

**CITY OF ESTELL MANOR
CITY COUNCIL MEETING MINUTES
OCTOBER 6, 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 and website. Mayor Venezia called the meeting to order at approximately 7:00 pm.

ROLL CALL: Present: Barbetto, Giercyk, Myers, Teasenfitz and Venezia
Solicitor Scerni was also in attendance.

PAYMENT OF BILLS

The CFO was present to answer questions as Council reviewed the bill list. The Mayor questioned a bill from the State for landfill site remediation program costs; he and Councilman Barbetto agreed that the amount charged by the State seemed to have doubled over that of prior years. *The Mayor motioned to hold this payment for further research; motion seconded by Barbetto. A roll call vote was taken and all were in favor.* The Mayor said he would attempt to have a three-way telephone call with Trevan Houser and the State DEP to get an explanation about the bill.

The Mayor also questioned invoice numbers 1300 and 1296 from Land resource Solutions. *The Mayor motioned to hold payments to LRS for further research; motion seconded by Barbetto. A roll call vote was taken and all were in favor.*

A brief discussion took place over unemployment insurance payments and Auditor's fees. The Mayor said he had discussed the additional Auditor's bills with the CFO and was told they were for meetings she had attended in Trenton on behalf of the City.

Councilman Barbetto motioned for the payment of bills, as revised, in the amount of \$242,921.36 as well as the trust fund bill list as provided by the CFO. Motion seconded by the Mayor. A roll call vote was taken and all were in favor.

APPROVAL OF MONTHLY DEPARTMENT REPORTS

Councilman Teasenfitz motioned and Mayor Venezia seconded to approve the following department reports DPW, Court, Tax Office, Zoning Officer and Clerk. A brief discussion took place between the Clerk and Teasenfitz over the status of DPW equipment repairs, floor repairs and the pending snow plow operations policy. A Voice vote taken and all were in favor to approve the reports.

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ENGINEER'S REPORT

Chuck Fralinger and Michael Fralinger, Jr. were present to give the Engineer's report. A full copy is on file in the office of the City Clerk. Fralinger advised Council of the bid opening date for the recreation complex set for October 28th. The Mayor asked if CDBG funding could be used to pave the recreation complex parking lot. Fralinger said the County would not allow it; CDBG funds can only be used for ADA-compliant renovations/upgrades, not for new construction.

Discussion turned to Second Avenue. The Mayor said that the DPW Foreman felt he could handle the necessary repairs in-house if the proper equipments could be rented. Councilman Barbetto commented that the original developer was granted a variance to allow for oil & stone instead of asphalt and now it has become the City's problem to repair. Councilman Teasenfitz said he hoped the long-term solution for the road would be a NJDOT grant to allow for full and complete repairs, but he questioned Council's intentions in the interim. Chuck Fralinger stated that he had solicited quotes for the repairs, which came in at around \$10,000. The Mayor expressed concerns that waiting on a DOT grant could take up to two years. Teasenfitz agreed to the short term solution. The Mayor asked the Clerk to write up a DPW work order asking Brian to gather the necessary quotes for the next workshop meeting.

APPROVAL OF MINUTES:

Mayor Venezia motioned and Council President Myers seconded for the approval of the following minutes:

Open: 5/12/10; 7/21/10; 8/4/10; 8/11/10; 9/1/10; 9/15/10

Closed: 7/21/10

Councilman Barbetto abstained from voting on the 8/4/10 minutes as he was absent from that meeting. A voice vote was taken and all were in favor.

ORDINANCE / INTRODUCTION / NO PUBLIC INPUT

03-2010 An Ordinance of the City of Estell Manor Making it Unlawful for any Person Under the Legal Age to Knowingly Possess or Knowingly Consume and Alcoholic Beverage on Private Property Without Legal Authority and Providing Penalties for the Violation Thereof

Motions: Mayor Venezia / Myers

Recorded vote – all in favor

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RESOLUTIONS:

76-2010 Certification of the Annual Audit / FY 2009

Motions: Venezia / Myers

Recorded Vote: roll call, all in favor

77-2010 Accepting the Treasurer's Corrective Action Plan for the Audit Year 2009

Motions: Venezia / Barbetto

Recorded Vote: roll call, all in favor

78-2010 A Resolution Adopting the Atlantic County Multi-Jurisdictional Pre-Disaster Hazard Mitigation Plan as Required by the Federal Disaster Mitigation and Cost Reduction Act of 2000

Motions: Venezia / Teasenfitz

Recorded Vote: voice, all in favor

79-2010 A Resolution Calling on the State Legislature and the Governor to Enact Property Tax Reform with the Passage of the "Municipal Toolkit" and Mandates Relief

Motions: Venezia / Barbetto

Discussion: Mayor Venezia stated that he requested this resolution be on the agenda following his recent attendance at the Conference of Mayors. For the record, the Mayor stated that he specifically asked the Deputy Commissioner and the State Treasurer if there were plans to cut PILOT funding and was told "unequivocally, no". Councilman Barbetto said that this information was given to municipalities earlier in the year during budget preparation. The City is looking at over \$65,000 in cuts to PILOT funding next year. Solicitor Scerni responded to a question of the Mayors, stating that regardless of the statute that enacted PILOT funding, the passage of the state budget is in fact itself – a law. To the extent that the state budget has amended or superseded a previous law is a fact of how these bills interact with each other. The Mayor said that he still supports the Governor's toolkit, but was pessimistic that it would help. Teasenfitz pointed to some of the things in the Toolkit, such as the reforms to health benefits, which may actually end up costing the small municipalities more in the long run.

Recorded Vote: Barbetto- no, Giercyk – no, Myers – no, Teasenfitz – no, Venezia – yes. Motion failed.

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80-2010 A Resolution Authorizing the Release of a Deed to Joseph Venezia for Block 50, Lot 5 in the City of Estell Manor

Motions: Myers / Giercyk

Recorded Vote: roll call, all in favor but for the mayor who abstained.

NEW BUSINESS:

Dumpster Day was tentatively scheduled for November 13th, with a total of four dumpsters to be ordered. There was some concern over whether or not DPW would have the front-end loader back from repairs. It was suggested that we ask Weymouth Township DPW to borrow theirs if ours was not back yet.

Trick-or-Treating hours were set for October 31st from 4:00 to 8:00 PM.

Regarding the vacancy in the tax office, the Mayor stated that he has been contacted by Tax Collectors in other towns who are willing to help on a part time basis. He suggested the position could be reduced to twelve hours per week. Councilman Barbetto questioned what he believed to be a state statute which requires the tax office be staffed ten days before and ten days after the tax due date. Barbetto also suggested a rate of \$12 per hour if the position was to be part time. The personnel committee will discuss the matter further.

The Mayor questioned the status of discussions with Corbin City shared services. A brief debate ensued over who on Council was supposed to arrange a meeting with Corbin City officials.

OPEN TO THE PUBLIC

Mr. Tom Pogue, President of the Estell Manor Historical Society, thanked Council for allowing them to paint the Risley School.

Mr. Creed Pogue commented on the following: The Venezia land transaction, the municipal checklist, the toolkit Resolution, PILOT funding and unemployment premiums.

Mr. Kris Haeser commented on PILOT funding and trick-or-treating hours.

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CLOSED SESSION

Resolution No. 81-2010 Motions were properly made for a Resolution Providing for a Closed 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 Sale of City-owned Land to the Mr. & Mrs. Styers

Upon reconvening in open session, the City Solicitor summarized for the public as follows: in executive session City Council discussed the potential sale of City-owned property; specifically block 60.36, lots 263 and 264 which are undersized properties. Council has authorized the preparation of an ordinance to be introduced at the next Council meeting to offer those lots to contiguous property owners at a minimum price of \$600.00 per lot plus reimbursement to the City for the cost of these transactions.

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

Respectfully submitted,

accepted:

Kimberley Hodsdon, RMC

Mayor, Joseph Venezia