

**CITY OF ESTELL MANOR
CITY COUNCIL MEETING MINUTES
JANUARY 20, 2010**

Pursuant to the Open Public Meetings Act adequate notice of this meeting was sent to the Official Newspaper and was posted on the City Bulletin Board. Mayor Venezia called the meeting to order at approximately 6:45 pm.

ROLL CALL: Present: Barbetto, Giercyk, Myers, and Venezia
Solicitor Scerni was not present at roll call, but arrived at approximately 7:00 pm.

Lt. Richard Dott of the BVT State Police Barracks introduced himself to Council as having many years on the force, but being newly assigned to the BVT station. Councilman Barbetto commented that the State Police had responded to a recent burglary at his home and he thanked them for their speedy response time. Mayor Venezia asked if the State Police had any programs that might be beneficial to mention in the City's quarterly newsletter. Lt. Dott replied, other than community watch, it is difficult to recommend programs for rural towns. Discussion ensued with the Mayor explaining that the City has been unsuccessful in the past at implementing a community watch program. Lt. Dott said that someone from his office who is familiar with the program might be able attend a meeting to provide guidance on getting started.

Councilman Teasenfitz made an observation that many City residents are reluctant to call the State Police; he asked if they enforce local ordinances. Lt. Dott replied in the affirmative and discussion ensued over the issue of noise related to ATVs. Lt. Dott explained that such ordinances are difficult to enforce because they are based on decibel ratings. Regarding recent sightings of a large wild cat in the area, Lt. Dott advised that residents should call the non-emergency telephone number at the BVT Barracks; the State Police will then contact Fish and Wildlife for assistance. Council thanked the Lieutenant for coming.

BUDGET WORKSHOP

Council reviewed a preliminary budget worksheet provided by the CFO which compares 2009 actual expenses to proposed figures for 2010. It was noted that WACYL has asked for an increase from \$8000 in 2009 to \$10,000 in 2010. The Mayor suggested that a compromise might be meeting them halfway by giving them \$9000 this year. Council President Myers asked what the bottom line is; if the proposed figures for 2010 would cause an increase in taxes. The Mayor replied they won't know the final numbers until the State Aid figures are released, but that he does not anticipate an increase in local taxes. Councilman Barbetto explained that the Auditor would be inserting the numbers into a computer program and then advise whether cuts need to be made. He also stated that we do not have financial statements and budgetary requests from all of the various organizations the City contributes to; he said the CFO should send notices in this regard.

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APPROVAL OF DEPARTMENT REPORTS

Motions were made to exclude the approval the DPW report; Voice vote taken and all were in favor to approve the following department reports: Tax Dec. 09'; Zoning 11/18/09-12/30/09; Clerk Dec. 09'.

A brief discussion took place regarding the DPW department report about the recent snowstorm. Councilman Barbetto said that the Mayor's driveway was plowed by DPW and he felt that the City's emergency personnel (firefighters, emergency management, etc) should have priority. The Mayor explained how he had partially shoveled his own drive and that he spent several hours in the DPW truck with one of the volunteers helping to plow the City's roads that evening. It was upon his return home that the driver made a few sweeps with the plow and finished what he had started earlier; he did not believe this should be a problem.

The Mayor said he has asked the DPW Foreman to compile a list of all 'emergency' workers in town so that in the future, their drives will be cleared. Barbetto reminded the Mayor that any expenditure of City money had to be voted on by full Council. Discussion ensued over whether or not members of the volunteer fire company and emergency management should have their personal driveways plowed by the City. The Mayor asked Barbetto what the point is to all of this discussion. Barbetto reiterated that the Mayor needs Council approval to spend money (including City-paid time and use of equipment).

Council President Myers asked the Solicitor's opinion as to whether the City should formally adopt a policy to regulate these types of situations. Scerni replied that the City's emergency management plan should address the issue of ensuring that emergency personnel can get out to provide necessary services; it is a legitimate question for Council to discuss and decide how they wish to handle it. Council should also consider who, in that emergency situation, has the authority to make decisions on things that come up as the storm (or situation) transpires. It was decided that the Public Safety Committee would work with the Emergency Management Coordinator to develop a policy and will bring it back to Council for consideration.

The Clerk asked for approval of the DPW monthly report for January; *motions were made by Myers and Giercyk, voice vote taken and all were in favor. Approval of the Supplemental DPW report (snowstorm) failed for lack of a second.*

APPROVAL OF MINUTES

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A motion was made by Myers, seconded by Giercyk, for the approval of the following meeting minutes: Open: 12/2/09; 12/16/09; 1/6/10 and Closed: 8/12/09; 9/2/09. A voice vote was taken and all were in favor to approve. The record will reflect that Councilman Teasenfitz abstained on all 2009 meetings.

PAYMENT OF BILLS

The CFO did not present Council with a bill list for approval at this meeting.

ENGINEER'S REPORT

Chuck Fralinger was present to review the Engineer's report with Council; the full report is on file and available to the public in the office of the City Clerk. Fralinger told Council that the Pinelands Commission had requested minor changes to the plans for the recreation complex. He requested a meeting with the recreation committee to review those changes. The Mayor agreed and said he would arrange it. A brief discussion ensued over DOT Discretionary Aid. Councilman Barbetto advised Council that he had discussed with Mr. Fralinger the possibility of renovating part of City Hall to make office space on the first floor for the emergency management coordinator. Fralinger said that he would discuss the matter with the Construction Officials.

OLD BUSINESS

Council discussed other options for selling the old Fire Truck, since Gov Deals did not bring in a high enough bid. *Mayor Venezia motioned and Myers seconded to allow the DPW Foreman to post the sale on various specialty websites and magazines. Voice vote – all in favor.*

Council approved a request from the Census Bureau to use City Hall for training the week of March 22-26.

NEW BUSINESS

Mayor Venezia suggested that Council amend the number of approved professional memberships from three to four. Barbetto disagreed and said that it should work out fine if Council rotates meeting attendance. *The Mayor motioned and Geircyk seconded to increase it to four. Roll call: Barbetto – pass, Giercyk – yes, Myers – no, Teasenfitz – no, Venezia – yes, Barbetto – no. Motion failed.*

Council discussed correspondence received from Atlantic Prevention Resources regarding a proposed ordinance regulating underage drinking on private property. Councilman Teasenfitz

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commented that he has seen much more simplified versions of ordinances that have the same goal in mind, and that maybe Council should consider looking around at other towns. Solicitor Scerni offered some advice and it was decided that the Public Safety Committee would work on it and make a recommendation to Council.

Council approved the date for the annual rabies clinic to be held on March 20th this year.

Regarding a proposal from Land Resource Solutions (LRS) for implementation of Supplemental Groundwater Remedial Investigation Workplan, there was discussion over what this new work order covers versus what was previously approved in 2009. There seems to be some question as to the overall status of the project and related grants and costs to the City. Solicitor Scerni reminded Council that they cannot approve a new work order without a certification of funds from the CFO. It was decided that the Mayor and Solicitor would follow up with LRS.

RESOLUTION

24-2010 Authorizing the Renewal of Gravel Pit License to Estell Manor Sand and Gravel, Inc. / R.E. Pierson Construction Company

A brief discussion took place over some correspondence that Councilman Barbetto received from the Pinelands Commission regarding the Pierson Gravel Pit. Scerni reviewed the documents and explained significance of the Certificate of Filing (COF). It was determined that one of the documents was Pierson's COF and all appeared to be in order.

Motions: Venezia and Giercyk

Voice vote: all in favor

Mayor Venezia commented that the Animal Control Officer obtains his dog's licenses in Estell Manor, but he lives in another town; he asked if that were legal or not. Scerni reviewed documents provided by the ACO and Councilman Teasenfitz reminded everyone that our local ordinance states that you must be a resident of Estell Manor to obtain a dog license.

OPEN TO THE PUBLIC

Resident Creed Pogue commented on the following: correspondence from the Historical Society offering the City to participate in a newsletter free of charge, the issue of snow plowing, subcommittee assignments and the landfill.

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Resident Giles Fox commented on the following: the role of Council as a legislative body, the issue of snow plowing and the status of the DPW equipment.

Resident Diane Pogue commented on correspondence she had sent to Council regarding historical signs.

Seeing no one else from the public wishing to speak, the public portion of this meeting was closed.

Mayor Venezia gave Council a brief update on the Tuckahoe Road Bridge repairs and stated that the road closure is estimated to begin around March 1st. For the good of the order, Council President Myers brought up two issues. Regarding the offer from the Historical Society to let the City be included in their newsletter for free, Myers explained to Council the City's expense to produce its own newsletter last year was over \$3000. She believes it would be good for the City to save the money and give it a try for this year. *A motion was made by Myers, seconded by Barbetto, to accept the Society's offer. The Mayor disagreed; stating he had only seen the correspondence for the first time today and did not feel he had enough time to review it. A roll call vote was taken – all were in favor but for the Mayor who abstained.*

Next, Myers broached the subject of public participation guidelines. She felt that three minutes was not enough time and that it should be five, with a thirty minute total time limit and further suggested that Council refrain from answering questions during the public's five minute time frame; council should attempt to answer questions after the close of the public session. Councilman Barbetto suggested that Council see the proposed changes in writing before deciding. It was agreed that the matter would be held until the next meeting.

With no further business to discuss, this meeting was properly adjourned.

Respectfully submitted,

accepted:

Kimberley Hodsdon, RMC

Mayor, Joseph Venezia