

TENTATIVE AGENDA FOR REGULAR SESSION MEETING JULY 05, 2023, 7:00 P.M.

1. CALL TO ORDER

2. ROLL CALL

Orndorf__ Hewitt__ Sooy__ Watson__ Romanik__

3. INVOCATION AND SALUTE TO THE FLAG

4. OPEN PUBLIC MEETINGS STATEMENT BY MAYOR LISA ORNDORF

"This meeting is being conducted in accordance with the Open Public Meetings Act of 1975, was advertised, posted, and made available to the public as required by Statute. The Municipal Clerk is directed to include a statement in the minutes of this meeting."

5. CITY CLERK TO REVIEW CHANGES TO THE AGENDA

6. BILLS

Motion-

Second-

Hewitt __ Sooy __ Watson __ Romanik __ Orndorf __

7. MINUTES

Motion to approve and dispense with the reading of the following minutes and to proceed with the regular order of business:

1. May 2, 2023 Regular Meeting

2. May 16, 2023 Regular Meeting

Motion-

Second-

Hewitt __ Sooy __ Watson __ Romanik__ Orndorf __

8. PUBLIC COMMENT ON AGENDA ITEMS ONLY

9. PRESENTATIONS

9.I. PRESENTATIONS

Spring Photo Contest Awards.

10. PETITIONS AND LETTERS

11. REPORTS OF COMMISSIONERS

12. COMMISSIONER ROMANIK

13. COMMISSIONER HEWITT

14. COMMISSIONER WATSON

15. VICE-MAYOR SOOY

16. MAYOR ORNDORF

16.I. Mayor Orndorf Item (01)

Motion to receive and file Millville Recreation 2023 Calendar of Events.

Documents:

[CALENDAR OF EVENTS 2023.PDF](#)

17. ORDINANCES 2ND READING

18. ORDINANCES 1ST READING

18.I. Ordinance 1st Reading Item (02)

An Ordinance amending the City of Millville Municipal Code Chapter 46, Personnel Policies, adding Article XXXVIII, Dress Code Policy.

Motion-

Second-

Hewitt __ Sooy __ Watson __Romanik__ Orndorf __

Documents:

[ORD NO. -2023 1ST READING AMEND PERSONNEL POLICY- DRESS CODE.PDF](#)

19. CONSENT AGENDA ITEMS

All matters listed under the Consent Agenda are considered to be routine and non-controversial by the Board of Commissioners and will be approved by one motion. There will be no separate discussion of these items unless a governing body member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

19.I. Resolution Item (CA01)

Resolution authorizing the insertion of an additional item of revenue in the CY 2023 Budget which is now available from the State of New Jersey National Opioid Settlement Grant for Year 2 and 3 in the additional amount of \$39,788.79.

Documents:

[CHPT 159 RESO.-OPIOID YR 2 AND YR 3.PDF](#)

19.II. Resolution Item (CA02)

Resolution authorizing Water/Sewer Termination on July 24, 2023 due to failure to comply with the utility ordinance pursuant to Section 56-18 of the Municipal Code.

Documents:

[RES NO. -2023 WATER SEWER TERMINATION.PDF](#)

19.III. Resolution Item (CA03)

Resolution authorizing adjustments in the Tax and Utility Records.

Documents:

[RES NO. -2023 TAX-UTILITY.PDF](#)

20. MOTION TO APPROVE CONSENT AGENDA ITEMS

Motion to approve all items on the Consent Agenda.

Motion-

Second-

Hewitt __ Sooy __ Watson __ Romanik __ Orndorf __

21. RESOLUTIONS

21.I. Resolution Item (01)

Resolution of Support for suitability of Cannabis business with Bear Built, LLC at Block 125, Lot 7, 1799 Cedar Street.

Motion-

Second-

Hewitt __ Sooy __ Watson __ Romanik __ Orndorf __

Documents:

[RES NO. -2023 LETTER OF SUPPORT-BEAR BUILT LLC.PDF](#)
[ZONING LETTER- BEAR BUILT.PDF](#)

21.II. Resolution Item (02)

Resolution of Support for suitability of Cannabis business with JKLCO-GRG-LLC at Block 52, Lot 89, 2410 Cedar Street.

Motion-

Second-

Hewitt __ Sooy __ Watson __ Romanik __ Orndorf __

Documents:

[RES NO. -2023 LETTER OF SUPPORT-JKLCO-GRG-LLC.PDF](#)
[ZONING LETTER- JKLCO-GRG-LLC.PDF](#)

21.III. Resolution Item (03)

Resolution supporting Dr. Whittings' report and recommendations presented at a public meeting held on June 20, 2023 entitled "The Future of Millville: NJEDA Economic Development and Stakeholder Collaboration Update".

Motion-

Second-

Hewitt __ Sooy __ Watson __ Romanik __ Orndorf __

Documents:

[RES NO. -2023 NJEDA SUPPORT.PDF](#)

21.IV. Resolution Item (04)

Resolution awarding Millville Glass Center, LLC, 234 Bogden Blvd., Suite C, Millville, NJ 08332, for the project entitled "Board and Secure and Cut and Clean Services" in an amount not to exceed \$50,000.00 beginning July 6, 2023, and ending July 5, 2024.

Motion-

Second-

(Certification of Funds)

Hewitt __ Sooy __ Watson __ Romanik__ Orndorf __

Documents:

[RES NO. -2023 AWARD BOARD SECURE AND CUT CLEAN.PDF](#)
[COF- MILLVILLE GLASS.PDF](#)

21.V. Resolution Item (05)

Resolution authorizing the execution of a First Amendment to Redevelopment Agreement and First Amendment to Purchase and Sale Agreement for property identified as a portion of Block 125.03, Lot 11 on the tax maps of the city in the James R. Hurley Industrial Park Redevelopment Area with DK North Grove, LLC.

Motion-

Second-

Hewitt __ Sooy __ Watson __ Romanik__ Orndorf __

Documents:

[RES NO. -2023 AUTHORIZING FIRST AMENDMENT TO RDA AND PSA.PDF](#)
[FIRST AMENDMENT TO PURCHASE AND SALE AGREEMENT- DK NORTH GROVE.PDF](#)
[FIRST AMENDMENT TO RDA- DK NORTH GROVE.PDF](#)

22. NEW BUSINESS

22.I. New Business Item (01)

Motion to authorize the following Special Event on Public Lands Application:

1.) Holly City Street Festival on High Street from Main to Broad Streets sponsored by the City of Millville Recreation Department on Saturday, August 26, 2023 from 11:00 am - 3:00 pm.

Motion-

Second-

Hewitt __ Sooy __ Watson __ Romanik__ Orndorf __

23. PUBLIC COMMENT PORTION

"We have now reached the public comment portion of our meeting. Anyone who would like to address the Commission, please go to the podium, state your name and address your concerns. Please limit your comments to approximately 5 minutes."

Open Public Portion

Close Public Portion

Comments of Commissioners

24. ADJOURN

Motion-
Second-

**MILLVILLE RECREATION
CALENDAR OF EVENTS
2023**

Tentative Dates May Change

JANUARY – FEBRUARY

WINTER PHOTO CONTEST

ENTER YOUR FAVORITE WINTER PHOTO

**MUST BE A PERSON, PLACE OR OBJECT IN THE
CITY OF MILLVILLE**

PHOTOS CAN BE COLOR OR BLACK AND WHITE

ENTER BY FEBRUARY 24TH

OPEN TO THE PUBLIC

JANUARY – MAY

HOLLY CITY WALKING CLUB

EVERY TUESDAY AND THURSDAY

6:30 PM TO 7:30 PM

LAKESIDE MIDDLE SCHOOL

IF SCHOOL IS CLOSED, NO WALKING

18 YEARS & OLDER

WINTER VIRTUAL BINGO

SATURDAY, JANUARY 14TH

RECREATION FACEBOOK GROUP

825-7000, X7394 TO REGISTER

CRAFT SERIES

FEBRUARY 8th

MARCH 8th

MILLVILLE SENIOR CENTER

5PM

HAPPY HEART HUNT

FEBRUARY 1ST – 14TH

THROUGHOUT THE CITY

**SNOWFLAKE PLUNGE
UNION LAKE BEACH
SATURDAY, FEBRUARY 25
OPEN TO THE PUBLIC
NOON**

**ST. PATTY'S DAY COLORING CONTEST
COLORING SHEET PROVIDED BY MILLVILLE REC
ENTRIES DUE BY MARCH 15TH**

**APRIL -MAY
SPRING PHOTO CONTEST
ENTER YOUR FAVORITE SPRING PHOTO
MUST BE A PERSON, PLACE OR OBJECT IN THE
CITY OF MILLVILLE
PHOTOS CAN BE COLOR OR BLACK AND WHITE
ENTER BY MAY 31ST
OPEN TO THE PUBLIC**

**EGGTASTIC EASTER CELEBRATION
SATURDAY, APRIL 1ST
LAKESIDE COMPLEX
OPEN TO ALL KIDS UP TO 12 YEARS OF AGE
10AM-12PM
EGG HUNT 11:00 AM SHARP**

**SPRING COMMUNITY YARD SALE
SATURDAY, APRIL 22ND
8AM-12PM
BUCK PARK**

**ARBOR DAY
FRIDAY, APRIL 28TH
LOCATION: BACON ELEMENTARY**

**PHILLIES HOME RUN DERBY
THURSDAY, MAY 18TH
ROB SHANNON'S SPORTS COMPLEX
OPEN TO KIDS 7 TO 12 YEARS OF AGE
5:00 PM**

**SENIOR CITIZENS BBQ
WEDNESDAY, MAY 24TH
OPEN TO FIRST 200 MILLVILLE SENIORS
MUST BE 62 YEARS OF AGE OR OLDER
REGISTRATION BEGINS MAY 1
ELKS LODGE, BROAD ST.
825-7000, EXT. 7394 TO REGISTER**

**4TH FRIDAYS
FRIDAY, MAY 26TH
BUCK PARK
5PM-8PM**

**HOPE DAY
SATURDAY, MAY 3RD
DOCK & FOUNDRY
12PM-3PM**

**FISHING TOURNAMENT
SUNDAY, JUNE 4TH
HANKIN'S POND-CORSON PARK
9:00 AM REGISTRATION
10:00 AM – 12:00 PM FISHING
AGES 5-16**

**4TH FRIDAYS
FRIDAY, JUNE 23RD
BUCK PARK
5PM-8PM**

4TH OF JULY CELEBRATION
MONDAY, JULY 4TH
LOCATION: UNION LAKE PARK
EVENT: 5PM-9PM
FIREWORKS APPROX. 9PM

PLAYSTREETS
WEDNESDAYS STARTING JULY 12TH - AUGUST 16
10AM-2PM
PINE STREET BETWEEN 2ND & 3RD

CHRISTMAS IN JULY SIDEWALK SALE
SATURDAY, JULY 22ND
HIGH STREET – MAIN TO BROAD STREETS
10AM-2PM

4TH FRIDAYS
FRIDAY, JULY 28TH
BUCK PARK
5PM-8PM

HOLLY CITY FEST.. THE BEST OF MILLVILLE
SATURDAY, AUGUST 26TH
HIGH STREET – MAIN TO BROAD STREETS
11AM-3PM

4TH FRIDAYS
FRIDAY, AUGUST 25TH
BUCK PARK
5PM-8PM

9/11 CEREMONY
MONDAY, SEPTEMBER 11TH
6:30 PM FIRE DEPT

MILLVILLE BABY SHOW
CORSON PARK
SATURDAY, SEPTEMBER 30TH
12:00 PM REGISTRATION
1:00 PM SHOW STARTS
MILLVILLE BABIES ONLY
UP TO FOUR YEARS OF AGE

OCTOBER
HALLOWEEN DECORATING CONTEST
OPEN TO ALL MILLVILLE RESIDENTS
WHO DECORATE OUTSIDE FOR HALLOWEEN
MONTH OF OCTOBER
CALL 825-7000 EXT. 7394 TO REGISTER

OCTOBER - DECEMBER
HOLLY CITY WALKING CLUB
EVERY TUESDAY AND THURSDAY
6:30 PM TO 7:30 PM
LAKESIDE MIDDLE SCHOOL
IF SCHOOL IS CLOSED, NO WALKING
18 YEARS & OLDER

BARKTOBER FEST
SATURDAY, OCTOBER 14TH
11 AM TO 2 PM
THUNDERBOLT BARK PARK
UNION LAKE PARK

MYSTERY ON HIGH
FRIDAY, OCTOBER 20TH
6PM TO 9PM
HIGH STREET

FALL BLOCK PARTY
SATURDAY, OCTOBER 21ST
HIGH STREET
5PM-9PM

HALLOWEEN PUMPKIN EXTRAVAGANZA
PINE STREET BETWEEN 2ND AND 3RD
SPOOKY FUN FOR ALL KIDS
2PM TO 4 PM
SATURDAY, OCTOBER 28TH
CRAFT NIGHT
NOVEMBER 8TH
MILLVILLE SENIOR CENTER
5PM

NOVEMBER/DECEMBER
HOLIDAY HOME LIGHTING CONTEST
OPEN TO ALL MILLVILLE RESIDENTS
WHO DECORATE OUTSIDE FOR CHRISTMAS
MONTH OF DECEMBER
CALL 825-7000 EXT. 7394 TO REGISTER

FALL COMMUNITY YARD SALE
SATURDAY, NOVEMBER 4TH
8AM-12PM
BUCK PARK

CRAFT NIGHT
WEDNESDAY, NOVEMBER 8TH
MILLVILLE SENIOR CENTER
5PM

ANNUAL CHRISTMAS PARADE
FRIDAY, NOVEMBER 24TH
7PM
HIGH STREET- HARRISON TO MAIN

WINTER WONDERLAND
SATURDAY, DECEMBER 2ND
1ST BLOCK OF HIGH STREET
2PM-4PM

**REMEMBER ME CANDLE LIGHTING
SUNDAY, DECEMBER 10TH
6PM
AMERICAN LEGION**

ORDINANCE NO.

**AN ORDINANCE AMENDING THE CITY OF MILLVILLE
MUNICIPAL CODE CHAPTER 46. PERSONNEL POLICIES,
ADDING ARTICLE XXXVIII. DRESS CODE POLICY**

WHEREAS, the Commissioners of the City of Millville, being duly elected by the people as their governing body are tasked with preparing local laws and ordinances; and

WHEREAS, from time to time the governing body shall undertake revisions so that these policies remain up to date (*N.J.S.A. 40:49-4*); and

WHEREAS, it is in the best interest of the City of Millville to revise the City Code sections below as prescribed; and

WHEREAS, the Millville Commission determines it in the best interest of the City and its citizens to revise Chapter 46 as described herein:

NOW THEREFORE, THE BOARD OF COMMISSIONERS OF THE CITY OF MILLVILLE DO ORDAIN that Chapter 46 of the City of Millville Municipal Code entitled Personnel Policies be amended to add the following Article XXXIII: Dress Code Policy:

ARTICLE XXXIII DRESS CODE POLICY:

§ 46-161. Purpose

It is the City's policy that work attire should complement an environment that reflects an efficient, orderly, and professionally operated organization. This policy is intended to define appropriate "business attire" during normal business operations.

§ 46-162. Policy

Employees of the City are required to dress appropriately for the jobs they are performing. This policy shall apply when employees are engaging in official City business or are otherwise representing the City. All City employees are expected to maintain high personal and professional standards. One of the most noticeable expressions of these standards is dress and appearance. All employees are representatives of the City and therefore dress and appearance should:

- A. Present a professional or identifiable appearance for external and internal customers as well as the public.
- B. Promote a positive working environment.
- C. Limit distractions caused by inappropriate dress.
- D. Ensure and promote safety while at work.
- E. Dress in a manner that is normally accepted in comparable operations.

§ 46-163. Appropriate Attire

- A. Neat and Well-Groomed — During working hours, employees should appear neat and professional at all times. Employees are expected to be suitably attired and well groomed, and ensure that their clothing is clean and not torn, ripped or stained. This requirement does not place restrictions on employees appearance with respect to their choice of facial hair, hair length, etc. except where the facial hair or hair presents a health or safety hazard.
- B. Office Attire — Employees should use common sense and good judgment in determining what to wear to work. Acceptable attire:

- khakis, dress pants, slacks, skirts/dresses (not more than 2 ½ inches above the knee), golf shirts, sport jackets, closed or open toe dress shoes or dress sandals.
- C. Departments working in the field - Where uniforms are required, they must be worn during work hours. The uniforms should be neat and clean when the employee arrives for work. If uniform is not required then jeans/khaki pants must be in good condition and worn with the City logo T-shirt.
 - D. Fridays – Casual business attire may be worn; Jeans if worn, must be in good condition, no rips, frays, holes. Capri pants that are below the knee may be worn. Sneakers in good condition. All other restrictions apply.
 - E. Good personal hygiene is required.

§ 46-164 Department Managers. It is expected that all Department Managers wear attire that is appropriate to their position of responsibility, or uniforms where applicable. As such, men are expected to wear shirts with collar and dress slacks. Ladies are expected to wear the professional equivalent.

§ 46-165 Prohibited Attire. Some attire is unacceptable for work at any time. The following list provides some examples, although it is not a complete list:

- A. Any clothing that contains an offensive word, message or slogan or picture directed at race, sexual orientation, gender, age, religion, disability, or is otherwise considered to be offensive or harassing in some way.
- B. Jeans with rips, holes, frays
- C. T-shirts with indiscreet brands displayed or commercial endorsements
- D. Cut-offs or shorts
- E. Gym wear or beachwear
- F. Clothing that reveals the employee's under garments
- G. Spandex, Lycra, or leggings
- H. Tank tops, tube tops, halter-tops, or shirts with spaghetti straps.
- I. Off the shoulder tops
- J. Lounge wear (i.e. pajama pants)
- K. Sweatshirts or sweatpants
- L. Miniskirts
- M. Flip-flops
- N. Sneakers
- O. Any clothing that reveals the employee's stomach, full back, cleavage, or chest, or otherwise revealing attire.
- P. Logos which promote contractors or vendors that the City may or may not conduct business with.

Exceptions to this policy require the prior approval of the Department Head. On those exception occasions, employees are still expected to present a neat appearance and are not permitted to wear items inconsistent with this policy.

§ 46-165 Jewelry. Jewelry is acceptable, except where dangling or hanging jewelry constitutes a health or safety hazard. Tattoos that may be considered obscene/offensive by others must be covered.

§ 46-166 Special Accommodations. It is the intent of this policy to comply with all applicable state, local and federal laws prohibiting discrimination based on race, religious creed color, national origin, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military

and veteran status . The City will make every effort to reasonably accommodate employees with a disability or religious beliefs, gender, gender identity, gender expression or other protected classes, that may make it difficult for said employees to comply fully with the dress code policy. Employees should contact their Department Head to request such a reasonable accommodation. Department Heads and the Human Resources Department will work with the employee to develop a reasonable accommodation to meet the employee's specific needs while complying to the greatest extent possible with the general policy of the City.

§ 46-167 Disciplinary Action. Department Managers are responsible for enforcing the dress code in their areas of responsibility. This includes documenting incidents related to violations, monitoring situations to spot abuses, taking appropriate and timely action, and counseling employees who are inappropriately dressed. Counseling shall be conducted in a discreet and private manner. If an employee's clothing fails to meet policy standards it will be considered as reporting not ready to work and the employee may be sent home. Employees who are sent home to change their attire must utilize their own accrued leave time, or time off without pay. Subsequent violations of this policy may lead to progressive discipline, up to and including termination. Requests for advice and assistance in administering or interpreting this policy should be directed to the HR Department.

§ 46-168 Policy Enforcement and Responsibilities.

Human Resources

Employees shall receive the dress code policy upon commencement of employment and/or through initial email distribution and by posting on the City's Human Resources web page.

Employees

Responsible for adhering to this policy.

Department Heads

Department Managers are required to enforce the dress code policy in their areas of responsibility. If questionable attire is worn, the respective Department Head will hold a personal, private discussion with the employee to advise and counsel the employee regarding the inappropriateness of the attire.

Disciplinary actions will be applied to either an employee or the department manager, as a result of dress code violations.

Collective Negotiations Agreements

In the event that this policy conflicts with any provisions of a collective negotiations agreement, the collective negotiations agreement shall be controlling and binding. Any warnings, discipline, loss of pay, forced use of any paid or unpaid leave, or any adverse employment actions issued pursuant to this policy remain subject the provisions of the applicable collective negotiations agreement, including but not limited to any just cause requirements and the grievance and arbitration process.

Section One. Repealer. All former Ordinances of the City of Millville which are in conflict with the provisions contained in this Ordinance are hereby repealed upon the adoption of this ordinance.

Section Two. Severability. If any part or parts of this ordinance are held to be in valid for any reason such decision shall not affect the validity of the remaining portions of this ordinance.

Section Three. Partial Invalidity. Should any provision of this ordinance be deemed invalid for any reason that invalidity shall not affect the remaining

provisions of the ordinance, and the provisions and sections of the ordinance are hereby declared to be severable with respect to their validity.

Section Four. Incompatible Ordinance. All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

Section Five. Effective Date. This ordinance shall take effect twenty (20) days after publication following final passage, according to law.

FIRST READING:

Moved By:

Seconded By:

<u>VOTING</u>	<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Lisa M. Orndorf				
Joseph Sooy				
C. Kirk Hewitt				
Benjamin J. Romanik				
Stephen Watson, Jr.				

SECOND READING:

Moved By:

Seconded By:

<u>VOTING</u>	<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Lisa M. Orndorf				
Joseph Sooy				
C. Kirk Hewitt				
Benjamin J. Romanik				
Stephen Watson, Jr.				

CERTIFICATION

I certify that the foregoing is a true copy of an Ordinance adopted by the Board of Commissioners, of the City of Millville in the County of Cumberland, at a meeting thereof held on

Jeanne M. Parkinson, City Clerk

<i>PROCEDURE</i>	
Approved on First Reading:	
Published:	
Approved on Second Reading:	
Published:	
Effective Date:	

RESOLUTION NO. -2023

REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services (the “Director”) may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and,

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and,

WHEREAS, the City of Millville has received \$39,788.79 from the State of New Jersey in the form of the National Opioid Settlement Grant for Year 2 and 3 and wishes to amend its CY2023 Municipal Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the City of Millville, in the County of Cumberland, State of New Jersey hereby requests the Director to approve the insertion of an item of revenue in the CY2023 Municipal Budget in the sum of \$39,788.79 which is now available as revenue from:

- Miscellaneous Revenues - Section F:
- Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services -
- Public and Private Revenues Offset with Appropriations: National Opioid Settlement Grant

BE IT FURTHER RESOLVED that the Director to approve the insertion of an item of revenue in the CY2023 Municipal Budget in the like sum of \$39,788.79 appropriated under the caption of:

- General Appropriations:
- Operations - Excluded from “CAPS”
- Public and Private Revenues Offset with Appropriations: National Opioid Settlement Grant

BE IT FURTHER RESOLVED that a copy of this Resolution will be electronically filed with the Director for approval as required by law.

Moved By:
Seconded By:

VOTING
Lisa M. Orndorf
Benjamin J. Romanik
Joseph Sooy
C. Kirk Hewitt
Stephen E. Watson, Jr.

<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>

CERTIFICATION

I hereby certify that the foregoing is a true copy of Resolution adopted by the Board of Commissioners of the City of Millville, in the County of Cumberland, at a meeting thereof held July 5, 2023.

Jeanne M. Parkinson, City Clerk

RESOLUTION NO. -2023

WATER/SEWER TERMINATION RESOLUTION

WHEREAS Section 56-18 of the Municipal code of the City of Millville authorizes the termination of water/sewer service to a customer where water/sewer user charges are in default and compliance with Ordinance is in default; and

WHEREAS Section 56-52 outlines the procedural requirements which must be satisfied by the City before water service may be terminated for failure to comply with the Utility Ordinance; and

WHEREAS, a Notice of Violation, and an Order to Show Cause were served on the following customers of the Water/Sewer Utility as required by the aforesaid Ordinance; and

WHEREAS, a hearing was held before the Public Works Committee on **June 27, 2023**; regarding the termination of water/sewer service as a result of the failure to comply with the Utility Ordinance for the following customers of the Water/Sewer Utility, and the Board of Commissioners finds that all procedural due process requirements required by the Ordinance were satisfied, and that the following customers of the Water/Sewer Utility are not in compliance with said Ordinance.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MILLVILLE:

1) That the Water/Sewer Utility shall **TERMINATE** the water/sewer service to the attached commercial customers of the utilities at the property locations listed effective **July 24, 2023**:

ACCT #	Property Location	AMT DUE
6877-0	328 MULBERRY ST	373.00
6894-0	323 VINE ST E	378.14
6929-0	327 5TH ST N	243.43
6949-0	210 13TH ST N	217.15
6971-0	1001 MULBERRY ST	218.56
6999-0	701 MULBERRY ST	271.17
7025-0	624 PINE ST	262.14
7035-0	211 6TH ST N	236.82
7055-0	315 6TH ST N	49.35
7062-0	308 8TH ST N	247.92
7115-0	304 11TH ST N	91.86
7402-0	414 CREST AVE	75.15
7500-1	201-209 HIGH ST N	404.52
7500-2	201-209 HIGH ST N	1,054.65
7517-0	222 3RD ST N	242.90
7531-0	213 MULBERRY ST	495.07
7556-0	110 2ND ST N	282.39
7571-0	9 PINE ST	302.49
7628-0	314-316 PINE ST	59.20
7641-0	329 MULBERRY ST	366.09
7663-1	406 PINE ST	354.70
7663-2	406 PINE ST	371.72
7695-2	509 PINE ST, 2nd FL APT	245.75
7716-0	425 PINE ST	230.29
7721-0	418 SASSAFRAS ST	217.91
7766-0	308 MAIN ST E	216.71
7767-0	304 MAIN ST E	217.71
7769-0	11 3RD ST N	165.46
7777-0	323 SASSAFRAS ST	215.10

7781-0	405 SASSAFRAS ST	50.10
7792-0	420 MAIN ST E	60.52
7801-0	400 MAIN ST E	232.96
7803-0	11 4TH ST N	229.85
7820-0	518 MAIN ST E	218.56
7821-0	520 MAIN ST E	222.17
7847-0	100 8TH ST N	69.60
7858-0	817 PINE ST	214.91
7859-0	112 9TH ST N	258.21
7871-0	905 PINE ST	218.34
7887-0	110 11TH ST N	234.22
7898-0	110 12TH ST N	121.45
7910-0	115 13TH ST N	266.25
7970-0	919 SASSAFRAS ST	213.88
7982-0	5 9TH ST N	192.76
7998-0	804 MAIN ST E	217.55
8004-0	9 7TH ST N	238.58
8008-0	704 MAIN ST E	212.85
8049-0	711 MAIN ST E	221.36
8057-0	805 MAIN ST E	188.22
8083-0	900 WOODLAND AVE	218.56
8112-0	103 11TH ST S	524.34
8141-0	111 9TH ST S	218.00
8143-0	803 WOODLAND AVE	156.04
8183-0	105-107 MAIN ST E	762.82
8213-0	530 FLORENCE AVE	354.18
8243-0	411 MAIN ST E	229.68
8275-1	207 S 4TH ST-1ST FLOOR	137.04
8275-2	207 S 4TH ST-2ND FLOOR	462.61
8290-0	312 5TH ST S	301.86
8325-0	331 3RD ST S	463.91
8341-0	233 3RD ST S	225.95
8393-0	323 MAIN ST E	248.88
8397-0	312 SMITH ST	269.62
8411-0	17 2ND ST S	744.03
8422-0	201 2ND ST S	218.56
8596-0	1804 MAIN ST E	159.21
8696-0	231 GEISSINGER AVE	412.84
8805-0	2411 SHELburn RD	155.89
8809-0	2419 SHELburn RD	218.47
8828-0	2422 HOLLY DR	151.71
8834-0	2410 HOLLY DR	247.35
8851-0	5 FOREST GLEN DR E	210.60
8871-0	2422 MAIN ST E	249.87
8944-0	2234 WEDGEWOOD CT N	214.16
8971-0	116 WEDGEWOOD CT W	277.75
8976-0	2208 BALSAM LN	99.99
8996-0	2212 MISTLETOE LN	215.38
9076-0	203 HAZEL BLVD	309.38
9102-0	2415 SHAMROCK LN	54.10
9120-0	2213 SHAMROCK LN	213.83
9127-0	2249 SHAMROCK LN	212.35
9151-0	2318 MISTLETOE LN	258.45
9161-0	2414 MISTLETOE LN	218.56
9163-0	2422 MISTLETOE LN	440.19
9236-0	320 2ND ST S	161.62
9256-0	506 2ND ST S	176.10
9272-0	435 2ND ST S	215.94

9400-0	801 SHAR LANE BLVD	192.18
9401-0	803 SHAR LANE BLVD	107.63
9407-0	905 SHAR LANE BLVD	217.62
9424-0	500 WHITALL AVE	412.70
9472-0	803 MAGNOLIA AVE	236.24
9486-0	105 WHITALL AVE	28.77
9504-0	832 3RD ST S	216.55
9527-0	607 VALATIA AVE	222.46
9537-0	912 LOUIS DR	218.65
9663-0	210 COLUMBINE AVE	157.40
9697-0	913 2ND ST S	181.93
9704-0	1002 LEONARD DR	474.79
9759-0	507 RICHARD DR	211.34
9767-0	532 RICHARD DR	230.02
9794-0	511 BRIAN AVE	27.47
9813-0	522 BRIAN AVE	219.86
9815-0	518 BRIAN AVE	2,095.05
9840-0	1113 BROOKDALE TERR	244.24
9853-0	1110 BROOKDALE TERR	172.39
9911-0	305 COLUMBINE AVE	241.01
9913-0	301 COLUMBINE AVE	218.42
9995-0	2300 2ND ST S	249.22
10394-2	109 2ND ST S	233.97
10396-2	310-312 4TH ST S	218.42
10461-1	500 E PINE ST	222.40
10461-2	502 E PINE ST	207.88
10495-1	616 MULBERRY ST-FRONT	100.23
10495-2	616 MULBERRY ST-REAR	108.21
10787-2	8 PINE ST	218.47
11039-2	101 HIGH ST N	746.15
11060-0	806 WOODLAND AVE	231.42
11137-0	705 MAGNOLIA AVE	161.88
11177-0	1114 ROBIN TERR	45.54
11195-0	2433 MAIN ST E	231.83
11232-0	116 6TH ST S	221.99
11277-0	701 MICKLE ST	412.84
11281-0	517 HENRY DR	246.53
11348-0	2435 BUTTONWOOD LN	311.56
11488-1	201 MAIN ST E	411.20
11488-2	201 MAIN ST E	165.01
11567-0	305 9TH ST N	215.10
11668-0	200 BURNS RD	91.56
11733-0	1110 ROBIN TERR	960.14
11793-0	500 KIMBERLY DR	22.29
11835-0	512 KIMBERLY DR	232.53
11872-0	440 CAROLINE LN	224.35
11884-0	428 SPENCER PL	463.43
11898-0	436 SPENCER PL	136.68
11926-0	425 SPENCER PL	231.20
11938-0	1102 YELLOWWOOD TERR	256.16
12000-0	604 PINEBROOK TERR	216.13
12047-0	602 PINEBROOK TERR	161.63
12119-0	28 ETTIE DR	238.16
12197-0	5 DAYLE DR	240.32
12251-0	602 BRIAN AVE	217.48
12259-0	603 RICHARD DR	262.22
12290-0	923 SHAR LN BLVD	360.35
12320-0	1119 YELLOWWOOD TERR	249.71

12373-0	201 HENDERSON AVE	218.69
12407-0	374 PEEK AVE	70.07
12457-0	513 MENANTICO AVE	255.09
12546-0	708 MENANTICO AVE	218.69
12641-0	325 MULBERRY ST	131.48
12679-0	514 MENANTICO AVE	228.50
12681-0	808 MENANTICO AVE	213.19
12723-0	1008 SHAR LN BLVD	213.89
12771-0	18 NOBLE ST	229.60

2) That the termination shall remain in effect until the Properties listed above are in full compliance with the utility ordinance and **all water/sewer user charges including interest** due the City of Millville have been paid in full together with any turn on and turn off charges authorized by the Municipal Code; in CASH, MONEY ORDER or CERTIFIED FUNDS.

3) That a copy of this Resolution shall be mailed to the property owners last known address and a copy posted on the property where the water/sewer service is to be terminated.

Moved By:

Seconded By:

VOTING	In Favor	Against	Abstain	Absent
Lisa M. Orndorf				
Joseph Sooy				
Benjamin J. Romanik				
Charles Kirk Hewitt				
Stephen E. Watson Jr				

CERTIFICATION

I certify that the foregoing is a true copy of the Resolution adopted by the Board of Commissioners, of the City of Millville, in the County of Cumberland, at a meeting thereof held on July 5, 2023.

 Jeanne M. Parkinson, City Clerk

RESOLUTION NO. -2023

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MILLVILLE:

That the following be refunded by resolution due to release of Fire Escrow

Block	Lot	Acct	Property Location	Yr	Prd	Amount	Int	Description
527	15.02		30 Noble Street			\$46,200		Fire Escrow
415	13		116 2nd Street N			\$33,901.98		Fire Escrow

That the following be refunded by resolution due to easement deed drawn

Block	Lot	Acct	Property Location	Yr	Prd	Amount	Int	Description
134	14	3291-S	304 Washington Avenue			\$5,260.00		Sewer SP Chg

That the following be refunded by resolution within the Tax and Utility records

Block	Lot	Acct	Property Location	Yr	Prd	Amount	Int	Description
386	17		608 Pine Street	23	2	\$655.84		Tax

That the following be transferred by resolution within the Tax and Utility records

Block	Lot	Acct	Property Location	Yr	Prd	Amount	Int	Description
125.03	1	X	47 Warbird Drive	23	3	\$73.90		Pilot
125.03	1		47 Warbird Drive	23	3	(\$73.90)		Tax

That the following be added back to the Tax, Utility and Misc records due to returned checks

Block	Lot	Acct	Property Location	Yr	Prd	Amount	Int	Description
269.01	25		2037 Easy Street			\$90.00		Smoke Cert
269.01	25		2037 Easy Street			\$20.00		NSF Fee

That the following charges be canceled from the Tax records due to Veteran Exemption

Block	Lot	Acct	Property Location	Yr	Prd	Amount	Int	Description
173	2227		505 W Buckshutem Rd	23	1	(\$1,272.84)		Tax
173	2227		505 W Buckshutem Rd	23	2	(\$1,215.96)		Tax

That the following charges be canceled from the Utility records due to a failed meter test

Block	Lot	Acct	Property Location	Yr	Prd	Amount	Int	Description
85	8	2107-0	440 Carlton Avenue	23	3	(\$409.50)		Water

That the following charges be canceled from the Utility records due to being billed while off

Block	Lot	Acct	Property Location	Yr	Prd	Amount	Int	Description
377	18	6895-0	329 Vine Street E	21	2	(\$30.00)		Water
377	18	6895-0	329 Vine Street E	21	3	(\$30.00)		Water
377	18	6895-0	329 Vine Street E	21	4	(\$30.00)		Water
377	18	6895-0	329 Vine Street E	22	1	(\$30.00)		Water
377	18	6895-0	329 Vine Street E	22	2	(\$30.00)		Water
377	18	6895-0	329 Vine Street E	22	3	(\$30.00)		Water
377	18	6895-0	329 Vine Street E	22	4	(\$30.00)		Water
377	18	6895-0	329 Vine Street E	23	1	(\$30.00)		Water
377	18	6895-0	329 Vine Street E	23	2	(\$30.00)		Water
377	18	6895-0	329 Vine Street E	21	2	(\$130.00)		Sewer
377	18	6895-0	329 Vine Street E	21	3	(\$130.00)		Sewer
377	18	6895-0	329 Vine Street E	21	4	(\$130.00)		Sewer
377	18	6895-0	329 Vine Street E	22	1	(\$130.00)		Sewer

377	18	6895-0	329 Vine Street E	22	2	(\$130.00)	Sewer
377	18	6895-0	329 Vine Street E	22	3	(\$130.00)	Sewer
377	18	6895-0	329 Vine Street E	22	4	(\$130.00)	Sewer
377	18	6895-0	329 Vine Street E	23	1	(\$130.00)	Sewer
377	18	6895-0	329 Vine Street E	23	2	(\$130.00)	Sewer

471	16	8282-2	216 5th Street S	21	2	(\$30.00)	Water
471	16	8282-2	216 5th Street S	21	3	(\$30.00)	Water
471	16	8282-2	216 5th Street S	21	4	(\$30.00)	Water
471	16	8282-2	216 5th Street S	22	1	(\$30.00)	Water
471	16	8282-2	216 5th Street S	22	2	(\$30.00)	Water
471	16	8282-2	216 5th Street S	22	3	(\$30.00)	Water
471	16	8282-2	216 5th Street S	22	4	(\$30.00)	Water
471	16	8282-2	216 5th Street S	23	1	(\$30.00)	Water
471	16	8282-2	216 5th Street S	23	2	(\$30.00)	Water
471	16	8282-2	216 5th Street S	23	1	(\$130.00)	Sewer
471	16	8282-2	216 5th Street S	23	2	(\$130.00)	Sewer
471	16	8282-2	216 5th Street S	22	4	(\$130.00)	Sewer
471	16	8282-2	216 5th Street S	22	3	(\$130.00)	Sewer
471	16	8282-2	216 5th Street S	22	2	(\$130.00)	Sewer
471	16	8282-2	216 5th Street S	22	1	(\$130.00)	Sewer
471	16	8282-2	216 5th Street S	21	4	(\$130.00)	Sewer
471	16	8282-2	216 5th Street S	21	3	(\$130.00)	Sewer
471	16	8282-2	216 5th Street S	21	2	(\$130.00)	Sewer

MOVED BY:

SECONDED BY:

VOTING:	IN FAVOR	AGAINST	ABSTAIN	ABSENT
Lisa M. Orndorf				
Benjamin J. Romanik				
Joseph Sooy				
C. Kirk Hewitt				
Stephen E. Watson Jr.				

CERTIFICATION

I hereby certify that the foregoing is a true copy of Resolution adopted by the Board of Commissioners of the City of Millville, in the County of Cumberland, at a meeting thereof held on July 5th, 2023

Jeanne M. Parkinson, City Clerk

RESOLUTION NO. -2023

RESOLUTION OF SUPPORT FOR SUITABILITY OF CANNABIS BUSINESS- BEAR BUILT, LLC

WHEREAS, Bear Built, LLC has expressed an interest in purchasing property known as Block 125, Lot 7, 1799 Cedar Street; and

WHEREAS, Bear Built, LLC intends to utilize said property as a Class I Cultivator or as a Class II Manufacturer Licensed facility; and

WHEREAS, operators of a proposed cannabis business are required to demonstrate local support for the suitability and appropriateness of its business location from a municipality pursuant to N.J.A.C. 17:30-5.1(g) and/or pursuant to the provisions of N.J.S.A. 24:61-7.2(4); and

WHEREAS, pursuant to the provisions of N.J.S.A. 17.30-5.1, the City of Millville has Ordinance No. 20-2021 to authorize certain marketplace classes of licensed cannabis businesses in designated zoning districts, and

WHEREAS, the Applicant, Bear Built, LLC, has sought such a letter of support to apply for a State license to operate a licensed Cannabis Cultivation Facility at the property known as Block 125, Lot 7, 1799 Cedar Street, located within the designated Cannabis Business Zoning District, and

WHEREAS, the City has reviewed and considered the request of Bear Built, LLC to conduct the cannabis business at the location described above; and

WHEREAS, the City has determined that it has authorized the type of cannabis business license being sought by Bear Built, LLC to operate within its jurisdiction; and

WHEREAS, to the extent the City of Millville has imposed a limit on the number of licensed cannabis businesses within its jurisdiction, the issuance of a license to Bear Built LLC by the Cannabis Regulatory Commission would not exceed that limit as of the date of this Resolution; and

WHEREAS, the City of Millville has determined the proposed location is suitable and appropriate for the proposed activity related to the operations of the proposed cannabis business to be conducted. See letter of City Zoning Officer Wayne Caregnato attached hereto as Exhibit A and incorporated herein by reference thereto; and

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Millville, County of Cumberland and State of New Jersey as follows:

1. The Letter of Support by the City of Millville for Bear Built, LLC for the purchase and redevelopment of the aforesaid property known as Block 125, Lot 7, 1799 Cedar Street as a Class I Cultivator or as a Class II Manufacturer Licensed facility is hereby approved; and

2. The Mayor and City Clerk are authorized to sign the same.

Moved By:

Seconded By:

<u>VOTING</u>	<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Lisa M. Orndorf				
Benjamin J. Romanik				
Joseph Sooy				
Charles Kirk Hewitt				
Stephen E. Watson, Jr.				

CERTIFICATION

I certify that the foregoing is a true copy of a Resolution adopted by the Board of Commissioners, of the City of Millville in the County of Cumberland, at a meeting thereof held on July 5, 2023.

Jeanne M. Parkinson, City Clerk

CITY OF MILLVILLE

COMMISSIONERS

LISA M. ORNDORF, MAYOR
Director of Public Affairs
JOSEPH SOOY, VICE MAYOR
Director of Revenue of Finance
BENJAMIN J. ROMANIK
Director of Parks and Public Property
CHARLES KIRK HEWITT
Director of Public Safety
ROBERT MCQUADE
Director of Public Works



"A MAIN STREET NEW JERSEY COMMUNITY"

12 SOUTH HIGH STREET
P.O. BOX 609
MILLVILLE, NEW JERSEY 08332

TELEPHONE: (856)825-7000
FAX: (856)825-3686
www.millvillenj.gov

OFFICERS

RAYMOND COMPARI
Administrator
JEANNE PARKINSON
City Clerk
MARCELLA SHEPARD
Chief Financial Officer
TRACEY GREGOIRE
Tax Collector
BRIAN P. ROSENBERGER
Tax Assessor
WAYNE JOHNSON
Municipal Engineer

6/14/2023

To Whom It May Concern

RE: 1799 Cedar St.

B-125 L-7

The above referenced property is in the City of Millville's I-3 Industrial Zone. Cannabis indoor cultivation (License 1) as well as Manufacturing (License 2) are permitted uses in this zone.

Zoning Officer

Wayne M. Caregnato

RESOLUTION NO. -2023

RESOLUTION OF SUPPORT FOR SUITABILITY OF CANNABIS BUSINESS- JKLCO-GRG-LLC

WHEREAS, JKLCO-GRG-LLC has expressed an interest in purchasing property known as Block 52, Lot 89, 2410 Cedar Street; and

WHEREAS, JKLCO-GRG-LLC intends to utilize said property as a Class I Cultivator or as a Class II Manufacturer Licensed facility; and

WHEREAS, operators of a proposed cannabis business are required to demonstrate local support for the suitability and appropriateness of its business location from a municipality pursuant to N.J.A.C. 17:30-5.1(g) and/or pursuant to the provisions of N.J.S.A. 24:61-7.2(4); and

WHEREAS, pursuant to the provisions of N.J.S.A. 17.30-5.1, the City of Millville has Ordinance No. 20-2021 to authorize certain marketplace classes of licensed cannabis businesses in designated zoning districts, and

WHEREAS, the Applicant, Pot of Gold, LLC, has sought such a letter of support to apply for a State license to operate a licensed Cannabis Cultivation Facility at the property known as Block 52, Lot 89, 2410 Cedar Street, located within the designated Cannabis Business Zoning District, and

WHEREAS, the City has reviewed and considered the request of JKLCO-GRG-LLC to conduct the cannabis business at the location described above; and

WHEREAS, the City has determined that it has authorized the type of cannabis business license being sought by JKLCO-GRG-LLC to operate within its jurisdiction; and

WHEREAS, to the extent the City of Millville has imposed a limit on the number of licensed cannabis businesses within its jurisdiction, the issuance of a license to JKLCO-GRG-LLC by the Cannabis Regulatory Commission would not exceed that limit as of the date of this Resolution; and

WHEREAS, the City of Millville has determined the proposed location is suitable and appropriate for the proposed activity related to the operations of the proposed cannabis business to be conducted. See letter of City Zoning Officer Wayne Caregnato attached hereto as Exhibit A and incorporated herein by reference thereto; and

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Millville, County of Cumberland and State of New Jersey as follows:

1. The Letter of Support by the City of Millville for JKLCO-GRG-LLC for the purchase and redevelopment of the aforesaid property known as Block 52, Lot 89, 2410 Cedar Street as a Class I Cultivator or as a Class II Manufacturer Licensed facility is hereby approved; and

2. The Mayor and City Clerk are authorized to sign the same.

Moved By:

Seconded By:

<u>VOTING</u>	<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Lisa M. Orndorf				
Benjamin J. Romanik				
Joseph Sooy				
Charles Kirk Hewitt				
Stephen E. Watson, Jr.				

CERTIFICATION

I certify that the foregoing is a true copy of a Resolution adopted by the Board of Commissioners, of the City of Millville in the County of Cumberland, at a meeting thereof held on July 05, 2023.

Jeanne M. Parkinson, City Clerk

CITY OF MILLVILLE

COMMISSIONERS

LISA M. ORNDORF, MAYOR
Director of Public Affairs
JOSEPH SOOY, VICE MAYOR
Director of Revenue of Finance
BENJAMIN J. ROMANIK
Director of Parks and Public Property
CHARLES KIRK HEWITT
Director of Public Safety
ROBERT MCQUADE
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MARCELLA SHEPARD
Chief Financial Officer
TRACEY GREGOIRE
Tax Collector
BRIAN P. ROSENBERGER
Tax Assessor
WAYNE JOHNSON
Municipal Engineer

6/27/2023

To Whom It May Concern

RE: 2410 Cedar St.

B-52 L-89

The above referenced property is in the City of Millville's I-3 Industrial Zone. Cannabis indoor cultivation (License 1) as well as Manufacturing (License 2) are permitted uses in this zone.

Zoning Officer

Wayne M. Caregnato

RESOLUTION NO. -2023

RESOLUTION OF SUPPORT

WHEREAS, Dr. Ross Whiting, President of Dogwood Consulting, made a presentation to the Board of Commissioners of the City of Millville at a public meeting held June 20, 2023 entitled “The Future of Millville: NJEDA Economic Development and Stakeholder Collaboration Update; and

WHEREAS, the Board of Commissioners appreciates Dr. Whiting’s time and effort as well as his recommendations.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Millville that it supports Dr. Whiting’s report to the Board as well as his recommendations.

Moved By:

Seconded By:

<u>VOTING</u>	<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Lisa M. Orndorf				
Joseph Sooy				
Benjamin J. Romanik				
Charles Kirk Hewitt				
Stephen E. Watson, Jr				

CERTIFICATION

I certify that the foregoing is a true copy of a Resolution adopted by the Board of Commissioners, of the City of Millville in the County of Cumberland, at a meeting thereof held on July 05, 2023.

Jeanne M. Parkinson, City Clerk

RESOLUTION NO. -2023

WHEREAS, the City is required to advertise and receive sealed bids for items purchased in the fiscal year that have a cost exceeding in total or aggregate the amount set forth in, or the amount calculated by the Governor pursuant to, N.J.S.A. 40A:11-3; and

WHEREAS, the City of Millville received bids on June 22, 2023 for Board an Secure and Cut and Clean Services; and

WHEREAS, the term of this contract shall be for twelve (12) months beginning on July 6, 2023, and ending on July 5, 2024 with a mutual option to extend for one additional twelve (12) month period;

WHEREAS, the City has adequate funds appropriated for these contracts;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the City of Millville, County of Cumberland and State of New Jersey that a contract be awarded to Millville Glass Center, LLC, 234 Bogden Blvd., Suite C, Millville, NJ 08332, in an amount not to exceed \$50,000.00.

Moved By:

Seconded By:

<u>VOTING</u>	<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Lisa M. Orndorf				
Joseph Sooy				
Benjamin J. Romanik				
C. Kirk Hewitt				
Stephen E. Watson, Jr.				

CERTIFICATION

I certify that the foregoing is a true copy of a Resolution adopted by the Board of Commissioners, of the City of Millville in the County of Cumberland, at a meeting thereof held on July 5, 2023.

Jeanne M. Parkinson, City Clerk

Certification Of Availability of Funds

This is to certify to the BOARD OF COMMISSIONERS of the CITY OF MILLVILLE that funds for the following resolutions are available.

Contract Amount: 50,000.00
Resolution Date: 07/05/23
Resolution Number: A

Vendor: 51960 MILLVILLE GLASS CENTER LLC
234 BOGDEN BLVD, STE C
PO BOX 577
MILLVILLE, NJ 08332

Contract: 23-00049 Board & Secure and Cutr &
Clean

Account Number	Amount	Department Description
3-01-22-195-100-372	10,000.00	
3-01-22-195-100-394	4,000.00	
3-01-22-195-200-372	6,000.00	
3-01-22-195-200-394	5,000.00	
Total	25,000.00	

Only amounts for the 2023 Budget Year have been certified. Amounts for future years are contingent upon sufficient funds being appropriated.



Chief Financial Officer

RESOLUTION NO. -2023

**RESOLUTION OF THE CITY OF MILLVILLE, IN
THE COUNTY OF CUMBERLAND, NEW JERSEY
AUTHORIZING THE EXECUTION OF A FIRST
AMENDMENT TO REDEVELOPMENT AGREEMENT,
AND A FIRST AMENDMENT TO PURCHASE AND
SALE AGREEMENT FOR PROPERTY IDENTIFIED AS
A PORTION OF BLOCK 125.03, LOT 11 ON THE TAX
MAPS OF THE CITY IN THE JAMES R. HURLEY
INDUSTRIAL PARK REDEVELOPMENT AREA WITH
DK NORTH GROVE, LLC**

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, as amended and supplemented (the “**Redevelopment Law**”), provides a process for municipalities to participate in the redevelopment and improvement of areas designated by the municipality as areas in need of redevelopment and/or rehabilitation; and

WHEREAS, on June 17, 2003, the City enacted Resolution A-4359, which established Block 136, Lot 1, Block 136, Lot 1.01, Block 125.03, Lot 10, and Block 125.03, Lot 11 on the Tax Map of the City as an area in need of redevelopment (the “**Redevelopment Area**”); and

WHEREAS, on September 18, 2018, the City enacted Ordinance 18-09-04, establishing the James R. Hurley Industrial Park Redevelopment Plan (as amended from time to time, the “**Redevelopment Plan**”) for the Redevelopment Area; and

WHEREAS, the City of Millville (the “**City**”) and DK North Grove LLC (the “**Redeveloper**”) have entered into that certain Redevelopment Agreement dated March 15, 2023 (the “**Redevelopment Agreement**”; all capitalized terms not defined herein shall be ascribed the meaning given to such term in the Redevelopment Agreement), approved on February 7, 2023 by Resolution 68-2023 of the City Commissioners, to effectuate the redevelopment of the Redevelopment Area and specify the respective rights and responsibilities of the Parties with respect to the Project; and

WHEREAS, pursuant to the Redevelopment Agreement, the Redeveloper agreed to develop, finance and construct the development of a Licensed Class 1 Cannabis Cultivation Facility and a Licensed Class 2 Cannabis Manufacturer Facility and related warehouse and storage uses, (collectively, the “**Project**”) on approximately 24.86 acres of land identified as a portion of Block 125.03, Lot 11 on the Tax Map of the City (the “**Property**”); and

WHEREAS, the City and Redeveloper have entered into that certain Purchase and Sale Agreement dated March 15, 2023 (the “**Purchase and Sale Agreement**”); and

WHEREAS, schedule for the development of the Project is set forth in the Redevelopment Agreement and the Purchase and Sale Agreement; and

WHEREAS, the Parties wish to extend the timeframes set forth in the Redevelopment Agreement and Purchase and Sale Agreement,

NOW, THEREFORE BE IT RESOLVED by the Commission of the City of Millville, in the County of Cumberland, New Jersey, as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Commission hereby authorizes the Mayor or Vice-Mayor to execute, and the City Clerk to attest, the First Amendment, Exhibit A, to Purchase and Sale Agreement, in substantially the same form and is on file with the City Clerk and which, by this reference is incorporated herein, with such additions, deletions and modifications as may be necessary after consultation with the City’s professional consultants and the Redeveloper.

Section 3. The Commission hereby authorizes the Mayor or Vice-Mayor to execute, and the City Clerk to attest, the First Amendment, Exhibit B, to Redevelopment Agreement, in substantially the same form and is on file with the City Clerk and which, by this reference is incorporated herein, with such additions, deletions and modifications as may be necessary after consultation with the City’s professional consultants and the Redeveloper.

Section 4. This Resolution shall take effect immediately.

Moved By:

Seconded By:

<u>VOTING</u>	<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Lisa M. Orndorf				
Benjamin J. Romanik				
Joseph Sooy				
C. Kirk Hewitt				
Stephen E. Watson, Jr.				

CERTIFICATION

I certify that the foregoing is a true copy of a Resolution adopted by the Board of Commissioners, of the City of Millville in the County of Cumberland, at a meeting thereof held on July 05, 2023.

Jeanne M. Parkinson, City Clerk

EXHIBIT A

First Amendment to Purchase and Sale Agreement

(See Attached)

EXHIBIT B

First Amendment to Redevelopment Agreement

(See Attached)

FIRST AMENDMENT TO PURCHASE AND SALE AGREEMENT

THIS FIRST AMENDMENT TO PURCHASE AND SALE AGREEMENT (this “**First Amendment**”), is made as of the date of the last execution on the signature pages below (the “**Effective Date**”), by and between the **CITY OF MILLVILLE**, a municipal corporation of the State of New Jersey, having its offices at 12 South High Street, Millville, New Jersey 08332 (the “**City**”) and **DK NORTH GROVE LLC**, having its offices at c/o Klein Enterprises, LLC, 177 Reisertown Road, Suite 165, Baltimore, Maryland 21208 (and its successors and assigns, the “**Redeveloper**”, together with the City, the “**Parties**” and each individually a “**Party**”).

RECITALS

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, as amended and supplemented (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment and to adopt redevelopment plans for areas so designated; and

WHEREAS, on June 17, 2003, the City enacted Resolution A-4359, which established Block 136, Lot 1, Block 136, Lot 1.01, Block 125.03, Lot 10, and Block 125.03, Lot 11 on the Tax Map of the City as an area in need of redevelopment (the “**Redevelopment Area**”); and

WHEREAS, on September 18, 2018, the City enacted Ordinance 18-09-04, establishing the James R. Hurley Industrial Park Redevelopment Plan (as amended from time to time, the “**Redevelopment Plan**”) for the Redevelopment Area; and

WHEREAS, pursuant to *N.J.S.A. 40A:12-4*, the City is acting as the “redevelopment entity” (as such term is defined at *N.J.S.A. 40A:12A-3* of the Redevelopment Law) for the Redevelopment Area; and

WHEREAS, the City and Redeveloper have entered into that certain Redevelopment Agreement dated March 15, 2023 (the “**Redevelopment Agreement**”; all capitalized terms not defined herein shall be ascribed the meaning given to such term in the Redevelopment Agreement), approved on February 7, 2023 by Resolution 68-2023 of the City Commissioners, to effectuate the redevelopment of the Redevelopment Area and specify the respective rights and responsibilities of the Parties with respect to the Project; and

WHEREAS, pursuant to the Redevelopment Agreement, the Redeveloper agreed to develop, finance and construct the development of a Licensed Class 1 Cannabis Cultivation Facility and a Licensed Class 2 Cannabis Manufacturer Facility and related warehouse and storage uses, (collectively, the “**Project**”) on approximately 24.86 acres of land identified as a portion of Block 125.03, Lot 11 on the Tax Map of the City (the “**Property**”); and

WHEREAS, the City and Redeveloper have entered into that certain Purchase and Sale Agreement dated March 15, 2023 (the “**Purchase and Sale Agreement**” and together with this First Amendment, the “**Agreement**”); and

WHEREAS, the Due Diligence Period for the Property and the Project Timeline for the development of the Project are set forth in the Redevelopment Agreement and the Purchase and Sale Agreement;

WHEREAS, the Parties wish to extend the Due Diligence Period and the Project Timeline set forth in the Redevelopment Agreement and Purchase and Sale Agreement;

WHEREAS, the Parties have determined to enter into this First Amendment to the Purchase and Sale Agreement (the “**First Amendment**”) for the purposes of memorializing the changes set forth above.

NOW, THEREFORE, for and in consideration of the mutual promises, covenants and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by each of the Parties, and for the benefit of the Parties hereto and general public, the City and Redeveloper agree to amend the Purchase and Sale Agreement as set forth below:

Section 1. The above recitals are hereby incorporated herein as if set forth at length.

Section 2. Pursuant to Section 4.1 of the Purchase and Sale Agreement, entitled “Due Diligence Period,” the Due Diligence Period is extended for an additional sixty (60) days and shall expire on August 27, 2023.

Section 3. The Additional Deposits are not required for the extension of the Due Diligence Period set forth herein. Any additional extensions shall be subject to the Additional Deposits set forth in Section 4.4 of the Purchase and Sale Agreement.

Section 4. Redeveloper paid the Initial Deposit of Fifty Thousand Dollars (\$50,000) pursuant to Section 2.2 of the Purchase and Sale Agreement.

Section 5. Section 2.2 of the Purchase and Sale Agreement shall be amended to replace the Escrow Agent, “Acquired Title Services, LLC, 1 Rossmoor Drive, Monroe Township, New Jersey, 08831; attention Steve Noto” with “Residential Title & Escrow, 100 Painters Mill Road Suite 200 Owings Mills Maryland 21117.”

Section 6. Section 12 of the Purchase and Sale Agreement, titled “Closing Costs and Expenses” shall be amended and restated as follows;

The Closing of this transaction shall take place no later than forty-five (45) days after receipt of all Governmental Approvals but in any event no later than March 28, 2024. The Closing shall take place at Millville City Hall, 12 South High Street, Millville, New Jersey 08332 or, at Purchaser’s election, through an escrow closing pursuant to escrow instructions from Seller and Purchaser that are consistent with this Agreement. Either party shall have the right to cancel this Agreement if the Closing does not occur by March 28, 2024. In the event of cancellation by the Seller or the Purchaser under this Section, this Agreement and/or any other past putative agreements and/or any past putative commitments between and/ or among the City and the Purchaser and/or any companies or individuals affiliated with the Purchaser shall be null and void and Seller shall cause Escrow Agent to immediately return the entire Deposit to Purchaser. Furthermore, the date, time and place for Closing

may only be modified or extended upon a written Addendum to this Agreement being executed by both the Purchaser and the Seller and duly authorized by resolution duly adopted by the Board of Commissioners of the City of Millville.

Section 7. Except as specifically amended by this First Amendment, the Purchase and Sale Agreement remains in full force and effect.

Section 8. This First Amendment may be executed in counterparts. All such counterparts shall be deemed to be originals and together shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the Parties have executed this First Amendment to Purchase and Sale Agreement effective as of the latest date of the signatures affixed hereto.

ATTEST:

CITY OF MILLVILLE

Jeanne Parkinson, City Clerk

By: _____
Hon. Lisa M. Orndorf, Mayor

SEAL

Dated: _____

WITNESS:

DK NORTH GROVE LLC

By: _____

By: _____

Dated: _____

FIRST AMENDMENT TO REDEVELOPMENT AGREEMENT

THIS FIRST AMENDMENT TO REDEVELOPMENT AGREEMENT (this “**First Amendment**”), is made as of the date of the last execution on the signature pages below (the “**Effective Date**”), by and between the **CITY OF MILLVILLE**, a municipal corporation of the State of New Jersey, having its offices at 12 South High Street, Millville, New Jersey 08332 (the “**City**”) and **DK NORTH GROVE LLC**, having its offices at c/o Klein Enterprises, LLC, 177 Reisertown Road, Suite 165, Baltimore, Maryland 21208 (and its successors and assigns, the “**Redeveloper**”, together with the City, the “**Parties**” and each individually a “**Party**”).

RECITALS

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, as amended and supplemented (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment and to adopt redevelopment plans for areas so designated; and

WHEREAS, on June 17, 2003, the City enacted Resolution A-4359, which established Block 136, Lot 1, Block 136, Lot 1.01, Block 125.03, Lot 10, and Block 125.03, Lot 11 on the Tax Map of the City as an area in need of redevelopment (the “**Redevelopment Area**”); and

WHEREAS, on September 18, 2018, the City enacted Ordinance 18-09-04, establishing the James R. Hurley Industrial Park Redevelopment Plan (as amended from time to time, the “**Redevelopment Plan**”) for the Redevelopment Area; and

WHEREAS, pursuant to *N.J.S.A. 40A:12-4*, the City is acting as the “redevelopment entity” (as such term is defined at *N.J.S.A. 40A:12A-3* of the Redevelopment Law) for the Redevelopment Area; and

WHEREAS, the City and Redeveloper have entered into that certain Redevelopment Agreement dated March 15, 2023 (the “**Redevelopment Agreement**”; all capitalized terms not defined herein shall be ascribed the meaning given to such term in the Redevelopment Agreement), approved on February 7, 2023 by Resolution 68-2023 of the City Commissioners, to effectuate the redevelopment of the Redevelopment Area and specify the respective rights and responsibilities of the Parties with respect to the Project; and

WHEREAS, pursuant to the Redevelopment Agreement, the Redeveloper agreed to develop, finance and construct the development of a Licensed Class 1 Cannabis Cultivation Facility and a Licensed Class 2 Cannabis Manufacturer Facility and related warehouse and storage uses, (collectively, the “**Project**”) on approximately 24.86 acres of land identified as a portion of Block 125.03, Lot 11 on the Tax Map of the City (the “**Property**”); and

WHEREAS, the City and Redeveloper have entered into that certain Purchase and Sale Agreement dated March 15, 2023 (the “**Purchase and Sale Agreement**”); and

WHEREAS, the Due Diligence Period for the Property and the Project Timeline for the development of the Project are set forth in the Redevelopment Agreement and the Purchase and Sale Agreement;

WHEREAS, the Parties wish to extend the Due Diligence Period and the Project Timelines set forth in the Redevelopment Agreement and Purchase and Sale Agreement;

WHEREAS, the Parties agreed to enter into this First Amendment to the Redevelopment Agreement (the “**First Amendment**”) for the purposes of memorializing the changes set forth above.

NOW, THEREFORE, for and in consideration of the mutual promises, covenants and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by each of the Parties, and for the benefit of the Parties hereto and general public, the City and Redeveloper agree to amend the Redevelopment Agreement as set forth below:

Section 1. The above recitals are hereby incorporated herein as if set forth at length.

Section 2. Section 4.1(a) of the Redevelopment Agreement, entitled “Project Timeline”, is hereby amended and restated as follows:

(i) Redeveloper shall make application for Planning Board Approvals, which will include Site Plan and Subdivision applications no later than November 25, 2023 (the “Timeline Initiation Date”);

(ii) Redeveloper shall obtain all Governmental Approvals required for the Commencement of Construction no later than February 23, 2024;

(iii) The Redeveloper shall close on acquisition of the Property with the City no later than forty-five (45) days after receipt of all Governmental Approvals but in any event no later than March 28, 2024.

(vi) Redeveloper shall Commence Construction of the Project within ninety (90) days after Closing, and in no event later than June 26, 2024; and

(vii) Redeveloper shall Complete Construction of the Project no later than eighteen (18) months after the Commencement of Construction, and in no event later than December 26, 2025.

Section 3. Except as specifically amended by this First Amendment, the Redevelopment Agreement remains in full force and effect.

Section 4. This First Amendment may be executed in counterparts. All such counterparts shall be deemed to be originals and together shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the Parties have executed this First Amendment to Redevelopment Agreement effective as of the latest date of the signatures affixed hereto.

ATTEST:

CITY OF MILLVILLE

Jeanne Parkinson, City Clerk

By: _____
Hon. Lisa M. Orndorf, Mayor

SEAL

Dated: _____

WITNESS:

DK NORTH GROVE LLC

By: _____

By: _____

Dated: _____