

**CITY OF ESTELL MANOR
CITY COUNCIL MEETING
SEPTEMBER 1, 2010
MINUTES**

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

Council reviewed the bill list and a brief discussion took place over reimbursement to Councilman Barbetto for the PMC meeting refreshments; the Mayor did not have a problem reimbursing Councilman Barbetto, but thought for certain that the PMC had money set aside for it. Barbetto said he would look into it. The Mayor questioned a payment to Dinn Brothers. The Clerk explained the cost of the plaque for the Dorothy Rescue Squad and artwork fees related to the City seal. The Mayor also questioned a large payment to Lincoln Financial. The Clerk explained it was to rectify errors in prior year's LOSAP investments.

*Councilman Barbetto moved to introduce **Resolution 75-2010** to approve a payment to Lincoln Financial to rectify errors in prior year investments. The Mayor seconded. A roll call vote was taken and all were in favor.*

Councilwoman Giercyk motioned and the Mayor seconded for the payment of bills as presented by the CFO. Councilman Barbetto abstained from item 680 (his personal reimbursement). A roll call vote was taken and all were in favor.

APPROVAL OF MONTHLY DEPARTMENT REPORTS

Mayor Venezia motioned and Teasenfitz seconded to approve the following department reports: DPW, Court, Tax Office, and Zoning Officer. Voice vote taken and all were in favor.

APPROVAL OF MINUTES

The Mayor had concerns over the May 12th meeting minutes and asked the Clerk to please review the tape; he felt he had made certain comments 'for the record' that were not reflected. The minutes of May 12th were tabled.

A motion was made by Mayor Venezia, seconded by Myers for approval of the following: 5/12/10, 5/19/10, 6/2/10 and Closed: 5/19/10 (content and release). Voice vote taken and all were in favor.

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ENGINEER'S REPORT

Chuck Fralinger was present to give the Engineer's report. A full copy is on file in the office of the City Clerk. Fralinger gave an update on various City projects including the Soccer Fields. *The Mayor motioned and Geircyk seconded to authorize the Engineer to proceed with developing bid specs for the soccer field project. A roll call vote was taken and all were in favor.*

A brief discussion ensued over the Third Avenue bid award and the status of repair quotes for Second Avenue. It was decided the Engineer would ask Arawak Paving Corp. for a quote since they are being awarded the contract for Third Avenue and will be in the vicinity of Second Ave .

The Mayor questioned the City's CDBG grant and the deadline for submitting a project to the County. He also asked if the grant could be used to pave the Risley School and soccer field parking lots. Fralinger replied that he already raised the question and was told no by the County; improvements had to be for the municipal building. He will ask if the County representative could do a site visit to review possible projects.

RESOLUTIONS:

66-2010 A Resolution to Award a Contract to Arawak Paving Co. for the Resurfacing of Third Avenue Project

Motions: Venezia and Barbetto

Roll call: all in favor

67-2010 A Resolution Authorizing Extension of Grace Period for 3rd Quarter 2010 Taxes

Motions: Venezia and Myers

Voice vote: all in favor

68-2010 A Resolution Authorizing an Award of Contract for 2010 Rock Salt Vendor

Motions: Venezia and Teasenfitz

Roll call: all in favor

69-2010 A Resolution Amending the City of Estell Manor's Personnel Policies and Procedures

Discussion: Barbetto questioned the City policy that provides up to \$200 in reimbursement for employees and their dependants for dental and vision care. If the City was removing dependants from medical coverage, should they not be removed from this policy as well? *After some discussion, the Mayor motioned and*

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Myers seconded to remove dependants from this policy. A voice vote was taken and all were in favor.

The Mayor asked if elected officials could participate in the City's medical benefits at their own expense. Some debate ensued and the Solicitor advised the first step should be to ask the State if it is even permissible under the City's chosen plan.

Regarding the City's Educational Assistant and Training Policy, the Mayor made a motion to add the word ONLY – to indicate the policy only applies to those employees who hold a certification. Discussion ensued and a roll call vote was taken. Barbetto – no, Giercyk – no, Myers – no, Teasenfitz – no, Venezia – yes. Motion failed.

Councilman Barbetto raised questions about payments made to those employees who choose to opt-out of the City's medical benefits. Solicitor Scerni said that once Council votes to drop dependants from the policy – that changes the scope of the waiver – the employee would no longer be eligible for the percentage of a 'family' plan simply because the City is no longer offering that plan. The issue of an employee being grandfathered at the 50% reimbursement level versus the new state cap of 25% is something they would have to look into.

A motion was made by the Mayor, seconded by Teasenfitz, to adopt resolution 69-2010 making changes to the City's policies and procedures. Roll call – all in favor.

70-2010 Chapter 159 Resolution – Budget Insertion

Motions: Venezia and Myers

Roll call: all in favor

71-2010 A Resolution Awarding a Contract for Repairs to the Floors in City Hall

Motions: Venezia and Giercyk

Discussion: a brief discussion took place with the Clerk explaining the various quotes we received for this project.

Roll call: all in favor

73-2010 Authorizing Renewal of 10-Year Forest Management Permits for Lenape Farms and Modern Associates

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*Motions: Venezia and Teasenfitz
Voice vote: all in favor*

74-2010 Appointing a Deputy Court Administrator

*Mayor Venezia nominated Patricia Campbell. The nomination was moved by Teasenfitz and Myers.
Voice vote: all in favor*

NEW BUSINESS

A motion was made by the Mayor, seconded by Myers to approve an application to the NJ State Fireman's Association. All were in favor.

Regarding the old fire truck, the Mayor stated that he was quoted a price of ten-cents per pound to scrap it. Comments were made by the Clerk and Solicitor as to correct procedure; it may still have to be a type of auction – open to all salvage yards. Teasenfitz agreed and said a salvage title is usually obtained first. It was decided the matter should be referred to the CFO/QPA for clarification of procedure.

A motion was made by the Mayor, seconded by Myers, to authorize the DPW Foreman to proceed with repairs to the front-end loader. A roll call vote was taken and all were in favor.

For the good of the order, Councilwoman Myers brought up the issue of the plaque on the Risley School. She stated that both the Historical Society and Commission were notified the matter might be discussed this evening. She reported the sign had been taken down by a member of the Commission – possibly in preparation for the painting project. She questioned who removed it and if they needed Council's approval to do so. Additionally, now that it has been taken down, maybe it should not be put back until the controversy over the accuracy of it is settled. For the record, the Mayor made it very clear that nobody was given authorization to remove the sign. Loud, argumentative debate ensued between the Mayor and Resident Creed Pogue.

OPEN TO THE PUBLIC

Mr. Frank Kruetzer submitted a request to the City to purchase certain City-owned lots that are contiguous to his. The Clerk will forward the request to the tax Assessor. Mr. Kruetzer also reported that many trees around his home seem to be dying from insect infestation. He provided Council with a copy of the research he had done and suggested it be included in the next newsletter.

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Ms. Diane Bassetti, a member of the Historical Society, confirmed that the plaque was indeed removed from the Risley School by a member of the Historical Commission in preparation for painting. She also commented on research she had done with regards to whether or not the building had burned down at some point in history.

Mr. Tom Pogue, President of the Estell Manor Historical Society, advised Council that the contract for painting the Risley School has been awarded. He also confirmed the plaque had been removed by a member of the Commission and was being stored in the shed until the painting was completed. Mr. Pogue told Council he had personally advised the DPW of the whereabouts of the sign the very next morning. He also stated that DPW has a key to the shed – in the event the sign needed to be seen.

Mr. Creed Pogue commented on the following: the City Forester, the newsletter, landfill accounts, Resolution 72-2010, medical benefits and meeting minutes. Mr. Tom Pogue further commented on the newsletter.

CLOSED SESSION

Resolution No. 72-2010

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 Styers', AND Regarding Land Sale Matters with J. Venezia, AND for Personnel Matters Regarding the City Clerk.

Once the open meeting resumed, the City Solicitor summarized for the public as follows: in executive session City Council discussed the possible sale of land to Bradley Styer. Council has decided to go forward with that sale and the proper documents will be prepared. Council also discussed a previous land transaction with Joe Venezia. That transaction will go forward in accordance with the original terms of the ordinance that authorized it. Council also discussed the providing of legal representation to the City Clerk in her capacity as a complaining witness adverse to a former employee; those services will be provided for by the City.

Mayor Venezia gave a brief update on the Tuckahoe Road Bridge project and then the meeting was adjourned.

Respectfully submitted,

accepted:

Kimberley Hodsdon, RMC

Mayor, Joseph Venezia