

Commission Chamber, City Hall
Millville, New Jersey
December 2, 2008, 6:00 p.m.

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

Mayor Quinn 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 noted the following additions to the agenda:

Petitions & Letters

Item No. 2

Appointing Neil Betchner from member to Alternate I member of the Millville Zoning Board of Adjustment with a term expiring December 31, 2010 and Mark Krull from Alternate I member to member of the Millville Zoning Board of Adjustment to fill the unexpired term of Neil Betchner with a term expiring December 31, 2010.

Item No. 4

The City Clerk/Administrator read a letter from Mayor Quinn appointing Todd Oliver as member of the Millville Planning Board to fill the unexpired term of Eric Walter with a term expiring November 8, 2011.

Resolutions

Item No. 10

Resolution awarding contract to Pedroni Fuel Company to supply and deliver Gasoline & Diesel Fuel to the City of Millville at their low responsive and responsible bid price of \$.0024 per gallon for Gasoline 87 & 93 Octane and \$.0594 per gallon for Diesel Fuel On-Road and \$.1904 per gallon for Diesel Off-Road through the Cumberland County Cooperative Pricing System for bids received on October 29, 2008 and awarded on November 18, 2008.

Item No. 11

Resolution authorizing submission of application to the NJ Urban Enterprise Zone Adjustment Fund for funding from the Enterprise Zone Assistance Fund in the amount of \$2,000,000.00 for the Economic Development Loan to Silverton Marine Corporation.

Item No. 12

Resolution reappointing Brian Tomlin to the Millville Housing Authority for a term expiring December 31, 2013.

Commission Shannon stated he would be reminding everyone about the Holiday Home Lighting Contest and encouraged everyone to register their homes or call in the address of anyone they feel has a nice display to the Recreation Department.

Commissioner Shannon noted judging will occur in mid-December.

Mayor Quinn stated he would be discussing along with Don Ayres, the City of Millville's proposed Economic Stabilization Loan Phase I and also would be reporting on the progress of the Levoy Theatre.

There being no further business Mayor Quinn declared the public comment portion regarding agenda items only and asked if any person present wished to be heard.

There being no response Mayor Quinn declared the public hearing closed subject to the call of the chair, by the following vote. Yeas: Shannon, Parent, Derella, Vanaman and Quinn.

There being no further business the agenda session was adjourned subject to the call of the chair, by the following vote. Yeas: Shannon, Parent, Derella, Vanaman and Quinn.

Commission Chamber, City Hall
Millville, New Jersey
December 2, 2008, 6:30 p.m.

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

Reverend Brian Wheaton delivered the invocation followed by the salute to the flag.

Mayor Quinn 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: Shannon, Parent, Vanaman, Derella and Quinn.

COPY OF BILLS SEE PAGES

THROUGH

The City Clerk/Administrator read a letter from Mayor Quinn reappointing Barbara Blumenthal as a member of the Millville Shade Tree Commission with a term expiring December 31, 2013.

Mayor Quinn extended his sincere appreciation to Mrs. Blumenthal for her many years of service as a member of the

Shade Tree Commission.

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

The City Clerk/Administrator read a letter from Mayor Quinn reappointing John Redden and Larry DePalma as members of the Millville Zoning Board of Adjustment with a term expiring December 31, 2012 and appointing Neil Betchner from member to Alternate I member of the Millville Zoning Board of Adjustment with a term expiring December 31, 2010 and Mark Krull from Alternate I member to member of the Millville Zoning Board of Adjustment to fill the unexpired term of Neil Betchner with a term expiring December 31, 2010.

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

The City Clerk/Administrator read a letter from Kris Kolluri, Commissioner, State of New Jersey Department of Transportation (NJDOT) selecting the City to receive funding from the NJDOT Fiscal Year 2009 Municipal Aid program for Rieck Avenue and Cedarville Road Sidewalk Improvements, Phase 2 in the amount of \$129,791.00.

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

The City Clerk/Administrator read a letter from Mayor Quinn appointing Todd Oliver as a member of the Millville Planning Board to fill the unexpired term of Eric Walter with a term expiring November 8, 2011.

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

Commissioner Derella stated he had the privilege to serve with Mr. Walter on the Planning Board indicating he was an excellent board member noting Mr. Walter's contribution to the Planning Board will be greatly missed.

Mayor Quinn added that Mr. Walter has been a wonderful member of our community, noting he relocated down south and thanked Mr. Walters for his dedicated service to the City of Millville and wished him well.

Commissioner Shannon reminded everyone of the Holiday Home Lighting Contest that will be taking place during the month of December and encouraged the residents of the City of Millville to register and/or recommend a neighbor by registering their address by contacting the Parks Department at 825-7000 ext 7393, noting the judging will take place between December 16th and December 20th noting all participants are required to keep their lights on from 5:00 p.m. to 10:00 p.m.

The Cumberland County Public Health Summation Report for the month of October 2008; Construction Official Permit Fee Log Report and the Monthly Fees Report for the month of October 2008 were ordered received and filed, by the following vote. Yeas:

Parent, Derella, Shannon, Vanaman and Quinn.

Commissioner Vanaman wished Walt Johnson a happy 85th Birthday and thanked Mr. Johnson for his 15 years of service as a school crossing guard.

Mayor Quinn announced he and Don Ayres would be presenting a Proposed Economic Stabilization Loan Program - Phase I from 2nd Generation CDBG Funds and 2nd Generation UDAG Funds and called upon Don Ayres for the following comments:

"A number of weeks ago, a couple of weeks ago it was asked by Mayor Quinn to work with the City Administrator's Office and the Planning Office and try to fill in a gap that seemed to be greatly needed to be addressed and that's a working capital loan program for the downtown area where you'll see the smaller merchants are located. We already have in place, I would remind you several loan programs. We have our historic program, which is a fixed asset, a financing program can only be used for real estate and renovations or acquisition and that's available to all businesses within the UEZ and must be secured by real estate and is basically real estate oriented. Recently, as you remember, we rolled out the Grow Millville Fund, which is a citywide fund, which is available for many uses, machinery and equipment, fixed assets and also working capital and we're doing that in conjunction with the SBA and National Development Council and while that is citywide, because of the infrastructure, if you will, of the program that's required we really can't facilitate a lot of smaller loans, in fact we have a \$50,000.00 minimum for that program. But, that is available to any business, whether UEZ or not, within the City limits, so I would just remind you of those type of programs and of course with the very large business, you know, we have been involved with new markets, tax credits and also New Jersey Economic Development Authority with either direct loans or bonding. So, there was a gap in there and there was particularly a gap that was thought to be needed, because of the size of the typical downtown business. So, we were able to come up with a proposed structure for an Economic Stabilization Loan Program meant to be of limited duration, but as we know we are in a recession and I'm so glad the newspapers told us that today, because I don't think anybody would have realized otherwise. So, we're rolling this program out for the downtown Arts District, it would be a working capital program, small loan program, initially capitalized with a \$160,000.00 in Urban Development Action Grant repayment monies. Now, these are monies that have been repaid since the initial loans to the old Millville Hospital in the early 1980's, which I was fortunate enough to play a part in that application and they were restricted for development projects and cannot be used to go into the general fund or any other purpose, but have accumulated in small amounts over the last 25 years. So, that's the dedicated source. It's proposed that there will be a maximum amount of \$15,000.00 and obviously the average amount we expect to be lower. It would be a 6 year loan, the first year at 3 percent interest only and then principle and interest after that, but since the City would be stepping up to making this kind of loan there would be personal guarantees required from all borrowers and the loans must be fully secured. There must be a viable plan put forward by the business and there is a special loan committee that's setup to fast track the review of these, but we do not want to throw money at a situation that cannot be rectified and is going to fail. But, for those who have a need over the short term and

can produce a viable plan, we are putting this product out. We will work with existing lenders and see if rather than putting the loan in place that we could work with the lender and you know every option be on the table whether it's a small guarantee for less than our maximum amount where you're going to buy down that would help, we'll analyze what the rent or mortgage payments are and utilities and all of that. We'll do a complete analysis. This is restricted to existing commercial enterprises in the downtown. There can be no arrearages in taxes to any governmental entity. It's not for startups or relocations. There are other sources of funds that those type of businesses can go to and we will partner with some nonprofit lenders in the area, CBAC and others that we will try to partner in on various loans, plus the New Jersey Economic Development Authority and other entities are looking at putting out some incentives of their own. For instance; I was at the Governor's Conference in Atlantic City today and there is a proposal for businesses with at least 5 employees, if you can create new employees and keep them in place for a year you will receive a check from the state for \$3,000.00 per employee and they're looking at some other state incentive programs. So, we'll look at all that and try to partner and leverage whatever we do. Any change in business ownership or refinancing we would have to agree to and may require our loan to be paid off and then there would be quarterly... our staff, principally Pam Upham would be meeting with the businesses and there would be quarterly reviews and reporting required from each business. The loan committee would consist of Mayor Quinn, Commissioner Derella, James Hurley, Mr. Thompson, Kim Ayres, Maureen Mitchell, Susan Robostello and myself. That's the basic framework of the program and I would be glad to answer any of your questions."

Mayor Quinn: "Do any of the Commissioners have questions?"

Commissioner Shannon: "I would like to ask a couple, just a couple of quick questions. Obviously, I think everyone sitting up here understands the economic hardship that not only, the municipality of Millville is going through right now, the State of New Jersey and the federal government worldwide are seeing economic fluxes, you know, it's a very tough situation. The couple of questions, Don, that I have and again the other thing that I would like to point out is, you know, we're always hearing that people want to know what we're doing to get businesses in our downtown, how are we attracting businesses and I don't think that it's ever really addressed on how to retain those businesses. So, I'm very interested in this program and I just have a couple of reservations that I need to be cleared up in my mind. You talk about viable businesses and you talked about how they need to, when they apply for these funds... would they actually be required to possibly submit a new business plan. For an example; an existing business that's been struggling in good economic times, how are they going to be changing business practices and are we going to require them to submit to us, well, look this is a new direction we're moving in, we're changing product, we're going to do x, y, z to make sure this business is a viable business. That's one of my concerns. Because, if a business is struggling in good economic times, you know, obviously they're going to struggle now and will they ever get better. So, that's one of my major concerns. But, I don't want to, just as you mentioned earlier, throw good money after bad."

Don Ayres: "Right. There has to be a viable plan that is put in place and we'll also be partnering, I should have mentioned, with the Small Business Development Center, who provides free assistance in business planning and also will help to assess the current conditions in a business. That's what they do on a daily basis and that's a free service. So, there must be a viable path forward and certainly that would be, I know would be a prime concern to the loan committee."

Commissioner Shannon: "And I guess, I do want to ask one more and I mentioned about how they'll move forward. Will they be required to show possibly historically what that business has done?"

Don Ayres: "Oh, sure, you know, there will be a normal loan process. They'll have to produce historic financials and balance sheets and that sort of thing. Business and personal."

Commissioner Parent: "Don, the question I have is, you know, without question about the downtown district with our Arts people and what is so important to our City and the investment we've made as a City. Are we looking also in areas of helping other business throughout this City outside of just the downtown district?"

Don Ayres: "Well, this is a specific product..."

Commissioner Parent: "I understand that..."

Don Ayres: "of a certain size just within downtown. But, the Grow Millville Fund, I mean we spent a lot of time putting that together and that's a 4 million dollar fund and that's available to any business in the City of Millville. It just has a minimum project loan amount of \$50,000.00..."

Commissioner Parent: "I think that's important, because we don't want the public to think that we're just concerned with the downtown district and that we do have the Millville Grow Fund that is available to other businesses and companies throughout the City. So, I just wanted to bring that point out."

Mayor Quinn: "I might add too, with the Grow Millville Fund, I've had a local car dealer talk to me and in fact he's going to be coming into see us Don, about, you know certain things that they want to do some façade and some stabilization and some things like that for... because, the auto industry is suffering as we all know also. Yeah, I think it's a good point Jim, because you know we do truly care about our downtown, we want to see it survive and I would also like to add that you know, there are two factors and what we need to do is be able to have the people in our downtown hang on and be there, because the New Jersey Motorsports Park will truly deliver people downtown, but most importantly I was with Phil VanEmbden Saturday and we had the architect, Westfield for the Historic Architecture person, Margaret Westfield I think was her name, was in the Levoy and I was in there with them and they were going over plans and they were looking at being able to get historic tax credits and we've been working with all the different organizations to do this and Lauren and Phil VanEmbden have put their heart and soul into this along with all the people and, George, who is here, George Walters, the pages and there are many, many people that have been doing so much to get

that going and if you take a look at that, the first year, and they hope to get that done by the end of next year. The first year, we're looking at 80,000 visitors just in the first season. So, that would really impact the downtown very, very strongly. More so, maybe than even the New Jersey Motorsports Park. One of the interesting things people have said to me and it was brought up again, was with the wayfinding signs we were worried about too much traffic coming downtown and I think we ought to try to change it and get the traffic down here, because they can see our downtown as they're heading to our Motorsports Park and I don't know, most people, I certainly love to look at beautiful downtowns like we have when I'm traveling and when I see that and you know that you can come back to it once you're done the New Jersey Motorsports Park. So, I think that's going to help stabilize our businesses and there's an article, I know Linda and I were looking at it and Joe has seen it from the Star Ledger, it talks about 234 downtowns in the State of New Jersey struggling. So, we're not the exception, we're unfortunately part of the rule of what's been going on. I feel strongly that we need to be as supportive as we possibly can and fortunately this is UDAG money and CDBG money and this is money that we will, you know, as Don said it goes back to the 1980's and this is re-circulating and loaning this money again..."

Don Ayres: "if I could just add also that, you know, we're probably and you should never put a date and deadline on, but hopefully within a month we will be out for our hotel RFP for the riverfront, you know, a half a block from the Levoy Theatre and we're very hopeful that we will have, even in these times, because of the Motorsports Project a response from a very qualified or several very qualified hotel developers for a full service hotel there and then we will have the motorsports visitors directly in the downtown and available to eat and shop and also, as the Mayor knows we're looking at a number of other initiatives on marketing, promotions, the wayfinding signage, the first round of that should be in place by Spring. So, there are a whole cluster of other initiatives that this will be one component of and they'll be rolled out at a later date."

Commissioner Parent: "we appreciate that. You know Don it is so important that instead of just sitting back, you know, and feeling sorry for ourselves as communities, because of the economic problems, once again we have shown that we are going to be aggressive and I think that has been the model of this administration as to be aggressive and we're going to continue doing that and I appreciate what you're doing Don and your staff."

Don Ayres: "thank you."

Commissioner Vanaman: "I've been looking this over for the past week, week and a half and I've got a lot of questions and a lot of concerns about it. When I see that one of the stipulations would be that the business must be in operation for at least one year. If you've been in business one year and you're expected to make a profit in the first year, I think you're kidding yourself. It just doesn't happen that quick, unless you've got the hottest thing coming down the road. Don's presentation here indicates that it would be like a \$7,500.00 average loan, if \$7,500.00 is to make it or break it, we might be looking at the problem that maybe you're not going to make it anyway, because I see another stipulation in here that they could be in arrears of up to 3 months for their rent or

utilities, once again that's a very clear indicator that if you can't even pay you're day-to-day bills I don't see how \$7,500.00 is going to help. And that's shared not only by me, but by some of the other downtown merchants, because I had printed off a copy of an article that was in the paper, in the Daily Journal on November 22nd, a couple of the merchants are even being interviewed as saying, if other merchants are looking to the City to keep them in business, they shouldn't be in business, which is what one merchant said. Another merchant said the responsibility lies with the owners, we can't expect the City to be the answer. One thing, I met with Mr. Ayres about a week ago and I think some of these people ought to go back and challenge their landlords. If you are behind in your rent and if you're paying \$1,200.00 a month for a very, very small store, I think the merchant should go to the landlord and say would you rather have \$800.00 or zero. I'm not sure if this is a workable plan. Getting back to your... if your \$7,500.00 average is close to being accurate then I think the 6 year pay back is too long of a term. If this is supposed to be a short term fix, then it shouldn't necessarily take 6 years to pay it back. And, well I could go on and on, because I also have an article from the Star Ledger where 70 businesses that they were interviewing for this, didn't like the idea that they would have to put up personal guarantees and personal assets, because you don't really want to mix business with your personal life and I don't see anybody that's going to want to sign a personal guarantee, people who would put up their home for this loan and if they do, then we're even subordinate to the existing lender, so it's conceivable that we could never get paid back anyway..."

Don Ayres: "Well, just on that one point and certainly, you know, you have your strong feelings expressed. But, we will do the ratios, we're not going to put up a loan, where there's not sufficient coverage on the assets."

Commissioner Vanaman: "at the very least I think it ought to be changed that they've had to have been in operation for more than one year. I would say, 3, 4 or 5 maybe something like that. That way you're helping a business that you know that is going to survive and recover."

Mayor Quinn: "I don't really have a problem with 3 years. I understand what you're saying on some of those points that you're making Dave..."

Commissioner Vanaman: "I mean I don't want to keep going on, but when I bought my business 14 years ago, of course I had the benefit of a business background, which some of them don't and that's another part of the problem. I went in eyes wide open and I had no expectations of making a dime in the first year. You've got to create your own business."

Don Ayres: "but, I mean the one year was just simply, it wasn't put in there for exactly that reason. It was put in there, because we're emphasizing that it's not available for relocations or startups, but I wouldn't expect that the one year, that every applicant would have been in business for 12 month and one day and certainly the \$7,500.00 is just a guesstimate, I mean we really don't know until people make applications of how much the application is going to be for. But, you've certainly made very valid points."

Mayor Quinn: "Any other comments? I just think that, you know, we are looking for assets and let's face it, if these people did not need this type of loan, they would be going to the average bank and getting the loan. The credit at the banks has dried up quite a bit and that's what UEZ... well, this isn't UEZ money, this is CDBG and UDAG monies, so revolving and putting that back in and helping to stabilize our downtown and to stabilize these people who have invested thousands and thousands of dollars. And you know what, thousands of hours that they've put into the downtown to get their business and keep their business going. Again, who knows how many are going to apply and to qualify you've got to have some type of an asset you can put up for collateral. So, you know, we don't know how many... and I will say Pam Upham who is overseeing this program has a banking background and is going to look at this as a banker would look at a loan. So, it's going to have to qualify and hopefully those who apply will qualify, I don't know if all of them are going to qualify and we hope those who do, do qualify, so that they can get the opportunity to have another years worth of experience in business under their belt as we look forward to the opening of the Levoy and the New Jersey Motorsports Park bringing some people downtown."

Commissioner Shannon: "I think I just want to clarify one thing, Mayor. You mentioned Community Development Block Grant 2nd Generation Funds and right now we're looking at the Urban Development Action Grant monies is the only monies that we're looking at right now. Correct?"

Don Ayres: "that's what is certified right now..."

Commissioner Shannon: "I mean that's what we're looking at now with a pool of about \$160,000.00. Now, I understand a couple of questions and concerns that Commissioner Vanaman has and as I started in the beginning, you know, I had mentioned that I had a couple of questions and things that I needed to work through and what I am hearing from Commissioner Vanaman is I didn't hear that he is totally against some type of stabilization program and I don't want to put words in your mouth, but I think that there's some things that may need to be worked on and maybe readjusted and possibly discussed further, you know, before we move on this. A couple of concerns may be able to be addressed, you know, the one year in business, obviously is something that he pointed out, you know, the term of the loan possibly might be another and again, I want to publicly say that I'm looking to do what ever we need to do to help the downtown merchants, but I did have a couple of concerns as Commissioner Vanaman and I would like to possibly continue this discussion and try to maybe rework part of this package to a make it palatable for everyone."

Mayor Quinn: "Well, I'll tell you what, time is of the essence. I've talked to Linda, I've talked to Susan, I've talked to Troy, I've talked to Amy, I've talked to the people who live it each and every day and they tell me how time is very much of the essence. So, I don't think we can kick it back and then come back and all that kind of stuff. I mean to make it 3 years now, if you want to change the resolution or do whatever we need to do, but you know we've got to help these or you won't have to worry about coming back, they won't be here. So, you can say okay, well we had that money we couldn't lend it, because they're gone. And it is, I know, unless you're in retail you don't understand unless you walk in the shoes of

these people that are here tonight and I've spoken with them and these are good business people, people care about this community and have been here for a long, long time and have had success and they're struggling. These are successful business people who are sitting out here and they're struggling, you know, it's not somebody that just had a whim and did it. As Dave said, I'm sure Amy looked into every single thing she did with her book shop and she's done a wonderful job and certainly Linda's place is beautiful and the gifts and things that are there, you know, she cares and she had invested thousands of dollars of her money into her building and owning the building, and owning your building and Troy, owning the building and things like this. These, you know, I don't know, my goodness we're not talking hundreds of thousands of bucks..."

Commissioner Parent: "and it's extraordinary differences between now and what it was 12 months ago, a year ago, two years ago. There's a very difficult time all throughout the nation, all throughout the state, all throughout every community. I don't want to get tied up in what Washington's doing down there, because as far as I'm concerned there should have been things done years ago, not just right now. I don't want to fall into that same position Mr. Mayor where we're just putting off, putting off and we're not going to come up with some kind of formula here to start this program. I do agree that we have to move forward and we have to move as fast as we possibly can, whether it's one year, two year, you know, 12 months, 13 months, I really don't know what that answer is, but I do know there's people out there that are screaming for help and not just the downtown merchants. So, you know, whatever we have to do, you know, this administration has to take that bold move and do what's right now, not 3 weeks, not 5 weeks, not next year, now is the time that we have to start moving on things, so let's get this moving."

Commissioner Derella: "I echo Commissioner Parent's comments. I probably called and met with Mr. Ayres and Dr. Ayres a dozen times or more over the last 10 days with my concerns and questions. Commissioner Vanaman brings some very valid points to the table. Every loan is a risk, it's the job of the lenders to try to narrow that and make it as low of a risk as possible and some of the suggestions that have been put out here do just that. I do agree that we need to do something for these businesses, at least give them the opportunity. They may or may not qualify, but at least there's an opportunity for them to try to continue to move forward. I do agree that a business should be viable for at least 3 years, that shows a track record that they've been successful and maybe the stumbling block, because of the economy can be overcome. I think the loan should be bumped back to 5 years, not 6 with the first year being interest only to give them an opportunity to move forward. The fact that we got free service that is out there for them to help develop and maybe reinvent some of the things that may need to be done to tweak their businesses is also a viable component to this that we may or may not be overlooking. Commissioner Parent is absolutely right, we need to do something now. These people have made an investment, as this Commission and Commissions prior to this in the late 80's and early 90's to the downtown to make it successful, the successful business are probably sitting back saying, you know what, what do I get for paying my bills and being a success. Well, you need more than one or two successful stores downtown to make it a drawing card to make it viable. So, again, will

everybody that may need the help qualify? Probably not. But, I'd hate to have the people that could qualify continue to reinvent themselves and be successful not have that opportunity. So, I do agree, I think we need to move forward and maybe we can make some tweaks at the resolution time with you know, a business that needs to be existing for 3 years and the loan is now 5 years with the first year interest only and move forward from there."

Commissioner Parent: "that would be your motion Commissioner?"

Commissioner Shannon: "I would feel much more comfortable with it with the couple of suggestions that Commissioner Derella made, Commissioner Vanaman made. You know, with the 3 year operation, you know, bringing it down from 6 years to 5 years, I mean if that's something that we could do and discuss that and move forward. Again, I am not against the economic stimulus plan for the downtown. I understand the investment the City has made and I have always been supportive of the downtown and want to see that grow and be viable. Again, I just don't want to get into a situation where we're throwing good money after bad. That was my only concern."

Mayor Quinn: "well, and don't forget you have a banker, you have a loan committee that's going to take a look at these loans and if they aren't loanable, then they're not going to happen too, so you do have a checks and balance. But, apparently we're getting a pretty good consensus, Dave had recommended the 3 years, Joe and Tim feel, I have no problem with 3 years and then we go from 6 to 5 years with the loan. Does somebody want to make a motion on that Joe?"

Commissioner Parent: "I think when the resolution comes up we should make it amended by the Commissioners who introduce that resolution."

The following proposed ordinance was read on first reading:

Ordinance No. 35-2008

Ordinance amending the Municipal Code of the City of Millville, Chapter 65, Taxation, Article I, Five Year Exemption and Abatement.

Director Derella moved for the adoption of the proposed ordinance on first reading with final consideration to be given on Tuesday, December 16, 2008 after due publication as provided by law.

Director Shannon seconded the motion.

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

Resolution No. A-6334 authorizing the City to subordinate its second mortgage in the amount of \$6,150.00 dated May 7, 2008 for Owen W. Layton and Rose A. Layton, Block 424, Lot 10, 216 N. 5th Street to the new mortgage with ServiceLink in the principle amount of \$78,570.00 was adopted, by the following vote. Yeas: Parent, Derella, Shannon, Vanaman and Quinn.

Commissioner Vanaman: *"the only question I have without getting into specific personal items. If we had already been subordinate to the first mortgage and now we're going to be subordinate in the remortgaging... wasn't there a way that our loan could have been rolled into their new financing?"*

Richard McCarthy: *"not according to the bank anyway. I talked to the bank about it. It probably would have nixed the deal..."*

Mayor Quinn: *"it's obviously property values are dropping. I think it's a good point Dave, but you know..."*

Commissioner Derella: *"it would have to be concurrent with their loan..."*

Commissioner Vanaman: *"So, we're going to continue to be subordinate to the first."*

Commissioner Shannon: *"I do have one question, which is the same position we were on with the first loan?"*

Richard McCarthy: *"yes."*

Commissioner Shannon: *"okay, I just wanted to verify that."*

Resolution No. A-6335 authorizing a professional service contract with Adams, Rehmann and Heggan Associates, Inc. to perform professional services in connection with the updating of the Municipal Wastewater Management Plan in an amount not to exceed \$34,200.00 with the source of funding from the Sewer Utility Budget was adopted, by the following vote. Yeas: Parent, Derella, Shannon, Vanaman and Quinn.

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

Resolution No. A-6336 authorizing submission of amended application to the NJ Urban Enterprise Zone Assistance Fund for funding from the Enterprise Zone Assistance Fund in the amount of \$706,560.00 for the Tourism Marketing Year 6 with the City providing a 20% match of \$924.00 for police overtime. This Resolution cancels and supersedes Resolution No. A-6295 adopted on October 21, 2008.

Commissioner Vanaman: *"Just a brief comment. The reason for this change is that the original submission application was based on a 12 month time period and it's actually 18 months. That's the reason for the difference."*

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

There being no response Mayor Quinn declared the public hearing closed.

Resolution No. A-6336 was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Vanaman and Quinn.

Resolution No. A-6337 authorizing submission of application to the NJ Urban Enterprise Zone Adjustment Fund for funding from the Enterprise Zone Assistance Fund in the amount of \$7,011.00

for increased Funding of Police Officers Year 17, with the City providing 20% match of \$1,753.00.

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

There being no response Mayor Quinn declared the public hearing closed.

Resolution No. A- 6337 was adopted, by the following vote.
Yeas: Shannon, Parent, Derella, Vanaman and Quinn.

Resolution No. A-6338 authorizing submission of application to the NJ Urban Enterprise Zone Adjustment Fund for funding from the Enterprise Zone Assistance Fund in the amount of \$16,328.00 for increased funding of Firefighter Year 16 with the City providing a 20% match of \$4,083.00.

Commissioner Vanaman: *"These last two resolutions are actually the ones which was figured on a 12 month time period when in actuality it was supposed to be 18 months, so that's the reason for these changes."*

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

There being no response Mayor Quinn declared the public hearing closed.

Resolution No. A-6338 was adopted, by the following vote.
Yeas: Shannon, Parent, Derella, Vanaman and Quinn.

Resolution No. A-6339 authorizing adjustments to City of Millville's Tax and Utility Records was adopted, by the following vote. Yeas: Parent, Derella, Shannon, Vanaman and Quinn.

Resolution No. A-6340 authorizing the insertion of an additional item of revenue in the FY2009 Budget in the sum of \$8,033.29 which is now available as revenue from the New Jersey Department of Criminal Justice, 2008 Body Armor Replacement Fund was adopted, by the following vote. Yeas: Parent, Derella, Shannon, Vanaman and Quinn.

Resolution No. A-6341 authorizing a professional service contract with J. Paul Bainbridge & Associates, Inc., to perform professional appraisal services in connection with 6 properties presently under appeal in the Tax Court with the source of funding from the Operating Expense Budget - Professional Services in an amount not to exceed \$49,000.00 was adopted, by the following vote. Yeas: Parent, Derella, Shannon, Vanaman and Quinn.

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

The City Clerk/Administrator read Resolution No. A-6342 authorizing approval of the Economic Stabilization Loan Program - Phase I:

Director Derella made a motion to amend Schedule A of the resolution to reflect the following changes:

1.) That the term of the loan be reduced to five years instead of 6 with the first year staying at a 3 percent interest only.

2.) The business must be in existence and operating in the downtown Arts District for 3 years.

Director Parent seconded the motion.

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

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

Resolution No. A-6343 awarding contract to Pedroni Fuel Company to supply and deliver Gasoline & Diesel Fuel to the City of Millville at their low responsive and responsible bid price of \$.0024 per gallon for Gasoline 87 & 93 Octane and \$.0594 per gallon for Diesel Fuel On-Road and \$.1904 per gallon for Diesel Off-Road through the Cumberland County Cooperative Pricing System for bids received on October 29, 2008 and awarded on November 18, 2008 was adopted, by the following vote. Yeas: Parent, Derella, Shannon, Vanaman and Quinn.

Resolution No. A-6344 authorizing submission of application to the NJ Urban Enterprise Zone Adjustment Fund for funding from the Enterprise Zone Assistance Fund in the amount of \$2,000,000.00 for the Economic Development Loan to Silverton Marine Corporation was adopted, by the following vote. Yeas: Parent, Derella, Shannon, Vanaman and Quinn.

Director Derella: *"Schedule A may or may not be available for the public, I know the newspapers did get a copy. Some of the things that are tied to this loan for Silverton Marine Corporation. First, this business has been in the City of Millville from the mid 70's, they have other operations, one in Florida and a small operation in Maryland. The purpose of the loan is to help Silverton relocate 5 of their current lines and when I say lines, different boat designs and the research and development team to the City of Millville over the next 12 to 24 months. The terms are 2 million dollars at 3 percent interest for 20 years. Interest only for the first 3 years and the loan is secured by first mortgage position on Silverton's Business real estate located directly across the river at Riverside Drive and the borrower agrees to maintain current relocated operations in the City of Millville, not outsource those, but not relocate them outside the geographic area of the City of Millville for the 20 year life of the loan. Should they do that it would be considered to be a default and we would ask for payment at that time. I think, again we have a very viable business, we want to help them retain what they have. They have made a conscious decision thanks to the efforts of their CEO and management team that actually live in the City of Millville to make this move and bring opportunity to our City. We hope that this helps them stabilize themselves during the economic demands that are there are now and hopefully the market will then rebound and allow them to continue to grow, as they have been in the last, you know, 40 years..."*

Commissioner Shannon: *"We should also point out Commissioner Derella, they're one of the largest employers of the City of Millville, you know, the top private employers of the City and hopefully with, again the change in the economic*

climate and possibly the new line of smaller fleet. What they're looking at would be something, would be a boost, not only to Silverton, but to the City of Millville and hopefully in the next couple of years we'll actually be able to see that workforce actually increase, so hopefully everything will be working well for that."

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

There being no response Mayor Quinn declared the public hearing closed and asked for a roll call on the motion.

Resolution No. A- 6344 was adopted, by the following vote.
Yeas: Shannon, Parent, Derella, Vanaman and Quinn.

Resolution No. A- 6345 authorizing the reappointment of Brian Tomlin as a member of the Millville Housing Authority of the City of Millville with a term expiring December 31, 2013 was adopted, by the following vote. Yeas: Shannon, Parent, Vanaman and Quinn. Abstained: Derella.

Commissioner Parent made the following comments:

"If I may Mr. Mayor, you know, I would just again like to thank Brian for having willingness to serve on the board. There's been some very difficult times with the Millville Housing Authority, but yet I believe that there's some great times ahead under the direction of Executive Director Paul Dice in working hand in hand along with the City of Millville, Millville Gardens, which is a thorn in everyone's side. Also, I see in the audience tonight Commissioner Finch from the Housing Authority and Dale plays a very important part also on the Housing Authority with Millville Gardens. So, again, I just want to thank Brian for extending his desire to serve. And also once again thanking the housing authority for the great work that they're doing."

A motion was made to authorize the City Clerk to advertise the following 2009 Annual Meeting Notices:

- a) Millville City Commission
- b) Shade Tree Commission
- c) Millville Development Corporation
- d) Millville Industrial Commission
- e) Millville Zoning Board of Adjustment
- f) Millville Planning Board

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

A motion was made to approve Special Event on Public Lands Application for the Holly Give-A-Way sponsored by the Millville Shade Tree Commission to be held on Friday, December 19, 2008, from 6:00 p.m. to 9:00 p.m. located at the Glasstown Plaza.

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

A motion was made to authorize Social Affair Permits on behalf of the following:

- a) BPOE Millville Elks Lodge #580, 1815 E. Broad Street to be held on Friday, December 19, 2008, 8:00 p.m. to 12:00 a.m.

b) BPOE Millville Elks Lodge #580, 1815 E. Broad Street to be held on Wednesday, December 31, 2008, 7:00 p.m. to 1:00 a.m.

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

A motion was made to authorize the City Clerk to advertise a Special Meeting in open session to be held on Tuesday, December 23, 2008 at 12:00 Noon in the Commission Chambers, City Hall, 12 S. High Street, for the purpose of the introduction of Ordinances regarding five year Tax Abatement and Exemption Applications required to be approved and conveyed to the Cumberland County Board of Taxation by January 10, 2009 and authorizing the payment of bills.

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

A motion was made to authorize the following Raffle and Bingo Licenses:

a) RL-859 on behalf of B.P.O. Elks Lodge No. 580, for Off-Premise 50/50 cash to be held the last Friday of each month beginning January 30, 2009 through November 27, 2009, 9:00 p.m. and December 18, 2009 the third Friday in 2009, 9:00 p.m. at the Elk's Lodge, 1815 E. Broad Street

b) RL-860 on behalf of B.P.O. Elks Lodge No. 580, for Pull-Tabs to be held from January 1, 2009 through December 31, 2009 from 11:00 a.m. to 2:00 a.m. and Daily Sundays from 1:00 p.m. through 7:00 p.m. at the Elk's Lodge, 1815 E. Broad St

c) RL-861 on behalf of B.P.O. Elk's Lodge, 1815 E. Broad Street, for an On-Premise Merchandise Raffle to be held every Thursday in 2009 beginning on January 8th through December 17, 2009 from 6:00 p.m. to 10:00 p.m. excluding November 26th

d) RL-862 on behalf of St. Mary Magdalen Church, for Pull-Tabs to be held from January 1, 2009 through December 31, 2009 from 7:00 p.m. to 11:00 p.m. at St. Mary Magdalen Church, 621 Dock Street

e) RL-863 on behalf of St. John Bosco Church, for Pull-Tabs to be held from January 1, 2009 through December 31, 2009 from 7:00 p.m. to 10:00 p.m. at St. John Bosco Church, 2 Hillcrest Ave

f) BL-209 on behalf of B.P.O. Elk's Lodge, 1815 E. Broad Street, to be held every Thursday beginning January 8th through December 17, 2009 from 7:00 p.m. to 10:00 p.m. excluding November 26th

g) BL-210 on behalf of St. John Bosco Church to be held every Wednesday in 2009 beginning January 7th through December 30, 2009, excluding May 20, 2009 to be held at 2 Hillcrest Avenue from 7:00 p.m. to 10:00 p.m.

h) BL-211 on behalf of St. Mary Magdalen Church to be held every Friday, January 2009 through December 18, 2009, excluding April 10, 2009 to be held at 621 Dock Street, 7:00 p.m. to 11:00 p.m.

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

Mayor Quinn 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.

Lauren VanEmbden: "Good evening my name is Lauren VanEmbden and my address 330 Carlton Avenue. I don't have any concerns tonight, I just wanted to briefly address the Commission and thank you for not only your positive words and continued support of the Levoy Project, but your overall vision for having the Glasstown Arts District in the first place, continuing to support it, recognizing that there are still things to be done in the progress of the vision and that understanding that the Levoy is instrumental to the success of the project. I would like to report that we have made tremendous progress and there's a lot of stuff going on. Tons of things happening daily and we are on target for December 2009 opening. So, the short term fixes that are being implemented tonight will have long-term success results with the continuation of these elements. The whole board, I speak for the entire board here and we have several of the members, but we're really excited to secure the permanent financing for the project and stay on target for that opening so that we can bridge that gap and then get to that final goal. We just really want to applaud you for the proactive approach that you're taking to the economic situation that we are in, because it is something that we respect and we understand. Lastly, I just want to do a little pitch for the Levoy. We do have fundraising going on right now, we're doing a raffle at Soul of the Season, which is one of the Glasstown Arts District major events, December 13th and we're raffling off 5 prizes and tickets are only \$5.00 this time and that's 5 prizes not one car like last time. We invite anybody that wants to check it out to either buy tickets from somebody on the board or any of the merchants downtown, who are always supporting us or check out the website at www.levoy.org. Thanks."

Mayor Quinn: "Thanks Lauren. A lot of people don't know this, but Lauren and Phil sat out in the rain over the weekend and they sold a thousand dollars worth of tickets each day sitting up front of one of the supermarkets in town and you know that's true dedication to do that and we really appreciate that and I know it wasn't easy."

Commissioner Shannon: "I do have one question for the VanEmbden's. Have they secured an emcee for the drawing at the Soul of the Season?"

Gentlemen from audience: "We were hoping you would do that..."

Lauren VanEmbden: "we'll be getting an RFP out soon..."

Commissioner Shannon: "okay, I will clear my calendar."

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

Approved: December 16, 2008

James F. Quinn
Mayor

Joseph J. Derella

W. James Parent

James T. Shannon

David W. Vanaman
Commissioners

Attest:

Lewis N. Thompson
City Clerk/Administrator

**BILL LIST
CITY OF MILLVILLE
MEETING DECEMBER 2, 2008**

ACE PLUMBING & ELEC SUPPLY	1,110.06
ALLEN ASSOCIATES	637.00
ALLIED CONTROL SERVICES, INC.	1,853.90
AMERICAN WATER WORKS ASSN. INC	264.50
A&M PRODUCTS	792.12
ASG SECURITY LLC	244.92
AT&T	22.59
ATLANTIC CO UTILITIES AUTHORITY	35,742.00
ATLANTIC CITY ELECTRIC	15,505.27
ATLANTIC INDST WOOD PRODUCTS	788.25
ATLANTIC TIME SYSTEMS, INC.	3,364.14
AUTOZONE NORTHEAST, INC.	912.81
DON AYRES	192.34
BEACON TITLE SERVICES AGENCY	7,800.00
BERNAL MECHANICAL CONTR. INC.	1,800.00
G & K SERVICES CORP.	2,583.77
BOSCOV'S DEPARTMENT STORE, INC	599.00
DERIC CHEESEMAN	40.00
JOSEPH M. CHIARELLO, ESQ.	200.00
CITY MILLVILLE PAYROLL DED ACC	324,642.14
CITY OF MILLVILLE TAX COLLECTR	20.00
CITY OF MILLVILLE UTILITY	4,650.00
COMCAST, INC	808.46
ATLANTIC CITY ELECTRIC	1,326.68
CUMBERLAND FIRE PROTECTION	540.70

CUMBERLAND REMINDER	3,605.00
CUMBERLAND VALVE INC	99.45
CUMBERLAND TREE SERVICE, LLC	1,300.00
R E CUMMINES, INC.	2,948.12
LINDA A. DEDRICK	400.00
DEERFIELD ELECTRIC	5,670.00
DELL COMPUTER CORP.	7,584.77
DISPLAY SALES, INC.	771.00
DON-B-FRANKS	177.00
DRAEGER SAFETY DIAGNOSTICS INC	142.00
EIC INSPECTION AGENCY CORP.	309.00
EXECUTIVE BUSINESS PROD. CORP.	57.33
FEDEX	202.31
EMERGENCY PRODUCTS INC/FIREPWR	2,639.02
FIRST DUE EMERGENCY SUPPLY INC	58.00
FORT DEARBORN LIFE INSURANCE	1,898.70
GALLO'S GMC TRUCK SALES, INC.	384.96
GENTILINI FORD, INC.	1,196.00
GKI/BETHLEHEM LIGHTING LLC	1,053.05
GREENBAUM, ROWE, SMITH AND	2,167.40
GREENBERG TRAURIG, LLP	16,487.37
GRUCCIO, PEPPER, DESANTO	11,882.00
HD SUPPLY WATERWORKS, LTD	3,027.50
HEARTLAND REHABILITATION SERV	545.00
HERTRICH FLEET SERVICES, INC.	30,914.20
DANIEL HOFFMAN, ESQ.	200.00
INGRALDI FARMS	652.50
JGSC GROUP LLC	3,372.00
RICHARD S JONES	151.60
JRB ASSOCIATES, LLC	2,970.00
KEEN COMPRESSED GAS CO., INC.	91.00
KIWANIS CLUB OF MILLVILLE	200.00
LANDSMAN UNIFORMS INC.	2,929.00
LAWMEN SUPPLY CO, INC.	1,794.80
DEREK LEARY	196.65
MICHAEL LIPPINCOTT	60.19
LOWE'S CO., INC.	762.44
MCI COMM SERVICE	16.18
M. JAMES MALEY, JR., ESQ.	546.00
RICHARD C MCCARTHY ESQ	3,333.33
MGL PRINTING SOLUTIONS	1,809.00
MILLVILLE AUTOMOTIVE, INC.	786.98
MILLVILLE BOARD OF EDUCATION	1,140.00
MILLVILLE DEVELOPMENT CORP	30,462.47
MILLVILLE HOUSING AUTHORITY	400.00
MILLVILLE RESCUE SQUAD	24,166.65
MAUREEN MITCHELL	115.10
MOTOROLA, INC.	2,202.50
MOTOROLA, INC.	78.00
MUNICIPAL EXCESS LIABILITY	6,327.43
PATRICK NEY	40.00
SHARI L. NEY	45.00
ELIZABETH M NICKE	57.53
VERIZON	414.99
NJ CONFERENCE OF MAYORS	695.00
NEW JERSEY DEPARTMENT OF	99.00
NJ SHADE TREE FEDERATION	400.00
OFFICE BASICS, INC.	394.43
ORIENTAL TRADING CO., INC.	537.35
PACE & ASSOCIATES, INC.	1,744.50
SCOTT PACE	725.65
PEDRONI FUEL CO, INC.	19,741.06
PENN-JERSEY MACHINERY, INC.	2,007.46
PERFORMANCE PLUS, LHA, LLC	387.00
PREMIER CHEMICALS, LLC	11,474.73
JOE PROBST	10.49

QUALITY CONTROL LABS, INC.	4,605.50
R.E. MICHEL COMPANY INC.	1,529.19
RUTGERS, THE STATE UNIVERSITY	1,233.00
STATE OF NEW JERSEY	6,255.00
SCHWAAB, INC.	106.98
SERVICE TIRE TRUCK CENTER, INC	1,455.12
CUMBERLAND COUNTY TREASURER	362,408.81
SJ GAS COMPANY	1,111.79
SOUTH JERSEY HEALTHCARE	3,056.93
SJ OVERHEAD DOOR, INC.	149.10
SJ PAPER PRODUCTS, INC.	63.36
SNAP-ON INDUSTRIAL, INC.	427.46
ROBBIN B. SOTIR & ASSOC, INC.	1,731.82
STEWART BUSINESS SYSTEMS, INC.	883.10
T & F CAMERA SHOP INC	190.00
TEPS POWER EQUIPMENT, INC.	330.00
THIRD WARD ADVISORY	5,125.00
LEWIS N THOMPSON	50.00
THE TRAINING SCHOOL	6,742.33
TREASURER, STATE OF NJ	45.00
TRI-CITY PAPER & JAN. SUPPLIES	134.75
TROUT PRINTING & PUBLISHING CO	250.00
MILTON C. TRUXTON	1,861.47
UNITED ELECTRIC SUPPLY, INC.	1,560.00
UNITED PARCEL SERVICE	17.13
USA BLUE BOOK, INC.	4,475.99
VERIZON WIRELESS	2,257.41
WARNOCK FLEET, INC.	23,618.80
W. B. MASON COMPANY, INC.	248.00
WEINSTEIN SUPPLY CORPORATION	52.98
WE'VE GOT YOU COVERED, INC.	725.00
ALICE E WOOD	200.00
WYBLE ADVERTISING, INC.	700.00
PATRICIA CRAIG/JIM RHUBART,	23,900.00
NICHOLE MARCIANO/JERRYS	9,770.00
BRENTWOOD TOWERS	1,882.50
JODY D. FARABELLA	2,312.50
MARIE MOYE FARRINGTON	1,787.50
HERBERT C LEARY	1,250.00
ROSE LOPERGOLO	2,437.50
DOROTHY MURPHY	2,267.50
KYLE REDFERN	1,950.00
MARGARET SANDERS	2,187.50
JOHN DIORIO	548.76
JAMES & PATRICIA FROST	337.68
DONALD & GAIL HEADLEY	2,075.67
HOLLY CITY DEVELOPMENT CORP	645.44
HOLLY CITY SR. HOUSING PTNRSHP	214.63
MILLVILLE SAVINGS AND LOAN	3,074.90
MILO VIDRO	960.80
TOTAL VOUCHERS FOR 12/02/08	1,116,701.74
CITY OF MILLVILLE SALARY ACCOUNT	275,984.01
CITY OF MILLVILLE SALARY ACCOUNT	275,418.39
TOTAL SALARY FOR 12/02/08	551,402.40
TOTAL VOUCHERS & SALARY 12/02/08	1,668,104.14