

Commission Chamber, City Hall
 Millville, New Jersey
 February 20, 2007 6:30 p.m.

The Board of Commissioners met in an agenda session with Mayor Quinn presiding members present. Quinn, Shannon, Derella and Hollingshead. Absent: Parent.

The tentative agenda was discussed, but no official action was taken.

Commissioner Shannon reported on the forthcoming Snowflake Swim, Winter Photo Contest and the Patriot Park Fundraiser to be held at the BPO Elks Lodge.

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

Commission Chamber, City Hall
 Millville, New Jersey
 February 20, 2007 7:00 p.m.

The Board of Commissioners met in regular session with Mayor Quinn presiding. Members present: Quinn, Shannon, Derella and Hollingshead. Absent: Parent.

Reverend William Thielking delivered the invocation followed by the salute to the flag.

Mayor Quinn made the statement required by the Open Public Meetings Act of 1975.

"This meeting is being conducted in accordance with the Open Public Meetings Act of 1975", was advertised, posted and made available to the public as required by Statute. The Municipal Clerk is directed to include a statement in the minutes of this meeting.

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

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

COPY OF BILLS SEE PAGES

THROUGH

Mayor Quinn stated the public comment portion regarding agenda items only was now open and asked if any person present wished to be heard.

Betty Monteleone: *"Betty Monteleone, Briar Drive, Resolution No. A- 5708 in support of AHOME. I'm just curious I feel that we had a problem with too many or was this 23 new units?"*

Mayor Quinn: *"yeah, I believe so, Betty, why?"*

Betty Monteleone: *"I thought we had a problem with overcrowding already, why are we building..."*

Commissioner Derella: *"it's 23 single family homes..."*

Betty Monteleone: *"I know, but I thought we had a problem already with overcrowding, we're building 23 more?"*

Mayor Quinn: *"Not homeownership Betty, our problem is with the slum landlords with the four units, that's the problem. These are single-family home owned properties and what we want in Millville is homeownership..."*

Betty Monteleone: *"I know, I thought the thing with that was to refurbish existing houses..."*

Mayor Quinn: *"well, some will be. Yes, I'm sorry, some will be Betty. Yes."*

Betty Monteleone: *"and is there already a waiting list for this list of houses..."*

Mayor Quinn: *"I have no idea..."*

Betty Monteleone: *"the reason I ask and I don't like to bring names into this, but I've been told for months that Mr. Thompson's daughter is on the list for a house a AHOME. I thought AHOME's were for poor people."*

Mayor Quinn: *"Well, people qualify and that's what you have to go by is qualifications, to see if they qualify or not..."*

Betty Monteleone: *"so, how do you get on this list months before the monies ever even been allocated and... is this true? I mean I don't... is it true? Is his daughter on the list for one of these homes?"*

Mayor Quinn: *"I don't think so..."*

Commissioner Derella: *"since the AHOME Project is not directly related to the City of Millville, this is money that we're supporting that the state would give to AHOME to qualify them with up to 23 either new or rehabilitated homes that will be considered to be affordable homes to help meet some of our quotas. As far as, who's on the list and who's not, AHOME would have to answer that and AHOME will also have to go through the qualifications that they have done in the past."*

Betty Monteleone: *"Well, I just think it's a shame that taxpayers money, whether it be Millville's taxpayers or State taxpayers, it's still all our money, Federal money. If you want to do this to help the poor, they should definitely be the poor..."*

Mayor Quinn: *"well, they have to qualify, Betty..."*

Betty Monteleone: *"I know, but, Quinny, you know and I know, I took pictures of all the homes that got the money to fix their houses up and they were not the poor people in Millville that got the money. Remember that? I can bring it in and refresh your memory..."*

Mayor Quinn: *"okay, well that would be good..."*

Betty Monteleone: *"and that money was from our Community Block Grant money..."*

Mayor Quinn: *"but, this is the item that's on the agenda that you were asking about..."*

Betty Monteleone: *"but, they're using Community Block Grant Money for these houses too..."*

Mayor Quinn: *"that's correct, but that's what's on the agenda today..."*

Betty Monteleone: *"okay and that's what I'm discussing..."*

Mayor Quinn: *"so, let's not do past history, let's talk about this one today right now..."*

Betty Monteleone: *"but, we have to learn from our past history and that's what I'm trying to bring into this, the past history of where that Community Block Grant money went and you guys told me it was passed, it will never happen again. Well, evidently it's happening. Thank you."*

Mayor Quinn: *"Okay. Judge."*

Paul Porreca: *"Good evening gentlemen, my name is Paul Porreca, I live on Porreca Drive in Millville. Was that an invitation Mayor, you said Paul or Judge come on up?"*

Mayor Quinn: *"I knew you would get up and Betty was up and I just wanted you to know it was your turn..."*

Paul Porreca: *"thank you very much. There's, on page 2, there's an item about a response to the Solicitor on connection of existing residential properties. Does that have to do with the Cedar Street Extension Rich, is that what that's about?"*

Richard McCarthy: *"yes."*

Paul Porreca: *"okay, so, and I don't want to..."*

Richard McCarthy: *"the second letter, a different group..."*

Paul Porreca: *"I don't want to get into it now, but hopefully when it comes up for passage, you'll explain it instead of just, you know, just adopting it, because that's pretty interesting as to what's going to happen. There was a lot of discussion about it at the time as I recall. On No. 7 on Page 3, Neighborhood Preservation Program, three million dollars is that for a particular project where we had discussed that at the time?"*

Mayor Quinn: *"yes it is, yes"*

Paul Porreca: *"rather than just, because you can't tell what it's about just from the description of course. On Resolution, the one that Mrs. Monteleone just spoke about, but the different idea about it. We have been having a running discussion for about two years about land sales and in the last two occasions, Mr. Mayor, one of your comments was, and I understand it, you know, maybe we shouldn't sell these lots the City owns, because somebody might build a house on it to put kids in school. Well, I would suggest to you that if this, when this Resolution passes tonight, that argument is off the table. That, you know..."*

Mayor Quinn: *"well, you would never let me hold that argument anyway, so what's the difference..."*

Paul Porreca: *"okay..."*

Mayor Quinn: *"I was off after I said it, because you believe selling those, the lots, you've said that for many years and I understand..."*

Paul Porreca: *"okay, we just don't get a chance to discuss it at the time, because of the format, so..."*

Mayor Quinn: *"yeah, I know..."*

Paul Porreca: *"you know, it goes lingering along. I've also been having a continuing discussion and that's a problem, there never seems to be a total resolution and this is a resolution on Page 6, No. 5710 and I find it interesting that this resolution requires a public hearing. Is there something special about that, because I'm having a continuing discussion with the Solicitor, private, about the need to have Resolutions filed in advance. But, is this something special?"*

Mayor Quinn: *"This is normal, isn't it?"*

Lew Thompson: *"this is done every time..."*

Richard McCarthy: *"it's standard operating procedure on UEZ matters..."*

Paul Porreca: *"on any UEZ, let me get it straight then. What are you saying? That any UEZ matter Resolution funding..."*

Lew Thompson and Richard McCarthy: *"applications for funding..."*

Paul Porreca: *"well, we can discuss it later, a particular statute that relates to that, is that... okay..."*

Richard McCarthy: *"there's public hearings on those, there always has been..."*

Paul Porreca: *"on UEZ funding..."*

Richard McCarthy: *"applications for funding, yes."*

Paul Porreca: *"okay, thank you very much."*

Mayor Quinn: *"Thank you. Anyone else?"*

There being no further comments the public comment portion regarding agenda items was closed, by the following vote: Yeas: Shannon, Derella, Hollingshead and Quinn.

The City Clerk/Administrator read correspondence received from Paul M. Harris submitting his resignation as a member of the Urban Enterprise Zone effective immediately.

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

Mayor Quinn expressed his sincere appreciation to Paul Harris for his dedication and contributions in serving as a member of the Urban Enterprise Zone Board.

The City Clerk/Administrator read correspondence from Mayor Quinn reappointing Barbara Cook, as member of the Urban Enterprise Zone with a term expiring March 1, 2009 and Mike Mitchell as a member of the Urban Enterprise Zone to fill the unexpired term of Paul Harris for a term expiring March 1, 2009.

The City Clerk/Administrator also read correspondence from Mayor Quinn appointing John Romanik from Alternate I member of the Millville Shade Tree Commission to fill the unexpired term of Catherine Brandon and the reappointment of Irene Decker as a member of the Millville Industrial Commission with a term expiring February 28, 2012.

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

The City Clerk/Administrator read the following correspondence received from the New Jersey DEP Land Use Management responding to a letter dated July 3, 2006 from Richard McCarthy requesting guidance on proposed ordinance amendments for existing residential properties connecting to the municipal sewer and water service systems:

February 7, 2007

Richard C. McCarthy
City of Millville
12 South High Street
Millville, New Jersey 08332

Dear Mr. McCarthy:

I am writing in response to your July 3, 2006 letter to Commissioner Lisa P. Jackson requesting guidance on proposed Ordinance amendments regarding the connection of existing residential properties to the municipal sewer and water systems. I apologize for the delay in my response. Below are the general comments that were provided by the Division of Watershed Regulation and the Division of Water Supply regarding the two draft Ordinances. I encourage you to speak with staff from these Divisions for more detailed discussion. Be advised that future regulatory changes by the Department may require an amendment to ordinances that are adopted at this time.

Watershed Regulation comments:

N.J.A.C. 7:15-5.19(b) states that "A wastewater management plan shall require that individual subsurface disposal systems for individual residences can be constructed in depicted sewer service areas only if legally enforceable guarantees are provided before such construction that the use of such systems will be disconnected when the depicted sewer service becomes available." The Division of Watershed Management is not opposed to Millville allowing property owners to delay the expense of connection to public sewers if they demonstrate that their septic systems are functioning properly.

The Division is concerned about the density of permitted septic systems when the premise they serve is deriving potable water from private wells. If these systems are close together, even when properly functioning they could result in Nitrate contamination above the drinking water standard. If this is the case, then connecting to public water is a better remedy than sewerage because the contamination is likely to persist in the groundwater for a very long time.

Watershed Management preferred the Sewer Utility Ordinance number 1 as it provides a more direct requirement for septic inspection and direct consequence (required connection) for the failure to inspect as required. However, the inspection interval should be reduced to three years to be consistent with Department guidance. Also, licensed plumbers should not be approved as an inspection authority. Licensed Professional Engineers are appropriately qualified to perform these inspections.

Water Supply comments:

While draft Water Utility Ordinance number 1 requires mandatory connection or mandatory testing to demonstrate acceptable water quality, the Division recognized that draft Water Utility Ordinance number 2 would be more palatable to the affected property owners and more likely to be passed without major opposition.

Connections should only be mandatory if primary Drinking Water standards are not being met (i.e. primary maximum contaminate levels are exceeded).

The issue of mandatory versus recommended sampling of the private wells is up to the municipality. Mandatory sampling is only required at sale under the Private Well Testing Act.

The Division is not familiar with Cumberland County Department of Health's Ordinance 9. Does it include secondary recommended maximum contaminate levels?

The threshold distance to consider connection should be revised from 100' to 200' from property lines. With this revision the Ordinance would be somewhat consistent with the state Safe Drinking Water Act rules at NJAC 7:10-12.4(c)1 ("Standard for construction of public noncommunity water systems and nonpublic water systems")

The municipality must consider the current existing firm capacity and authorized water allocation. The Division of Water Supply will allow de minimus hook ups for wells where water quality exceeds the standards, however, a significant number of hook ups can be problematic if they will exceed existing firm capacity or allocation. Situations where there is no public health issue, must meet firm capacity and allocation limits. Connection should only be mandatory if supply is legally available, meaning no supply deficient.

I trust the above addresses your immediate concerns, but should you have any additional questions regarding the information provided, please contact me at 609-292-2178. If you require further technical guidance I will direct you to the appropriate Watershed Regulation or Water Supply staff

Sincerely yours,
Helen A. Owens
Supervising Environmental Specialist

C: Lewis N. Thompson, City Clerk
Larry Baier, Director, Division of Watershed Regulation Michele Putnam, Director,
Division of Water Supply

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

The City Clerk/Administrator read correspondence from the State of New Jersey Department of Community Affairs Office of Smart Growth announcing a public hearing to be held on the Cumberland County's report for the third round of the Cross-Acceptance process to be held on February 28, 2007 at the Conference Center at the Cumberland County Community College, 3222 College Drive, Vineland, 7:30 p.m. to 9:30 p.m.

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

The City Clerk/Administrator read the following correspondence received from Cumberland County Division of Archives & Records concerning their ongoing efforts to establish a Shared Services to include all municipalities within the County to offer microfilm for vital documents including meeting minutes, ordinances, resolutions, marriage, birth and death records.

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

The City Clerk/Administrator read correspondence from Millville First advising that they have been conducting a Petition Drive in an effort to eliminate the use of Eminent Domain by the City for Private Purposes, indicating they have exceeded the required number of signatures and intend to present said petitions at or before the next regularly scheduled Commission meeting.

A motion was passed to receive and file the correspondence, by the following vote: Yeas: Shannon, Derella, Hollingshead and Quinn. (The petitions were presented at the Public Portion of the Meeting and the City Clerk/Administrator provided a response from the City Attorney concerning the petitions.)

The City Clerk/Administrator read correspondence from State of New Jersey Department of Community Affairs concerning the conditional approval for the City of Millville to receive a recommitted loan in the estimated amount of \$3,515,000.00 funded by the Balanced Housing Neighborhood Preservation Program for the project Home Express: Funding the Commitment of the Millville Senior Housing Project located along Ware Avenue and South Second Street.

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

Mayor Quinn made the following comments:

"I do want to comment on this. This was a wonderful contribution from the State, because the mid-rise that's being built on South Second Street where the Housing Authority, I guess where the maintenance building came up short of the monies that they needed and this gave them the additional monies. I think it's about a 70 unit mid-rise of senior citizen housing, so that's a good thing and we thank Commissioner Levin and the Governor for that, the monies."

Commissioner Shannon reported on the forthcoming Snowflake Swim that will benefit the Millville Senior High School Swim Team's Most Improved Swimmer and the forthcoming Winter Photo Contest and the fundraiser for Patriot Park.

The Accounting Report for the month of January 2007, the Tax Collectors Report for the month of January 2007 and the Construction Officials Report for the month of January 2007 were ordered, received and filed, by the following vote: Yeas: Shannon, Derella, Hollingshead and Quinn.

Commissioner Derella introduced Fire Chief Hess, who presented the following report:

Millville Fire Department
Report of Commissioners
2/20/2007

I would like to take this opportunity to explain the future goals for the Fire Department that Commissioner Parent and I have been discussing for a future presentation to the Governing Body. In the upcoming 2008 budget Director Parent and myself will be requesting

two additional Firefighters to bring each shift to four career Firefighters each.

The City will exhaust every avenue to find funding for these positions through grants and other means, to minimize the impact on the taxpayer.

With the recent changes to The Fair Labor Standard Act Commissioner Parent and I will be looking at ways to increase and add to the incentive programs already in place for the volunteer members of the Department, specifically attendance at fires, standbys at the Fire Station and attending training classes.

To reduce response time throughout the City, Commissioner Parent and I have had several meetings regarding additional Fire Stations.

Based on the Millville Fire Department Deployment report of 1998 which recommended two additional stations, one on the west side of Millville and one on the east side of Millville. Again all avenues to obtain grants or other funding, such as a partnership with other organizations, will be used to provide Citywide coverage and control the burden on Millville taxpayers. The timetable for this construction should be in line with the construction and growth in those areas. It is our hope that with the construction of these additional stations the citizens in those areas will join the Fire Department.

I will also be increasing the Fire Department's agreements with the neighboring townships departments to respond to structure fires in the outskirts of Millville.

I would like to remind the public that for this plan to be successful that they must have working smoke detectors and to call 911 immediately when there is a problem.

Also I would like to remind the public that both Commissioner Parent and I have and always will maintain an open door policy and that anyone in the public can contact us through the Fire Department to discuss any problems or concerns about the Fire Department before bringing it to the public forum. We are more than willing and will gladly discuss any issues they may have.

It is Commissioner Parent's and my main goal to continue the growth of the Millville Fire Department as a successful combination fire department for a long time to come.

Commissioner Derella introduced Bob Polise, who made the following comments:

"Mayor Quinn, Vice-Mayor Derella, Commissioner Shannon, Parent and Commissioner Hollingshead. At this time I would like to thank all of you for your help and support over the past year and achieving 1st Runner Up in the large municipalities in the Atlantic County Municipal Joint Insurance Fund. In the past 7 years we have finished 5 times in 1st Place, 2 times as 1st Runner-up out of 13 large municipalities of the overall 43 municipalities in Cumberland County, Atlantic and Cape May counties. I would like to especially thank our City Clerk, Lew Thompson; Deputy City Clerk, Susan Robostello and Robert Conner, our Risk Management Consultant, for the support they have provided and also the Human Resource Department. A special thank you to all of our superintendents and supervisors, Chief of Police, Fire Chief, Public Works, Streets and Roads Department, Fleet Maintenance Department, Utilities, Water and Sewer Department, Parks Department, Police Officers and career and

volunteer firefighters. We could have not done this without everyone I mentioned. I personally want to thank everyone for this great achievement. I would like to go over the awards we won this year. The 1st Runner-up for Overall Performance in Safety Performance and Training in the amount of \$1,500.00. Award for Best Overall Performance in the Utility Departments of Water and Sewer in the amount of \$500.00. A \$1,000.00 Award for getting all the necessary reports and claims in on time. The City credits all employees and volunteers of the City of Millville for a total of \$3,000.00 in awards and \$2,400.00 to every member JIF receives for participating in the Incentive Program for a total of \$5,400.00 to be used for safety equipment and appreciation luncheon for all City personnel. In addition to these awards we receive every year participating in the JIF, we receive better rates on the premiums of our Worker's Comp Insurance and I thank everyone, all the employees, because if it weren't for the employees we wouldn't be getting these awards, throughout the Police Department, Fire Department, career and volunteers and all of the employees we listed, so they do a great job out there and I appreciate all their help. Thank you."

The report of the Municipal Court for the month ending January 2007 was ordered, received and filed, by the following vote. Yeas: Shannon, Derella, Hollingshead and Quinn.

Commissioner Derella presented Lewis N. Thompson, City Clerk/Administrator, with a Resolution congratulating him on his service to the Atlantic County Municipal Joint Insurance Fund in serving as Chairman of the Fund for the Calendar Year 2006 and also presented him with a plaque and gavel for his dedication and service as serving also as a member of the Executive Committee, Secretary of the Fund and Finance Chairman.

The following proposed ordinance was read on first reading

Ordinance No. 5-2007

An Ordinance authorizing exchange of property owned by the City of Millville, known as Block 128, Lot 41 (Part Of) and property owned by Erwin F. Dick, known as Block 128, Lot 42 (Part Of) with the properties consisting of vacant land located adjacent to the Cedarville Road Recreational Complex within the City of Millville and both parties desiring to exchange these two properties to straighten out property lines and resolve encroachments.

Director Shannon moved for the adoption of the proposed ordinance on first reading with final consideration to be given on Tuesday, March 6, 2007 after due publication as provided by law.

Director Derella seconded the motion.

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

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

Ordinance No. 3-2007

Ordinance amending the Municipal Code, Chapter 39, Article X, Motor Vehicle and Traffic Regulations, Schedule 21, Handicapped Parking adding 214 S. 5th Street, Permit #P582667 and 228 E. Oak Street, Permit #P720246

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

Director Derella seconded the motion.

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.

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

Ordinance No. 4-2007

Ordinance establishing the Revenue Allocation District Utility, operated and maintained as a self-liquidating Utility and providing for assumption of debt pursuant to Statute.

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

Director Hollingshead seconded the motion.

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.

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

Resolution No. A-5704 authorizing adjustments to the Tax and Utility Records was adopted, by the following vote. Yeas: Shannon, Derella, Hollingshead and Quinn.

Resolution No. A-5705 authorizing Water and Sewer Termination on March 5, 2007 due to payment default was adopted, by the following vote. Yeas: Shannon, Derella, Hollingshead and Quinn.

Resolution No. A-5706 commemorating the 20th Anniversary of the Atlantic County Municipal Joint Insurance Fund was adopted, by the following vote. Yeas: Shannon, Derella, Hollingshead and Quinn.

Resolution No. A-5707 supporting the AHOME, Inc. Housing Development Application to approve development of 23 units of housing in the Revenue Allocation District under the New Jersey Housing and Mortgage Finance Agency (HMFA) CHOICES Program (funds obtained through the RAD; and funds obtained through the Community Development Block Grant and the HUD HOME Funds programs in the amount of \$512,552.00 was adopted, by the following vote. Yeas: Shannon, Derella, Hollingshead and Quinn.

Resolution No. A- 5708 endorsing agreement between Winchester & Western Railroads and NJ DOT for Capital Funding in the amount of \$419,940.00 for rail improvements within City limits was adopted, by the following vote. Yeas: Shannon, Derella, Hollingshead and Quinn.

Resolution No. A-5709 authorizing submission of application to the NJ Urban Enterprise Zone Authority for funding from the Enterprise Zone Assistance Fund in the amount of \$90,000.00 for the

Tourism Wayfinding Signage Program-Phase I was adopted, by the following vote. Yeas: Shannon, Derella, Hollingshead and Quinn.

Social Affair Permits sponsored by the following:

a) Riverfront Renaissance Center for the Arts, April 14, 2007, 7:00pm to 12:00pm located at the Riverfront Renaissance Center for the Arts

(b) Riverfront Renaissance Center for the Arts, September 29, 2007, 6:30pm to 10:00pm at the Riverfront Renaissance Center for the Arts were approved by the following vote: Yeas: Shannon, Derella, Hollingshead and Quinn.

Application to Amend Raffle License No. 811 on behalf of Millville Moose Lodge #2488, off premise 50/50 from Feb 24, 2007 to June 30, 2007 was approved by the following vote: Yeas: Shannon, Derella, Hollingshead and Quinn.

The City Clerk/Administrator read correspondence received from Emil Van Hook, President of 4 Seasons Realty Inc, indicating they have a client who is expressing interest in purchasing City of Millville owned land known as Block 282, Lots 6 & 7, located on McNeal Street in the Third Ward, whose intent is to build a new single-family dwelling.

A motion was passed to receive, file and forward the correspondence to the appropriate departments, by the following vote: Yeas: Shannon, Derella, Hollingshead and Quinn.

Mayor's Statement: We have now reached the public comment part 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.

Emil Van Hook made the following comments:

"Thank you Mayor and Commissioners, my name is Emil Van Hook, I continue to live on Sunset Drive. Gentlemen, when you started tonight's meeting, you began with the well-known Pledge of Allegiance. Most of us became familiar with this recital when we started Kindergarten or Preschool many, many years ago. While we have recited it literally thousands of times, I dare say that the genuine meaning of the words have become dulled by repetition. Allow me to focus on just the final six words, these are: "with liberty and justice for all". They sum it all up. Liberty and justice for all. It doesn't mean liberty and justice for a few of the favored or well connected, it doesn't mean liberty and justice for a few wealthy land developers who can simply pay more, it doesn't, it means liberty, and it does not mean liberty and justice for the powerful. It means liberty and justice for all. It makes no differentiation between the rich or the poor, the powerful or the weak. In fact, those that are rich and those that are powerful probably have an obligation to ensure that the weak and the not so rich do not have their property wrenched away from them. This action tonight has it's roots in the taking of the property from several owners along North Delsea Drive. Let there be no mistake this City did file an action with the New Jersey Superior Court, which resulted in the taking of these properties for private purposes. Official court records will verify this and they cannot be refuted. We anticipate, Millville First, that the City has every intention of continuing down this path. Evidence of this can be gleaned from the very fact that contracts have been awarded by this Commission to law firms totaling in excess of one hundred thousand dollars for the express purpose of pursuing Eminent Domain for large out of town private developers. While this Commission has publicly

indicated that it will not use Eminent Domain against owners, against owner occupied single-family private dwellings this still leaves businesses, vacant land and a variety of other types of property at risk. It is interesting to note that the Commission has already taken the step to remove the risk of Eminent Domain from a project adjacent to Millville Airport. That is part of the component or component of the agreement between the Thunderbolt Raceway and the City of Millville. This action speaks volumes about the issue. Essentially, it amounts to it not being acceptable to use Eminent Domain to benefit an out-of-town developer, but don't use it against one. The petition that I will submit tonight intends to accomplish merely one thing. To assure property owners that they can continue to own their property without the fear of losing it to some out-of-town big money developer. We hope and pray that you will accept this petition in the spirit of the founding father's of the United States. Listen to the people who have signed this document and please remove this fear from our City. Thank you for your time and consideration."

Mr. Van Hook submitted the petitions to the City Clerk/Administrator with the following correspondence:

Millville First, Inc
P.O. Box 189
Millville, New Jersey 08332-0189

February 20, 2007

Lewis N. Thompson
City Clerk and Administrator
City of Millville
12 South High Street
P.O. Box 609
Millville, NJ 08332

Dear Mr. Thompson,

Re: PETITION TO ADOPT AN ORDINANCE BANNING THE USE OF
EMINENT DOMAIN FOR PRIVATE PURPOSES AND IN THE
ALTERNATIVE TO PUT IT ON THE BALLOT (the "Petition")

Enclosed for filing with the City of Millville are copies of said Petition executed by the individuals whose signatures, names and addresses are listed on the respective copies.

It is our understanding and belief that, according to the records of the Clerk of Cumberland County, the certified number of Millville voters that cast ballots in the 2005 General election was 6,250. It is our further understanding that the number of valid signatures therefore required for the Petition to be effective is 15% of such amount, namely, 938.

The number of signatures affixed to the copies of the Petition submitted herewith totals, an amount exceeding the requisite number cited above.

We would therefore request that the City receive and take formal action with respect to the Petition as filed.

Notwithstanding any other information, the Committee of Petitioners as designated by formal resolution of Millville First Inc. is: Brian McGahhey 16 Plum Street, Larry Schenck 1317 W. Main Street, Harry Fisher 43 Porreca Drive, Robert A. Tesoroni Jr., Judy Marandino 430 Manor Avenue, Emil L. Van Hook 79 Sunset Drive, and Paul R. Porreca 19 Porreca Drive, (all of Millville NJ)

Respectfully submitted,



Emil L. Van Hook
President

Enclosures: [Copies of the Petition]

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

Betty Monteleone: "Betty Monteleone, Briar Drive, Millville. You know, it's sort of obvious sometimes that you don't listen. Because, my question to you was is this 23 new homes..."

Mayor Quinn: "No, it's not Betty..."

Betty Monteleone: "but, that was my question and you responded with they ripped six down and how great that was. Well, I never was not opposed to that. I'm not opposed to ripping the whole Center City down and building single homes. But, you like to twist things or either that or you're not listening. My concern was, are you adding more homes in an area that's already over populated. You turn around and put a spin on it, how great it is we're eliminating four and two to make one. I didn't say I was opposed to that..."

Mayor Quinn: "no..."

Betty Monteleone: "no. That was my exact question. Now, getting back to the things, sometimes you have to wait to get back to things. It just seems the government as a whole is so unfair. It's our money, it's our tax dollars, private industry is private peoples money and they should be able to do what they want with it. Now, where I work, if we have any kind of contest, in everywhere I've worked in private industry. Employees are exempt and their families. They're not allowed to benefit from the private companies of, you know, okay. I don't understand how municipal or any other City or, you know, state or federal funded program can let their families benefit. It's just like you can't have a supervisor over you in private industry if you are the son or the daughter or the spouse, but yet in government you can have your mother as your supervisor and work under them, or your wife. So, I think that's why government has gotten out of control. It is for the rich, the famous and the connected. Just like Mr. Van Hook said and I think that's a problem. So, getting that thing settled I want to go back to...I've lived here for almost eighteen years, I came here 18 years ago and all I've heard is, you know, we're going to get this and it's going to lower our taxes and we're going to get this and we're going to create ratables. Well, I want to know where they are. And after I looked at yesterdays paper, it's the same people working here now that's making these hundred and some thousand dollars that was here seventeen years ago. What have they accomplished, as far as bringing, getting us these ratables that bring our taxes down. Sure, a lot of things have come in, but they haven't helped us as taxpayers. They've made it more and more expensive. How can you sit there and justify that we live in the poorest county and yet our, and just taxes, and taxes. Our health insurance, that's the other thing. If you go to the hospital, they charge you here sixteen times more than you do if you go somewhere else and their excuse is, because it's poor here. Well, if you have the poorest county and you're paying the highest in everything, how you expect anybody here ever get out of poverty. Unless, you're connected and you benefit from being here. And I'd like to see one thing instilled at this mic, I'd like to see the people who get up here, say No. 1, how much they put in that, the City's revenue, how much taxes do they pay and I want to hear them say how much they're taking out. Because, the people who get up here and say spin doctor, spin doctor, let me tell you. Mr. Van Hook, Mr. Porreca and all of that group has spent hours researching and found mistake, after mistake, after mistake the City has made. And you should be saying thank you, because that's saving you thousands of dollars and

yet you have the audacity of people getting up here and say I'm sick of spin doctors. Let them not say anything and the City continue as usual. Well, you know why they want the City to continue as usual? They want to keep benefiting from it. That is exactly what all I have to say. I have had it with the people who have special interest that get here and only come here for their own special interest. Let me see some people come here who have everybody's interest at heart."

Mayor Quinn: "okay, thank you, Betty."

Betty Monteleone: "you're welcome."

Mayor Quinn: "some people in the back have been standing up there. Ma'am?"

Josephine Morales: "Good evening my name is Josephine Morales and I'm here to represent bus drivers that live in this town. Attached there's a petition I would like to present to the Committee for signature with reference to the above Ordinance that's the parking of school buses in residential areas. I believe the Ordinance is doing a disservice to our members of the community who drive school buses and cannot keep them on their property, residential property during layovers or in the evening to save time and money of all who benefit their economic welfare. The people driving the vehicles on... I'm sorry..."

Mayor Quinn: "that's okay, take your time..."

Josephine Morales: "the parking of vehicles on their private residential property does not interfere with the flow of traffic, obstruct traffic and does not impose a dangerous condition to the community. The vehicles are not parked on sidewalks, areas to cause obstruction to the flow of traffic or visual obstruction to drivers. The parking of school buses on private residential property is really no different than parking an RV or a big camper. Many school buses are diesel and they must be plugged in to enable them to start on cold days. Many facilities are not equipped for the extension cords to be run for the engines to be warmed up. I respectfully request that you give this your utmost consideration and thank you for your consideration of this request."

Mayor Quinn: "thank you."

Paul Williams: "Good evening, Paul Williams, 515 West Main Street the great City of Millville. Approximately a month ago I gave a letter to Commissioner Shannon, which he gave copies to each one of the Commissioners. A proposal of a program that I'd like to see started in Millville copying the Ocean City program to put memorial plaques on the benches on the boardwalk, I'd like to see something in affect like that happen here in Millville downtown. It's an idea that would allow the citizens to be able to memorialize a loved one and have everyone take a look at it. I'd just like to know at this point, has there been any progress with that and if so, when will that program be available."

Mayor Quinn: "I'll turn it over to Commissioner Shannon, Commissioner?"

Commissioner Shannon: "yes, we've had discussion and basically what we've done is I've presented it to the other Commissioners. Basically, we're discussing that now with the solicitor in trying to figure out how we can work that program. As you know, it's something that I am interested in, because when we originally talked

it was something that we looked at possibly some funding for the youth sport area and recreation angles, so that was something that caught my attention. So, that is something that we will continue working on and I hope to have some type of response to you hopefully by the beginning of next week to see how we can try to implement that program and if we can proceed forward on that."

Paul Williams: "very good. My second point, is actually addressed to the Commission and to Mrs. Monteleone. I pay about nineteen hundred dollars worth of taxes in this City. I get a lot for my money, but just to let you know, my school board taxes go to the City unused, because my children go to a private school that I pay about twelve thousand dollars to send. So, my tax dollars are at work here in Millville and I appreciate the job that's done."

Robert Romanishin: "Good evening, Robert Romanishin, 2434 East Main Street in Millville. I would like to ask a question, first of all, about my taxes went up approximately one hundred percent last year and if there's still a chance of fighting it or bringing that to anybody's attention and seeing what I can do about it."

Richard McCarthy: "appeals regarding assessments can be filed with the County Board between January 1st and April 1st of each..."

Robert Romanishin: "so, I still have time this year?"

Richard McCarthy: "you still have time this year."

Commissioner Derella: "you can stop on the Fifth Floor, Tax Assessor's Office and they have forms and you can ask questions and they'll try to direct you in the right way."

Robert Romanishin: "Okay, another thing is, maybe I'm in the wrong place to make a few complaints about the City. I feel I'm not getting my taxpayers tax money out of the City, but... I don't think any of you were at the neighborhood meeting, it was actually in 1992 over at the Junior High School for the Third Ward, which I was there, I lived over there at the time. I tried to improve my property, had Commission, I went to the Commission for variances and all kind of stuff to put in a swimming pool and it took me over ten months to get approval on that. I find it real funny that now we're trying to improve the neighborhood over there. I had at point over there, more harassment than anybody that lived here a lifetime should have. I had a building inspector come over, I had building permits for everything I've done over there in regards to a pool I put in. I had a Building Inspector come over and look at a piece of crap a neighbor was building. You got a permit for that, right. No. You got a permit for before I got this office. Okay, sure, okay. Another time, at this meeting in 1992 at the Junior High I got up, I asked a question, there was, like I said, a couple of Commissioners that, nobody's here right now that I believe. I stood up and asked about what the dangers of kerosene being dumped in the ground was, my response was, their response was next question. There was somebody that took a 55 gallon drum over to the ground, dug a hole and emptied a 55 gallon drum of kerosene in the ground and the Commissioners did nothing. They didn't want to hear about it..."

Mayor Quinn: "so, it wasn't just our group that makes mistakes, I guess it must have happened before we got here, huh, Robert?"

Robert Romanishin: "probably, I think it's totally disgusting."

Mr. Romanishin indicated he had bought a new sprinkler system and had intentions to get a permit and insinuated a City Inspector drove on a residents front yard and ran over their sprinkler head asking if they had a building permit.

Commissioner Derella asked Mr. Romanishin when this incident occurred with Mr. Romanishin responding last year.

Commissioner Derella asked Mr. Romanishin if he reported the incident with Mr. Romanishin indicating he did not report it.

Mr. Romanishin also stated they drained the fire hydrant in front of his house and let the water run resulting in his yard being flooded. Commissioner Hollingshead asked Mr. Romanishin when this incident occurred with Mr. Romanishin responding the incident happened last year.

Mayor Quinn advised Mr. Romanishin that he needs to report the incidents as they occur in order for the City Officials to properly address them.

Lillian Schaffer: *"regarding the bus, my name is Lillian Schaffer, I live on 901 North Ninth Street. I had a property on Smith Street, Fourth and Smith, I sold the property so I could park my bus at my house, when I went from there to over there my taxes here were nine hundred and some dollars a year. Over there they were three thousand and fifty dollars. I got my tax bill for this year, it's three thousand seven hundred ninety-five dollars and I'm not allowed to park my bus home. It's not on the street, it's way back where you can't even see it. I don't understand why we can't park our buses there at our property we own, well we don't own them, but we will own them eventually and I don't understand why. And about two years ago I got a ticket for parking my bus when I lived on Smith Street. It cost me a hundred, well actually it cost me two hundred dollars, because they put a bench warrant out for me, because I didn't pay it, because they didn't put the date on there. Anyway I got that taken care of and when I went down there to pay he said you're not allowed to park your buses on the sidewalk or on the street. I said okay. He said there's other vehicles that are not allowed to park in there too, they mentioned the boats, they mentioned SUV's, the big things, the campers, the trailers, whatever you call them. I got a letter about a week ago on my bus where I had it parked in my yard and the only way he could see it if he came down the street. Which I don't care, I won't park there, but what I'm saying is why pick on us bus drivers when there's other people out there that park their SUV's and I can name a lot of them. I was going to bring pictures, but I couldn't find my Polaroid camera. I ought to have brought those pictures in here and I want to know what's going to be done about that, I think we should be allowed to park our buses home as long as your yard don't look trashy and your neighbors don't mind. I asked my neighbors before I even parked there in September, if it was okay for me to park there and they said yeah they don't have a problem with it and I didn't understand why we weren't allowed to park there and I wanted to know what's going to be done. Are we going to be able to be allowed to park our buses there? Are they going to over rule it? Are they going to go out there, I can tell you right now on Tenth Street, between E and F Street there's a tractor trailer sitting in their yard. They're louder than the buses. There's a camper out there, sitting out there, there's a lot of stuff out there. I don't think it's right. I don't think it's fair to us. I think there should be something done about it in letting us parking our buses..."*

Mayor Quinn: "Well, you make a good point, your neighbors don't care. But, how about the neighbors who do care and don't want the bus in the yard next to them. Then you have a problem, because you can't have an Ordinance saying well it's okay to park your bus in your yard if your neighbor say it's okay, but if they don't say it's okay you can't. You sort of can't do that..."

Lillian Schaffer: "There's also an Ordinance that you're not allowed to park boats and all that..."

Mayor Quinn: "I totally agree with you and if you see those, just call us and tell us where they are and we will address those..."

Lillian Schaffer: "I sure will be, I'll be on the phone tomorrow morning. Thank you."

Commissioner Derella: "Mr. Mayor, if I could. Just for the bus drivers, obviously they seem quite upset. I received three phone calls the month of January from neighbors complaining about the buses, because they take a long time to warm up, they're running in the property and all those kind of things. So, again, it's going to be a tough situation we have the petitions here, we will review it, we'll look at our Ordinance, we'll go forward from there, but I do know from personal experience and calling it in myself. There have boats that have been actually towed to our impound yard, because they didn't abide by it and didn't move them off the street and there have been RV's that have been cited. So, it's not just singling out buses. It's a tough situation, I understand you're trying to do your job and do what you have to do, but then on the other side of the coin we do get complaints and I know, again, the month of January alone I received three on my extension, concerns and complaints, because the buses were running for 5, 10 or 12 minutes getting them warmed up and doing the things they need to do. The neighbors had an issue."

Gary Wodlinger: "Good evening my name is Gary Wodlinger, I'm an attorney, I practice law around here. I live in Millville and my taxes are paid in full. You can look it up, it's a public record.. More than we like, I suspect all of us. But, I wanted to address the issue of the petition request for an ordinance to eliminate Eminent Domain in the City. The theme of what I have to tell you really relates to the law. Mr. Van Hook, rather poetically wrapped himself up in the flag and made reference to the Pledge of Allegiance. What he neglected to remind you is that we're a Nation of Laws. They're asking you to do something you don't have power to do and I would like to refer you to the New Jersey Constitution, Article 8, Section 3, Paragraph 1, which they neglected to talk about. In their presentations with respect to redevelopment in New Jersey and that's been on the books and part of our law for, I don't 1947 Judge. You know what, I didn't check. Probably for 60 years or it may have evolved sometime after 1947, but the relevant part says and I know the Judge is aware of it. The clearance, re-planning, development or redevelopment of blighted areas, shall be a public purpose and a public use for which private property may be taken or acquired. Nobody's mentioned that as the object here. The Constitution gives you the power to deal with these issues and the local redevelopment and housing law, which has been in effect for many, many years further at Section 40A:12A-8 gives you the power of Eminent Domain specifically to acquire by condemnation any land or building, which is necessary for the redevelopment project. There's a whole set of rules that have been adopted and in place under the statute and under the case law, which requires you to make certain findings, hold public hearings, make a determination of whether or not an area is in need of redevelopment or is blighted, I

believe is the word by definition. I know in the instances of the projects I have been involved in that you have done all of those things. You've complied to the law, you've dotted the I's and crossed the T's, had the hearings, gave the public an opportunity to be heard and findings of blight occurred. Lastly, the statute 40A:12A-28, also part of the Local Redevelopment and Housing Law says no Ordinance, amendment or revision of an Ordinance or resolution under this act shall be submitted to or adopted by initiative or referendum and notwithstanding any other law under the contrary. You have no power to consider the petition that was submitted to you, both by virtue of the constitution, which really controls this issue and the statutes that were developed and adopted by the legislature and signed by the governor, which have been in place for many years. The place where people who don't like the redevelopment law to seek change in it, is in Trenton. Not in Millville. What you need to do, is what you have always done in the experience that I've had with you, obey the law. Operate within the law, make sure you don't exceed the authority that you have and use the powers that you have with discretion. We could debate forever and ever, whether or not Union Lake Shopping Center is a good project and good for the town. Some people here think it's not. They're entitled to their opinion and I respect their opinion. I just disagree with it. When you look at the ratables and you look at the jobs and look at the future and look at the appearance of the threshold to the City for people coming in from that direction, I don't think anybody really, truly objects to that project, but there is objection to the use of the power that you had to help effectuate the project. Lastly, Mr. Van Hook made reference to provisions in a Municipal Development Agreement that actually I drafted, so I feel that I can talk a little bit about it, which has a provision which at the end of the project, when the property has been redeveloped within the terms of the project the power of Eminent Domain disappears with respect to the City being able to exercise it against that property. Currently, okay, it would make little sense for the City to try to exercise the power of Eminent Domain, because you own that land. You know, it's under contract to be sold to my client for the redevelopment project that is described in the Municipal Development Agreement. But, the very purpose, the very scheme of the redevelopment laws is to give the powers to the municipalities based on the Constitutional Provisions that I read to you and then when the project is over, when the formally blighted land, as defined by the statute, has been redeveloped and it becomes an economic area where the goals have been met. Then the power is no longer needed and the power is lifted by virtue of the requirement of the law. The language in that agreement came directly out of the statute, it wasn't created by the City Commissioners and it wasn't created by me, the lawyer for the developer or anyone else. It comes directly from the statute. So, going back to the Pledge of Allegiance, we are a nation of laws and we should obey those laws in the way we operate and when we make mistakes, you made a few mistakes, the City Commission, but you have to adjust your behavior to comport with the requirements of the laws. Sometimes it hurts and you feel bad about it, but you do it. Likewise to the opponents to things that they don't like ought to take a look at the law they wish to change and see if they have the political power to convince the people that actually have the power to change it, to change it. Do I think that there could be an affective constitutional amendment to change and eliminate the constitutional provision in our laws to allow governments to use the power of Eminent Domain to eliminate blight? No. Do I think there are people in this state that want to revisit the definition of blight? I think they do..."

Mayor Quinn: "Gary, I have to ask you to sit down now, but thank you for your time."

Gary Wodlinger: "thanks Jim."

Brian McGahhey: "Brian McGahhey, 16 Plum Street. I'm a little concerned here with Mr. Wodlinger getting up here. He represents clients who have been using Eminent Domain, I'm just wondering if he's being paid to be up here or if anybody else..."

Mayor Quinn: "no, I'm sure he's not, he came, he's a citizen that lives in the City of Millville, I'm sure Mr. McCarthy could tell you the statute if you'd like to have it officially..."

Brian McGahhey: "and yes, we are a nation of laws. Many laws get misconstrued, this is one. The term blight is being terribly misconstrued in this country and especially in this area and I strongly suggest that you go along with this petition and make it for public use only, not for private use for Eminent Domain. Thank you."

Mayor Quinn: "thank you very much. Here comes the Judge."

Paul Porreca: "Can I change the subject?"

Mayor Quinn: "I would be delighted..."

Paul Porreca: "my name is Paul Porreca and I haven't moved since the agenda. There was another letter sent in by Millville First that wasn't on the agenda, although it was sent the same time, which is fine, I understand you can't have every letter that's sent. But, this letter was one that advises the Commission of the topics that we hope to discuss that you can prepare for them. Which is an effort by us to meeting an objection that you fellows had about getting hit, you know, by surprise there's so many things going on. We hope that will, what do I want to say, help the discussion so that we're all able to familiarize ourselves with what's going on. It also suggests a slight change in the meeting format to allow rebuttal, where appropriate and that's something I hope you'll look at, whether you do anything about it or not, is certainly entirely up to you, but these are hopefully constructive suggestions that we are proposing to advance the debate. Which I think is healthy, frankly. In addition, that letter delivered a report concerning the Urban Enterprise Zone Loan Program and I'm not going to read the report, because first of all it would bore everybody to tears. But, what I would like to do isto mention the ten recommendations. Again, I have to tell you it is an effort at constructive exchange of ideas and we're doing it at the Commission Meeting, because we have been talking about these things for almost two years and frankly, there has been very little movement. Even saying, guess what fellows or any individual, we have considered that idea and the answer is no, now, why don't you go on to something else. We don't even get that and you know it would be very helpful if you took some of the things that we have repeatedly come to as a result of researching these laborious OPRA requests, which I know you feel is a great strain on the City and certain a great expense to us. But, we would at least like to get a response that says, you know, would you please get off of that track, because we're not going there and the answer is no, we are going to do ABC and DEF are out of the window, okay. Anyway, here are the recommendations real fast and then I'm done and I can get out of here. We recommend an audit of the entire program, and I'm now speaking to the Urban Enterprise Zone Loan Program, which is tied, connected at the hip with tax abatements, which we're still looking at. We recommend an audit of

the entire program and all of its procedures. The audit to be performed by a firm other than the Bowman and Company, who have been auditors for the UEZ since this Commission took office, I think and we think the firm should be out of the area, because everybody, almost every business in town has got a UEZ loan. Cancel the Sun Bank contract and turn the collection duties over to the Tax Collector. Recoup from Sun Bank the illegal payments, about forty-one thousand dollars and all of the late fees for which no service has been performed. Review every open file and collect all of the missing signatures and documents. I'll have to tell you I looked at them. Not all, a sampling that your Treasurer's Office was very cooperative when I filed the request, they gave me a random selection of files to look at and not a single file, much like those tax abatement files, although better, not a single one was complete. There were agreements that were unsigned by one party or the other. They were just scathes of missing documents and it was frankly, distressing. Demand from every borrower full compliance with the terms concerning job creation and revoke the tax abatement and demand repayment in full from anyone failing to comply. Now, we pointed this out repeatedly, the purpose of that program was to create jobs for the under employed. You made these people sign an agreement that said they would do it. You have done zero. Zero. To force compliance or to even check on whether it's being done. I stand by that statement. Designate the person responsible to monitor the payments, designate the person responsible to ensure compliance with conditions of the loan. Include in your routine Commissioners reports, like you did tonight for the Building Inspector, etc., a report on that loan program. Formally adopt standards relating to the interest rates and other loan terms and apply them uniformly and fairly. We asked for what the rules were, we got the answer that there are no rules. Who gets a zero percent loan? I guess it's the whim of the person who approves the loan. Who gets a three percent loan? Same. Who gets the five percent? Same. And we're still looking at that, because we were given a regulation, I know not where it came from that said no loan can be issued for less than five percent. Now, I don't know about that I got to look further, I'm not ready to give you a definitive analysis of that. Formalize a loan committee, add outside members with business experience, require the loan committee to maintain minutes. It's so fundamental. Alright, now I'm about done."

Bob Testeroni: "Bob Testeroni, Howard Street in Millville. Mr. Wodlinger did a very nice presentation this evening. One thing that I think he left out or maybe he mentioned it and I didn't hear it. Was that we currently have Ordinances that deal with blight and properties that are less than desirable within the City. At a previous Commission Meeting we had a City employee that stood there and told everybody that he saw twenty violations in one Ward alone doing a small tour of that Ward and yet nothing was done. There was nothing done concerning those twenty properties. I find that interesting that we already have Ordinances on the book that can deal with it. It's a slow laborious process, I understand that. But, we have something there. With that said thousand and notwithstanding that, I have a recommendation for your consideration on the petition that was submitted tonight. Adopt the Ordinance to ban Eminent Domain for private purposes, tell the legal firm that we've hired in excess of one hundred thousand dollars to deal with Eminent Domain, we no longer need them. Use that one hundred thousand dollars to hire the new firemen. Thank you."

Mayor Quinn: "thank you. Anyone else?"

Troy Blevin: "Hi, How you doing? My name is Troy Blevin, from Ocean City, New Jersey. I would like to commend you guys on what

you've been doing and your savings, I'm pretty impressed on the insurance savings. That eventually will be passed down to the taxpayers. I don't think people realize how it affects everything. But, it's a huge savings. I am one of those outside, I guess, developers, but more of an investor. I am looking to come into this town and invest, because the town is impressive. I've seen a huge change in this town in one year's time. I don't know how long you guys have been doing this, ten years maybe?"

Mayor Quinn: "yes, ten for us, yes."

Troy Blevin: "it's impressive of what's been going on in one year. I drive around the streets, I look at houses, I see huge, huge changes. I hope you keep going with that, because I'm coming here, open arms or shoved out the door, it doesn't matter. I'm coming here, I like this town, it's very, very impressive. Keep up the good work."

Mayor Quinn: "thank you very much, Troy."

There being no further comments Mayor Quinn closed the public comment portion of the meeting and asked if there were any comments from the Commissioners.

Mayor Quinn made the following comments:

"You know, Troy it's interesting I have just as a sign. I was at Winfield's Friday Night and I had like ten tables of people when I was trying to do things, going back and forth who grabbed a hold of me and were very complimentary about the City. They were almost all from Vineland and Bridgeton. It was like, you know, it's nice to hear. In fact, I was at Jim's lunch before tonight and the same thing, I ran into six Bridgeton people and they said oh, we love your town, you've done such a great job. So, it is nice to hear and sometimes we're so deep in the forest, you know, it's hard to see the trees and it does, there's still an awful a lot of problems, let me tell you, we know them and that's why we put in the Revenue Allocation District in trying to address those, but thank you for your comments. At this point..."

Lew Thompson: "Mr. Mayor I have one comment in response to Mr. Porreca. Mr. Van Hook hand delivered the letter that's on the petition to me on Wednesday of last week, so I could put that on the agenda in time. The references that you made to the report, he emailed them to me at 2:43 a.m., I believe either on a Saturday or a Monday and it was impossible to put onto the agenda for this meeting. They didn't come at the same time. In reference to the other part on the petitions, Mr. McCarthy received the correspondence from Mr. Van Hook last week regarding the petition, the sample of the petition and provided correspondence with me on direction on how to proceed. This is dated February 19, 2007 from his research:"

The City Clerk/Administrator read the following letter from City Attorney, Richard McCarthy:

February 19, 2007

Memo To: Lewis N. Thompson
 From: Richard C. McCarthy
 Re: Petition to Challenge the Use of Eminent Domain

The exercise of the power of eminent domain by a municipality in a designated redevelopment area is grounded in the New Jersey State Constitution and the New Jersey State Statutes. The state has adopted a

comprehensive scheme for local redevelopment which is set forth in the Local Redevelopment and Housing Law, NJSA 40A:12A-1 et seq. One of the statutes of that law specifically authorizes the use of eminent domain in a designated redevelopment area. Another statute of that law makes it clear that no ordinance or resolution seeking to restrict or eliminate this authority shall be submitted to or adopted by initiative or referendum, notwithstanding any other law to the contrary. The applicable provisions of the New Jersey State Constitution and the State Statutes are attached hereto.

Any petitions which seek to adopt an ordinance or resolution, through initiative or referendum, to restrict or eliminate this authority in a designated redevelopment area are in direct contravention of state law. If you are presented with petitions of this type, you may receive and file them, but you are under no legal obligation to take further action notwithstanding any other law to the contrary.

c: Edward McManimon, Esq.

c: Robert Goldsmith, Esq.

A motion was passed to receive and file the correspondence from Richard McCarthy, by the following vote: Yeas: Shannon, Derella, Hollingshead and Quinn.

Commissioner Derella: *"Mr. Mayor, I did happen to be working yesterday on some City Business, even though City Hall was closed, Mr. Thompson was able to forward Mr. Van Hook's email in regards to the ten suggestions that Judge Porreca just mentioned at the microphone. We have had minimal time, obviously coming back to look over the many, many suggestions, question, for the lack of a better word innuendoes in some of the issues that are going on in the UEZ Program. We will over the next ten to fifteen days make every effort to be able to answer the questions, put our plan in place and give a full report accordingly. I do appreciate the opportunity to receive correspondence before a meeting, something of this length would have been a lot nicer to be able to have several days to prepare to be able to respond. I would like to also say thank you to the Judge in regards to we answer a question and we explain and that's what we're going to do, if he's willing to accept that, so we'll move forward from there. I do feel bad for the people that were involved with the bus issue, it's a tough situation you know, do you enforce something, because neighbors are mad and then over here you just forget about it. That's not really the way we want to go, we will honestly take a look at that Ordinance and its affect on everybody, as well as the neighborhoods and see if there is any lead way for that, but again it's a tough situation, because some people get offended and some don't. I'm really concerned about Mr. Romanishin and the issues he had in 1992, but more importantly the ones that are most recent this past summer. My extension is 7801, I do respond to everybody who calls, sometimes it takes me a day or two, but I will. If one of our inspectors ran over a sprinkler head and was harassing a citizen, I need to know about that and I have gotten calls over the last ten years when that has occurred and discipline when warranted has been taken, despite the views of some people at the microphone. With that Mr. Mayor, progress."*

Mayor Quinn: *"Any other comments?"*

Commissioner Shannon: *"I would just like to make one real quick and I, you know, every now and again comments are made at the podium and sort of implies that we're up here for our own agenda, getting rich, payments. I can tell you I'm only sitting up here, because Millville is my home town, my family has been in business in this town for quite a few years now. I really don't think we're going to be going anywhere and that's one thing that is about the only thing that bothers me at the microphone when it's implied that we have some hidden agenda and we're doing this to grease our pockets in someway. I respect everybody's opinion, I just sometimes don't agree with their opinion, but they're entitled to that. But,*

when it comes down to implying that we're getting rich off of these developers coming in, I take exception to that and I'm not in this for any personal benefit to line my pockets. I'm here, because the City of Millville means something to me and I don't think I'm going anywhere, I'm planning to live and die here and be buried here, so I'm in this for no other reason than Millville's my hometown. I'm not really lining my pockets with anything."

Mayor Quinn: "I just want to comment on the shopping center. It was probably one of our dreams that we would be able to get something as wonderful, in fact it's probably better than I ever dreamed to be honest with you. A seventy million dollar shopping center ladies and gentlemen and what was there, a couple of the businesses were out of business and the ironic thing was one of those businesses was a boarded up gas station that had been out of business for several years. The value of that Gas Station Gary, was two or four hundred thousand, somewhere around there and they, he wanted one point five million, I received the letter and I thought talk about greed, I mean the last thing any of us are is greedy. I can assure you I donate much more than I make, as a City Mayor. But, that's the problem you got to deal with is greed. That greed could have killed a seventy million dollar shopping center for you people, not just for me, but for all of you, a thousand jobs ladies and gentlemen, a thousand jobs and many with benefits. Then the icing on the cake, we get three million, who knows how many millions we'll get from Target, from Kohl's, from Pet Smart, from all of the stores that are going in there in UEZ revenue that we can use to help our City and help our residents. We can't directly lower your taxes with that, but give it time to come in, the five year program with the abatement. Just recently Don Ayres gave me a form, Joe I think you have it. The one on why people come to the municipalities and, could you grab that for me, because I left mine on my desk. But, just to give you a reason, and we're not making this up, this is a national survey that was given out. The number, the top reasons that site selections come from businesses. No. 1 is Labor cost, highway access, which we have good highway access with Route 55, which helps, that's why we get the shopping center and Bridgeton didn't, because Bridgeton doesn't have highway access for 55, the corporate tax rate and then the No. 4 incentive, state and local incentives, eighty-six percent said that's what's draws them to an area. We are criticized for giving local incentives to businesses. But, eighty-six percent of the businesses say the reason we're coming is for local and state incentives and also tax exemption is the sixth one that comes in as to why businesses come to a community. Folks, you're kidding yourself if you think we don't compete every single day, with the City of Vineland and they're a Goliath, they got a hundred million dollars in the second generation revolving loan fund, because everybody in Cumberland County until Walmart came, shopped in Vineland. There was no place to shop in Millville to speak of that would generate UEZ sales tax. Now, we've got Walmart, we've got Lowe's, we've got all the shopping center, we're actually going to get millions ourselves. But, as I mentioned and Gary can verify..."

End of Tape 1

Tape 2 begins here:

Mayor Quinn: "our weapons and our things that we have to draw businesses here, we might as well turn out the lights, throw away the key, because this City will be done. You can't compete with other communities if you don't play by the same rules. We can't take away that opportunity to do that. So, I just want people to try to remember that and think about that when you hear the criticisms that are out there. I'm not saying we're perfect. In

fact, I'll tell you what I can assure you I have lots of pencils and erasers on my pencils, because I make mistakes, believe me I do, but not intentionally and none of us do. I thank you for being here this evening."

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

Adopted: February 20, 2007

 Mayor

 Commissioners

Attest:

 City Clerk/Administrator

**BILL LIST
 CITY OF MILLVILLE
 MEETING FEBRUARY 20, 2007**

ACTION SIGNS & AWARDS	15.00
ACU-PRINT, INC.	201.82
ADVANCE TREADS INC	2,210.88
A&M PRODUCTS	357.50
APPLIED SWEEPERS, INC.	448.31
ARAMARK UNIFORM SERVICES, INC.	1,074.57
ARBRISCO ENTERPRISE, INC.	2,350.00
ASSN. ENVIRONMENTAL AUTH. INC.	100.00
AT&T INFORMATION SYSTEMS	350.98
ATLANTIC CO ASSN CHIEFS POLICE	100.00
ATLANTIC CITY ELECTRIC	74,588.94
BOB NOVICK CHEVROLET, INC.	306.66
BOND AND COUPON	555,000.00
WAYNE CAREGNATO	349.00
CATERINA SUPPLY INC.	16,284.50
CIFALOGGIO INC	374.65
CINTAS CORPORATION #100	19.65
CINTAS FIRST AID & SAFETY CORP	56.15
CITY OF MILLVILLE	86,184.32
CITY MILLVILLE PAYROLL DED ACC	29,266.80
CITY OF MILLVILLE PETTY CASH	118.59
CITY MILLVILLE SEWER OPERATING	44,468.72
CITY OF MILV TAX COLLECTORS ESCROW	424.14
CITY OF MILLVILLE WATER OPER.	77,201.25
ATLANTIC CITY ELECTRIC	34,396.92
CUMBERLAND COUNTY COLLEGE	7,500.00
CCIA	280.21
CUMBERLAND COUNTY S.P.C.A.	745.00

CUMBERLAND FIRE PROTECTION	531.50
CUMBERLAND VALVE INC	267.97
CUSTODIAN OF SCHOOL MONIES	580,564.00
THE DAILY JOURNAL, INC.	2,622.25
RICHARD H. DANIELS, ESQ.	1,518.00
LINDA A. DEDRICK	400.00
DEERFIELD ELECTRIC	2,600.00
DELTRONICS CORP	3,090.00
DEMCO SCIENTIFIC	20,000.00
EASTERN ALARM & SIGNAL	1,942.69
EXECUTIVE BUSINESS PROD. CORP.	3,805.96
FATHERS FOR PATRIOT PARK	60.00
GANN LAW BOOKS, INC.	493.25
GARDEN STATE HIGHWAY PROD. INC	1,440.00
GENTILINI FORD, INC.	56.12
GRANTURK EQUIPMENT CO., INC.	784.98
GRAYBAR	1,352.91
GREENBERG TRAUIG, LLP	5,077.07
JAMES GRONE	131.75
GRUCCIO, PEPPER, GIOVINAZZI,	11,029.25
JUDITH L HEADLEY	12.00
HELP & HOPE MINISTRIES, INC.	2,000.00
DANIEL HOFFMAN, ESQ.	200.00
HOLLY CITY DEVELOPMENT CORP.	7,066.70
HOWELL HARDWARE	490.02
CARL HUND	171.46
IDA	200.00
JRB ASSOCIATES, LLC	3,270.00
KOMLINE & SANDERSON, INC.	6,133.00
LANDSMAN UNIFORMS INC.	1,145.45
LANGUAGE LINE SERVICES, INC.	62.90
LAURY MACHINE WORKS	2,125.00
LILLISTON CHRYSLER/PLYM., INC.	325.28
LOWE'S CO., INC.	664.10
MACALASTER BICKNELL CO., INC.	1,924.51
RICHARD C MCCARTHY ESQ	11,019.16
MICROFLEX MEDICAL CORP	867.50
MILLER ENVIRONMENTAL GROUP INC	3,675.00
MILLVILLE AUTOMOTIVE, INC.	618.56
MILLVILLE RESCUE SQUAD	40,000.00
WILLIAM R. MINTS AGENCY, INC.	13.00
NIGP	315.00
NEXTEL COMMUNICATIONS, INC.	4,415.32
VERIZON	2,628.67
NJ CONFERENCE OF MAYORS	155.00
TREASURER, STATE OF NJ	12,012.25
NJ STATE DEPT OF HEALTH	1,768.80
SUZANNE L OLAH	445.20
PACE & ASSOCIATES, INC.	1,697.80
JOHN PANGBURN FENCING	988.00
PASTINA, INC.	78.00
PEDRONI FUEL CO, INC.	28,891.97
PENN-JERSEY MACHINERY, INC.	631.69
PHOENIX COMMUNICATIONS, INC.	2,061.24
QSCEND TECHNOLOGIES, INC.	195.27
QUALITY CONTROL LABS, INC.	1,396.00
QUALITY FIRST, INC.	446.01
QUALITY LINCOLN MERCURY, INC.	18.50
REDCORN, INC.	2,250.00
DEBRA REED	20.96
JAMES F. REEVES	375.00
REGISTRARS ASSN OF NJ	50.00
RUTGERS, THE STATE UNIVERSITY	417.00
S.A. COMUNALE CO., INC.	757.50
SIRCHIE FINGER PRINT LAB INC.	325.09
SJ GAS COMPANY	18,796.23
SJ PAPER PRODUCTS, INC.	1,493.50

SKILLPATH SEMINARS INC	199.00
SOUTH STATE INC	359.41
SOUTHERN NJ DEVELP CNCL	250.00
STAPLES, INC.	387.24
STATE OF NEW JERSEY	6,249.00
STEWART BUSINESS SYSTEMS	468.54
JOSEPH SUTHERLAND	1,500.00
JOSEPH SUTHERLAND	607.45
LEWIS N THOMPSON	435.54
THRIFT-T-CAR WASH, INC.	1,796.00
TREASURER, STATE OF NJ	23,764.22
TREASURER, STATE OF NJ	150.00
TROUT PRINTING & PUBLISHING CO	170.00
UNITED PARCEL SERVICE	7.33
UNIVAR USA INC.	670.50
VINELAND AUTO ELECTRIC, INC.	49.00
WILSON WEB SERVICES	429.90
ALICE E WOOD	150.00
WYBLE ADVERTISING, INC.	4,634.77
OLUF OLSEN	4,600.00
BERNADETTE PATTERSON	7,950.00
EMERALD TITLE AGENCY	1,780.00
WASHINGTON MUTUAL	308.17
TOTAL VOUCHERS FOR 02/20/07	1,794,071.97
CITY OF MILLVILLE SALARY ACCOUNT	273,314.75
CITY OF MILLVILLE SALARY ACCOUNT	256,678.54
TOTAL SALARY FOR 02/20/07	529,993.29
TOTAL VOUCHERS & SALARY 02/20/07	2,324,065.26