

Commission Chamber, City Hall  
 Millville, New Jersey  
 February 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. 2 Correspondence received from David W. Vanaman, Director of Public Safety, appointing Matteo Rabbai to the position of Police Captain in the Department of Public Safety, in accordance with certification from the New Jersey Civil Service Commission effective Sunday, January 30, 2011
- Item No. 3 Correspondence received from David W. Vanaman, Director of Public Safety, appointing Lawrence Mulford to the position of Police Sergeant in the Department of Public Safety, in accordance with certification from the New Jersey Civil Service Commission effective Sunday, January 30, 2011

### **Resolutions**

- Item No. 7 Resolution No. R37-2011 authorizing an emergency appropriation in the amount of \$16,500.00 for Construction Code Official Other Expenses for demolition of property located at 132 High Street, block 416, lot 5 due to the partial collapse of the adjacent building known as the Levoy Theatre on January 3, 2011, located at 126-130 High Street, block 416, lot 3 and that said emergency appropriation shall be provided for in full in the FY 2012 budget, and is requested to be excluded from CAPS, pursuant to N.J.S.A. 40A:4-53.3c(1)
- Item No. 8 Resolution No. R38-2011 to ratify the award of contract to Debex Enterprises, Inc., 611 E. Chapel Avenue, Cherry Hill, New Jersey 08024 for demolition regarding 132 High Street, block 416, lot 5 due to the partial collapse of the adjacent building known as the Levoy Theatre, located at 126-130 High Street, block 416, lot 3

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

Mayor Shannon asked if the Commissioners had any comments regarding the agenda.

Commissioner Vanaman stated at the end of the agenda session there would be a swearing in ceremony Matteo Rabbai, Captain and Lawrence Mulford, Sergeant.

Mayor Shannon requested correspondence he received from the DCA regarding a Local Government Ethics Law Notice of Determination be added to the agenda.

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 declared the agenda session closed 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  
February 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 Kenyon 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.

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 Dani Glynn as a volunteer member of the Millville Fire Department was ordered received filed and approved, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Correspondence received from David W. Vanaman, Director of Public Safety, appointing Matteo Rabbai to the position of Police Captain in the Department of Public Safety, in accordance with certification from the New Jersey Civil Service Commission effective Sunday, January 30, 2011 was ordered received and

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

Correspondence received from David W. Vanaman, Director of Public Safety, appointing Lawrence Mulford to the position of Police Sergeant in the Department of Public Safety, in accordance with certification from the New Jersey Civil Service Commission effective Sunday, January 30, 2011 was ordered received and filed, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Correspondence from the DCA regarding Local Government Ethics Law Notice of Determination was ordered received and filed, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Mayor Shannon stated this concludes the matter and he will be voting on New Jersey Motorsports Park matters in the future.

### **Reports of Commissioners**

#### **Department of Public Works**

The Cumberland County Health Report for the month of November 2010 and Permit Fee Log Report and the Monthly Fees Report for the month of December 2010 were ordered received and filed, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Commissioner Finch thanked all City Departments for keeping ahead of recent snowstorms and continuing to monitor expenditures and is hoping FEMA will declare an emergency for Cumberland County to enable the City to recover funds.

Commissioner Finch announced that High Street will be open tomorrow by noon after the cleaning of the debris from the partial collapse of the Levoy Theatre and commended Milt Truxton and Sergeant Matteo Rabbai for their diligence in keeping the area safe over the past month.

#### **Department of Revenue and Finance**

The Report of City of Millville Loan Collection Matters from Richard H. Daniels, Esq. was ordered, received and filed, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

#### **Department of Public Safety**

The Monthly Activity Fire Report for the month of December 2010 and the Annual Report from the Fire Chief regarding Life Hazard Use Inspections Certification were ordered received and filed, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

#### **Department of Parks and Public Property**

Mayor Shannon announced the upcoming Annual Snowflake Swim and anyone interested in participating can call for information at 825-7000 extension 7393 and noted that Rob Shannon aka "Mr. X" is cosponsoring the event and raising the necessary funding to support it.

Resolution No. R31-2011 authorizing to change the custodian of the Petty Cash Fund for the Department of Revenue & Finance from Susan G. Robostello, City Clerk to Maureen Mitchell, CFO was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. R32-2011 authorizing Change Order No. 2 (Final) for the project entitled "Maurice River Pedestrian Bridge & Waterfront Park Improvements- Contract No. 4" with Ranco Construction, Inc. of Southampton, New Jersey for an additional amount of \$15,128.18 (with the new contract total amount of \$272,326.86) due to certain changes in the contract items, quantities and amounts are necessary to complete the project as planned 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. R33-2011 authorizing Memorandum of Agreement between Signature Information Solutions, Trenton, New Jersey and the City of Millville for the payment of \$800.00 paid in advance from Signature Information Solutions as an annual fee for the weekly transmittal of an electronic file request for real estate property tax information was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. R34-2011 authorizing Special Assessment of Municipal Liens for the following properties due to expenses incurred by the City of Millville relating to Board & Secure and Cut and Clean of Properties in accordance with Chapter 11, Article VI of the Municipal Code

Block 473 Lot 13		Block 375 Lot 16	
334 S. 4th St		421 E Oak St	
(Board & Secure		(Cut & Clean	
date 12-17-10)	\$ 54.00	date 11-11-10)	\$189.00
Administration Fee	\$ 50.00	Administration Fee	\$ 50.00

Block 374 Lot 15		Block 375 Lot 14	
508 E. Vine St		417 E. Oak St	
(Board & Secure		(Cut & Clean	
date 12-23-10)	\$486.00	date 11-10-10)	\$135.00
Administration Fee	\$ 50.00	Administration Fee	\$ 50.00

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

Resolution No. R35-2011 authorizing Interlocal Services Agreement with the Cumberland County Improvement Authority for Recycling Collection Services in the amount of \$650.00 for the period covering September 1, 2010 through September 1, 2011 was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. R36-2011 authorizing adjustments to the City of Millville Tax and Utility Records was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. R37-2011 authorizing an emergency appropriation in the amount of \$16,500.00 for Construction Code Official Other Expenses for demolition of property located at 132 High Street, block 416, lot 5 due to the partial collapse of

the adjacent building known as the Levoy Theatre on January 3, 2011, located at 126-130 High Street, block 416, lot 3 and that said emergency appropriation shall be provided for in full in the FY 2012 budget, and is requested to be excluded from CAPS, pursuant to N.J.S.A. 40A:4-53.3c(1) was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. R38-2011 authorizing ratification of the award of contract to Debex Enterprises, Inc., 611 E. Chapel Avenue, Cherry Hill, New Jersey 08024 for demolition regarding 132 High Street, block 416, lot 5 due to the partial collapse of the adjacent building known as the Levoy Theatre, located at 126-130 High Street, block 416, lot 3 was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Application to amend Raffle License No. 921 on behalf of BPO Elks Lodge No. 580, 1815 East Broad Street for pull-tabs to amend as follows: changing hours from 11:00 a.m. to 2:00 a.m. to 10:00 a.m. to 2:00 a.m.

Report from Purchasing Agent regarding bids received by the Purchasing Board on Wednesday, January 19, 2011, 10:00 a.m., Commission Chamber, City Hall for the project known as "Water Department Roadway Restoration & Paving"

A motion was passed to receive, file and ratify executed release and settlement agreement regarding City of Millville v. Rock was adopted, by the following vote: Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

A motion was passed to receive and file updated 2011 NJMP Event Schedule was adopted, by the following vote: Yeas: Finch, Derella and Vanaman. Abstained: Quinn 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.

Paul Porreca questioned the contract to Debex Enterprises Incorporated for the demolition of 132 High Street.

Commissioner Derella explained this contract is for the demolition of the Tea Room only, however the same company has been contracted with the owner of the Arrow Building and will also do that demolition.

The City will be assessing a municipal lien on the property of the Tea Room to recover demolition costs.

Joe Sutherland announced the postponement of the Talent Show due to snow and it was rescheduled to be held on February 24, 2011 for rehearsal and the show will be held on February 25, 2011.

Commissioner Vanaman asked about the letter that we received and filed from the Planning Board Secretary at a previous meeting and inquired as to the status of the proposed change of Land Use at Orange Street.

Commissioner Derella stated Dr. Kim Ayres, Planning Director, is working on recommended changes along with Brian Slough in order to draft an Ordinance.

Commissioner Derella referenced a question from the last meeting regarding Civil Litigation filed against Rock and Nave noting the City recovered \$100,000.00 and Kevin McCaan, Esquire, handled the litigation for the municipality and the attorney fees totaled approximately \$72,000.00.

Commissioner Derella also responded to the question of payments to Greenberg Traurig and stated they have been paid \$816,344.00 from two different bond ordinances and the City adopted a Resolution on December 1, 2010 approving the Settlement Agreement in the amount of \$1,650,000.00, which has been reserved for future expenses.

Richard McCarthy stated the legal fees were approximately \$181,000.00.

There being no further comments the meeting was adjourned subject to the call of the chair, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Approved: February 15, 2011

James T. Shannon  
Mayor

Joseph J. Derella

James F. Quinn

David W. Vanaman

Dale L. Finch  
Commissioners

Attest:

Susan G. Robostello  
City Clerk/Administrator

**BILL LIST  
CITY OF MILLVILLE  
MEETING FEBRUARY 1, 2011**

AHOME, INC	690.00
ALL CLEAN BUILDING SERVICES	3,400.00
STANLEY H. ALLEN, INC.	6,421.84
PAUL G. KANIGOWSKI	1,300.91
ARAMARK UNIFORM SERVICES, INC.	1,214.55
ATLANTIC CITY ELECTRIC	24,368.37
BANK OF AMERICA, N.A.	1,314.54
BETHEL DEVELOPMENT CORPORATION	1,875.00
BIRCH'S COMMUNICATIONS, L.L.C.	374.38
BOWMAN & COMPANY LLP	26,351.50
CENTER FOR FAMILY GUIDANCE, PC	2,080.00
CINTAS FIRST AID & SAFETY CORP	362.01

CITY OF MILLVILLE	1,568.47
CITY MILLVILLE PAYROLL DED ACC	302,329.09
CLARKE CATON HINTZ, INC.	2,829.25
COBRA ELECT	72.30
COLONIAL ELECTRIC SUPPLY	1,587.98
COMCAST, INC.	289.52
COMMERCIAL TRAILER SERVICE INC	6,344.89
CDW GOVERNMENT, INC.	2,146.00
COOPER LEVENSON APRIL	612.90
CORNICK INC	99.98
CCIA	30,085.00
WILLIAM W. PATRICK, SR.	323.00
CUMB CO S.P.C.A.	5,371.90
CUSTOM GRAPHICS, INC.	1,750.67
DIRECT ENERGY MARKETING, INC.	41,542.99
FRANKLIN ALARM COMPANY, INC.	1,625.00
FORT DEARBORN LIFE INSURANCE	1,712.40
GENTILINI FORD INC.	1,798.35
GPM ASSOCIATES, INC.	52,269.50
W.W.GRAINGER, INC.	96.89
HACH COMPANY, INC.	1,023.90
HOLLY CITY DEVELOPMENT CORP.	833.00
GREG L. ERBER, SR.	420.15
JOSEPH HOYDIS	52.39
INTERNATIONAL CODE COUNCIL INC	152.50
NICHOLAS T. LACOVARA, ESQ.	780.00
LANDSMAN UNIFORMS INC.	250.00
NOREEN D LANZA	387.98
LOWE'S CO., INC.	160.80
MAGLOCLEN	135.00
MAIN STREET SUPERMARKET CORP	37.42
CHARLES MARANDINO LLC	18,669.98
MARSHALL & SWIFT, INC.	1,062.95
RICHARD C MCCARTHY ESQ	3,333.34
MGL FORMS-SYSTEMS, LLC	1,088.00
MILLENNIUM ENTERPRISES, LLC	522.00
MILLVILLE ARMY AIRFIELD MUSEUM	4,165.00
QUAKER CITY MOTOR PARTS CO.	147.00
MILLVILLE DEVELOPMENT CORP	21,677.72
THE MILLVILLE FIRE DEPT INC.	80.00
MILLVILLE HOUSING AUTHORITY	400.00
MILLVILLE PUBLIC LIBRARY	219,013.37
NATIONAL DEVELOPMENT COUNCIL	6,000.00
VERIZON	267.73
TREASURER, STATE OF NJ	15,270.00
NJ PHCC	264.00
NJ STATE ELKS ASSOCIATION	1,875.00
NJ WATER ASSOCIATION	445.00
OCEANPORT INDUSTRIES, INC.	17,821.70
SJSHORE MARKETING, LLC.	560.00
OFFICE BASICS, INC.	19.90
STEPHANIE A. OLIVO	2,500.00
ORIENTAL TRADING CO., INC.	699.74
PANTARELLI HOMES, INC.	67,816.00
PARAGON PRINTING&GRAPHICS, LLC	1,162.20
JOSEPH G POLLARD CO INC	391.39
PRINT O STAT, INC.	123.00
QUALITY CONTROL LABS, INC.	5,047.00
RANCO CONSTRUCTION INC	121,816.88
RIGGINS, INC.	573.75
BROCK D. RUSSELL, LLC	270.00
SESAC, INC.	591.00
CUMBERLAND COUNTY TREASURER	4,846,504.78
SIRCHIE ACQUISITION CO., INC.	151.00
SJ GAS COMPANY	16,107.01
UNITED ELECTRIC SUPPLY, INC.	130.96
UNITED PARCEL SERVICE	84.80

URBAN ENTERPRISE ZONE	423.33
USHLER'S FRAME & BODY SHOP INC	202.50
VERIZON WIRELESS	1,000.29
MEIER DIESEL FILTERS, INC.	1,324.00
W. B. MASON COMPANY, INC.	608.83
WHEATON ARTS & CULTURAL CTR	4,290.84
WHIBCO OF NEW JERSEY, INC.	836.35
JOSEPH H WOOD	150.00
WYBLE ADVERTISING, INC.	2,478.84
MICHAEL SCHENCK	62.25
TOTAL VOUCHERS FOR 02/01/11	5,916,471.75
CITY OF MILLVILLE SALARY ACCOUNT	417,604.81
CITY OF MILLVILLE SALARY ACCOUNT	112,747.54
CITY OF MILLVILLE SALARY ACCOUNT	282,042.54
CITY OF MILLVILLE SALARY ACCOUNT	784,515.89
TOTAL SALARY FOR 02/01/11	1,596,910.78
TOTAL VOUCHERS & SALARY 02/01/11	7,513,382.53