

Commission Chamber, City Hall
 Millville, New Jersey
 August 16, 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 and deletions to the agenda:

Deletions:

Resolutions:

Item No. 1 Resolution authorizing transfers in the FY2011 Budget Appropriation Reserves

Ordinances 1st Reading:

Item No. 1 An Ordinance Amending the Municipal Code of the City of Millville, Chapter 61, Streets and Roads Department
 Article IV- Collection & Disposal of Solid Waste
 Article V - Source Separation of Recyclable Materials
 Article VI - Debris from Construction, Renovation and Demolition
 Article VII - Yard Waste
 Article VIII - Multi-Family Residential Complexes

Additions:

Item No. 2 Ordinance amending the Salary Code of the City of Millville adding the following titles and ranges effective August 29, 2011:

Titles	Minimum	Maximum
--------	---------	---------

Fire Protection Sub Code Official/PT/ Fire Protection Inspector/PT	\$22.75ph	\$35.00ph
---	-----------	-----------

Electrical Sub Code Official/PT/ Electrical Inspector/PT	\$22.75ph	\$35.00ph
---	-----------	-----------

Corrections

Old Business

Item No. 5 Correcting project name to read as "Water & Sewer Department Supplies" from "Water Utility Meter Reading System"

New Business

Item No. 3 Correcting project name to read as "Water & Sewer Department Supplies" from "Water Utility Meter Reading System"

The City Clerk/Administrator had no further additions, deletions or corrections to the agenda.

Mayor Shannon asked if the Commissioners had any comments regarding 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 none the meeting 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
August 16, 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.

Rev. 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.

A motion was made to dispense with the reading of the minutes and to proceed with the regular order of business.

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 Dale L. Finch, Director of Public Works appointing the following employees in the Department of Public Works in accordance with Certification from the New Jersey Civil Service Commission effective August 16, 2011:

- a) Daniel A Shone, Heavy Equipment Operator
- b) Nathaniel S. Sharp, II, Heavy Equipment Operator
- c) Frank W. Mingin, Assistant Supervising Mechanic
- d) Philip H. Lau, Truck Driver
- e) Deric G. Cheesman, Supervising Water Treatment Operator/Supervisor Water

A motion was passed to receive and file the correspondence, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Director Finch stated the employees have been serving in their respective positions for the past several months as provisional employees and the New Jersey Civil Service Commission has now certified them to become permanent employees.

Permit Fee Log Report and the Monthly Fees Report for the month of July 2011 and Cumberland County Department of Health Report for the month of June 2011 were ordered received and filed, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Director Quinn reminded everyone of the upcoming 3rd Friday and urged everyone to come out and enjoy the festivities noting Mayor Shannon will be auctioning fabulous paintings by John Goudy, which will begin at 7:30 p.m. noting one painting will be of Bruce Springsteen and one will be of Frank Sinatra with a minimum bid of \$100.00. Director Quinn noted the proceeds will benefit the ACE Program at the Glasstown Arts Center. He also reminded everyone of 3rd Saturday for the Cleanup at Third and Mulberry Street that is sponsored by the Greater Millville Ministerial Association and AHOME and urged everyone to come out and help cleanup the Center City area.

Monthly Activity Fire Report for the month of July 2011 and Municipal Court Report for the month of July 2011 were ordered received and filed, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Director Vanaman reported that the 24th Annual Car Show that was held this past weekend was a very successful event.

Monthly Safety Meeting Minutes for the Meeting held on Tuesday, July 26, 2011, Revenue Allocation District (RAD) Semi-Annual Report covering January 1, 2011 through June 30, 2011 were ordered received and filed, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Samantha White, presented the 2011 Gardenscape Contest Winners with the following awards:

Grand Prize Winner

Larry Harris, 1104 Louis Drive

Best Use of Perennials

Irene Bird, 7th Street

Best Old Fashioned Garden

Deta Johnson, Richard Drive

Most Colorful Display

Annette Dastolfo, East Pine Street

Best Victorian Setting

Sandy Vastrardis, Cedar Street

Best Lawn Display

Lee and Ed Chance, Hazel Boulevard

Best Container Garden

Sam Gordan, North 7th Street

Best Woodland Garden

Barbara Hatcher, Newcombtown Road

Best Patriotic Garden

Donna Livingston, Spruce Street

Best Creation of Privacy

Crystal Fisher, West Broad Street

Best "No Water" Garden

Joe Gillespie, Pine Street

Best Hanging Baskets

Oretha Speight, North 5th Street

A 7th Street home won for **Best Use of a Small Area**, and an 8th Street home won as the **Most Artistic Garden**.

Samantha White thanked the judges for the contest and Sue Hoffman at Sun National Bank for the \$25.00 grand prize gift card.

The following proposed ordinance was read on first reading

Ordinance amending the Salary Code of the City of Millville adding the following titles and ranges retroactive to August 29, 2011:

Titles	Minimum	Maximum
Fire Protection Sub Code Official/PT/ Fire Protection Inspector/PT	\$22.75ph	\$35.00ph
Electrical Sub Code Official/PT/ Electrical Inspector/PT	\$22.75ph	\$35.00ph

Director Finch moved for the adoption of the proposed ordinance on first reading with final consideration to be given on Tuesday, September 6, 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.

The following proposed ordinance was read on second and final reading:

Ordinance No. 13-2011

An Ordinance amending the salary ordinance of the City of Millville adding the following title and range:

Title	Range of Compensation
Construction Official	\$40,000.00 - \$84,000.00

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

Director Quinn seconded the motion.

Director Finch stated this salary Ordinance represents a revision in the salary range, which has been reduced from the prior maximum, which was approximately ninety-four thousand noting the Construction Official who was employed with the City of Millville for many years has recently retired.

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. R187-2011 authorizing adjustments to the Tax and Utility Records was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. R188-2011 encouraging all residents and institutions of the City of Millville to observe the National Moment of Remembrance of the 10th anniversary of September 11, 2001 for one minute beginning at 1:00 p.m. was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. R189-2011 designating the Millville Municipal Alliance Committee to aid and implement programs pursuant to P.L. 1989, C.51 was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Mayor Shannon expressed his sincere appreciation to Joseph Sutherland, Coordinator of the Municipal Alliance Committee and his volunteer staff who dedicate their time in order to reach out and work to educate the youth of the community in an effort to prevent Drug and Alcohol Abuse.

Resolution No. R190-2011 authorizing public auction of vehicles and equipment no longer needed for public use to be held on Thursday, September 8, 2011 at 10:00 a.m., Police Impound Lot, Brandriff and Columbia Avenues was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. R191-2011 authorizing request for Performance Guarantee Reduction in compliance with N.J.S.A. 40:55D-53 (Municipal Land Use Law) for site improvements at Liberty Village Active Adult Community located off S. 2nd Street on Block 569, Lot 1, with Frank Carpino, 100 Route 50, Seaville, NJ 08320 as developer and First Indemnity of America Insurance Company, 119 Littleton Road, Parsippany, NJ 07054 as surety with the proposed bond to be reduced from \$267,707.40 to \$85,881.25, leaving a balance of \$181,826.15 and the reduction is conditioned on the developer submitting in accordance with the City Ordinance the engineering inspection escrow in the amount of 3% of the remaining improvements, or \$4,558.90, based on the 2011 engineer's estimate submitted by Steven Filipone, PE. was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. R192-2011 appointing Steven S. Neder Municipal Court Judge for a three year term expiring September 1, 2014 was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. R193-2011 supporting the "Over the Limit Under Arrest" 2011 Statewide Crackdown was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Report from Purchasing Agent regarding bids received by the Purchasing Board on Tuesday, July 26, 2011, 10:00 a.m., Commission Chamber City Hall for the project known as "Cleaning Services Contract" was ordered received and filed, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. R194-2011 authorizing award of contract for the project entitled "Cleaning Services Contract" to ALL Clean Building Services, 990 Spruce Street, Lawrenceville, NJ 08648 to furnish the City of Millville with Cleaning Services for the base bid with Alternate Proposal #2: Cleaning Service, City Hall 5 days per week and Alternate Proposal #3 cleaning Service, Police Building 5 days per week in the annual amount of \$36,000.00 was adopted, by the following vote: Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

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

Report from the Purchasing Agent regarding bids received by the Purchasing Board on Tuesday, July 26, 2011, 10:00 a.m., Commission Chamber City Hall for the project known as "Occupational Health Services" was ordered received and filed, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. R195-2011 authorizing a Professional Service Contract with Advantage OccHealth Medical Services, LLC, 994 West Sherman Avenue, Vineland, New Jersey 08360 to provide professional occupational health services for potential public employees and existing public employees employed by the Municipality 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.

Report from the Purchasing Agent regarding bid received by the Purchasing Board on Tuesday, July 26, 2011, 10:00 a.m., Commission Chamber City Hall for the project known as "Water & Sewer Department Supplies" was ordered, received and filed, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. R196-2011 authorizing rejection of bid received for project known as "Water and Sewer Department Supplies" due to the meters bid not being compatible with the Water Utility Meter Reading System and authorizing the project to be rebid was adopted, by the following vote: Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

A motion was passed to authorize the following Raffle Licenses:

- a) RL-939 on behalf of the Millville Army Air Field Museum to hold an On Premise 50/50 Raffle on October 15, 2011, 10:00 a.m. to 4:00 p.m. at the Millville Army Air Field Museum, 1 Leddon Street
- b) RL-940 on behalf of the Millville Moose Lodge #2488 to hold an On Premise Pull Tabs for the period covering September 1, 2011 through August 30, 2012, 8:00 a.m to 12:00 a.m. at the

Millville Moose Lodge #2488, 40 Bogden Blvd, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

A motion was passed to approve a Special Event on Public Lands Application sponsored by the First United Methodist Church for a Neighborhood Fun Fair on Saturday, August 20, 2011 from 1:00 p.m. to 4:00 p.m. at 201 N. 2nd Street (in parking lots) behind and to the side of the First United Methodist Church, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

A motion was passed to authorize the City Clerk to advertise for rebid for project known as "Water & Sewer Department Supplies" with said bids to be received by the Purchasing Board on Thursday, August 25, 2011, 10:00a.m., Commission Chamber, City Hall, 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.

Joe Sutherland, Coordinator of the Millville Municipal Alliance Committee, addressed the Board of Commissioners and reported that the County Alliance Coordinator conducted a Site Review on August 3rd and was very satisfied with the Millville Municipal Alliance and expressed his appreciation to the Board of Commissioners and City personnel for their support. Mr. Sutherland announced they are looking forward to assisting the City with the Pumpkin Extravaganza again this year.

Steve Durst, 22 Edgewood Dr, Milford, New Jersey addressed the Board of Commissioners and made the following comments:

"When I first came to Millville some years ago the development became known as Union Lake Crossing and the first thing that I noticed is a big beautiful water tank behind Lowes. I spent 4 or 5 years as a real estate manager for Comcast Metrophone and then as a partner in an outsource company that developed sites for T-Mobile, in all maybe 200 cell phone sites. I understood the value of the attraction. When I approached John Knoop and I believe Richard McCarthy at that time and asked about our opportunity to take advantage of that and bring some carriers and generate some revenue, I was told that the City was pursuing that opportunity and had a consultant in fact, so we went about our business developing Union Lake Crossing. Fast forward to last week I saw an article that Judge Geiger had ruled in favor of former Judge Porreca who filed a 64 to 65 thousand dollar application for expenses involved with his litigation and the thing that caught my eye was that this was based on the notion that this litigation was not only for the plaintiff, but for the greater good of all the people of Millville, forgive the paraphrase with reference to that ??????. Well, if you know anything about the telecommunications business you know nothing could be further from the truth. The greater good for the people of Millville would have been better served if Lowe's and Goodman Property had not become involved in this litigation, which was instigated by Millville First. Instead the Commissioners had sat down and indicated the deadline was coming up and had acted in compatibility with these developers, who are bringing one hundred twenty to one hundred thirty

million dollars in ratables to the City with eleven hundred or twelve hundred jobs and making forty million a year in annual payroll. That wasn't the Commissioner's decision though, because the Commissioners were pressured into this litigation. The courts held that Lowe's and Goodman Properties were right and were reasonable and the net result was that many thousands of dollars were wasted on that needless litigation. The real issue is as follows: When the City chose to pursue its wishes to put its carriers on the water tank, Lowe's, which of course was very upset at what had happened responded with a terse reply, as could have been anticipated and they would not permit the City the use of the lands at the base of the tower, which they had every right to do. The bottom line is that Goodman Properties went on to build that manifold and presently enjoys a seven thousand dollar a month income from that manifold, eighty-four thousand bucks a year, which should have gone to the City of Millville had this needless litigation not been fermented. Accordingly, Unison or Crown Castle, who aggregate these towers all around the United States and pay typically one hundred twenty times a monthly rental, would have paid the City of Millville eight hundred and forty thousand dollars for this asset if it hadn't been forced into that position. So, I think for the common good and the greater good of the City of Millville that if a reasonable approach had been taken and the Commissioners had not been forced in that position then the City of Millville might have eight to nine hundred thousand dollars on the table right now that it should have been entitled to. I think you folks are to be commended for your actions and I think your behavior in cooperating with development has been stellar. It's a shame you were forced into that situation and it's important that the people of the City of Millville know the greater good of the City of Millville is and how it should be represented. It was not represented by that litigation thank you."

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

Director Derella expressed his sincere appreciation to Joe Sutherland and all of his volunteer staff for the countless hours they dedicate to the Prevention of Drug and Alcohol Abuse.

Director Vanaman recognized Walt Johnson for his many, many years of being a Crossing Guard and wished him well on his retirement.

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: September 6, 2011

James T. Shannon
Mayor

Joseph J. Derella, Jr.

James F. Quinn

David W. Vanaman

Dale L. Finch
Commissioners

Attest:

Susan G. Robostello
City Clerk/Administrator

**BILL LIST
CITY OF MILLVILLE
MEETING AUGUST 16, 2011**

ADVANCE LEARNING	445.00
A.M./P.M. SERVICES	552.00
AMERICAN WATER WORKS ASSN. INC	190.00
PAUL G. KANIGOWSKI	165.83
ARAMARK UNIFORM SERVICES, INC.	1,137.68
AT&T	23.90
ATLANTIC CITY ELECTRIC	58,540.96
AUTOZONE NORTHEAST, INC.	640.07
J P BAINBRIDGE & ASSOC., INC.	3,037.50
BARLOW CHEVROLET, INC.	1,657.85
BENCHMARK SERVICES, INC.	260.00
BIRCH'S COMMUNICATIONS,	3,493.08
BOND AND COUPON	465,623.75
BOWMAN & COMPANY LLP	14,743.00
ANTHONY P. BRAGO	9,300.00
CITY OF MILLVILLE	1,662.53
CITY OF MILLVILLE UTILITY	6,734.00
CUMBERLAND COUNTY S.P.C.A.	5,648.30
CUMBERLAND PAINTING &	3,675.00
CUMBERLAND VALVE INC	364.17
CUSTODIAN OF SCHOOL MONIES	885,029.00
GANNETT SATELLITE INFORMATION	96.20
LINDA A. DEDRICK	400.00
DEERFIELD ELECTRIC	3,000.00
DELTRONICS CORP	159.60
EDWARD DUFFY	832.00
EAST GREENWICH TOWNSHIP	130.00
ES2 ENVIRONMENTAL SYSTEMS CORP	20,743.00
FAM-CARE, INC	1,250.00

GALLO'S GMC TRUCK SALES, INC.	240.49
GARDEN STATE HIGHWAY PROD. INC	45.00
GARRISON ENTERPRISE INC	9,600.00
GLOBAL TRACKING COMMUNICATIONS	519.87
W.W.GRAINGER, INC.	8,576.05
GRUCCIO, PEPPER, DESANTO	5,802.50
HOWARD HEE	675.00
HI POINT PROPERTIES, LLC	6,712.93
JDC CO.	182.25
GREG L. ERBER, SR.	485.03
JCI JONES CHEMICALS, INC.	1,584.00
KAVANAGH, KAVANAGH &	2,500.00
KEEN COMPRESSED GAS CO., INC.	103.28
JUDGE PAUL KIENZLE	910.00
JOSEPH M. KONOPKA LLC	340.40
DEREK LEARY	137.56
LEXIS NEXIS	290.00
LILLISTON CHRYSLER/PLYM., INC.	257.06
LOWE'S CO., INC.	1,467.02
JAY WEISS CORP.	150.45
RICHARD C MCCARTHY ESQ	12,055.62
MILLENNIUM ACCOUNT SERV, LLC.	2,817.00
THE MILLVILLE FIRE DEPT INC.	267.15
MONTGOMERY, MCCrackEN, WALKER	9,818.12
MOORE-WALLACE NORTH AMERICA	62.50
NCH CORPORATION	236.28
NEXTEL COMMUNICATIONS, INC.	3,854.19
VERIZON	230.03
TREASURER, STATE OF NJ	410.00
NJ DIVISION OF MOTOR VEHICLES	60.00
NJ STATE DEPT OF HEALTH	70.20
NEW JERSEY RECREATION & PARK	200.00
ONE CALL CONCEPTS, INC.	350.48
PACER SERVICE CENTER	47.84
PARAGON PRINTING&GRAPHICS, LLC	70.40
JACQUELINE D PETTIT	1,216.91
PITNEY BOWES INC	207.00
QUALITY CONTROL LABS, INC.	426.00
JAMES F. REEVES	675.00
RIGGINS, INC.	24,789.05
STATE OF NEW JERSEY	3,754.00
THYSSENKRUPP ELEVATOR CORP	5,165.05
SERVICE TIRE TRUCK CENTER, INC	2,314.22
SJ GAS COMPANY	149.07
SOUTH JERSEY HEALTHCARE	135.00
SOUTH JERSEY SANITATION CO INC	127,463.32
SOUTH STATE INC	1,634.16
STARCOM SOLAR, INC.	4,136.85
STEWART BUSINESS SYSTEMS, INC.	341.76
JOSEPH SUTHERLAND	1,500.00
MYRON TEPPER INC.	108.75
THRIFT-T LAUNDROMAT & CAR	112.00
TOMLIN BROTHERS AUTO BODY, INC	122.06
TRACTOR SUPPLY	273.20
TRI-CITY PAPER & JAN. SUPPLIES	96.80
UNITED ELECTRIC SUPPLY, INC.	745.71
UNIVAR USA INC.	1,457.00
URBAN ENTERPRISE ZONE	1,808.46
USPS	1,526.00
VERIZON WIRELESS	160.04
VITAL COMMUNICATIONS, INC.	100.00
VWR INTERNATIONAL, INC.	698.20
THOMAS A. WALKUP	1,790.96
W. B. MASON COMPANY, INC.	190.51
WEINSTEIN SUPPLY CORPORATION	100.74
J. WILHELM ROOFING CO., INC.	5,300.00
XEROX CORPORATION	622.17

SHERWOOD FOREST HOMES LLC	152.00
RALPH H LANE	324.56
MILLVILLE HISTORICAL SOCIETY	4,240.68
NATIONAL TAX SEARCH	12,460.00
ARNOLD ROBINSON, ESQ.	94,244.88
TOTAL VOUCHERS FOR 08/16/11	1,861,205.23
CITY OF MILLVILLE SALARY ACCOUNT	381,081.74
CITY OF MILLVILLE SALARY ACCOUNT	165,630.25
TOTAL SALARY FOR 08/16/11	546,711.99
TOTAL VOUCHERS&SALARY 08/16/11	2,407,917.22