

Commission Chamber, City Hall
Millville, New Jersey
November 1, 2011 6:00 p.m.

The Board of Commissioners met in an agenda session with Mayor Shannon presiding. Members present: Shannon, Finch, Quinn Derella and Vanaman. Absent: None.

Mayor Shannon made the statement required by the Open Public Meeting 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.

The City Clerk/Administrator reviewed the following additions to the agenda:

Petitions & Letters

Item No. 4 - Correspondence received from Mayor James T. Shannon reappointing Todd Oliver as a member of the Millville Planning Board with a term expiring November 8, 2015

The City Clerk/Administrator had no further additions to the agenda.

Mayor Shannon stated he would be reminding everyone to vote on November 8, 2011 and to support the High School Thunderbolts this Friday when they host Atlantic City.

Commissioner Finch explained he had already voted by absentee ballot noting there are two questions on the ballot one to vote on Sports Betting in New Jersey and the other to vote on the City of Millville Election Referendum.

Mayor Shannon stated the polls will be open from 6:00 a.m. to 8:00 p.m.

Mayor Shannon declared a public comment portion open regarding agenda items only and asked if any person present wished to be heard.

There being no response Mayor Shannon closed the public comment portion and declared the agenda session was adjourned subject to the call of the chair, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Commission Chamber, City Hall
Millville, New Jersey
November 1, 2011, 6:30 p.m.

The Board of Commissioners met in a regular session with Mayor Shannon presiding. Members present: Shannon, Finch, Quinn Derella and Vanaman. Absent: None.

Reverend Merki delivered the invocation followed by the salute to the flag.

Mayor Shannon made the statement required by the Open Public Meeting 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."

A motion was passed to dispense with the reading of the minutes and to proceed with the regular order of business, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

The following bills were ordered paid, when properly certified, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

COPY OF BILLS SEE PAGES THROUGH

Correspondence received from the Secretary of the Millville Firemen's Relief Association regarding request for approval to admit Robert J. Hewitt as a volunteer member of the Millville Fire Department was ordered, received and filed, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Correspondence received from Lori Grifa, Commissioner, New Jersey Department of Community Affairs stating the DCA is making recommendation to the New Jersey State Legislature that the City of Millville receive a loan of \$60,000.00 through the Urban and Rural Centers Unsafe Building Demolition Bond Loan Program in response to the application submitted by the City was ordered, received and filed, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Commissioner Finch thanked Maureen Mitchell and former Construction Official Milt Truxton for preparing the application for this grant to demolish the following four properties:

131 North 3rd Street
 213 North 3rd Street
 2408 South 2nd Street
 404 West Main Street

Commissioner Finch further clarified this is a 10 year loan program that will help the City cleanup these areas if the grant receives final approval.

Correspondence received from Affordable Homes of Millville Ecumenical, Inc., (AHOME) to spread the word of four new or renovated homes for sale in Millville at the following addresses:

a) 9 N. 4th Street
 b) 103 N. 4th Street
 c) 322 D Street
 e) 300 E. Broad Street was ordered, received and filed, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Correspondence received from Mayor James T. Shannon reappointing Todd Oliver as a member of the Millville Planning Board with a term expiring November 8, 2015 was ordered, received and filed, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Mayor Shannon thanked Mr. Oliver for the fine service he provides to the Planning Board and to the City of Millville.

Director Finch announced crosswalks and parking stalls on High Street would be closed temporarily at certain times during the day on Friday, November 4, 2011 for repainting and further stated no parking signs would be posted in the afternoon on Thursday to advise motorists. He further noted the paint dries in approximately 3 minutes after application, so they would be closed a minimal amount of time.

Director Quinn stated he attended the recent Levoy Theatre fund raiser event, which was very well attended and a significant amount of money was raised.

Director Quinn further added he had scheduled a trip and specifically arranged his plans to be in attendance on the third Tuesday in November, not realizing the second Commission Meeting in November is actually scheduled to be held on Monday, November 14th, therefore he will invite Marianne Lods, Executive Director of the Millville Development Corporation to attend the meeting to inform the Board of Commissioners and the public of the upcoming events in the City of Millville.

The Fire Report for the month of September 2011 was ordered received and filed, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Director Vanaman stated there were a total of 91 calls for the month of September and as of this date there have been 772 calls this year.

Director Vanaman further stated that when the October report is received and filed it will include a very serious fire on Wheaton Avenue and E Street yesterday and clarified the building was vacant, therefore no injuries were reported. He thanked the Salvation Army, County Fire Police, Vineland City and Station 13 for their assistance and support for the house fire that lasted over 5 hours.

Mayor Shannon reminded the public to come out to vote in the General Election on November 8, 2011 from 6:00 a.m. to 8:00 p.m. and explained the two questions on the ballot one for sports gambling in New Jersey and the other is an election referendum for the City of Millville asking voters whether the Municipal Election in 2013 should be in May or moved to November.

The following proposed ordinance was read on first reading: An ordinance Amending the Municipal Code of the City of Millville, Chapter 39, Motor Vehicle and Traffic Regulations, Article X, Schedule 21 - Parking Reserved for Handicapped Persons

ADD

Name of Street

Placard Number

511 N. 3rd Street

P875538

Director Vanaman moved for the adoption of the proposed ordinance on first reading with final consideration to be given on Tuesday, November 14, 2011 after due publication as provided by law.

Director Derella seconded the motion.

The motion was passed, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

The following proposed ordinance was read on first reading: Ordinance amending the Salary Ordinance of the City of Millville adding the following title and range of compensation:

Title	Range of Compensation
Environmental Services Trainee	\$26,000.00 \$52,000.00
Assistant Maintenance Supervisor	\$26,000.00 \$58,801.60
Land Surveyor (PT)	\$10.00/hr \$35.00/hr
Heavy Truck Driver	\$ 7.25/hr \$24.83/hr

Director Finch moved for the adoption of proposed ordinance on first reading with final consideration to be given on Tuesday, November 14, 2011 after due publication as provided by law.

Director Quinn seconded the motion.

The motion was passed, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Director Finch explained this is a result of recent reorganization and extreme layoffs and this will fit titles to the jobs actually being performed. He stated the titles are for 3 existing employees and the land surveyor is required and will be a part-time position.

Mayor Shannon thanked Commissioner Finch and Richard Jones, Assistant Municipal Engineer/Public Works Superintendent, for the progress they made with sharing the Parks and Streets & Roads Department.

The following proposed ordinance was read on second and final reading: Ordinance No. 19-2011

An Ordinance approving the application from Gran Prix Partners, LP for exemption from taxation for the project known as Fairfield Inn & Suites by Marriott located at 301 Bluebird Lane, Block 18, Lot 7, and approving the five year tax agreement pursuant to Chapter 65, Article I of the Municipal Code

Director Finch moved for the adoption of the proposed ordinance on second and final reading.

Director Derella seconded the motion.

Mayor Shannon declared a public hearing open and asked if any person present wished to be heard.

The motion was passed, by the following vote. Yeas: Finch, Derella and Shannon. Abstained: Quinn. Nays: Vanaman.

The following proposed ordinance was read on second and final reading: Ordinance No. 20-2011

An Ordinance amending the Municipal Code of the City of Millville, Chapter 30, Land Use and Development Regulations, Article IV., Zoning Board of Adjustment, Section 30-86. Alternate Members

a) adding four Alternate Members to the Board of Adjustment who are citizens of the City

b) Alternate Members shall be designated at the time of appointment as "Alternate No. 1", "Alternate No. 2", "Alternate No. 3" and "Alternate No. 4".

Director Quinn moved for the adoption of the proposed ordinance on second and final reading.

Director Finch seconded the motion.

Mayor Shannon declared a public hearing open and asked if any person present wished to be heard.

There being no response Mayor Shannon declared the public hearing closed and asked for a roll call on the motion. The motion was passed, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. R238-2011 authorizing Professional Service Contract with Adams Rehmann & Heggan Associates, 850 South White Horse Pike, PO Box 579, Hammonton, NJ 08037 to perform professional services in connection with inspection service for Contract #1 the West Side Pump Station, Contracts #2 and 3 the High School and South 2nd Street Pump Stations and Contract #4 the West Side Pump Station Force Main with the funding for this contract from Bond Ordinance No. 06-2008 in an amount not to exceed \$80,950.00 was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Director Finch submitted the appropriate certification as to the availability of funds.

Director explained this contract is for monitoring, evaluating and reporting progress on the projects listed.

Resolution No. R239-2011 authorizing cancellation of mortgage in the name of David J. Sacca and Rosina M. Sacca in the amount of \$5,000.00 pertaining to Block 439, Lot 13, paid in full was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. R240-2011 authorizing the insertion of an additional item of revenue in the Budget of the fiscal year 2012 pursuant to State Statutes:

a) NJ - Department of Community Affairs, New Jersey Historic Trust in the amount of \$150,00.00

b) NJ - County of Cumberland CY12 Municipal Alliance in the amount of \$33,700.00

c) the Municipalities share for the Municipal Alliance Program; Prevent Alcoholism and Drug Abuse is \$8,425.00 in the budget of fiscal year 2012 under the caption of Matching funds for Grants was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Director Derella explained this resolution actually inserts the revenue into the budget when the grant is actually received, because the City is not permitted to anticipate this revenue in the budget when the budget is introduced.

Mayor Shannon explained the \$150,000.00 additional item of revenue for the NJ Historic Trust is to be used for the continuation of the project on the Millville Historical Society, which houses the history of the City and thanked Richard Jones for his continued efforts on this project.

Mayor Shannon also thanked Joe Sutherland and the other volunteers on the Municipal Alliance and explained these matching funds provide information to students regarding alcohol awareness and drug abuse and all projects are well attended.

Director Vanaman stated Joe Sutherland has been doing an outstanding job for several years and has been involved in many programs including the Talent Show, Youth Team Sponsorships and in promoting Drug and Alcohol Awareness.

Resolution No. R241-2011 approving Military leave of absence and payment of pay differential due to a call up of active Military duty in the Air National Guard for Charles L. Twigg for the period covering October 23, 2011 through February 10, 2012 was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Director Vanaman stated this resolution authorizes the City to pay the difference between Officer Twiggs military pay and duty pay while serving in the Air National Guard through February 2012.

Resolution No. R242-2011 authorizing adjustments to the Tax and Utility Records was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. R243-2011 amending Resolution No. R237-2011 adopted on October 18, 2011 for PSC with Susquehanna Bank, due to the duration of the contract shall be two years as specified in the Request For Proposals (RFP) was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Mayor Shannon commented the RFP called for a two year contract noting the CFO based the contract on that RFP and this resolution is being amended due to a typographical error.

Resolution No. R244-2011 requesting approval from the DOT for the FY 2009 Urban Aid Program funds in the amount of \$13,841,43 remaining from the Rieck Avenue & Cedarville Road Sidewalk Improvements - Phase II be transferred to supplement the FY 2010 Municipal Aid/Urban Aid funds of the Miller Avenue Road Improvement Project and requesting a six month extension to complete the projects. was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Mayor Shannon explained that the funding for the Miller Avenue Road Improvement Project is approximately \$20,000.00 short; however the Cedarville Road Sidewalk Improvements came in under budget. Director Finch explained the Engineering Department has revised the project to fit the appropriation available and this project will be rebid on December 15, 2011 at 10:00 a.m.

Resolution No. R245-2011 authorizing Water/Sewer Termination on November 28, 2011 due to payment default pursuant to Section 56-18 of the Municipal Code was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. R246-2011 approving award of contract through the Cumberland County Cooperative Pricing System to Whibco of New Jersey, Inc., 87 E. Commerce Street, Bridgeton, NJ 08302, to supply and deliver ice control sand for the period covering August 1, 2011 through July 31, 2012 to the City of Millville at their low responsive and responsible bid price of \$10.75 per ton was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. R247-2011 approving award of contract through the Cumberland County Cooperative Pricing System to Oceanport, LLC, PO Box 608, Claymont, DE 19703, to supply and deliver rock salt for the period covering August 1, 2011 through July 31, 2012 to the City of Millville at their low responsive and responsible bid price of \$64.75 per ton (no beige tint) and \$62.75 per ton (beige tint)

was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Director Finch stated the price per ton is a better price compared to past years.

Resolution No. R248-2011 rescinding tax exemption and abatement for property identified as block 294, lot 3 (Jackson Hewitt) owned by Second & High LLC located at 622-724 North Second Street due to failure to pay the property taxes on the land and/or the PILOT payments on the improvements within the time required pursuant to N.J.S.A. 40A:21-12 et seq. was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. R249-2011 rescinding tax exemption and abatement for property identified as block 294, lot 3 (Little Caesar's Pizza) owned by Second & High LLC located at 622-724 North Second Street due to failure to pay the property taxes on the land and/or the PILOT payments on the improvements within the time required pursuant to N.J.S.A. 40A:21-12 et seq. was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. R250-2011 approving request for Performance Guarantee Reduction as submitted by the City Engineer in compliance with N.J.S.A. 40:55D-53 (Municipal Land Use Law) for Millville Church of the Nazarene, located on NJ State Highway Rte 55, Block 512, Lot 6 with Millville Church of the Nazarene as principal of Selective Insurance Company of America Bond No. B1074339. The original bond amount is \$364,294.00 and the requested reduction is \$347,502.00 leaving a balance of \$18,792.00 was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Mayor Shannon stated the Engineering Department has inspected the project and everything has been completed satisfactorily with the exception of the completion of the fencing and the landscaping. He wished Reverend Merki, who was in the audience, good luck at the new location.

Resolution No. R251-2011 approving request for Performance Guarantee Release as submitted by the City Engineer in compliance with N.J.S.A. 40:55D-53 (Municipal Land Use Law) for Manor Estates Subdivision located west of Manor Avenue & Broad Street, Block 402, Lots 2-6,39,41-43 with representatives of Signature Homes, Inc. as principal of the performance guarantee held in escrow by the City of Millville in the amount of \$10,000.00 to be released in its entirety was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Director Finch stated there has been a significant amount of work at the Manor Estates Development in the past year and thanked the Engineering Department and explained the City is now ready to accept the dedication of the streets.

Resolution No. R252-2011 authorizing a one year extension of contract awarded for FY2011 Electrical Repair, Maintenance & Service Contract for Water Utility, Sewer Utility and Public Properties on November 4, 2010 to Deerfield Electric LLC, 203 Kenyon Avenue, Millville, NJ 08332 at the hourly rates stated in their bid. was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Director Finch submitted the appropriate certification as to the availability of funds.

Resolution No. R253-2011 authorizing a one year extension of contract awarded to furnish the City of Millville with HVAC

Maintenance and Service for the Water Utility, Sewer Utility and Public Properties on September 23, 2010 to Marlee Contractors, LLC at a base bid in the amount of \$5,950.00 and the hourly rates stated in their bid was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Director Finch submitted the appropriate certification as to the availability of funds.

Resolution No. R254-2011 authorizing the City of Millville to enter into a Shared Services Agreement with the Millville Board of Education for the funding and support of Information Technology Services for the fiscal year ending June 30, 2012 in the amount of \$36,800.00. Services to be provided are routine break and fix and IT Service Desk for dispatch. was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Director Derella submitted the appropriate certification as to the availability of funds.

A motion was passed authorize the City Clerk to advertise for a Rebid for project known as "Miller Avenue Road Reconstruction - Rebid" with said bids to be received by the Purchasing Board on Thursday, December 15, 2011 at 10:00 a.m., Commission Chamber, City Hall, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

A motion was passed to authorize Utility Easement Agreement, Block 123, Lot 1, 7 West Main Street, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon. Director Finch explained that the easement is for the upgrade of the sewer project.

A motion was passed to change the Millville Industrial Commission Meeting date originally scheduled for Thursday, November 10, 2011 at 12:00 noon to Thursday, December 8, 2011 at 12:00 noon, third floor conference room, City Hall, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Correspondence from Regina Burke, QPA requesting authorization to prepare the following bid specifications and the City Clerk to advertise for the following items:

1. Professional Service Contracts
2. Chemicals
3. Uniform/Rug Rental
4. Snow Removal
5. IT Project Management and Administrative Services

was ordered, received and filed, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

There being no further business, Mayor Shannon 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.

Bob Tesoroni, Howard Street, inquired about the period covering for the IT Shared Service Resolution on page 9, Resolution No. 17, with Director Derella explaining that this is the payment by the City to cover the shared service for break/fix IT services to be provided by the Board of Education to the City for the period covering July 1, 2011 to June 30, 2012.

Bob Tesoroni commended the Board of Commissioners for rescinding the two abatements this evening and also suggested that the abatement at Circuit City should also be rescinded, because

they do not provide jobs and recommended the governing body talk to the solicitor to assure the City is on solid ground as far as rescinding some abatements and not others.

Robert McQuade, 511 N. 6th Street, questioned the quality of water he collected in a container from his home this morning with Director Finch responding that any time there is excessive use of fire hydrants it effects the older lines, which is why the fire hydrants are flushed periodically and further explained the quality of the water was not from a problem at Wheaton's as was suggested by Mr. McQuade; but was actually due to the use of several fire hydrants to extinguish the serious house fire that occurred the day before on Wheaton Avenue.

Director Finch stated he would have the water sample tested that was brought from Mr. McQuade's home.

There being no further comments Mayor Shannon declared the public comment portion closed and asked for comments by the Commissioners.

Director Derella stated his position on rescinding PILOT Abatements, which he has stated several times in the past, that Circuit City is an entire project and he feels continues to meet 5 of the 6 requirements and the ones rescinded tonight were because the owners were not current on their property tax payments.

Richard McCarthy also clarified that nonpayment of taxes alone triggers rescission.

Director Quinn announced that even though Dreams has closed Bruni's Pizza has opened and their pizza is wonderful and where Venuto's closed Buffalo Wild Wings will be opening soon and jobs will be created.

Mayor Shannon explained he met the manager of Buffalo Wild Wings and they plan to employ 4-10 full-time employees and 25-30 part-time employees and also stated the manager is new to the area and has purchased a home in the City of Millville further noting the Assistant Manager also plans to relocate to the City. He stated the grand opening is scheduled for early December.

Director Finch stated that per discussion today with the Construction Official there has been a lot of activity, for example; McDonald's is renovating, Hobby Lobby is locating in the City and it is terrific the City is experiencing a slow, steady increase in activity.

JOSEPH C. ELWELL, SR.	375.00
FIRST DUE EMERGENCY SUPPLY CO.	408.00
FIRST PRIORITY EMERGENCY	68.76
FORD HALL CO., INC.	389.90
FRA TECHNOLOGIES, INC.	600.00
GARDEN STATE HIGHWAY PROD. INC	1,025.00
GENERAL CODE PUBLISHERS, INC.	1,657.16
GIORDANO VINELAND SCRAP, LLC	443.45
GPM ASSOCIATES, INC.	6,000.00
W.W.GRAINGER, INC.	650.90
GREENBERG TRAUERIG, LLP	18,115.61
HACH COMPANY, INC.	753.51
GREG L. ERBER, SR.	557.60
KAVANAGH, KAVANAGE	2,500.00
KEYSTONE DIGITAL IMAGINE INC.	339.19
KOMLINE-SANDERSON ENG. CORP.	16,536.38
NICHOLAS T. LACOVARA, ESQ.	585.00
LANDSMAN UNIFORMS INC.	210.00
LONGO ELECTRICAL MECHANICAL INC.	24,850.00
LOWE'S CO., INC.	270.68
DONALD MACAVOY	60.00
FAIRCHILD ENTERPRISES, INC.	504.00
MAIN STREET SUPERMARKET CORP	30.00
MARLEE CONTRACTORS, LLC	2,869.04
RICHARD C MCCARTHY ESQ	3,333.34
MILLVILLE ARMY AIRFIELD MUSEUM	4,290.00
QUAKER CITY MOTOR PARTS CO.	88.49