

Commission Chamber, City Hall
 Millville, New Jersey
 January 19, 2010 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:

Reports of Commissioners
Department of Revenue and Finance

b) Tax Collector's Report for the month of December 2009

Resolutions

(8) authorizing the insertion of an additional item of revenue in the FY2010 budget in the sum of **\$396,014.00** which is now available as revenue from the NJ Department of Environmental Protection and appropriated in the budget under the following captions:

Hazardous Discharge Site Remediation Fund Grant		
1) Mike's Texaco	- P29693	\$ 64,734.00
2) Shone's Auto Body	- P29694	\$ 6,100.00
3) Millville Laundry	- P29695	\$ 137,587.00
4) Spinelli Brothers		
	Trucking - P29924	\$ 187,593.00

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

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

Commission Vanaman stated he would be submitting a couple of reports at the regular session.

Commissioner Vanaman referred to an article published in the press a few weeks ago, which indicated there were between 175 to 200 people in attendance at the Commission Meeting.

Commissioner Vanaman stated that the State Fire Code rating for the Commission Chamber is 155 people and the article caught the Fire Chief's attention and will be in attendance tonight to ensure the code is enforced.

Commissioner Vanaman further stated the fire code allows for persons seated only and advised if there is no seats available that standing room only will not be permitted.

Commissioner Derella stated he would be submitting two reports this evening with one being a Press Release from Millville First regarding the New Jersey Motorsports and the Tax Collector's Report for the month of December 2009.

Commissioner Finch made the following comments:

"Mr. Mayor, as a result from the correspondence received at the last meeting you had asked me to put together a committee of Administrative staff to review and discuss the communications from the New Jersey Motorsports Park and the Planning Board concerning the motocross endeavor and I'll give a report on that. I did meet with several staff members from the City and we're in the process of gathering some facts on it. We had a brief meeting with the motorsports park people and we'll continue those discussions in the next few weeks."

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 and asked for a roll call on the motion.

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

Commission Chamber, City Hall
Millville, New Jersey
January 19, 2010, 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.

A moment of silent prayer was observed, 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

The City Clerk/Administrator read correspondence received from Michael Russo, Director of the Division of Local Aid and Economic Development, State of New Jersey, Department of Transportation re: unable to provide a Local Aid Bikeway Program allotment for the Maurice River Bikeway Trail, Phase IV application submitted by the City of Millville due to

unavailable resources.

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

The City Clerk/Administrator read correspondence received from Michael Russo, Director of the Division of Local Aid and Economic Development, State of New Jersey, Department of Transportation declining the application submitted by the City of Millville for a Centers of Place Grant for the City of Millville Wayfinding Signage Program, Phase II Project due to unavailable resources.

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

The City Clerk/Administrator read correspondence received from the Secretary of the Millville Firemen's Relief Association regarding request for approval to admit Kevin D. Hall as a volunteer member of the Millville Fire Department.

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

The City Clerk/Administrator read correspondence from James R. Hurley dated December 31, 2009 regarding his resignation from the Millville Industrial Commission effective immediately.

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

Commissioner Quinn expressed his sincere appreciation to James Hurley for his dedication and many years of service as Chairman of the Industrial Commission.

Mayor Shannon recognized the many years James Hurley has devoted to the community noting he is an outstanding citizen and also expressed his sincere appreciation for his dedicated service as Chairman of the Industrial Commission.

The Monthly Activity Fire Report for the month of December 2009 and Municipal Court Report for the month of December 2009 were ordered received and filed, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Commissioner Vanaman called upon Fire Chief, Kurt Hess, for an explanation of the Fire Code regarding the occupancy requirements of the Commission Chamber:

"Just a quick synopsis, every room, assembly room is governed by the New Jersey State Fire Code and it has an Occupancy Load, which is posted on the far wall. This room is posted for a 153. That leaves, counting the gentlemen at the dais 8 standing and then you are over the limit. By code, if you're over that limit you must vacate down to that, so hopefully we won't get to that point, but like the director says they keep trickling in. So, that's the short of it and I hope we don't have to ask anyone to leave. I would suggest, there are plenty of seats, that you should sit down anyway so it makes

it easier for me to count. Thank you."

Commissioner Vanaman: "Thanks Chief. As I explained earlier in the agenda session to those people that are already here it was your very astute reading ability, which made you pickup on that 2 weeks ago when the guys from the newspapers put the head count in their story. Thank you."

Commissioner Derella submitted a press release from Millville First regarding New Jersey Motorsports Park received by City Clerk's Office from Paul Porecca for distribution to the governing body and Planning Board Members and the Tax Collector's Report for the month of December 2009 were ordered, received and filed, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Commissioner Finch made the following comments:

"Last meeting we received and filed correspondence from the Motorsports Field of Dreams Plan, as well as correspondence from the Planning Board in regards to that plan. As a result of that you had asked me to put together a committee of City staff to review the concerns in regards to those applications and I did that. Dr. Kim Ayres, Don Ayres, Richard McCarthy and John Knoop met on a few occasions during the past several days and developed our list of concerns and issues. We then had a meeting with the Motorsports staff this past week and they are in the process of getting back to us with a formal response. At which time that response will be received I will then ask that we have a closed session of this body to review those responses and our concerns and then at that time determine what direction we wish to proceed in, so with that, we have more information to gather and once we get it we will proceed in that direction."

Mayor Shannon called upon Millville Development Corporation Executive Director, Marianne Lods, who presented the following Annual Report:



Millville Development Corp – Main Street Millville 2009 Summary

Jan 2009	Executive Director attended one week of certification training for Main Street in Washington, DC. (2 nd year)
Jan 2009	Work Plans and calendar of events for Main Street and the marketing of the Glasstown Arts District approved.
Jan 2009	Staff attending seminars regarding business trends during challenging economy.
Feb 2009	Worked with 3 new businesses to find appropriate retail locations for their various businesses. All 3 are applying for UEZ certification.
Feb 2009	Prepared and submitted a general program support grant to the NJ State Council on the Arts (3 year grant cycle).
Feb 2009	Prepared and submitted a grant to the NJ Office of Travel & Tourism for our "Arts, Antiques & Music Festival" to be held in September.
Feb 2009	Staff and Promotions Committee held a successful Valentine Retail Event for the Glasstown Arts District retail businesses.
Feb 2009	Home & Gift store opened at 201 Unit A N. High St. It is a discount shop.
Feb 2009	Luck of the Draw Tattoo Studio relocated to 412 N. High Street expanding his existing business.
Feb 2009	New Revelations Records relocated his business to a shared space at 412 N. High Street. Smart business sense makes collaboration cost effective and more draw of clients to each business. This news was featured on Philadelphia News Channel 10 (NBC affiliate).
Mar 2009	Gina's Ristorante opened at 112 N. High Street. It is an elegant – casual Italian restaurant with a chef/owner with several years of experience. All pastas are made from scratch on premises.
Mar 2009	Jamol's Chicken opened at 201 Unit C N. High Street. It is a quick food restaurant.
Mar 2009	Carol's Dog Den opened at 517 N. High St. It is a dog grooming business and retail sales of dog accessories.
Mar 2009	The Fithian House Gallery opened at 112 E. Pine St. It is an art gallery and also exhibits "whimsies."
Mar 2009	Cumberland Salem Health Department opened on the 2 nd floor of the Holly City Family Center at Buck and Mulberry Streets bringing 40 employees to the downtown.
Mar 2009	Staff and board member attended the Annual National Main Street Conference in Chicago. The seminars were highly technical about electronic media and how to be prepared in business in today's electronic savvy and social media networking world.
Mar 2009	Executive Director, Marianne Lods, along with 16 colleagues from around the country, was recognized as a Certified Main Street Manager . There are 271 throughout the country over the last 12 years. Marianne earned this distinction after 2 years of course work and exams at the National Trust in Washington, D.C.
Apr 2009	Synergy Tattoo & Art Gallery opened at 204 N. High St.
Apr 2009	Attended Main Street New Jersey executive directors' meeting in Trenton.
Apr 2009	Staff attended New Jersey Governor's Conference on Tourism in Atlantic City.
Apr 2009	Held a joint meeting of all 4 tourism destinations in Millville with ad agency to strategize and become more efficient in cross promotions.

Apr 2009	Began implementation of Electronic Media use for Main Street and tourism.
Apr 2009	Developed new monthly E-Newsletter and blasted to 1300 business owners, property owners, volunteers and people interested in our Arts District/Main St.
May 2009	Began use of Twitter and FaceBook to communicate with multi-generations in the medium they most prefer.
May 2009	Annual spring walking tour of High Street to document code violations, maintenance issues, etc. and report to city officials.
May 2009	High Street Buffet opened at 201 N. High St, Unit B. It is Chinese cuisine.
May 2009	LaBella Gallery opened at the Village on High, 501 N. High St.
May 2009	China Wok opened at 201 N. High St. It is Chinese take out.
Jun 2009	Gypsy Smokehouse BBQ opened at 19 E. Oak St. (corner High & Oak).
Jun 2009	Kit N Bob's Bike Shop opened at 416 N. High St.
Jun 2009	Increased E-Newsletter distribution to 2100 people.
Jun 2009	Channel 40 TV filming in Arts District every Friday and airing each Friday for 15 weeks during the tourist season in Atlantic and Cape May counties.
Jun 2009	Speaker at Main Street NJ's meeting for cities and towns considering applications for Main Street inclusion.
Jun 2009	Received grant award from NJ Office of Tourism for the upcoming Arts, Music & Antiques Festival in the amount of \$2,700.
July 2009	Merritt's Music Service LLC opened at 206 N. High, Ste. 4, 2 nd Floor. It is guitar lessons and repair, recording studio, and digital transfer services.
July 2009	Van's Custom Design & Woodworking replaced Gift Baskets Galore in the Village on High.
July 2009	National Main Street evaluation team in Millville on July 23, 24. Met with business and property owners, city leaders and officials, Main Street/MDC Board members and committee members and with staff. Received very good evaluation and some great ideas for future opportunities.
July 2009	Attended New Jersey State Council on the Arts Annual Meeting and was notified that the FY10 General Program Support grant will be \$19,723.
Aug 2009	Glasstown Art Glass opened at 116 N. High Street (Glass blower artist).
Aug 2009	Cedar Creek Stained Glass Gallery replaced Lets Decor8 in the Village on High.
Aug 2009	Annual audit received and filed.
Aug 2009	Board voted to make revisions to the Façade Grant Program. Will be giving grants only and no loans when/if approved by the NJ UEZ Board. Updated all criteria on the application and gave to City of Millville to move it forward with the state.
Aug 2009	Working on building better tools to attract and retain quality businesses to our main street area.
Sep 2009	Serandolina Salon & Spa opened at 16 N. High St.
Sep 2009	Cricket Cellular Phone business opened at a newly created retail address: 305 N. High St.
Sep 2009	Regional Music created indoor display space that allows a new business, "Antique Radios," to open at the same address, 113 N. High St.
Oct 2009	Truxton Real Estate, a new business, bought building and opened at 201 N. Buck St.

Oct 2009	Board of Directors planning retreat held and facilitated by a staff member of NJ Main Street. The 6 hour planning session left the Board with a keener awareness of the functions of all 4 Main Street committees.
Nov 2009	Lotus Trading Co. opened at 137 N. High specializing in women's clothing, accessories, one-of-a-kind items, and artistic whimsy.
Nov 2009	Karby's Sweets opened on the 2 nd floor of 206 ½ N. High St. Sweets & Gifts.
Nov 2009	Guilty Pleasures Fashions opened at 202 N. High St specializing in young women's clothing and accessories.
Nov 2009	Hobo Bags replaced Little Luxuries in the Village on High.
Nov 2009	Began a 6 week retail promotion to increase holiday shopping sales; "Holiday Dazzle."
Nov 2009	Entered a float in the Holiday Parade with the them of Arts District and Holiday Dazzle.
Nov 2009	Produced and distributed 5000 Gift Giver's Guides to promote shopping.
Dec 2009	Bayada Nurses opened in the Riverview Commerce Center, 10 E. Main St.
Dec 2009	Pediatric Home Care (operated by Bayada) opened at 10 E. Main St.

The following is a summary of financial, volunteer and professional investment within the Main Street area of Millville for 2009.

- 26 New businesses opened
- 99 Jobs created
- Private investment in commercial properties purchased: \$150,000
- Private investment in building rehabilitation: \$307,000
- 3 Façade projects completed
- \$6,379 Private investment in façade rehabilitation
- \$2,379 Public investment in façade rehabilitation
- 2,452 Volunteer Hours + 1,626 Professional Volunteer Hours = 4,078 Total Volunteer Hours
- \$65,120 Volunteer Hours in Wages (MSNJ formula of \$20 per hour)
- \$41,100 Professional Volunteer Hours in Wages (MSNJ formula of \$50 per hour)
- Total \$106,220 of value for Volunteers for Main Street Millville
- Total Private Reinvestment including volunteer hours = \$569,599.

Business Growth and Development in 2009

There are a total of 101 1st Floor businesses on High St. between Smith and Broad Sts. and a total of 158 active businesses throughout the Glasstown Arts District.

The total vacancy rate at the end of 2009 is 8% (down from 11.5% at the end of 2008).

There are 152 private businesses (the others are government and community or non-profits) employing 546 people (up 34 from 2008).

The net increase of new businesses in 2009 is 16 and the net new jobs from all types of businesses is 86.

Inquiries – Visitors and Businesses

- Artists – 9 possible relocation
- Business Start Up – 24
- Visitors – 27 requesting packets of information
- Unique Visitors to our websites – 21,500
- Two website receiving over 40,000 unique visitors

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

Resolution No. A-6751 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. A-6752 authorizing Water/Sewer Termination on February 1, 2010 due to payment default pursuant to Section 56-18 of the Municipal Code was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. A-6753 authorizing Loan Agreement between Karby's Sweets proprietor Karen McCafferty and the City of Millville concerning the provision of financial assistance in the amount of \$3,000.00 for the proposed acquisition of equipment for the business located at 206 1/2 N. High Street, Millville through the Community Development Program of the City of Millville 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 from the CDBG Revolving Loan Program.

Commissioner Derella: *"This is a loan for 3 years that will be paid back and they have already put over 20% of their own funds towards the project, which is one of the requirements. Two part-time clerical positions have been created and there is a clause for potential default as well."*

Resolution No. A-6754 authorizing cancellation of mortgage in the name of Catherine Atkinson in the amount of \$10,255.00 pertaining to 409 East Vine Street, block 378, lot 5, paid in full was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. A-6755 authorizing the cancellation of various receivable balances from the balance sheets of the Federal and State Grants Fund, which have either (1) expired, (2) a portion has been requested of the agency to be canceled or (3) have been deemed uncollectible was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. A-6756 authorizing the insertion of an additional item of revenue in the Fiscal Year 2010 budget in the amount of \$650,000.00, which is now available as revenue from the New Jersey Urban Enterprise Zone Authority and appropriated in the budget under the following captions:

a) UEZ Group SEB Grant \$200,000.00
 b) UEZ #09-120 Levoy Theatre Preservation amendment \$450,000.00 was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. A-6757 authorizing the insertion of an additional item of revenue in the FY2010 Budget in the sum of \$33,700.00, which is now available as a revenue from the County of Cumberland: Municipal Alliance on Prevention of Alcoholism and Drug Abuse was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. A-6758 authorizing the insertion of an additional item of revenue in the FY2010 budget in the sum of \$396,014.00 which is now available as revenue from the NJ Department of Environmental Protection and appropriated in the budget under the following captions:

Hazardous Discharge Site Remediation Fund Grant

- | | | |
|----------------------|----------|---------------|
| 1) Mike's Texaco | - P29693 | \$ 64,734.00 |
| 2) Shone's Auto Body | - P29694 | \$ 6,100.00 |
| 3) Millville Laundry | - P29695 | \$ 137,587.00 |
| 4) Spinelli Brothers | | |

Trucking - P29924 \$ 187,593.00 was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Commissioner Derella advised that the revenue listed above was not available at the time of the adoption of the FY 2010 Budget by the City of Millville and certified by the State of New Jersey.

Commissioner Derella further advised that at the end of the fiscal year the original budget submitted will reflect an inflated amount due to the insertion of the additional items of revenue appropriated in the FY 2010 budget.

Resolution No.A-6759 authorizing acceptance of Hazardous Discharge Site Remediation grant from the Economic Development Authority of the State of New Jersey in the amount of \$64,733.75 for Mike's Texaco site located at 601 Wheaton Ave, Block 341, Lot 30 Application #P29693 was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. A-6760 authorizing acceptance of Hazardous Discharge Site Remediation grant from the Economic Development Authority of the State of New Jersey in the amount of \$137,587.00 for the Millville Laundry site located at 16-30 McNeal Street, Block 286, Lot 18, Application #P29695 was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. A-6761 authorizing acceptance of Hazardous Discharge Site Remediation grant from the Economic Development Authority of the State of New Jersey in the amount of \$6,100.00 for Shone's Auto Body site located at 2126 South Delsea Drive, Block 579, Lot 35 Application #P29694 was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. A-6762 authorizing acceptance of Hazardous Discharge Site Remediation grant from the Economic Development Authority of the State of New Jersey in the amount of \$187,593.00 for Spinelli Brothers Trucking site located at 1201-1219 Wade Boulevard, Block 576, Lot 6 Application #P29924 was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. A-6763 authorizing the endorsement of the project known as "Upgrade to the Wastewater Treatment Plant Phase 1A and 1B and authorizing the appropriate City Commissioner or City Official to execute any required deed restrictions, applications, permits, loan and other documents required by the County, State or Federal Agencies for completion of project was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Commissioner Finch: *"There's a minor infringement on the wetlands area where the new clarifier is going to be constructed. In order to comply with the CAFRA Permit Construction we have to declare a certain area as restricted and to provide an easement for that area with the County Clerk. So, it's a routine matter, but it was a minor infringement on the wetlands."*

Resolution No. A-6764 authorizing Change Order No. 1 amending original Contract of the project entitled "15th Street Sanitary Sewer Extension" awarded to Mazzara Trucking & Excavation Corporation for an additional amount of \$160,860.95 which exceeds 20% of the original contract amount 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.

Commissioner Finch: *"I think it's self-explanatory in the resolution due to extreme high water table. The entire project has to be dewatered due to the heavy snow and the extreme rains we've had this fall and early winter, so it's one of those projects that just had some issues right from the beginning with the high water table."*

Commissioner Derella: *"Do you have some numbers on this, because when people see that \$160,000.00 and I know it is still well below the estimate of the engineer's original..."*

Commissioner Finch: *"yeah, the engineer's estimate was \$126,521.00 more than the actual award of \$435,000.00 and in fact the actual funds available was another \$214,811.00 higher than the amount awarded of \$435,188.00. So, there's ample funds available and due to the contractors being very hungry the bids came in low, so we got good prices, even though we had this high water table issue."*

Commissioner Derella: *"and it's UEZ dollars as well."*

Commissioner Finch: *"yes, UEZ dollars."*

Resolution No.A-6765 authorizing the Tax Collector to issue a duplicate certificate to be marked "Duplicate Certificate" upon the payment of the sum of \$100.00 regarding Block 378, Lot 18, 311 N. 4th Street was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No.A-6766 authorizing the Tax Collector to issue a duplicate certificate to be marked "Duplicate Certificate" upon the payment of the sum of \$100.00 regarding Block 424, Lot 25, 217 N. 4th Street was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Old Business:

The City Clerk/Administrator read correspondence received from the Planning Board re: Report on General Development Plan amendment application for the New Jersey Motorsports Field of Dreams LLC, Motocross and ATV Facility, General Development Plan Amendment/Site Plan and the application is conditionally completed and is being presented to the Board of Commissioners

as required by Article 4 of the Municipal Development Agreement (Received & Filed January 5, 2010 Commission Meeting).

The City Clerk/Administrator read correspondence received from Timothy D. Edmunds, P.E. Senior Associate of PS&S Integrating Design & Engineering re: responses to several questions and review comments made by City staff for the New Jersey Motorsports Field of Dreams Site Plan and General Development Plan application as part of the Completeness Review for the Planning Board (Received & Filed January 5, 2010 Commission Meeting).

Director Finch made a motion to table both the Planning Board correspondence and the Motorsports correspondence for further study and to report to the governing body in executive session for a proposal to amend the zoning development and development review for a possible ordinance revision.

Director Quinn seconded the motion.

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

New Business:

A motion was made to authorize Request and Authorization for Records Disposal received from the Assessor's Office.

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

A motion was made to approve Motor Vehicle Commission Application for license to provide private inspection facility at Quality Lincoln Mercury, Hyundai Inc. New and Used Motor Vehicles, 1935 N. 2nd Street.

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

A motion was made to approve the following Social Affair Permits:

1) On behalf of Ukrainian National Home for a Dance to be held on January 30, 2010 from 5:00 p.m. to 12:00 a.m. at the Ukrainian National Home, Hook Avenue.

2) On behalf of BPOE No. 580 Millville Elks for a Beef and Beer to be held on February 20, 2010 from 7:00 p.m. to 11:00 p.m. at the Millville Elk's Lodge, 1815 East Broad Street.

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

A motion was made to approve the following Bingo/Raffle Licenses:

1) Raffle License No. 896 on behalf of St. John Bosco Church, for Pull Tabs to be held from February 2010 through December 2010 from 7:00 p.m. to 10:00 p.m.

2) Bingo License No. 219 on behalf of BPO Elks Lodge No. 580, to be held on February 12, 2010 from 7:00 p.m. to 11:00 p.m.

3) Raffle License No. 895 on behalf of Levoy Theatre Preservation Society, Inc., On-Premise 50/50 to be held on February 13, 2010 at the New Jersey Motorsports Park from 6:00 p.m. to 11:00 p.m.

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

There being no further business, Mayor Shannon stated we have now reached the public comment portion of our meeting. Anyone who would like to address the commission, please go to the podium, state your name, and address your concerns. Please limit your comments to approximately 5 minutes.

Bob Balicki, Main Street, addressed the Board of Commissioners, and advised them he fully supports the use of the Motorsports Park for motorcycles and four-wheelers and believes it would be beneficial for the kids, as it would provide them with recreation and education on racing and a legal place to ride.

Bob Balicki added that the park would be good for the economy in providing new jobs and feels it would benefit the community.

Evan Shay, 102 Sheldon Avenue, addressed the Board of Commissioners, and referred to a land sale that occurred in Hamilton Township approximately 1½ years ago and sold for \$100,000.00.

Mr. Shay stated Hamilton Township sells pieces of land that they own and no longer need for public use and suggested the City of Millville do the same.

Mr. Shay suggested that a \$100,000.00 land sale in Millville could possibly reduce the property tax raise from 8 percent to 7 percent.

Mr. Shay provided the following suggestions to the governing body on how to have a successful land sale:

1. Conduct the land sale now, before it becomes popular among local townships.
2. Advertise early and often, at least a month in advance.
3. Do not set minimum bids, but reserve the right to reject any unreasonable bids received

Mr. Shay urged the governing body to direct his suggestions to the appropriate municipal officials noting he will continue to observe the meetings and hopes action will be taken on his suggestions provided this evening.

Director Derella corrected Mr. Shay noting the City of Millville's property tax increase was \$.07 cents not 7 percent.

George J. Cooper, Rieck Avenue, addressed the Board of Commissioners advising them he is a disabled veteran and served 21 years in the air force.

Mr. Cooper expressed his displeasure with the noise and all the other things associated with the New Jersey Motorsports Track have become almost unbearable.

Mr. Cooper referenced past discussion regarding noise barriers and the Federal Aviation requiring the trees to be cut down.

Mr. Cooper referred to Mayor Shannon's statement that the track would be planting more trees as a noise abatement noting it will probably take 10 or 20 years before the trees will even begin to grow.

Mr. Cooper further stated that even if the economy rises the property values would not increase for the homes located within the 3 mile radius of the New Jersey Motorsports Park due to the noise.

Mr. Cooper asked the Board of Commissioners why they have not insisted that the New Jersey Motorsports Park construct a barrier regardless of the expense in order to make them good neighbors.

Mr. Cooper stressed that no one in attendance this evening on either side has ever stated they do not want the Motorsports Park, but residents are discouraged by articles published in the newspapers with one by Millville First which stated the park was supposed to provide the City of Millville with \$350,000.00 a year in lieu of taxes, but somehow was reduced to \$175,000.00 a year in lieu of taxes, which would probably amount to a penny of our \$.07 cent tax increase.

Mr. Cooper also referenced the Green Tree Committee and the statement that they do not receive any perks and advised the governing body he knows it to be a fact that they have VIP Passes.

Mr. Cooper also added he knows it to be a fact that a lot of City Supervisor's are a member of the committee, which are perks.

Mr. Cooper strongly urged the governing body to remove the ATV park proposal from the table noting the New Jersey Motorsports Park is not a good neighbor, because the noise is unbearable and respectfully requests the governing body and the Planning Board to insist that the New Jersey Motorsports Park build a sound barrier.

Joe Sooy, East Main Street, addressed the Board of Commissioners and made the following comments:

"When I woke up yesterday I decided, you know I'm going to look around and see if I can actually help the City save some money. I noticed that we have a lot of consulting contracts with outside vendors. So, I went back online and I went back to 2006 and started checking out to see who we were paying consulting fees to. Now, I realize you have to have some, because obviously with the size of the City of Millville you cannot possibly have all the expertise that it needs on staff. I came across a company called T&M Consulting, approximately \$10,000.00 in 2006 and 2008. Do any of you guys remember what we paid them for, because I looked through the minutes and I couldn't find it? Any idea?"

Mayor Shannon: *"Mr. Sooy I'm not going to be able to come up with that off the top of my head without going back and looking."*

Mr. Sooy: *"Alright, I was wondering, because I googled them, because I didn't know what they did and as I found that they were an engineering consulting firm and I also found out*

that they were under investigation for political donations. I went to NJ.com and their response was we don't give donations to anybody that doesn't ask for them. So, now I'm curious and I looked up everybody's paperwork with New Jersey Elect. Mr. Shannon and Mr. Vanaman, congratulations you're not on there, but the other 3 guys received donations from those guys in an amount of over \$3,000.00 for the last election. Now, I find it hard to believe that an out-of-town company out of the goodness of their hearts donates to you guys, for what reason. I don't know, I don't get it, but anyway if you can explain that I would be very appreciative."

Scott Eves, Manager of US Silica Sand Mining Plant in Mauricetown, addressed the Board of Commissioners advising them the plant owns about 300 acres in Mauricetown and approximately 700 acres in Maurice River Township.

Mr. Eves stated that as a large landowner one of the problems they are faced with are off-road vehicle trespassers and feels the ATV Field of Dreams Park will reduce the occurrence of riders trespassing and causing damage to their property.

Mr. Eves further added a planned ATV Park will also increase the safety of the off-road vehicle riders, because if they get hurt on his property that in all likelihood they would not know where they are then the rescue squad would not know where to find them resulting in a long response time.

Gerry Moore, 2224 East Main Street, addressed the Board of Commissioners and referenced all the complaints from residents who appeared before the governing body at past meetings who are being adversely affected by the noise from the racetrack.

Mr. Moore stated there were a few very dramatic complaints and specifically cited one where a female resident addressed the governing body advising that the extreme noise from the racetrack forced her to install central air conditioning; resulting in the increased assessment of her home, which then increase her property taxes.

Mr. Moore stated he is fortunate to live far enough away from the racetrack where he is not adversely affected, but added there has been a few days where he has heard it in his home and called the City complaining of the noise and their response was that it was contributed to the low cloud ceiling.

Mr. Moore made the following comments:

"You have to look at the ordinance itself and there's three components to the ordinance. One are the noise levels, which are given in decibels, 80 decibels for 20 minutes at the designated residential zones. I've looked at a lot of papers and delved over reports and 80 decibels is loud noise. Period. It's loud noise. I can't find any report that doesn't say it's not loud noise. If you don't believe me or the reports you can re-find Michele Post's testimony, if you have a copy of it from December. The duration of 20 continuous minutes that noise has to occur. That means you can technically have noise louder than 80 decibels, as long as it doesn't occur for 20 minutes. This incredibly means that your noise ordinance in some circumstances would not be violated when OSHA's workplace noise ordinance that sets a decibel reading at 85 for an average of 8 hours. So,

actually there are situations where you could have in a workplace that OSHA's standard would be violated and yet Millville with the same noise situation in a neighborhood would not result in a violation of Millville's ordinance. Thirdly, the location of the noise ordinance, it sets it at the neighborhood. That violates the most fundamental aspect of pollution control, which is you regulate it, you monitor it and you enforce it at the source. You know where the noise is coming from. Every time you had a City official taking the measurement in a given residential point in the City there are thousands of points that are not being measured. You can't be in all the places at one time. Other townships with racetracks and noise ordinances regulate, monitor and enforce at the source on the decibel limitations and restriction on when the racing can occur. We have none of them. The justification for the ordinance has been that the state exempts racetracks. The state adopted that exemption because at the time they intended to adopt separate rules for racetracks. This isn't the forum for why they're 40 years late in doing that, but that is what they intended to do. The City should have used the local Ordinance process to fill in the loop hole at the state level, but that unfortunately was not done. The lack of a state standard does not justify the establishment of a local standard that is otherwise baseless and there is no basis for the City's current noise ordinance. You won't find any scientific paper, government report or even any of the expert testimony during the hearings at the Millville Planning Board or at the City Commission Meetings that say exposure to 79 decibels of noise adequately protects the quality of life. Nor will you find in any of those references any recommendations that the best way to regulate pollution is somewhere other than its source. The racetrack is compliant with the ordinance, but I have to ask this question. What is the ordinance compliant with? As far as I can tell; nothing meaningful."

Jeff DiLazzaro read the following statement:

What has New Jersey Motorsports Park done for you lately? More than some people would lead you to believe. Let's take a look:

Capital Expenditures:

To date, NJMP has spent in excess of \$45,000,000.00 on capital improvements to the property. Approximately 50% of this amount was paid to Cumberland County contractors employing union labor. The remainder of this amount was paid to contractors from Southern New Jersey employing union labor.

Job Creation:

In 2008 and 2009, NJMP paid a total of \$3,852,000.00 in wages to its full and part time employees. In 2009, NJMP's total payroll was \$2,337,000.00; and of this amount \$1,355,000.00 was paid to Empowerment Zone residents. In 2008, NJMP's total payroll was \$1,515,000.00; and of this amount \$882,000.00 was paid to Empowerment Zone residents.

In 2009 alone, NJMP employed in excess of 250 people:

- (a) Twenty-two (22) full time employees (minimum 12 months per year/ 30 hours per week);
 - (i) Cumberland County Residents – 13;
 - (ii) Millville Residents – 7;

- (b) One Hundred Thirty-One (131) part time employees (minimum 16 weeks per year/15 hours per week);
- (i) Cumberland County Residents – 118;
 - (ii) Millville Residents – 69;
 - (iii) Vineland – 20;
 - (iv) Bridgeton – 11;
- (c) Approximately One Hundred (100) other employees that did not meet UEZ definition for full or part-time employees;

Stimulus to Cumberland County Businesses:

Between 2008 and 2009, NJMP did \$2,926,000.00 in business with Cumberland County vendors and suppliers. Of this amount, \$1,901,000.00 was spent with Millville businesses alone.

2008	\$1,392,000.00	\$ 867,000.00 (Millville Businesses)
2009	\$1,534,000.00	\$1,034,000.00 (Millville Businesses)
Total	\$2,926,000.00	\$1,901,000.00

Sales Tax Revenues Generated:

In 2009 alone, NJMP collected and paid approximately \$128,000.00 in sales and use taxes. Pursuant to the New Jersey Urban Enterprise Zone Act, a significant portion of these sales tax revenue were retained by the Enterprise Zone Development Corporation of Vineland and Millville to be reinvested within the community.

Special Entertainment District Assessments/Hotel Tax:

In 2009 alone, NJMP collected and paid in excess of \$80,000.00 in Special Entertainment District Assessments and Hotel Taxes to the State of New Jersey.

Charitable Contributions:

In 2008 and 2009, NJMP helped raise \$84,500.00 for local charities.

Real Estate Taxes & P.I.L.O.T Payments Made by NJMP:

In terms of revenues to the City of Millville, the construction performed by NJMP to date has generated the same revenues as a \$10,000,000.00 facility being built under a full real estate assessment. The reason for this is that a portion of NJMP's current "annual service charge" of \$175,000.00 per year under the P.I.L.O.T Agreement is paid directly to the City of Millville; and is not shared with the County of Cumberland or Millville School Board. As per the City of Millville School Board budget, the cost to educate one (1) student in the City of Millville for 2008-2009 was \$12,962.00. This means that a Millville family with just one (1) school age child probably pays less in real estate taxes than it costs to educate their son or daughter. Because NJMP is a commercial business entity, it does not have children whose educations are funded out of real estate tax revenues. The following numbers substantiate this claim.

	<u>2008</u>	<u>2009</u>
Annual Service Charge	\$175,000.00	\$175,000.00
Real Estate Taxes (Land)	- \$ 93,109.50	-\$106,428.54
P.I.L.O.T. (Paid directly to City)	\$ 81,890.50*	\$ 68,571.46*

* City of Millville keeps entire amount plus City's percentage share of real estate taxes on the land.

<u>Real Estate Tax Rate:</u>	<u>2008</u>	<u>2009</u>
City	1.132% (37.421%)	1.130% (37.086%)
County	1.207% (39.901%)	1.210% (39.711%)
Schools	0.686% (22.678%)	0.707% (23.203%)
Total Tax Rate	3.025% (100.00%)	3.047% (100.00%)

<u>City of Millville Received:</u>	<u>2008</u>	<u>2009</u>
Real Estate Taxes	\$ 34,842.51	\$ 39,470.09
P.I.L.O.T.	\$ 81,890.50	\$ 68,571.46
Total Real Estate Taxes & PILOT	\$116,733.01	\$108,041.55
Total Assessed Value of Property necessary to generate equal amount of tax revenue to City of Millville	\$10,312,103.36	\$9,561,199.12

The aforementioned calculations exclude the eight (8) condominium units that have been constructed at the Villas at Brighton. The average sales price of each of these eight (8) units is \$425,000.00. Based upon the sale of these eight (8) units alone, NJMP will place an additional \$2,461,437.48 in tax ratables on the City of Millville's tax rolls. These eight (8) condominium units are scheduled for closing by within the next thirty (30) days. It should be noted that a total of 182 condominium units are slated for construction.

Charles Flickinger, North 6th Street, addressed the Board of Commissioners stating the Millville Public Schools search of a new superintendent is ongoing and advised that residents will be receiving a survey in the mail in order to compile a consensus of the residents of Millville on what qualities the future Superintendent of Public Schools should possess.

Mr. Flickinger urged everyone to complete and return the survey to the Millville School Board and informed everyone that the survey is also accessible via the Millville Public Schools website at www.millvillenj.gov.

Mr. Flickinger further announced a Public Meeting will be held on February 9, 2010, 6:00 p.m. at Lakeside School in order to provide the City of Millville residents an opportunity to provide their thoughts on what criteria they feel applicants should meet for the Superintendent of Public Schools position.

David W. Mazur, Spokesperson for a group of taxpayers in Millville referred to as United Neighbors of Millville, addressed the Board of Commissioners and expressed their concerns regarding property taxes and layoffs.

Mr. Mazur advised the governing body that his group feels the property taxes and layoffs proposed by the City of Millville are unreasonable and unjust.

Mr. Mazur stated the United Neighbors believe that the 7 percent increase on the property taxes with the possibility of laying off City workers or implementing furloughs is not good for the City of Millville.

Mr. Mazur stated the Cumberland County unemployment rate is 13.5 percent, which equals 9,500 people unemployed and if you add to this rate the tax purpose will be less.

Mr. Mazur advised people are crossing the Delaware Bridge in order to provide them with tax relief, as homes are cheaper in Delaware noting property taxes for a home there are \$500.00 compared to a similar home in Millville with \$5,000.00 in property taxes.

Mr. Mazur stated the United Neighbors are tired of residents suffering due to the local government misusing funds

and believe the City of Millville does not need parades or parties.

Mr. Mazur suggested the first thing that should be cut in the budget is recreation, open spaces, opportunities and rebuilding certain buildings noting these are only symbols of the City and advised them the taxpayers are the heart and soul of Millville.

Mr. Mazur stressed the importance of keeping the Millville people working noting the trickle down of economics does not work and never has worked.

Mr. Mazur concluded that they would like to see property taxes reduced and not in the form of layoffs, but cut from other portions of the budget within all City departments.

Dan Rieck, a Millville resident and member of the Green Flag Committee at New Jersey Motorsports Park, addressed the Board of Commissioners expressing his appreciation to the governing body for a job well done regarding the demolition of Millville Gardens.

Dan Rieck noted he would like to respond to a statement made by a gentleman earlier this evening, who alluded that the Green Tree Committee is receiving perks noting he later realized the gentleman actually meant the Green Flag Committee.

Dan Rieck advised that the Green Flag Committee is a group of very passionate volunteers who have donated many hours of their time working with the track, long before it was constructed and expressed his appreciation to the volunteers for their vision and the guts in supporting the developers and the motorsports park project.

Dan Rieck informed the governing body that the perks the gentleman was referring to is wearing the green flag badge, which gives the volunteers access to the track on a race day.

Dan Rieck stated he feels the volunteers have earned this perk as a reward of the countless hours of their time that they spend at the track in crowd control and generating Green Flag charity monies, which over the course of the past 2 years have raised \$84,000.00 in children's charities.

Dan Rieck concluded that Green Flag has worked very hard in working with local nurseries in order to provide trees and shrubs in an effort to beautify the track and help with sound attenuation.

Dan Rieck stated the several hundred trees that were planted to delineate the border between the track and the airport are looking good.

Dan Rieck referred to the tens of thousands of trees cut down by the FAA under some misguided reason that he does not understand and emphasized that the New Jersey Motorsports Park was in no way responsible for the removal of those trees and stated it is time to stop blaming NJMP and blame the FAA for the sound problem.

Joe Sutherland, Coordinator of the Millville Municipal Alliance Committee, announced the upcoming 15th Annual Talent

Show scheduled to be held on Friday, January 29th, 7:00 p.m. at Memorial High School.

Joe Sutherland further announced the New Jersey State Elk's Peer Leadership Conference scheduled to be held on February 5th, 6th and 7th noting the Municipal Alliance in cooperation with the Millville Board of Education and the Millville Elk's will be sending 10 Millville students to attend.

Joe Sutherland stated he would like to address the Board of Commissioners as a Millville resident noting he has lived on Dorset Avenue since the racetrack has opened and advised the governing body that he has never heard the noise from the racetrack in his house.

Joe Sutherland further stated he has been in very close proximity of the racetrack on occasions and has never experienced unbearable noise and suggested the governing body take the nice little boom box up by the post office and turn it on 80 decibels and see how loud it is there.

Lois Hall, Cedar Street, addressed the Board of Commissioners and stressed that she has never and will never be opposed to the Motorsports Park being located in the City of Millville.

Lois Hall further added that she loves the sport and was taught to drive by her sister-in-law, Emma Hildreth Vanmeter, the daughter of Elton Hildreth, also known as Car No. 16J of the Vineland Speedway, who was honored at the New Jersey Motorsports Park and emphasized that she loves to speed and can not wait for the day when she can go over there and drive.

Lois Hall also stated the NJMP has proven their ability to be a good neighbor acknowledging their successful negotiations in bringing the Air Show to Millville in 2011.

Lois Hall provided a brief history of the Millville Municipal Airport noting it was the nations first defense airport and recalled when Airwork was located there noting there was 900 employees who worked there before they closed.

Lois Hall acknowledged that Airwork tested airplane engines and noted there were times they were loud and that when the citizens complained the Commissioners got involved and some changes were made, but feels the complaints regarding the noise from the NJMP are not being heard.

Lois Hall acknowledged that the New Jersey Motorsports Park has had a positive impact for the City of Millville and stated she was pleased that the Airshow will be coming to Millville in 2011 and this is due to the New Jersey Motorsports Park's successful negotiations and expressed her appreciation.

Lois Hall also referred to the last meeting when someone mentioned there was no directional sign to the NJMP at the end of Nabb Avenue and noticed that the directional sign is now there and expressed her appreciation to the responsible party.

Lois Hall stated that although positive things are happening since the NJMP came to Millville she also noted that at 7:00 a.m., three days a week she hears every word from the public address system from the New Jersey Motorsports Park

pointing out this is with her house closed and air conditioner running.

Lois Hall advised the governing body that she has never called the City and complained, because she is appreciative people are working and provides someplace for families to go.

Lois Hall referenced the Commission Meetings she attended in 2006 and was under the impression that the Field of Dreams was in Phase II across the road on Buckshutem Road noting the residents were not concerned, because it would be a different situation entirely and thought there was supposed to be some type of sound barrier.

Lois Hall stated the residents are very concerned as to what the noise levels will be if the Field of Dreams project is located within the New Jersey Motorsports racetrack as it presently exists noting the only sound barrier that existed is now gone since the DRBA removed all the trees.

Lois Hall acknowledged trees are growing, but asked how many years will this take noting the trees previously there were 200 years old.

Lois Hall also acknowledged that future buildings will act as a sound barrier, but pointed out they will not be built for another 5 or 10 years.

Lois Hall advised the governing body that the residents are simply asking them to help the residents and provide some type of sound barrier.

Richard Schmidt, member of the New Jersey State Police Racing Advisory Board and Safety Instructor for the Motorcycle Safety Foundation, addressed the Board of Commissioners noting he spoke at the last Commission Meeting regarding the lack of riding areas in New Jersey and how the approval of the proposed off-road vehicle park would create positive economic growth in the community.

Richard Schmidt stated he would like to address the concerns expressed by the citizens this evening regarding noise and advised the New Jersey State Police have adopted the American Motorcyclist Association Rules and Regulation, which governs sound.

Richard Schmidt informed the governing body that the State of New Jersey is responsible to provide public off-road vehicle parks to riding enthusiasts, which unfortunately has proven to be a difficult task since they have not yet been successful in creating an approved facility.

Richard Schmidt informed the governing body that the New Jersey Motorsports Park has received approval from the DEP authorizing them to host an off-road vehicle park pointing out that approval from the New Jersey DEP is a huge accomplishment and is waiting for further approval from other State agencies.

Richard Schmidt stated he supports the Field of Dreams project and believes it would provide various benefits to the City of Millville and hopes the governing body supports the project.

Jimmy Capece, addressed the Board of Commissioners expressing his full support of the Field of Dreams project and indicated that the cars that race at the track are 10 or more times louder than the dirt bikes or 4 wheelers adding they would not even be heard a mile away, but the race cars can be heard over 7 miles away.

Jimmy Capece indicated that the Field of Dreams Park will be temporarily located within the New Jersey Motorsports Park and will be located across the street upon the acquisition of the land, again emphasizing the park will not be located within the NJMP permanently.

Jimmy Capece stated off-road vehicle racing is a family sport and keeps kids out of trouble, and will provide revenue to the City of Millville.

Jimmy Capece further stated that there would be no recreational sports, raceways or anything in the whole country if decisions were made based on the few nay-sayers protesting about noise.

Michele Post made the following comments:

"Michele Post, Hogbin Road. I want to let everybody here know that the folks that are against the noise are not against this motocross track. I think motocross is actually a pretty wonderful thing, he's right it is about family. It is about getting the kids out there and all that. We're not against that at all. What we are talking about is noise, plain and simple. Now, whether or not the motocross tracks are going to generate the same kind of noise as the cars. We don't know that. We listened the first time when they said about the racetrack coming in the first time. Oh, you won't hear it, you live 2 miles away, you're never going to hear it. That's what my neighbor said. All along Hogbin Road, they went to the meeting and they all said, oh, Michele you'll never hear it out here. Okay. So, all I can say on this one is fool us one time shame on you, fool us again... no, shame on us... fool us again shame on you."

Robert Tesoroni, Howard Street, addressed the Board of Commissioners and made the following comments:

"An observation and a question. On page 8, Resolution No. 14. Tonight you authorized a 33% over run on a project. I don't know anyone sitting up there or in the audience that would accept that from a contractor working on their personal home. They tell you they give you one bid and then after they get involved in the project they said we didn't realize it was this involved and we got a 33% over run, \$160,000.00 is one cent on the tax rate. Just an observation. Now, my question, what is your contingency plan for the future meetings. There's 27,000 plus residents in the City of Millville and we encourage involvement in their government and we're getting that. You're busting at the seams and now it's said we're going to turn people away. I'm not sure how that conflicts and maybe the attorney would be able to answer this, how that conflicts with an open public meeting, if you turn people away at the door. But, I think you need to come up with a contingency plan, because we are out living the room that we're in and I think that is a good thing. Thank you."

Jeff Hackett, Millville resident, addressed the Board of Commissioners and made the following comments:

"My name is Jeff Hackett, I live in Millville and I've lived here for 40 years. I very reluctantly came down here to talk to you people, because I've called a lot of you on the phone and I've just been generally stonewalled. When this track was being thought of I called the then Mayor, Mr. Quinn here and asked him are we going to hear any noise. Oh, we've been to the racetracks down there, you won't hear a thing. My chief concern was that you were putting the racetrack on the water table of the lake that I live on, which is Laurel Lake. You guys don't have any concerns about that, but I don't think you have any concerns about the environment whatsoever. You certainly don't have any concerns for us people that live around that track. You've demonstrated it time after time, after time. Now, you're getting ready to let these track people put that racetrack across the street without any sound barriers. How much do you think we can take before we get rid of every last one of you? I would like to see you all on the unemployment line right now. That's how sick I am of it. Also, there's something like a million dollar payment these guys are supposed to make for that track, in addition to put up the sound barriers. That would have eliminated the tax for all of us, we wouldn't be paying that this year. I want you to start looking at the residents here in City of Millville and start doing something for us, because you're not doing anything for the people that live around that track. The track did an election here, I didn't vote for any of you here, except for Mr. Vanaman, so you know how I feel about it. I'm just sick to death of this noise and I want you to do something about it and I want you to do your job and protect the citizens from all of this nonsense. It's just too much racket, it's too much noise and we're all sick of it. I don't care about the track, the track can stay there. It's already there, it's given jobs and that's great. If they're going to pay taxes, that's great. But, you got to stop kissing their butts in letting them get off from the payments they're supposed to be making. They're paying \$175,000.00 now, but it was supposed to be \$350,000.00 when they put the track up. Now, you don't want the million dollars, but a track can be put across the street, so we can pay extra taxes and there's going to be no sound barrier if they put it on the other side of Buckshutem Road, which I am totally opposed to. I want you to do your jobs and do something for the City of Millville. One more thing, I've looked up the addresses of you people and not one of you live around the track... You might, I didn't look up your address, I looked up their addresses. None of them live there."

Brianna McQuen, Vineland, addressed the Board of Commissioners and acknowledged she does not live near the track, but is very fond of the off-road vehicle recreational activities noting her lawn is currently their track, because there is no place to ride and her husband rides around her house and is continually ripping up their lawn.

Brianna McQuen stated she understands the concerns of some the Millville residents, but believes the majority of the people are in favor of this track and fully supports the motocross track adding it will provide families with something constructive and healthy to do with their time.

Brianna McQuen further added that when her husband rides his bike in her yard that the noise is not that bad and understands the people wanting a sound barrier, but asked the people to understand the need for a motocross park in order to provide a safe place for the riders to ride.

Jim Feltes, 13 Phyllis Drive, addressed the Board of Commissioners and stated he attended the motocross event at the Cumberland County Fairgrounds noting he lives a couple of miles away and did not know it was out there until his daughter told him, because he did not hear a thing.

Jim Feltes further stated he decided to attend the event and observed the families and kids having a great time and asked the sponsors of the event to keep up the good work noting if the motosports park is anything like the event held at the Cumberland County Fairgrounds they will have a great thing.

John Dwyer, 446 Brenda Terrace, addressed the Board of Commissioners and stated his son has been racing two years and they have spent some of the best times as a family together in those two years.

John Dwyer asked the governing body to give this project serious consideration and approve it noting it will get the kids off the streets and give them something to do that they enjoy.

Bruce Vittorini, Upper Deerfield Township, addressed the Board of Commissioners and stated he previously lived on Rieck Avenue and is familiar with Millville.

Bruce Vittorini stated he owns a motorcycle dealership in Bridgeton and everyday his customers complain there is no place to ride, their kids are getting in trouble and the cops are picking them up for riding on private property and on the road.

Bruce Vittorini further stated the State of New Jersey has to take action quickly, because a lot of riders are getting hurt and a lot of people are being sued.

Bruce Vittorini indicated he has heard both sides concerning the noise, but the park is already there along with the noise issues and testified that the noise from the ATV's are no where near as loud as the cars and should not even be an issue in approving the motocross park.

Bruce Vittorini further stated the riders of off-road vehicles need a legal, safe place to ride and that the City of Millville will profit from this sport rather than other states.

Brian Hardem, President of Northeast Off Road and resident of Heislerville, addressed the Board of Commissioners and noted they sponsor events at the Cumberland County Fairgrounds twice a year and sponsor events in Pennsylvania, Delaware and Maryland.

Brian Hardem noted it is very difficult to sponsor enough events in the State of New Jersey due to the large riding base and really need a motocross park in New Jersey.

Brian Hardem further expressed his support for the motocross park, would love to see this project approved and noted would be a win-win for the City of Millville.

Eldin Polhamus, President of the Tri-County Sportsmen Motorcycle Club, addressed the Board of Commissioners and informed them his club sponsors three major events a year, which are all sanctioned through the American Motorcycle Association.

Mr. Polhamus stated a motocross park is needed in this area and noted they have worked hard the last 5 to 6 years and have met with the Pineland's Commission and Department of Environmental Protection in an effort to try to locate tracks in Maurice River Township and Buena Vista Township

Mr. Polhamus further noted that the City of Millville has the New Jersey Motorsports Park and that the addition of motocross park would be a win-win for everybody and thinks the young people in the community really need this park.

Commissioner Derella made the following comment:

"Just one other comment. I was meeting with Mr. Rosenberger, like I try to do 2 or 3 times a month on various topics that he and I have to cover. One of the things that he said is coming through his office was the fact that 8 of the villas at the New Jersey Motorsports Park are complete and are getting their CO and they will go on the market, the selling price is \$425,000.00 and I want to remind everybody that those things are fully taxed. There will be tax revenue being generated by those, unfortunately the economy, as it has affected everyone in this room, has affected them and they projected 182 that are going to go up is taking much longer than anticipated. So, as the project continues to move forward there will be more tax revenue coming in this direction. I also had a couple of conversations with people over the last weekend in regards to the tax rate. First of all it's 8 cents, I do not know where the percent came from, but it's not percentage it's pennies. Unfortunately, we have stated, all of us, that we were disappointed of where we were at, but we did state where those tax dollars went to in regards to health benefits and other issues that the City was faced with. One thing that people have to understand is that the ratable growth that was experienced over the last 3 years primarily was Union Lake Crossing, some of it New Jersey Motosports and some other smaller projects. Those projects were what was instrumental in us being able to hold the line on taxes in pretty much '07, '08 and part of '09. The ratable growth has severely decreased due to the economy and those new projects have not been able to carry the burden of the increased cost of government, which again a lot depends on health benefits and pension. So, again there was a positive impact with some of the projects throughout the City of Millville and needs to be reflected over the last 2½ to 3 years and unfortunately the growth has slowed, so I did remind people of that, but it still puts the burden back on us to make sure, in regards to taxes that we do our homework in each one of our departments and I meet with each Commissioner consistently when they have issues with their line items and all have been extremely cooperative along with their department heads and we will continue to develop our budget for 2011 and we started that January 2nd."

Commissioner Quinn: *"I would like to respond to Bob Tesoroni's comment. I thought about that too, Bob and we haven't, of course talked to Mr. McCarthy. One of the concerns I have when I thought about that maybe we can go to an auditorium at the high school or a larger venue, but you then*

lose Channel 9, we lose the TV, so that's something we really have to weigh if we ever have to look at another venue to hold the Commission Meeting. Do we want to lose the thousands of people who watch it on TV? We could hold it probably at Millville High School, I've been to meetings there when we've had the landfill issue with a freeholder and packed that place when we needed a large venue. So, it is tough and I just think you make a very good point and I thought about it at the last meeting myself, because I realized we had people standing all over and as Commissioner Vanaman had pointed out that we probably were in violation of the fire code and that type of thing. It's something we probably need to talk about or somehow maybe, I don't know where else you could set up chairs down on another floor and have a monitor there so you could see it. But, I think you made a very good point Bob and I've been thinking about that since the last meeting as well, but again it comes down that Channel 9 is hooked up live here so people can watch that at home."

Commissioner Vanaman: "Just to follow up with Commissioner Quinn. No, we are not trying to keep anybody out of here. It's just the fire code throughout the state and throughout the country have been developed for a very specific reason and that is for your safety and your well-being. Unless you promise that you will let me go out the door first in case of an emergency, then you know we can put 300 people in here, but I get out first. But, seriously there is no intention of trying to keep anybody out. Fire Codes are meant strictly for the safety and well-being of everybody present. Thank you."

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: January 19, 2010

James T. Shannon
Mayor

Joseph J. Derella

James F. Quinn

David W. Vanaman

Dale L. Finch
Commissioners

Attest:

Lewis N. Thompson
City Clerk/Administrator

**BILL LIST
CITY OF MILLVILLE
MEETING JANUARY 19, 2010**

ACTION SIGNS & AWARDS	207.00
AECOM USA, INC.	14,560.97
AGM ELECTRONICS, INC.	809.26
AMERICAN AQUATIC TESTING INC	775.00
AMERICAN BORING SYSTEMS INC	556.00
ARAMARK UNIFORM SERVICES, INC.	1,139.72
ARBRISCO ENTERPRISE, INC.	4,280.00
AT&T	3.42
ATLANTIC CITY ELECTRIC	112,902.52
AUTOZONE NORTHEAST, INC.	1,254.86
BETHEL DEVELOPMENT CORPORATION	4,035.00
BIRCH'S COMMUNICATIONS	816.93
CENTER FOR FAMILY GUIDANCE, PC	1,906.67
CIFALOGGIO INC	126.08
CITY OF MILLVILLE	11,210.07
CITY OF MILLVILLE PETTY CASH	140.74
CITY OF MILLVILLE UTILITY	1,391.00
CLARKE CATON HINTZ, INC.	29.00
COMCAST, INC.	59.87
CUMBERLAND CO. CLERK'S OFFICE	22.00
CUMBERLAND CO. COLLEGE	3,750.00
CCSPCA	15,564.68
WILLIAM W. PATRICK, SR.	147.00
CUMBERLAND VALVE INC	345.22
CUSTODIAN OF SCHOOL MONIES	672,218.00
GANNETT SATELLITE INFORMATION	2,208.90
DEAN ENTERPRISES	37,871.36
DDK CONSTRUCTION	13,085.00
LINDA A. DEDRICK	400.00
DEERFIELD ELECTRIC	7,464.97
DELTRONICS CORP	660.20
BEATRICE MACKIE	70.00
STEVEN S. DULOWE SR.	4,350.00
EDWARD DUFFY, ESQ.	442.00
EIC INSPECTION AGENCY CORP.	3,544.00
EMTEC, INC.	2,705.24
F & S PRODUCE CO., INC.	375.00
FEDEX	174.57
GALLO'S GMC TRUCK SALES, INC.	635.56
GARDEN STATE HIGHWAY PROD. INC	908.00
GENERAL CODE PUBLISHERS, INC.	1,875.00
GENTILINI FORD, INC.	266.47
JAMES C. HARDEN, JR.	500.00
HOWARD HEE	375.00
GREG L. ERBER, SR.	1,571.03
HUMAN RELATIONS MEDIA CTR, INC	461.84
INDUSTRIAL SUPPLIES INC	430.80
KEEN COMPRESSED GAS CO., INC.	191.47
KEY EQUIPMENT FINANCE, INC	390.00
L & H SIGNS INC.	73,398.06
LANDSMAN UNIFORMS INC.	5,570.50
SKINDER-STRAUSS ASSOCIATES	84.25
LOWE'S CO., INC.	622.11
MCI COMM SERVICE	40.02
MAAWLE CONFERENCE 2010	990.00
RODNEY R. MACAVOY	14,917.50
MAJOR PETROLEUM, INC.	1,109.42
MARLEE CONTRACTORS, LLC	9,306.34
MATTHEW BENDER & CO, INC.	448.47
RICHARD C MCCARTHY ESQ	20,159.14

KAREN MCCAFFERTY	3,000.00
MES/ALL SAFE,INC.-PENNSYLVANIA	1,495.00
MID-ATLANTIC SALT, L.L.C.	14,699.33
MIKSIS&DIEGO ATTORNEYS AT LAW	845.00
QUARKER CITY MOTOR PARKS CO.	237.12
MILLVILLE DEVELOPMENT CORP	21,822.37
MILLVILLE PUBLIC LIBRARY	219,013.33
MILLVILLE RESCUE SQUAD	4,833.33
WILLIAM R. MINTS AGENCY, INC.	13,987.00
MOD-CON, INC.	22,800.00
MODERN HANDLING EQUIP. CO.	3,499.22
NATIONAL DEVELOPMENT COUNCIL	12,000.00
NEXTEL COMMUNICATIONS, INC.	4,511.41
VERIZON	224.19
NEW JERSEY LABOR LAW POSTER	332.75
NJOIT FISCAL SERVICES	945.00
OFFICE BASICS, INC.	344.49
TODD OLIVER & SONS, LLC	1,050.00
ONE CALL SYSTEMS, INC.	168.30
AT YOUR PACE LLC	553.15
PARAGON PRESS	619.87
TIM PATRICK	369.69
PEDRONI FUEL CO, INC.	29,928.71
PENN-JERSEY MACHINERY, INC.	997.52
PENNONI ASSOCIATES, INC.	7,373.11
PERFORMANCE AUTO GLASS	190.00
PERRYMAN EXCAVATING	2,750.00
PITNEY BOWES INC	249.49
PREMIER CHEMICALS, LLC	10,017.70
QUALITY CONTROL LABS, INC.	2,596.00
REDCORN, INC.	2,450.00
JAMES F. REEVES	375.00
ROBERT RENNER	8,950.00
JIM RHUBART JR. & SR. CONST.	10,600.00
BROCK D. RUSSELL, L.L.C.	1,136.00
SECARE, DELANOY, MARTINO &	416.00
THYSSENKRUPP ELEVATOR	1,576.75
SERVICE TIRE TRUCK CENTER, INC	3,626.28
A.C. SCHULTES. INC.	2,615.00
SJ GAS COMPANY	4,090.13
SOUTH JERSEY HEALTHCARE	789.00
SOUTH JERSEY SANITATION CO INC	121,031.67
STEWART BUSINESS SYSTEMS, INC.	109.00
SYSTEC OF VINELAND, INC.	528.00
TD BANK, NATIONAL ASSOCIATION	70,156.17
TRACTOR SUPPLY	129.88
TREASURER, STATE OF NJ	1,040.00
TRICO EQUIPMENT, INC.	311.11
RICHARD TUCKER	50.00
UNITED ELECTRIC SUPPLY, INC.	181.67
UNITED LAWN MAINTENANCE, INC.	370.00
UNITED PARCEL SERVICE	14.66
URBAN ENTERPRISE ZONE	5,207.91
U.S. BANK NATIONAL ASSOCIATION	55,764.12
USPS	5,411.00
NATHAN VAN EMBDEN, ESQ.	4,250.00
VERIZON WIRELESS	200.04
VITAL COMMUNICATIONS, INC.	100.00
THE WALL STREET JOURNAL, INC.	119.88
WEINSTEIN SUPPLY CORPORATION	145.16
WESTFIELD ARCHITECTS &	1,492.50
ALICE E WOOD	200.00
RONALD J. CHARLESWORTH	220.00
JOHN COLEMAN	100.00
RONALD J HARVEY	250.00
CLARENCE W. HOFFMAN	480.00
RALPH H LANE	520.00

TOTAL VOUCHERS FOR 01/19/10	1,742,313.24	
ACMJIF	H W	297,620.00
CITY OF MILLVILLE SALARY ACCOUNT	539,076.70	
CITY OF MILLVILLE SALARY ACCOUNT	105,805.94	
TOTAL SALARY FOR 01/19/10	644,882.64	
TOTAL VOUCHERS & SALARY 01/19/10	2,684,815.88	