

**CITY OF ESTELL MANOR
CITY COUNCIL MEETING MINUTES
FEBRUARY 3, 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 7:00 pm.

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

CLOSED SESSION

25-2010 Motions were properly made and Council approved 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 Litigation; Defense Attorney updates on Bradford and Jones Litigations

Following the closed session, Solicitor Scerni summarized for the public as follows: In executive session, City Council met with Attorneys Allan Richardson and Chuck Austermuhl; these Attorneys are representing the City in both the Bradford v. Estell Manor and the Jones v. Estell Manor cases. Council received an updated with regards to the status these cases. The public will be made aware of these discussions as soon as the litigations are concluded.

ENGINEER'S REPORT

Chuck Fralinger was reviewed the Engineer's report with Council. He provided Council with a n update on the development of the soccer complex, stating that the Pinelands Commission had requested some changes to the plan. Regarding Councilman Barbetto's prior request to make renovations to the hallway area in City Hall, Fralinger reported that he had discussed the matter with the construction officials; the changes can be made given that certain specifications are met. He also provided Council with an update on DOT grants, CDBG funding and the Pierson Gravel Pit. A full copy of the Engineer's report is on file and available for review in the City Clerk's office.

PAYMENT OF BILLS

A motion was made by the Mayor, seconded by Teasenfitz, for the payment of bills as submitted to Council by the CFO, which included a trust fund bill list. *A roll call vote was taken and all were in favor.*

**CITY OF ESTELL MANOR
CITY COUNCIL MEETING MINUTES
FEBRUARY 3, 2010**

NEW BUSINESS

Mayor Venezia reported the Tuckahoe Road Bridge project is moving forward and he anticipates the bridge will be closed starting March 1st. He suggested the City lease space at City Hall to the DOT during the project as it could be a good source of revenue. Discussion ensued regarding the needs (space, scheduling, etc) of the DOT and it was decided that the Mayor and Councilman Teasenfitz would follow up with the DOT and subcontractors to gather more information.

Regarding the City's quarterly newsletter, the Mayor expressed disappointment at Council's decision to utilize the Historical Society's newsletter rather than publishing its own. He mentioned that the DOT wanted to use the newsletter to publish official notices regarding the bridge closure. Councilman Teasenfitz described the State's legal notification obligations – one at 28 days out and one at 14 days out; the quarterly newsletter may serve their needs for notifying residents, but it may not be based on the timing of it all. The Mayor expressed concern that his ability to edit the newsletter was being taken away and that some residents are not receptive to the idea of using the Historical Society's. A brief discussion ensued and Council decided that it would use the society's newsletter on a trial basis and see how it goes.

RESOLUTIONS:

26-2010 A Resolution Supporting Senate Bill No. 2805 and Assembly Bill No. 960 Supporting the Jessica Lunsford Act

*Motions: Mayor Venezia / Teasenfitz
Voice Vote: all in favor*

27-2010 Authorizing Land Resource Solutions to Proceed with a Supplemental Ground Water Remedial Investigation and Report and Approving Work Order No. 3 in the Amount of \$77,735.00

*Motions: Mayor Venezia / Myers
Discussion: Concerned about the new Governor's pending budget cuts, it was decided that that resolution should be amended to include a contingency that LRS may proceed upon the City's receiving the grant award. Solicitor Scerni articulated the amendment and all agreed. Councilman Barbetto also commented on his attendance at a recent Pineland's Commission meeting, saying that the Commission seems to be more receptive to the idea of alternative landfill covers; he sees this as progress.
Roll Call Vote: Barbetto – y, Giercyk – y, Myers – y, Teasenfitz – y, Venezia – y.*

**CITY OF ESTELL MANOR
CITY COUNCIL MEETING MINUTES
FEBRUARY 3, 2010**

28-2010 Municipality and County Records Management Shared Services Resolution

Motions: Mayor Venezia / Teasenfitz

Voice Vote: all in favor

29-2010 Campground License Renewal for Yogi Bear Campground

Motions: Myers / Venezia

Voice Vote: all in favor

30-2010 A Resolution Authorizing the Release of a Mortgage by Kevin and Susan Donovan in Favor of the City of Estell Manor

Motions: Myers / Teasenfitz

Discussion: Ms. Donovan was present and explained her situation to Council. Solicitor Scerni explained to council the Small Cities Grant program and their ability to excuse the balance of the loan.

Roll Call: Barbetto – pass, Giercyk – y, Myers – y, Teasenfitz – y, Venezia – abstain, Barbetto – abstain.

For the good of the order, Council President Myers motioned for Resolution 31-2010 – a resolution to amend the public participation guidelines at city council meetings. The resolution serves to change the public participation time limit from three minutes to five minutes. Mayor Venezia questioned his role as chairman of the meeting with regards to public participation. Solicitor Scerni advised that the Mayor runs the meeting in the capacity of chairperson; however, Council has the ability to adopt the guidelines. Once council adopts said guidelines, the Mayor administers them. *After a brief discussion, Council President Myers moved to introduce Resolution 31-2010, seconded by Barbetto. A Roll Call vote was taken and all were in favor, but for the Mayor who voted no.*

OPEN TO THE PUBLIC

Mr. Giles Fox commented on the public participation guidelines, the quarterly newsletter, and the roles and duties of City Council versus those of the Mayor.

Mr. Neils Clemenson reported that the 7th Ave. West street sign (on Linwood) is missing again. He also feels that the wooded area of 7th Ave West is passable with the exception of two areas; he asked the City to dump some gravel in those areas and make the road passable.

Mrs. Joan Clemenson expressed concern that emergency vehicles and delivery companies are still unable to locate her home – despite the City’s installation of directional signs. She asked that

**CITY OF ESTELL MANOR
CITY COUNCIL MEETING MINUTES
FEBRUARY 3, 2010**

a particular sign be removed (7th Ave West Cont. off Linwood). The Mayor assured her that the DPW would attempt to clear and broaden 7th Ave (remove tree limbs and underbrush) and make regular inspections.

Mr. Tom Pogue commented on the lack of street signs on Cumberland Avenue.

Joan Nelson commented on the bill list, the Donovan loan issue, and the closed session. She also questioned resolution 26-2010.

Creed Pogue commented on the following topics: the City's form of government relative to the roles and duties of Council versus the Mayor, the newsletter, the landfill, snowplow operations, the municipal court and the Donovan loan issue.

Diane Pogue suggested the installation of video / ADA accommodating telephones at City Hall.

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

Respectfully submitted,

accepted:

Kimberley Hodsdon, RMC

Mayor, Joseph Venezia