

CITY OF NORTHFIELD REGULAR MEETING MINUTES APRIL 8, 2025

At 6:33pm this meeting was called to order by Municipal Clerk Mary Canesi. This meeting was properly advertised in the Press of Atlantic City on January 11, 2025, and in accordance with Public Law 75, Chapter 231.

FLAG SALUTE

Council President Pro Tempore Dewees led the flag salute.

ROLL CALL

Present: Councilman Dewees; Councilwoman Kern; Councilman Notaro; Councilman Polistina; Councilman Smith.

Absent: Councilwoman Carfagno, Council President Bucci.

Mayor Chau (via telephone), Solicitor Facenda, Engineer DeBlasio, and Patrolman Gansert (for Chief VonColln) were also present.

READING AND APPROVAL OF THE MINUTES

On a motion by Councilman Polistina with a second by Councilwoman Kern, all members present, were in favor of approving the minutes of March 13, and March 18, 2025, without formal reading.

MAYOR'S REPORT

Council President Pro Tempore announced, for the record, that Mayor Chau was not present in person, he is home recovering, he was able to hear us via the telephone.

Solicitor Facenda added that Mayor Chau has indicated that he does not have a report this evening.

CITY ENGINEER'S REPORT

Engineer DeBlasio announced that the DCA 2025 Local Recreation Improvement Grant was not approved, we have submitted the 2026 Community Funding Project for basketball and pickleball. The fiscal year NJDCA LRIG previously approved and that Council had amended the scope was approved. He was also advised from the DOT that the Reconstruction of Forrest Drive was not approved; there was a new round of funding open, we can resubmit the same project or choose another project, it is due June 30th. He would send that information to Councilman Dewees and Clerk Canesi. Regarding capital, the design for Juniper Drive was in the works, hopefully it would go out to bid soon, with construction in the summer. The slip line bid opening is this coming Thursday, he hoped to award soon.

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PUBLIC SESSION

Council President Pro Tempore Dewees opened this meeting for any member of the public to speak on any topic.

Seeing no one wishing to speak, Council President Pro Tempore Dewees closed the public session.

RESOLUTIONS / CONSENT AGENDA

Council President Pro Tempore Dewees read the following statement: “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, it will be treated as a separate matter. Any items requiring expenditure are supported by a Certification of Availability of Funds.

The Executive Sessions 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 has concluded. Any vote made on subjects discussed will be made in public.”

On motion of Councilman Notaro, seconded by Councilman Smith, all members present were in favor of voting on Resolutions 99-2025 through 102-2025 by Consent Agenda.

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|-----------------|---|
| 99-2025 | Acknowledging Retirement of Qwin Vitale, Superintendent of Public Works |
| 100-2025 | Approval of Application for a Coin Drop Northfield Volunteer Fire Company |
| 101-2025 | 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(B)(7) –Matters Covered Under the Attorney Client Privilege |
| 102-2025 | 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 Mary Canesi v. City of Northfield Et Al’s |

Councilman Notaro motioned, Councilman Smith seconded, to adopt the Consent Agenda.

Councilman Dewees congratulated Qwin Vitale on his years of services, he learned a lot from him over the past few years and wished him well.

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Roll Call: Mrs. Carfagno – absent; Mr. Dewees – yes; Mrs. Kern – yes; Mr. Notaro – yes; Mr. Polistina – yes; Mr. Smith – yes; Mrs. Bucci – absent; Motion carried.

ORDINANCE

Councilwoman Kern motioned; Councilman Notaro seconded to introduce Ordinance 6-2025.

6-2025 Amending Chapter 250 Of The City Of Northfield Code, Article II
 Birch Grove Park, Veterans Park And First Street Playground
 Regulations, Section 250-2, Prohibited Activities
 Introduction / No Public Input / Published in the Press of AC 4/12/2025
 2nd Reading / Public Hearing / Final Consideration 04/22/2025

The Municipal Clerk read the Ordinance by title, stated that this is the first reading, and announced the publication, public hearing, and final consideration dates. The full Ordinance has been posted in the lobby of City Hall and on the City website, and copies are available at no cost in the office of the Municipal Clerk between the hours of 8:30am and 4:30pm, Monday through Friday to any member of the public who requests same.

Roll Call: Mrs. Carfagno – absent; Mr. Dewees – yes; Mrs. Kern – yes; Mr. Notaro – yes; Mr. Polistina – yes; Mr. Smith – yes; Mrs. Bucci – absent; Motion carried.

PAYMENT OF BILLS \$ 3,825,672.04

Councilman Polistina motioned, Councilman Smith seconded, to approve payment of bills.

Roll Call: Mrs. Carfagno – absent; Mr. Dewees – yes; Mrs. Kern – yes; Mr. Notaro – yes; Mr. Polistina – yes; Mr. Smith – yes; Mrs. Bucci – absent; Motion carried.

MEETING NOTICES

Councilwoman Kern read the meeting notices.

EXECUTIVE SESSION

101-2025 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(B)(7) –Matters Covered
 Under the Attorney Client Privilege

Clerk Canesi read the resolution by title. Clerk Canesi stated that members of the public who were in attendance, would need to exit Council Chambers during the Executive Session and were welcome to wait in the lobby if they chose. At the

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conclusion of the Executive Session of Council, the Council will resume the public portion of the meeting and welcome the return of members of the public. A statement would be made for the record at that time.

Clerk Canesi further stated that we are required to set forth as much information as possible as to the subject matter to be discussed as well as provide for the public the amount of time they can expect to elapse before the non-public portion of the minutes can be disclosed. She deferred to Solicitor Facenda for further explanation.

Solicitor Facenda announced that the matter to be discussed was an update regarding affordable housing compliance efforts, potential future affordable housing development, and matters that fall within the attorney client privilege. The minutes would be kept and made available when permitted and required by law. The timeframe for the release of those minutes is unknown. Council will remain in Council Chambers and return to the public session when the Executive Session is complete for a short statement. No action was anticipated to be made regarding this executive session.

At 6:45pm Council entered Executive Session and remained in Council Chambers.

At 7:49pm the Executive Session of Council was adjourned, and the Regular Meeting resumed in Council Chambers.

Solicitor Facenda announced that the Executive Session had concluded. The matters discussed was an update from Special Counsel regarding affordable housing compliance efforts and potential future affordable housing development. The minutes would be kept and made available when permitted and required by law. The timeframe for the release of those minutes is unknown.

At 7:50pm, Clerk Canesi left the meeting.

Respectfully submitted,

Mary Canesi, RMC, Municipal Clerk

Statement by Kris regarding executive sessions 102 through 104-2025:
Solicitor Facenda read the following resolution into the record:

“RESOLUTION NO. 103-2025

**A RESOLUTION PROVIDING FOR AN EXECUTIVE SESSION NOT OPEN
TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE**

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**NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12
REGARDING PENDING LITIGATION IN THE MATTER OF MARY
CANESI v. CITY OF NORTHFIELD ET ALS**

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 a lawsuit filed in Atlantic County Superior Court by Mary Canesi against the City of Northfield et als.; and

WHEREAS, the purpose of this meeting is to discuss the waiver of a conflict of interest relating to The Law Offices of Kristopher J. Facenda, LLC and Kristopher J. Facenda, Esq. and its/his continued participation in the above referenced litigation on behalf of the City of Northfield, which requires attorney client privilege and confidentiality.

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, Kristopher J. Facenda, Esq., Solicitor 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 8th day of April, 2025.”

Councilman xxxxxx motioned, Councilman xxxxx seconded, to adopt Resolution 103-2025.

103-2025 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 Mary Canesi v. City of Northfield Et Als

Roll Call: Mrs. Carfagno – absent; Mr. Dewees – yes; Mrs. Kern – yes; Mr. Notaro – yes; Mr. Polistina – yes; Mr. Smith – yes; Mrs. Bucci – absent; Motion carried

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Solicitor Facenda stated to the members of the public who were in attendance, would need to exit Council Chambers during the Executive Session and were welcome to wait in the lobby if they chose. At the conclusion of the Executive Session of Council, the Council will resume the public portion of the meeting and welcome the return of members of the public. A statement would be made for the record at that time.

Solicitor Facenda further stated that we are required to set forth as much information as possible as to the subject matter to be discussed as well as provide for the public the amount of time they can expect to elapse before the non-public portion of the minutes can be disclosed.

Solicitor Facenda announced that the matter to be discussed was the waiver of a conflict of interest relating to The Law Offices of Kristopher J. Facenda, LLC and Kristopher J. Facenda, Esq. and its/his continued participation in the above referenced litigation on behalf of the City of Northfield, which requires attorney client privilege and confidentiality.

The minutes would be kept and made available when permitted and required by law. The timeframe for the release of those minutes is unknown. Council will move to the Mayor's office and would return to Council Chambers for the public session when the Executive Session is complete for a short statement. Official Action was expected to be taken.

At xxxxpm Council entered Executive Session and remained in Council Chambers.

At xxxxxxpm the Executive Session of Council was adjourned, and the Regular Meeting resumed in Council Chambers.

Solicitor Facenda announced that the Executive Session had concluded. The matters discussed was the waiver of a conflict of interest relating to The Law Offices of Kristopher J. Facenda, LLC and Kristopher J. Facenda, Esq. and its/his continued participation in the above referenced litigation on behalf of the City of Northfield. The minutes would be kept and made available when permitted and required by law. The timeframe for the release of those minutes is unknown.

Solicitor Facenda announced Council would now vote on Resolution 104-2025 and he read it into the record:

“RESOLUTION NO. 104-2025

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF
NORTHFIELD, COUNTY OF ATLANTIC, NEW JERSEY AUTHORIZING
THE MAYOR TO EXECUTE A CONFLICT WAIVER LETTER**

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WHEREAS, a lawsuit has been filed in Atlantic County Superior Court by Mary Canesi against the City of Northfield et als. (hereinafter the “Canesi Litigation”); and

WHEREAS, The Law Offices of Kristopher J. Facenda, LLC and Kristopher J. Facenda, Esq. have represented Mary Canesi in the past in matters completely unrelated to the Canesi Litigation which creates a conflict of interest.

WHEREAS, The Law Offices of Kristopher J. Facenda, LLC and Kristopher J. Facenda, Esq. have advised all parties of the conflict of interest and the City of Northfield, by and through informed consent, has agreed to waive said conflict of interest so that The Law Offices of Kristopher J. Facenda, LLC and Kristopher J. Facenda, Esq. may proceed to represent the City of Northfield with respect to the Canesi Litigation.

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, that the Mayor is hereby authorized and directed to execute a conflict waiver letter on behalf of the City of Northfield which has been heretofore reviewed and approved by the Common Council of the City of Northfield.

I, Kristopher J. Facenda, Esq., Solicitor 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 8th day of April, 2025.”

Councilman xxxxxxxx motioned, Councilman xxxxxxxx seconded, to adopt Resolution 104-2025.

104-2025 A Resolution of the Common Council of the City of Northfield, County of Atlantic, New Jersey, Authorizing The Mayor to Execute a Conflict Waiver Letter

Roll Call: Mrs. Carfagno – absent; Mr. Dewees – yes; Mrs. Kern – yes; Mr. Notaro – yes; Mr. Polistina – yes; Mr. Smith – yes; Mrs. Bucci – absent; Motion carried.

Council President Pro Tempore moved to Resolution 102-2025, adopted under the consent agenda.

102-2025 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 Mary Canesi v. City of Northfield Et Al’s

Solicitor Facenda read the resolution by title. He stated to members of the public who

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were in attendance, would need to exit Council Chambers during the Executive Session and were welcome to wait in the lobby if they chose. At the conclusion of the Executive Session of Council, the Council will resume the public portion of the meeting and welcome the return of members of the public. A statement would be made for the record at that time.

Solicitor Facenda further stated that we are required to set forth as much information as possible as to the subject matter to be discussed as well as provide for the public the amount of time they can expect to elapse before the non-public portion of the minutes can be disclosed.

Solicitor Facenda announced that the matter to be discussed was to provide a status update from the City's labor attorney and the JIF to the Common Council of the City of Northfield with regard pending litigation in the Matter of Mary Canesi vs. City of Northfield Et Al's, an update which requires attorney client privilege and confidentiality.

The minutes would be kept and made available when permitted and required by law. The timeframe for the release of those minutes is unknown. Council will remain in Council Chambers and return to Council Chambers for the public session when the Executive Session is complete for a short statement.

At xxxxpm Council entered Executive Session and remained in Council Chambers.

At xxxxxpm the Executive Session of Council was adjourned, and the Regular Meeting resumed in Council Chambers.

Solicitor Facenda announced that the Executive Session had concluded. The matters discussed was an update the City's labor attorney and the JIF with regard to pending litigation in the Matter of Mary Canesi vs. City of Northfield Et Al's. The minutes would be kept and made available when permitted and required by law. The timeframe for the release of those minutes is unknown.

At xxxpm, on motions properly made and seconded, all members present were in favor of adjourning the meeting.

Respectfully submitted,

Kristopher J. Facenda, Esq.
Solicitor for the City of Northfield