resolve all of the claims asserted by Plaintiff in the Mitchell Litigation on the terms and conditions set forth in the Settlement Agreement and General Release attached hereto; and

BE IT RESOLVED, to accomplish the amicable resolution of all the claims asserted in the Mitchell Litigation, the Mayor for the City of Northfield is hereby authorized to execute the Settlement Agreement and General Release attached hereto once same is confirmed by counsel for the City of Northfield to be acceptable to and accepted by Plaintiff Mitchell’s legal counsel.

I, Mary Canesi, Municipal Clerk of the City of Northfield, do hereby certify that the foregoing Resolution was duly adopted at a regular meeting of the City Council of Northfield, held this 22nd day of March, 2016.

Solicitor Facenda informed Council that they would need a motion, a 2nd and a vote. And, if approved, the Resolution would be sent to Mr. Austermuhl for presentation to Mr. Mitchell’s counsel.

Council President Travagline motioned, Councilman Murray seconded to adopt Resolution 92-2016.

Roll call: Mr. Dewees –yes; Mr. Lischin –yes; Mr. Murray –yes; Mr. O’Neill - yes; Mr. Perri – yes; Mr. Piergiovanni –yes; Mr. Travagline – yes; Motion carried to adopt Resolution 92-2016.

At 8:27, on motions properly made and seconded, this meeting was adjourned.

Respectfully submitted,

Mary Canesi, RMC, Municipal Clerk