

**CITY OF NORTHFIELD COUNCIL MEETING AGENDA
SEPTEMBER 23, 2014**

MEETING CALLED TO ORDER by Mary Canesi, Municipal Clerk. This meeting has been properly advertised according to Public Law 1975, Chapter 231

FLAG SALUTE

ROLL CALL: Chau, Dewees, Devine, O'Neill, Perri, Piergiovanni, Travagline

7:00PM PRESENTATIONS

- 2014 Jr. Little League Softball State Champions
- 2014 Babe Ruth Baseball State Champions
- Retired Captain of Police Arthur J. Faden

COMMITTEE REPORTS

MAYOR'S REPORT

CITY ENGINEER'S REPORT

PUBLIC SESSION/FIVE MINUTES PER SPEAKER

RESOLUTIONS

- 163-2014** Refund Overpayment of 2014 Property Taxes Due to Qualified Veterans Property Tax Deduction
- 164-2014** Refund of Overpayment of 2014 Property Taxes
- 165-2014** To Authorize an Agreement between the City of Northfield and the Trustees of the Free Public Library of Northfield, t/a the Otto Bruyns Public Library
- 166-2014** Authorizing Schaeffer, Nassar, Scheidegg Consulting Engineers to Proceed with Certain Projects – Rosedale Avenue Sanitary Sewer Pump Station Upgrade
- 167-2014** Award of Contract 2014 Paving Project
- 168-2014** 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 Jack Trocki Development Co., LLC, v City of Northfield
- 169-2014** 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 Possible Anticipated Litigation and Matters Falling within the Attorney Client Privilege Requiring Confidentiality
- 170-2014** 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 an Employment Agreement between the City of Northfield and Lauren W. Crooks, Assistant Fire Chief

PAYMENT OF BILLS \$ 1,236,368.02

MEETING NOTICES

City Council	October 14 th	6:00pm Work Session Regular Session Immediately Following Northfield Community School
Special School Election	September 30 th	2:00pm to 9:00pm

ADJOURNMENT

RESOLUTION NO. 163 -2014

**REFUND OF OVERPAYMENT OF 2014 PROPERTY TAXES DUE TO
QUALIFIED VETERANS PROPERTY TAX DEDUCTION**

BE IT RESOLVED by the Council of the City of Northfield, County of Atlantic, State of New Jersey, that 2014 property taxes be refunded as follows because the property owner has property qualified for a Veterans Property Tax Deduction:

<u>BLK</u>	<u>LOT</u>	<u>ADDRESS</u>	<u>AMOUNT OF REFUND</u>	<u>PROPERTY ADDRESS</u>
105	28	Stephen Mullen 46 Northfield Avenue Northfield, NJ 08225	\$250.00	46 Northfield Avenue

Cindy Ruffo, CTC

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 23rd day of September, 2014.

Mary Canesi, RMC, Municipal Clerk

RESOLUTION NO. 164--2014

REFUND OF OVERPAYMENT OF 2014 PROPERTY TAXES

BE IT RESOLVED by the Council of the City of Northfield, County of Atlantic, State of New Jersey, that 2014 property taxes be refunded as follows:

<u>BLK</u>	<u>LOT</u>	<u>ADDRESS</u>	<u>AMOUNT OF REFUND</u>	<u>PROPERTY ADDRESS</u>
179.02	42 C3108	Christine McGhee 3108 Dolphin Avenue Northfield, NJ 08225	\$ 980.33	3108 Dolphin Avenue

Cindy Ruffo, CTC

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 23rd day of September, 2014.

Mary Canesi, RMC, Municipal Clerk

**CITY OF NORTHFIELD, NJ
RESOLUTION NO. 165-2014**

**TO AUTHORIZE AN AGREEMENT BETWEEN THE CITY OF
NORTHFIELD AND THE TRUSTEES OF THE FREE PUBLIC LIBRARY
OF NORTHFIELD, t/a THE OTTO BRUYNS PUBLIC LIBRARY**

WHEREAS, The Otto Bruyns Public Library (Library) is a municipal free public library, established by the City of Northfield, N.J. (City), a municipal corporation, pursuant to N.J.S.A. 40:54-1 et. seq., and

WHEREAS, the Library is administered by a Board of Trustees (Board), a non-profit corporation known as "The Trustees of the Free Public Library of Northfield, N.J., t/a the Otto Bruyns Public Library of Northfield," pursuant to N.J.S.A. 40:54-9 through 14; and

WHEREAS, to clarify the duties of each party regarding the Library, and to avoid duplication of effort and expense in order to operate the Library as efficiently and economically as possible, the City and the Board wish to agree upon the division of certain responsibilities and financial obligations to each party, in accordance with the terms of the attached Agreement.

BE IT RESOLVED, by the City Council of the City of Northfield that the Mayor be and is hereby duly authorized, empowered and directed to execute the attached Agreement with the Trustees of the Free Public Library of Northfield, t/a the Otto Bruyns Public Library.

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 Northfield City Council, held this 23rd day of September, 2014.

Mary Canesi, RMC Municipal Clerk

**AGREEMENT BETWEEN THE CITY OF NORTHFIELD, N.J. AND THE
TRUSTEES OF THE FREE PUBLIC LIBRARY OF NORTHFIELD, N.J., t/a THE
OTTO BRUYNS PUBLIC LIBRARY**

WHEREAS, The Otto Bruyns Public Library (Library) is a municipal free public library, established by the City of Northfield, N.J. (City), a municipal corporation, pursuant to N.J.S.A. 40:54-1 et. seq., and

WHEREAS, the Library is administered by a Board of Trustees (Board), a non-profit corporation known as "The Trustees of the Free Public Library of Northfield, N.J., t/a the Otto Bruyns Public Library of Northfield," pursuant to N.J.S.A. 40:54-9 through 14; and

WHEREAS, to clarify the duties of each party regarding the Library, and to avoid duplication of effort and expense in order to operate the Library as efficiently and economically as possible, the City and the Board wish to agree upon the division of certain responsibilities and financial obligations to each party, and

NOW THEREFORE, for good and valuable consideration received, the parties hereby agree on this 1st day of September, 2014 as follows:

1. Liability Insurance. The City shall annually obtain and pay for a policy of general liability insurance issued by the Atlantic County Municipal Joint Insurance Fund (ACMJIF) or a reputable licensed New Jersey insurance carrier, which shall:

- (a) Have a policy limit of no less than \$1,000,000 and a deductible of no more than \$1,000 per occurrence; and
- (b) Include "Directors and Officers" ("D & O") coverage for the Board, in an amount of no less than \$1,000,000 and a deductible of no more than \$1,000 per occurrence; and
- (c) Name the City and the Board as insureds, as their interests shall appear.

2. Property Insurance. The City shall annually obtain and pay for a policy of property insurance on the Library building and its contents, issued by the ACMJIF or a reputable licensed New Jersey insurance carrier, which shall:

- (a) Have a policy limit on the Library contents of no less than \$600,000;
- (b) Provide "replacement cost" coverage for the Library's contents; and
- (c) Have a deductible of no more than \$1,000 per occurrence on the Library contents;
- (d) Have a policy limit on the Library building in such amount as is required by the ACMJIF or an independent licensed insurance appraiser agreed upon by the City and

the Board;

(e) Name the City and the Board as insureds, as their interests shall appear.

3. Treasurer's Bond. The Board shall annually obtain and pay for a bond for its Treasurer, as required by N.J.S.A. 40:54-13, issued by the ACMJIF or a reputable licensed New Jersey insurance carrier, which bond shall:

(a) Have a limit of no less than \$500,000 or such other amount required by the ACMJIF and fixed by the Mayor of the City of Northfield, N.J.;

(b) Name the City and the Board as insureds, as their interests shall appear.

4. Worker's Compensation Insurance. The City shall obtain and pay for a policy of Worker's Compensation Insurance, as required by the State of New Jersey and issued by the ACMJIF or a reputable licensed New Jersey insurance carrier, covering all persons employed by the Board in the operation of the Library. The Board shall reimburse the City for this expense, by paying within forty-five (45) days the City's biweekly invoices indicating the premium amounts due.

5. Health Benefits. The City shall include all full-time Board employees in its Health Benefits Plan offered to City employees, and shall provide and pay for medical, prescription, dental and vision insurance for such Board employees. The Board shall reimburse the City for this expense, by paying within forty-five (45) days the City's quarterly invoices indicating the premium amounts due.

6. Payroll. The Board shall provide and pay for its employee payroll, using the City's payroll system to do so. The City shall promptly issue Library employee payroll checks as requested by the Board, and shall administer the Board's payroll at no cost to the Board. Within forty-five (45) days of its receipt of any paychecks, the Board shall reimburse the City for such paychecks, as well as all associated payroll costs of its Library employees (FICA, etc.), including all pension contributions required by the State of New Jersey.

7. Library Maintenance Payment. In consideration of the various goods and services to be rendered by the City to the Library under this agreement, the Library shall annually pay to the City the amount of \$20,500.00, which shall be paid in two equal annual installments, no later than June 30th and September 30th, respectively, for each year covered by this agreement.

8. Library Funding. The City shall annually pay to the Board for the operation of

the Library, all monies required by N.J.S.A. 40:54-8 and 8.1. These monies shall be paid to the Board in at least four (4) equal quarterly payments, by the fifteenth day of the second month of each quarter, or as otherwise required by law, whichever is sooner. However, up to \$12,000 of the fourth quarter payment may be temporarily retained by the City to pay any unreimbursed Library employee payroll checks issued by the City during November and December of that quarter. The retained funds shall be promptly paid to the Library prior to the end of that quarter and when all such reimbursements have been made.

(a) Pursuant to N.J.S.A. 40:54-8 and 8.1, the City may pay to the Board such additional sums as the City may deem necessary and proper for the operation of the Library.

(b) The Board may solicit and receive additional monies or other property at any time through donations, governmental or private grants, and gifts from the Northfield Public Library Association (The Friends of the Library) or other persons or organizations. The receipt of such funds or property shall not diminish or change the City's obligation to provide the funds required by (a) above.

(c) The Board shall, by April 15th of each year, file with the City its annual report in the form prescribed by the New Jersey State Library. The report shall set forth in detail all public revenues received by the library, all State Aid received by the library, all expenditures made by the library, and the balance of funds available. The report shall also include an analysis of the state and condition of the library.

9. Library Materials. Pursuant to N.J.S.A. 40:54-8, the Board shall obtain and pay for all library-related materials, including books, magazines, audiotapes and CD's, videotapes, DVD's and the like, as well as all interior shelving required to store and display such materials. The Board shall also provide, pay for and maintain:

(a) All computer equipment (hardware and software) it deems necessary to properly operate the Library, to catalog and track its collection, and to provide an Internet connection for the general public;

(b) All furniture and other interior furnishings it deems necessary to properly operate the Library;

(c) All tools and materials it deems necessary for the repair of library books due to normal wear and tear;

(d) All funds it deems necessary for the proper promotion of the Library, including a quarterly newsletter and programs, special events or other publicity to increase awareness and use of the Library, as well as the promotion of reading, in the community; and

(e) Such other library-related projects, activities and purchases as it deems

necessary and proper.

10. Annual Audit. In each calendar year covered by this Agreement, the Board shall obtain and pay for an annual audit of the Library's finances and operations during the prior year, and shall promptly supply a copy of the completed audit to the City at no charge.

All such audits shall be performed by an RMA licensed by the State of New Jersey.

11. Repairs and Maintenance.

(a) Except for any repairs and maintenance required to be performed by the Board under paragraphs 9(a) and (b) above, the City shall provide and pay for all necessary repairs and maintenance to the Library premises, including but not limited to the Library's heating, ventilation and air conditioning (HVAC) systems and the electrical and plumbing systems. The Board shall notify the City in writing as promptly as possible when repairs or maintenance is needed.

(b) All repairs and maintenance shall be done in a workmanlike manner and completed as promptly as possible, in order to minimize any further expense or damage to the Library, or the possibility of injury to Library patrons and personnel.

(c) The City shall annually obtain and pay for one (1) routine inspection and maintenance of the Library's HVAC system, to be performed in April or May of each year by a plumbing contractor licensed by the State of New Jersey. Due to the need for continuous climate control in the Library, the parties agree that this is a material provision of the agreement, and that time is of the essence in having such work completed.

12. Utilities.

(a) The Board shall obtain and pay for the Library's local, regional and long-distance telephone service, as well as the Library's telephones and associated equipment, such as answering devices and fax machines.

(b) The Board shall obtain and pay for water, electricity and natural gas service to the Library.

(c) The City shall provide and pay for sewer service to the Library. The City shall also provide and pay for any necessary repairs to the Library sewer line.

(d) The City shall obtain and provide one (1) Internet cable connection to the Library from Comcast Cable, at no charge to the Board, pursuant to the City's cable television agreement with Comcast. The Board may make such use of this connection as it deems necessary.

(e) The City shall provide the Library with access to and use of the City's Internet

website at www.cityofnorthfield.org, and shall maintain, at no cost to the Board, a webpage for the Library on the City's website. The City shall also promptly update the Library webpage with listings of current events and other information when submitted by the Library, at no cost to the Board.

13. Capital Improvements. The Board may request from the City such capital improvements to the Library as the Board believes are necessary or desirable. Such requests shall be submitted by the Board to the City no later than July 1st of each year. All such requests shall be considered by the City for possible inclusion in the City's capital improvement budget for the year following the submission of the request.

14. Lawn Care.

a) The Board shall provide and pay for all reasonably necessary chemical treatments (fertilizer, weeding chemicals, etc.) for the lawns on the Library's property, using a licensed New Jersey lawncare firm.

(b) The City shall provide and pay for the mowing of the lawns on the Library's premises. Mowing shall be done in a good and workmanlike manner at least once every other week during the Spring, Summer and Fall months.

(c) The City shall provide and pay for all reasonably necessary landscaping of the Library's premises, including the maintenance, placement or replacement of grass, shrubbery, bushes, flowers and trees in place as of the effective date of this agreement.

15. Trash Removal; Recycling. The City shall provide and pay for trash pickup and removal at the Library. Trash pickup shall occur at least once a week, on a weekday during the Library's operating hours. Recycling shall be done by Library personnel, using the Atlantic County Utilities Authority recycling procedures and personnel, at no cost to The Board or the City.

16. Interior Cleaning. The Board shall provide and pay for all cleaning (vacuuming, dusting, waxing, polishing, etc.) of the interior of the Library required by normal patron use. Such cleanings shall be performed at least once every other week, during the times that the Library is not open to the public.

17. Parking Lot, Driveway and Walkways. The City shall provide and pay for the maintenance of the Library's parking lot, driveway and walkways, including the curbing and lighting. The City shall also promptly remove snow and ice from the Library's parking lot, driveway and walkways, and shall perform any necessary salting and sanding, as conditions require.

18. Security. The Board shall annually provide and pay for an annual service contract for


the maintenance and repair of the Library's burglar alarm system and its silent emergency call system.

19. Term of Agreement: Modifications. This agreement shall be effective from January 1, 2015 until December 31, 2016. This agreement supersedes any and all prior written or verbal agreements, policies, practices or other previous arrangements for the responsibilities and financial obligations of the City or the Library. This agreement may be modified only by a subsequent written agreement executed by both parties.

CITY OF NORTHFIELD, N.J.

TRUSTEES OF THE FREE PUBLIC LIBRARY
OF NORTHFIELD, N.J., t/a THE OTTO BRUYNS
PUBLIC LIBRARY

By _____

By 

Dawn M. Stollenwerk
Chief Financial Officer

Shannah Smith
President – Board of Trustees

**CITY OF NORTHFIELD, NJ
RESOLUTION NO. 166-2014**

**AUTHORIZING SCHAEFFER, NASSAR, SCHEIDEGG CONSULTING
ENGINEERS TO PROCEED WITH CERTAIN PROJECTS – ROSEDALE
AVENUE SANITARY SEWER PUMP STATION UPGRADE**

WHEREAS, Schaeffer, Nassar, Scheidegg Consulting Engineers LLC 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 City Council for their review; and

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

<u>Project Description</u>	<u>Estimated Purchase Order Amount</u>
Engineering Services - Surveying, Engineering, And Construction Inspection Services for:	
Rosedale 1 Sanitary Pump Station Upgrade	\$ 42,500.00
Total	\$ 42,500.00

WHEREAS, Certification of Availability of Funds has been received from the Chief Finance Officer.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Governing Body of the City of Northfield that this Project is approved as submitted by Schaeffer, Nassar, Scheidegg Consulting Engineers.

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 23rd day of September, 2014.

Mary Canesi, RMC, Municipal Clerk

**CITY OF NORTHFIELD, NJ
RESOLUTION NO. 167-2014**

AWARD OF CONTRACT 2014 PAVING PROJECT

WHEREAS, proposals were prepared and solicited by Schaeffer, Nassar, Scheidegg Consulting Engineers, LLC for the 2014 Paving Project, in the City of Northfield; and

WHEREAS, sealed bids were received and opened by the Municipal Clerk at 10:00am on Tuesday, September 23, 2014, from the following:

	Bid
Arawak Paving Company, Inc.	\$517,400.00
A.E.Stone, Inc.	\$538,000.00

WHEREAS, after review of the proposals, Schaeffer, Nassar, Scheidegg Consulting Engineers, LLC has recommended to Council that the contract be awarded to Arawak Paving Company, Inc. based on their low bid of \$517,400.00.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Governing Body accept the proposal of Arawak Paving Company, Inc., 7503 Weymouth Road, Hammonton, New Jersey, 08037, in the amount of \$517,400.00.

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified the availability of funds for this project.

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 23rd day of September, 2014.

Mary Canesi, RMC, Municipal Clerk

**CITY OF NORTHFIELD, NJ
RESOLUTION NO. 168-2014**

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 JACK TROCKI DEVELOPMENT CO., LLC, V CITY OF NORTHFIELD

WHEREAS, the City 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 City Council of the City of Northfield to discuss in a session not open to the public certain matters relating to a civil action suit filed in Superior Court of New Jersey by Jack Trocki Development Co., LLC against the City of Northfield.

WHEREAS, the purpose of this meeting is to provide a status update to the Council of the City of Northfield with regard to the lawsuit.

NOW THEREFORE, BE IT RESOLVED by the City 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 City Council of Northfield, held this 23rd day of September, 2014.

Mary Canesi, RMC, Municipal Clerk

**CITY OF NORTHFIELD, NJ
RESOLUTION NO. 169-2014**

**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 POSSIBLE ANTICIPATED LITIGATION AND MATTERS
FALLING WITHIN THE ATTORNEY CLIENT PRIVILEGE
REQUIRING CONFIDENTIALITY**

WHEREAS, the City 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 City Council of the City of Northfield to discuss in a session not open to the public certain matters relating to potential and/or anticipated litigation and matters falling within the attorney client privilege requiring confidentiality.

WHEREAS, the purpose of this meeting is to provide privileged and confidential legal advice with regard to potential and/or anticipated Mount Laurel litigation.

NOW THEREFORE, BE IT RESOLVED by the City 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 City Council of Northfield, held this 23rd day of September, 2014.

Mary Canesi, RMC, Municipal Clerk

**CITY OF NORTHFIELD, NJ
RESOLUTION NO. 170-2014**

**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 AN EMPLOYMENT
AGREEMENT BETWEEN THE CITY OF NORTHFIELD AND LAUREN
W. CROOKS, ASSISTANT FIRE CHIEF**

WHEREAS, the City 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 City 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, a proposed employment agreement between the City of Northfield and Lauren W. Crooks, Assistant Fire Chief.

NOW THEREFORE, BE IT RESOLVED by the City 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 City Council of Northfield, held this 23rd day of September, 2014.

Mary Canesi, RMC, Municipal Clerk