

Richard C. McCarthy Commission Chamber
Millville City Hall
January 2, 2020 5:30 p.m.

The Board of Commissioners met in a **REORGANIZATION MEETING** with Mayor Santiago presiding. Members present included Commissioner Pepitone, Vice Mayor Parent, Commissioner Udalovas and Commissioner Cooper. Administrator Regina Burke was also present.

Reverend Tom Stark with the First United Methodist Church delivered the invocation followed by the Salute to the Flag.

Mayor Santiago made the statement required by the Open Public Meetings Act of 1975

“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.”

City Clerk to Review Changes to the Agenda

Mayor Santiago asked if there were any changes to the agenda. Ms. Hitchner stated there were five (5) changes to the agenda being:

1. The addition of an Ordinance on 1st reading amending the salary ordinance for 2 title's minimum and maximum compensation
2. The addition of Resolution #21B appointing Mints Insurance Agency as Insurance Broker
3. The removal of Resolution #23 appointing Grace Marmero & Associates as COAH counsel
4. Resolutions 21A & 21B for Insurance Broker do not require Certification of Funds as these positions are paid through JIF
5. The addition of Resolution #24 for a Shared Services Agreement with Cumberland County Improvement Authority for Redevelopment Counsel

Public Comment on Agenda Items Only

Mayor Santiago stated that this is the time for any Public Comment on Agenda Items Only if anyone wishes to be heard.

Tamara Syuw of Millville urged the Commission to continue with Brock Russell as City Attorney. She gave examples of Grace Marmero spending additional money for their contracts. She continued that Mr. Russell is a Millville native and business owner who understands the client and the City. She stated that Grace Marmero already represents the City in other ways. She continued that Brock Russell is the best. She stated that it would be detrimental to make unnecessary changes. Ms. Syuw also stated that the Commission should support Mints Insurance as another local business owner.

Tim Carty of Millville wished everyone a Happy New Year. He stated he wanted to address Al Marmero's Non-Fair & Open proposal on the agenda. He stated there were two proposals that were timely received before the December 5, 2019 deadline. He continued that Grace Marmero's proposal was submitted on December 20, 2019. He added that they proposed \$162,000.00. Mr. Carty explained that Grace Marmero has proven that they will exceed their proposal as seen with their prior contract history. Mr. Carty stated that Grace Marmero has numerous other contracts within the State and will be tied up. Mr. Carty reiterated that Grace Marmero has cost the City more money due to exceeding other contracts. Mr. Carty reminded the Commission that just at the last meeting was an example of them exceeding their proposals.

Angeline Broomhall of Millville stated that the CCIA Shared Service Agreement is a conflict of interest with the City. She continued that this is a blatant conflict of interest and a clear violation since they will prioritize their own interests before the City's. Ms. Broomhall gave complaints about the Long and Marmero law firm. She stated that Mr. Long is a former Democratic Party Chair and Freeholder who has had ethics violations placed against him. She gave examples of the violations. Ms. Broomhall stated this is an attorney we use year after year. Ms. Broomhall stated that the bids were due on December 5, 2019, however, 11 days after is when their proposal was submitted at the same amount. Ms. Broomhall explained that they always exceed their initial proposal. Ms. Broomhall asked the Commission to not consider people with ethics violations and continued that it feels shameful to even consider.

Seeing no one else come forward, Mayor Santiago closed the Public Portion on Agenda Items Only.

Ordinances on 1st Reading

City Clerk read the following ordinance on first reading:

Ordinance amending Section 2-69 of the Municipal Code to amend existing titles minimum and maximum compensation for the following:

<u>Title</u>	<u>Minimum</u>	<u>Maximum</u>
Secretarial Assistant	\$25,000.00/yr	\$57,000.00/yr
School Traffic Guard/ PT	\$11.00/hr	\$15.00/hr.

Vice Mayor Parent made a motion to approve the ordinance on first reading which was seconded by Commissioner Pepitone. The motion carried by the following vote of Yeas: Commissioner Pepitone, Vice Mayor Parent, Commissioner Udalovas, Commissioner Cooper and Mayor Santiago.

Resolutions

City Clerk read the following resolutions:

Resolution No. 1-2020 appointing Brock D. Russell, Esquire to serve as Municipal Attorney and authorizing a Professional Services Contract through a Fair and Open Process in an amount not to exceed \$162,000.00 per year, with the exception of litigation which will be charged at the rate of \$120.00 per hour plus costs. Vice Mayor Parent moved for the adoption of this resolution, stating he is in receipt of the proper certification of funds.

Commissioner Udalovas complimented City Attorney, Brock Russell with his continued support to City Clerk's office, assisting in establishing policies within the Department of Public Affairs, providing Ordinances and Resolutions as needed, etc. She explained new essential services that may become issue legally and it is nice to have a flat rate with Mr. Russell which ensures firm legal counsel to protect and serve the City. She stated that Mr. Russell is not afraid to take a stance on his beliefs and advocates for her department and City Clerk's Department.

Vice Mayor Parent agreed with Commissioner Udalovas and stated that he feels this is the most important decision the City can make.

Mayor Santiago agreed with both Commissioners.

Commissioner Udalovas seconded the motion which was carried by the following vote: Yeas: Commissioner Pepitone, Vice Mayor Parent, Commissioner Udalovas, Commissioner Cooper and Mayor Santiago.

Resolution No. 2-2020 designating depositories for the City of Millville. Vice Mayor Parent moved for the adoption of this resolution which was seconded by Commissioner Pepitone. The motion was carried by the following vote: Yeas: Commissioner Pepitone, Vice Mayor Parent, Commissioner Udalovas, Commissioner Cooper and Mayor Santiago.

Resolution No. 3-2020 authorizing the disbursement of funds and designated signatures. Vice Mayor Parent moved for the adoption of this resolution which was seconded by Commissioner Pepitone. The motion was carried by the following vote: Yeas: Commissioner Pepitone, Vice Mayor Parent, Commissioner Udalovas, Commissioner Cooper and Mayor Santiago.

Resolution No. 4-2020 authorizing the adoption of the Cash Management Plan in accordance with N.J.S.A 40A:5-14. Vice Mayor Parent moved for the adoption of this resolution which was seconded by Commissioner Pepitone. The motion was carried by the following vote: Yeas: Commissioner Pepitone, Vice Mayor Parent, Commissioner Udalovas, Commissioner Cooper and Mayor Santiago.

Resolution No. 5-2020 authorizing the adoption of the Calendar Year 2020 Temporary Budget. Vice Mayor Parent moved for the adoption of this resolution which was seconded by Commissioner Pepitone. The motion was carried by the following vote: Yeas: Commissioner Pepitone, Vice Mayor Parent, Commissioner Udalovas, Commissioner Cooper and Mayor Santiago.

Resolution No. 6-2020 approving the designated meeting dates and times of the Board of Commissioners for the Calendar Year 2020. Vice Mayor Parent moved for the adoption of this resolution which was seconded by Commissioner Pepitone. The motion was carried by the following vote: Yeas: Commissioner Pepitone, Vice Mayor Parent, Commissioner Udalovas, Commissioner Cooper and Mayor Santiago.

Resolution No. 7-2020 designating the following as Official Newspapers for the City of Millville:

1. Daily Journal
2. Atlantic City Press
3. South Jersey Times.

Vice Mayor Parent moved for the adoption of the resolution which was seconded by Commissioner Pepitone. The motion was carried by the following vote: Yeas: Commissioner Pepitone, Vice Mayor Parent, Commissioner Udalovas, Commissioner Cooper and Mayor Santiago.

Resolution No. 8-2020 appointing Brendan J. Kavanagh, Esquire as Public Defender and authorizing Professional Services Agreement through the Fair and Open Process at a rate of \$400.00 per court session in an amount not to exceed \$38,400.00. Commissioner Pepitone moved for the adoption of this resolution, stating he is in receipt of the proper certification of funds. Vice Mayor Parent seconded the motion which was carried by the following vote: Yeas: Commissioner Pepitone, Vice Mayor Parent, Commissioner Udalovas, Commissioner Cooper and Mayor Santiago.

Resolution No. 9-2020 appointing Bowman & Company, LLP as City Auditor through a Fair and Open Process and authorizing a Professional Services Contract in an amount not to exceed \$96,300.00 for the duration of one year. Vice Mayor Parent moved for the adoption of this resolution, stating he is in receipt of the proper certification of funds. Commissioner Pepitone seconded the motion which was carried by the following vote: Yeas: Commissioner Pepitone, Vice Mayor Parent, Commissioner Udalovas, Commissioner Cooper and Mayor Santiago.

Resolution No. 10-2020 appointing The Ritter Law Office, LLC as Collections Counsel and authorizing Professional Services Contract through a Fair and Open Process for the duration of one year. Vice Mayor Parent moved for the adoption of the resolution which was seconded by Commissioner Pepitone. The motion was carried by the following vote: Yeas: Commissioner Pepitone, Vice Mayor Parent, Commissioner Udalovas, Commissioner Cooper and Mayor Santiago.

Resolution No. 11-2020 appointing Fleishman Daniels Law Offices, LLC for the provision of bond counsel services and authorizing a Professional Services Contract through a Fair and Open Process in an amount not to exceed \$10,000.00 for the duration of one year. Vice Mayor Parent moved for the adoption of this resolution, stating he is in receipt of the proper certification of funds. Commissioner Pepitone seconded the motion which was carried by the following vote: Yeas: Commissioner Pepitone, Vice Mayor Parent, Commissioner Udalovas, Commissioner Cooper and Mayor Santiago.

Resolution No. 12-2020 appointing J. Paul Bainbridge, MAI as City Appraiser and authorizing Professional Services Contract with J.P. Bainbridge & Associates, Inc. at a rate of \$155.00 per hour, not to exceed \$10,000.00. Vice Mayor Parent moved for the adoption of the resolution which was seconded by Commissioner Pepitone. The motion was carried by the following vote: Yeas: Commissioner Pepitone, Vice Mayor Parent, Commissioner Udalovas, Commissioner Cooper and Mayor Santiago.

Resolution No. 13-2020 appointing Shanna McCann, Esquire as City Prosecutor and authorizing Professional Services Contract to Chance and McCann in an amount not to exceed \$57,600.00. Commissioner Pepitone moved for the adoption of this resolution, stating he is in receipt of the proper certification of funds. Vice Mayor Parent seconded the motion which was carried by the following vote: Yeas: Commissioner Pepitone, Vice Mayor Parent, Commissioner Udalovas, Commissioner Cooper and Mayor Santiago.

Resolution No. 14-2020 appointing Allen Associates as Broker of Record for Employee Benefit Program and authorizing a Professional Services Contract through a Fair and Open Process for the duration of one year. Vice Mayor Parent moved for the adoption of the resolution which was seconded by Commissioner Pepitone. The motion was carried by the following vote: Yeas: Commissioner Pepitone, Vice Mayor Parent, Commissioner Udalovas, Commissioner Cooper and Mayor Santiago.

Resolution No. 15-2020 appointing Nona Ostrove, Esq. for the provision of Special Counsel in Bankruptcy services and authorizing Professional Services Contract through a Fair and Open Process at a rate of \$205.00 per hour and \$120.00 per hour for paralegal services in an amount not to exceed \$25,000.00 for the duration of one year. Vice Mayor Parent moved for the adoption of this resolution, stating he is in receipt of the proper certification of funds. Commissioner Pepitone seconded the motion which was carried by the following vote: Yeas: Commissioner Pepitone, Vice Mayor Parent, Commissioner Udalovas, Commissioner Cooper and Mayor Santiago.

Resolution No. 16-2020 appointing Triad Associates as Community Development Block Grant Advisor and authorizing a Professional Services Contract in an amount not to exceed \$64,500.00 through a Fair and Open Process for the duration of one year. Commissioner Udalovas moved for the adoption of this resolution, stating she is in receipt of the proper certification of funds. Commissioner Udalovas gave an at length explanation as to the contract amount and scope of services to be provided. Commissioner Cooper seconded the motion which was carried by the following vote: Yeas: Commissioner Pepitone, Vice Mayor Parent, Commissioner Udalovas, Commissioner Cooper and Mayor Santiago.

Resolution No. 17-2020 appointing Phoenix Advisors, LLC as Financial Advisor and authorizing Professional Services Contract through a Fair and Open Process in an amount not to exceed \$5,000.00 for the duration of one year. Vice Mayor Parent moved for the adoption of this resolution, stating he is in receipt of the proper certification of funds. Commissioner Pepitone seconded the motion which was carried by the following vote: Yeas: Commissioner Pepitone, Vice Mayor Parent, Commissioner Udalovas, Commissioner Cooper and Mayor Santiago.

Resolution No. 18-2020 appointing Grace Marmero & Associates, LLP as Special Counsel - Labor Counsel for the City of Millville and authorizing a Professional Services Contract through the Fair and Open Process at a rate of \$150.00 per hour in an amount not to exceed \$100,000.00. Vice Mayor Parent moved for the adoption of this resolution, stating he is in receipt of the proper certification of funds. Commissioner Pepitone seconded the motion which was carried by the following vote: Yeas: Commissioner Pepitone, Vice Mayor Parent, Commissioner Udalovas, Commissioner Cooper and Mayor Santiago.

Resolution No. 19-2020 appointing Grace Marmero & Associates, LLP as Counsel for Tax Appeals for the City of Millville and authorizing a Professional Services Contract through the Fair and Open Process at a rate of \$120.00 per hour not to exceed \$15,000.00. Vice Mayor Parent moved for the adoption of this resolution, stating he is in receipt of the proper certification of funds. Commissioner Pepitone seconded the motion which was carried by the following vote: Yeas: Commissioner Pepitone, Vice Mayor Parent, Commissioner Udalovas, Commissioner Cooper and Mayor Santiago.

Resolution No. 20-2020 appointing Grace Marmero & Associates, LLP as Counsel for Tax Foreclosure Services for the City of Millville and authorizing a Professional Services Contract through the Fair and Open Process at a rate of \$120.00 per hour not to exceed \$15,000.00. Vice Mayor Parent moved for the adoption of this resolution, stating he is in receipt of the proper certification of funds. Commissioner Pepitone seconded the motion which was carried by the following vote: Yeas: Commissioner Pepitone, Vice Mayor Parent, Commissioner Udalovas, Commissioner Cooper and Mayor Santiago.

Resolution appointing Hardenbergh Insurance Group as Insurance Broker of Record and authorizing a Professional Services Contract through a Fair and Open Process in an amount not to exceed \$39,000.00 for the duration of one year. Commissioner Cooper moved for the adoption of the resolution which was seconded by Commissioner Pepitone. Commissioner Udalovas commented and various discussion ensued. The motion was failed by the following vote: Yeas: Commissioner Cooper and Mayor Santiago. Nays: Commissioner Pepitone, Vice Mayor Parent, and Commissioner Udalovas.

Resolution No. 21-2020 appointing Mints Insurance as Insurance Broker of Record and authorizing a Professional Services Contract through a Fair and Open Process in an amount not to exceed \$39,000.00 for the duration of one year. Vice Mayor Parent seconded the motion which was carried by the following vote: Yeas: Commissioner Pepitone, Vice Mayor Parent, Commissioner Udalovas, and Commissioner Cooper. Nays: Mayor Santiago.

Resolution No. 22-2020 appointing Pennoni Associates, Inc. as Engineer Consultant for Special Projects and authorizing a Professional Services Contract through a Fair and Open Process in an amount not to exceed \$50,000.00 for the duration of one year. Vice Mayor Parent moved for the adoption of this resolution, stating he is in receipt of the proper certification of funds. Commissioner Pepitone seconded the motion which was carried by the following vote: Yeas: Commissioner Pepitone, Vice Mayor Parent, Commissioner Udalovas, Commissioner Cooper and Mayor Santiago.

Resolution No. 23-2020 authorizing the City of Millville and the Cumberland County Improvement Authority for a Shared Services Agreement for Redevelopment Counsel through December 31, 2020 in an amount not to exceed \$7,500.00. Commissioner Udalovas moved for the adoption of this resolution, stating she is in receipt of the proper certification of funds.

Commissioner Udalovas gave clarification on services and how she sought legal counsel. City Solicitor, Brock Russell gave clarity and answered questions that arised.

Commissioner Cooper seconded the motion which was carried by the following vote: Yeas: Commissioner Pepitone, Vice Mayor Parent, Commissioner Udalovas, Commissioner Cooper and Mayor Santiago.

Public Comment

There being no further business, Mayor Santiago stated 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.

Joe Sooy of Millville wished everyone a Happy New Year. He stated that there is a conflict of interest for the Shared Services Contract with the CCIA because if you have an outside developer looking to strike a deal with the City, they will be looking to take that for their agency. Mr. Sooy stated that he is happy about Mr.

Russell. He stated that he is amused by the competing Resolution on the agenda as all 5 Commissioners voted "yes" to Brock.

Angeline Broomhall spoke to Commissioner Udalovas stating that if she did not understand what she was trying to say, then she should have asked for clarification. Ms. Broomhall asked how the CCIA Shared Service Agreement was not a conflict of interest. She further asked what if the CCIA had interest in a property for themselves and the City does not get the best advice because of same. She added that this will not be in the best interest of the City. Ms. Broomhall stated that there are several multi-million dollar failed projects under the CCIA's watch. She stated that the City needs to have their own Redevelopment Attorney. Ms. Broomhall stated that she also does not understand having a clinic in the Arts District, nor a Court.

Tim Carty of Millville thanked the Commission for keeping local business going in the City. He congratulated Brock.

Mary Messick of Millville stated she feels that we need to change our image to attract people to come to the City. Ms. Messick complained about being able to see people's undergarments.

Seeing nobody else come forth, Mayor Santiago deemed the public comments portion closed.

Resolutions

Resolution No. 24-2020 authorizing a Closed Session for the following matter:

1. Millville Plastics Redevelopment Project:
Contract Negotiations/Attorney/Client Privilege and Deliberative Process

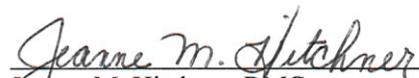
Commissioner Pepitone moved seconded by Vice Mayor Parent to authorize the Commission to go into Executive Session which was carried by the following vote: Yeas: Commissioner Pepitone, Vice Mayor Parent, Commissioner Udalovas, Commissioner Cooper and Mayor Santiago.

The City Commission left the Commission Chambers and proceeded with the Executive Session in the 4th Floor Conference Room. Upon completing the discussion, the Commissioners returned to the dais.

Adjournment

There being no further comments the meeting was adjourned on a motion by Commissioner Pepitone and seconded by Commissioner Udalovas subject to the call of the chair. All were in favor. None were opposed.

Respectfully submitted,



Jeanne M. Hitchner, RMC
City Clerk

BILL LIST
CITY OF MILLVILLE
MEETING OF JANUARY 02, 2020

DONALD S. AYRES	1,138.74
BENECARD SERVICES, INC.	62,415.92
CITY OF MILLVILLE PETTY CASH	200.00
DELTA DENTAL OF NEW JERSEY INC	18,667.67
DEARBORN NATIONAL	1,766.70
DOREEN SEDDON (W)	1,788.10
TOTAL WIRES FOR 01/02/20 MEETING	297,837.52
TOTAL BILLS & WIRES FOR 01/02/20 MTG	393,341.14