

Conference Room No. 2, City Hall
 Millville, New Jersey
 May 2, 2006, 6:30 p.m.

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

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

The City Clerk/Administrator noted the following additions and deletions to the agenda:

Additions

Resolutions

Item No. 1- Resolution authorizing transfers within the FY 2006 budget appropriations.

Item No. 13- Resolution approving grant application to the NJ Department of Law and Public Safety regarding funding for project under the Safe and Secure Communities Program.

Item No. 14- Resolution authorizing the purchase of one used 2006 Ford Freestar SEL Minivan from Quality Lincoln Mercury in the amount of twenty-thousand one hundred (20,100) dollars.

Item No. 15- Resolution authorizing the creation of the Millville Commodity Resale System with the County of Cumberland for resale of gasoline with the City of Millville as the Lead Agency

Deletions

Ordinances on 1st Reading

Item No. 1- Ordinance amending the Municipal Code, Chapter 56, Sewer and Water regarding deadlines for making required connections to the Municipal Sewer and Water Systems.

Resolutions

Item No. 16- Resolution authorizing the purchase of one Suburban Vehicle from Warnock-Ryan under state contract in the amount of thirty-three thousand (33,000) dollars.

Commissioner Shannon noted organizations collecting funds for can drives for various organizations have been attending Third Friday events with no permits.

Further discussion was held regarding applications for Utilization of Glasstown Plaza, Buck Park and the Downtown Business District and the necessity to obtain permits and to ensure all raffles have been properly licensed.

Commissioner Shannon noted the Parks Department and Police Department, and City Clerk's Office should meet regarding these issues.

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

Commission Chambers, City Hall
Millville, New Jersey
May 2, 2006, 7:00 p.m.

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

Reverend Jonathan Merki delivered the invocation followed by the salute to the flag.

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

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

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, Parent, Derella, Hollingshead and Quinn.

Resolution No. A- 5433 authorizing transfers within the FY2006 Budget Appropriations was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

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

COPY OF BILLS SEE PAGES 128 THROUGH 130

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

Paul Porreca, Porreca Drive, requested an explanation concerning Petitions and Letters, Item No. 1 regarding Notice of Abandonment and Discharge of Notice for Delsea Drive Property.

The City Clerk/Administrator noted the City of Millville received a stipulation on dismissal without prejudice from the Superior Court of New Jersey regarding Plaintiff, Howard L. Blumenthal and Barbara Blumenthal for block 228, lot 11, North Delsea Drive that set forth a verified complaint and declaration of taking and that this action abandoned the matter indicating it has been resolved amicably between the parties.

The City Clerk/Administrator further explained in response to Mr. Porreca's question that the City of Millville did own the

property known as the Veterinarian Hospital for approximately fourteen days.

Mr. Porreca also addressed Commissioner Derella and suggested that he provide UEZ Loan reports as part of the Report of Commissioners at the regular meetings concerning the numerous accounts and loans under this program.

Mr. Porreca also stated that approximately eight years ago the Municipal Budget was eight million dollars and that today with the preliminary tax that appears on the agenda this would raise it to sixteen million two hundred three thousand seven hundred eighty two (16,203,782) dollars and three cents and this represents almost one hundred percent increase in taxes over this eight year period.

Commissioner Derella made the following comments:

"As the budget was stated for last year, which I was responsible for Revenue and Finance, we cited all the issues that were a concern at that time. The issue we're estimating being faced with the same thing that our households are faced with and I'm faced with and everybody up here, as well as you Mr. Porreca, gas increases, utility increases, salary and wages increases, health benefit increases, pension increases. Since I have been responsible for the Department that has been an issue and we need to control our cost in other areas."

Paul Porreca: *"What's the bonded indebtedness, I didn't check that...Do you know what the bonded indebtedness increase is, even for the last year?"*

Commissioner Derella: *"At the top of my head I could not give you that figure..."*

Paul Porreca: *"Well, that's a big piece of this, because you got a lot of debt service. I'll check, I didn't get this agenda until this morning, so I didn't know this was on there. I didn't have time to look at the bonded indebtedness. But, you can't have twenty percent increases year in and year out. The things that you cited, I can see on one year or maybe every three years, because you have union contracts, but twenty percent per year, every year, year in and year out is frankly just unacceptable. People don't get those kind of wage increases, so where are they supposed to come up with this money, I have no idea. But, maybe you fella's know. I think you really need to do some kind of cost benefit analysis as to the money you're spending. Do you know how much money you dumped into High Street? Does anybody know?"*

Mayor Quinn: *"All I get is compliments on High Street, so whatever we put in obviously had some benefit..."*

Paul Porreca: *"Well, it depends on the amount, maybe if people knew the amount they would have some question about it. I heard it was over twenty-one million dollars..."*

Commissioner Derella: *"this has to do with the entire Riverfront Project..."*

Paul Porreca: *"not the riverfront I'm talking High Street..."*

Commissioner Derella: *"over a twenty year period."*

Paul Porreca: *"It hasn't been twenty years, sorry, it hasn't been twenty years, so don't talk about twenty years. I just think*

there's a lack of total information coming out of this Commission about what these things are costing and what the benefit is for the money that you're spending and you cannot raise taxes twenty percent per year and not expect to have some disastrous affect on the people of this town. I'll tell you what, I'll pose a question for your next Commission Meeting. How much money have you spent on the Central Business District in how many years? Then you ought to begin to do a little cost benefit analysis. Sure, you get compliments, but what's it costing and where's it going?"

Mayor Quinn: "Paul, let me tell you this the AA Sales building was worth about seventy, eighty thousand dollars and it's now one point five million and it's for sale. So, there's certainly a big ratable change from eighty some million when we first got elected to what it is today when the guy is selling it at one point five million. So, that shows there's some benefit put into that. Is there not?"

Paul Porreca: "How does that help if my taxes go up twenty per...if your budget is up twenty percent per year. Well, don't get me into ratables, because now we want to talk about tax abatement, because you can get a new ratable and if you give it a tax abatement it doesn't mean a thing. All it means is that the burden is shifted to the homeowner, who doesn't get a tax abatement. I think you really need to do some very careful analysis..."

Mayor Quinn: "that's your opinion, I don't agree with you..."

Paul Porreca: "well, you don't have to agree with, but that's a fact. The fact is, you have a tax abatement, they don't pay taxes. I have another question, new business, under new business, potential deed to the City for block 188. What's that about?"

Lew Thompson: "Potential deed for the City, the property there, we were contacted and the people no longer wish to own the property and they wish to deed it back to us at no cost. They don't want the property anymore."

Paul Porreca: "So, if I don't want my property and don't want to pay the taxes on it you guys will take it back?"

Mayor Quinn: "Absolutely, and then we'll sell it for a lot of money..."

Paul Porreca: "I hope you sell some of the two million dollars worth..."

Lew Thompson: "it's merely a piece of correspondence from the party to us for us to analyze and consider."

Paul Porreca: "okay, thank you very much. Thank you very much Mr. Mayor."

There being no further comments concerning agenda items Mayor Quinn declared this portion closed and called upon the City Clerk/Administrator for petitions and letters.

The City Clerk/Administrator read correspondence regarding Notice of Abandonment, Discharge of Notice and Stipulation of Dismissal Without Prejudice concerning the Blumenthal Property, Block 228, Lot 11, N. Delsea Drive.

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

The City Clerk/Administrator read correspondence from Mayor Quinn appointing Ted Ritter as a member of the Zoning Board of Adjustment to fill the unexpired term of Ken Yeutter through the period ending December 31, 2009.

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

The Permit Fee Log Report and Monthly Fees Report for the month of March 2006 was ordered received and filed, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

The following proposed ordinance was read on first reading:

Ordinance No. 17-2006

An Ordinance amending the Municipal Code, Chapter 39, Article X, Schedule 21 Motor Vehicle and Traffic Regulations re: handicapped parking, adding 118 E. Pine Street, Permit #P702527.

Director Parent moved for the adoption of the proposed ordinance on first reading with final consideration to be given on Tuesday, May 16, 2006 after due publication as provided by law.

Director Shannon seconded the motion.

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

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

Ordinance No. 15-2006

An Ordinance pursuant to Chapter 2 of the Administrative Code to add titles concerning principle community organization specialist (Weed and Seed Coordinator) and Principal Planner Development Review.

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, Parent, Derella, Hollingshead and Quinn.

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

Ordinance No. 16-2006

An Ordinance approving Sale of Real Estate in a Public Sale pursuant to NJSA 40A:12-13 re; Block 574, Lot 4, approximately 4.3

acres of vacant land with a minimum bid of \$25,000.00 per acre or \$107,500.00 for lot, on May 16, 2006, 4:00 p.m. subject to certain conditions.

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

Director Parent 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, Parent, Derella, Hollingshead and Quinn.

Resolution No. A- 5434 authorizing adjustments to the Utility and Tax Records of the City of Millville was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

Resolution No. A- 5435 authorizing Special Assessment for various properties in the amount of three thousand two hundred forty (3,240) dollars and fifty-six cents and Counsel Fees in the amount of one hundred (100) dollars for Board and Secure and to Clean and Cut Properties was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

Resolution No. A- 5436 authorizing certification of the preliminary tax levy in the sum of sixteen million two hundred three thousand seven hundred eighty-two (16,203,782) dollars and three cents to be utilized for the calculation of the third and fourth quarter installments of property taxes pursuant to Chapter 72 Public Laws 1994 was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

Resolution No. A- 5437 approving the services of Emtec, Inc. under state contract in the amount of thirty-five thousand (35,000) dollars for the implementation of Voice Over IP for the City of Millville was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

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

Resolution No. A- 5438 authorizing Atlantic Electric Company to install additional streetlights to the City of Millville's street lighting system at 43 Dock Street and the corner of Dock & McNeal Streets and remove old style pole from corner of Dock & McNeal Streets was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

Resolution No. A- 5439 accepting Award of Grant from the NJ Department of Environmental Protection and the NJ Economic Development Authority in the amount of three million fifty-five thousand five hundred eighty-one (3,055,581) dollars for site investigation and report preparation of the Millville Airport Industrial Park Expansion to be performed by Pace & Associates, Inc. was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

Resolution No. A- 5440 authorizing Russell Barringer, Housing Rehabilitation Coordinator, to submit Community Development Block Grant Application and documentation for an Entitlement Grant in the amount of three hundred thousand four seventy-one (300,471) dollars for the 2006 Program Year, July 1, 2006 to June 30, 2007 and additional funding in the amount of ten thousand (10,000) dollars from Program Income through the Housing and Urban Development was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

Resolution No. A- 5441 authorizing Memorandum of Agreement between AHOME and the City of Millville for Russell Barringer, Housing Rehabilitation Coordinator to work with AHOME in identifying specific projects and implementing same designating approximately thirty-three thousand one hundred fifty-eight (33,158) dollars annually for housing activities utilizing the City's 2006 HOME funds was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

Resolution No. A- 5442 urging amendment to the Arbitration Law applying budget cap to Police and Fire arbitration awards and settlements was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

Resolution No. A- 5443 approving the purchase under state contract with NetQ Multimedia Company re: Fiber Optic Lines and copper connections and wiring closet build outs for Police building, Sewer Utility and City Hall in the amount of thirty-five thousand seven hundred eighty-four (35,784) dollars and twenty-six cents was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

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

Resolution No. A- 5444 authorizing the insertion of an additional item of revenue in the FY2006 Budget from the NJ Department of Environmental Protection - Clean Communities Program in the amount of thirty thousand nine thirty-four (30,934) dollars and sixty-seven cents was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

Resolution No. A- 5445 approving grant application to the NJ Department of Law & Public Safety concerning funding for project under the Safe and Secure Communities Program was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

Resolution No. A- 5446 authorizing the purchase of one used 2006 Ford Freestar SEL Minivan from Quality Lincoln Mercury in the amount of twenty-thousand one hundred (20,100) dollars was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

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

Resolution No. A- 5447 authorizing the creation of the Millville Commodity Resale System with the County of Cumberland for resale of gasoline with the City of Millville as the Lead Agency was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

The City Clerk/Administrator read correspondence concerning potential land sales for the following properties:

Block 546, Lot 29, 1500 S. 2nd Street, from In His Presence Worship Service, Pastor David W. Ennis; Block 546, Lot 1, 12 S. 2nd Street from Paul Cossaboon of Ike's Famous Crab Cakes; Block 390, Lot 9, E. Vine Street from Kevin Cain and the City Clerk/Administrator noted a request to convey property to the City of Millville for Block 188, Lots 2321 & 2322, 138 Pine Road from Paul and Diane Groves.

A motion was passed to receive and file the correspondence and refer same to the appropriate City Officials for review and recommendation to Commissioner Shannon, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

A motion was passed to approve Tap Enterprises to hold a Tool & General Merchandise Sale at the Cumberland County Fairgrounds on Thursday, May 11 & Friday, May 12, 2006, 11:00 am to 7:00 pm, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

A motion was passed to approve a Special Event Application for use of Public Lands submitted by the Millville Recreation Department for a Fourth of July Celebration on Tuesday, July 4th, 2006 to be held at Union Lake Park, from 6:00 p.m. to 10:00 p.m., by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

A motion was passed to approve the Millville Rescue Squad to hold Safe Kids Cumberland County to be held at Riverfront Park on Saturday, May 13, 2006 from 1:00 pm to 4:00 pm, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

A motion was passed to authorize the City Clerk to advertise for bids for Street Patching and Utility Opening Repairs - 2006, Said bids to be returned to the Purchasing Board on Tuesday, June 6, 2006, 10:00 A.M., Fourth Floor, Commission Chambers after due publication as provided by law, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

A motion was passed to authorize the City Clerk to advertise for bids for the Maurice River Bikeway Trail - Phase III. Said bids to be returned to the Purchasing Board on Tuesday, June 20, 2006, 10:00 A.M., Fourth Floor, Commission Chambers after due publication as provided by law.

A motion was passed to approve Special Event Application for use of Public Lands submitted by the South Jersey Aids Alliance re: Community Service Annual Clients & Families to be held at Corson Park on Saturday, June 10, 2006 from 12:00 noon to 3:00 p.m., by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

Mayor Quinn stated we have now reached the public comment portion of our meeting anyone who would like to address the commission please go to the podium, state your name, address your concerns and please limit your comments to approximately 5 minutes.

Fran Riley addressed the Board of Commissioners and expressed sincere appreciation to the governing body on behalf of the Fifth Annual Holly City Regatta held on the Maurice River and also extended sincere appreciation to Commissioner Tim Shannon, Rich Romanik, Liz Nicke and Lew Thompson and the City Clerk's Office for

their cooperation in making this a successful event.

Lois Hall, Cedar Street, addressed the Board of Commissioners thanking everyone for their cooperation and meeting regarding the proposed sewer and water Ordinance and noted further communications from the Cumberland County Department of Health and the intent to have one more sit down meeting prior to the introduction of the proposed Ordinance.

Ms. Hall indicated the testing issues remain outstanding and that there are presently sixty-eight homes that are affected by the proposed Ordinance and there are over three thousand homes with wells in the City of Millville that could be affected in the future regarding the passage of the new regulations.

Herman Gardner: *"Good evening, Mr. Mayor and Council. My wife Joanne and I, 35 Churchill, my name is Herman."*

Joanne Gardner: *"I have a copy of the General Code E Code, City of Millville page 82 of 183 30-138, D. No residential property shall be used for the parking or open storage of commercial motor vehicles or commercial equipment, including, for example, omnibuses, school buses, dump trucks, tractor-trailers, snow plows and the like. My question is, define a school bus as to color, size and shape?"*

Lew Thompson: *"I believe the explanation, which the Traffic Safety, there's further explanations in there, but they go by gross vehicular weight and length..."*

Joanne Gardner: *"which is?"*

Herman Gardner: *"Mr. Mayor the last time we were here you said you were going to talk to Mr. Ayres and take a ride around the neighborhood. Have you done that?"*

Mayor Quinn: *"Well, you know, I talked to Mr. Ayres, unfortunately he's on vacation and he gets back tomorrow. We did discuss your issue and he said, obviously you were right in the sense of...the other part comes into, from what I'm told and I haven't had a chance to talk to the Chief, but if it's not on their property it's on the City street and then the police can give a ticket. Mr. Ayres said he could only give a ticket if it's on the property. Now, are there some I've seen, I haven't seen any on property as such..."*

Herman Gardner: *"okay, Mr. Mayor, now my wife came home for fifteen minutes to change clothes, within that amount of time she was given a parking ticket, prior to this other fine that we got for parking on our property. Now, you have Cooper, Laurel, they are parked on the street constantly and they have not been ticketed, towed or even fined by Mr. Ayres. We had talked to him personally about it..."*

Mayor Quinn: *"He told me, before he left that it was a police matter if it's on the street. Is that correct Chief?"*

Chief Harvey: *"Yes."*

Joanne Gardner: *"okay, we have one that's on the street that's been there for ten years. We called the police, they said oh, we'll send a car out there and nothing happens, because..."*

Mayor Quinn: "Well, there's the Chief right there, that's the Chief of Police..."

Joanne Gardner: "The husband, the driver's husband is head of the rescue squad, so..."

Herman Gardner: "and there's another one parked on ??????"

Joanne Gardner: "and there's ????????? Adams that parks on the street..."

Chief Harvey: "The way the Ordinance is written, just like the Mayor said, school bus and they put that in there school bus, if you're on private property that's zoning, if you're parked on the street, the way the Ordinance is written, if it's gross vehicle weight over a certain poundage or if it's more than twenty foot in length, it could be a boat, it can be a bus, tractor trailer, if they're on the street then they belong to the Police..."

Herman Gardner: "We just don't want to think that Mr. Ayres is selective ticketing and that's what it seems like, it actually seems like selective ticketing..."

Joanne Gardner: "in West Millville before we came here we found five either on the street or on the property and one..."

Mayor Quinn: "Would you leave the list with the Chief..."

Herman Gardner: "We will be back next meeting..."

Joanne Gardner: "we don't understand why nothing is being done..."

Chief Harvey: "I can assure you that we have written tickets..."

Joanne Gardner: "if I'm home for fifteen minutes and I get one hundred and thirty-three dollar ticket and others don't get any for years, months at a time..."

Herman Gardner: "I'm bringing my bus home within the next four weeks to wash it for the year and I don't expect a ticket. It'll be there for at least an hour while I'm washing it and cleaning it up for the year and the same for my wife's bus. It's the only place we have to wash it and if I get a ticket I'm going to be back here..."

Joanne Gardner: "what is the harm, you know, we don't bring them home at night or weekends, what is the harm for us to bring them home for three hours a day. Is that a harm on our own property?"

Mayor Quinn: "Well, I guess the other side of it is, is the bus company, Sheppard, is that correct?"

Herman Gardner: "No. The City of Vineland..."

Mayor Quinn: "oh, you have a City of Vineland, I see..."

Herman Gardner: "that's going to make a difference down here..."

Mayor Quinn: "no, the reason I say is Sheppard has the parking lot that these other people should be putting their bus over there and commuting to that parking lot and not park on the street. So, they're wrong, there's no question about that and we certainly the Chief, I'm sure will address that issue and we'll see you in a

couple of weeks...the City of Vineland doesn't have a place where you're allowed to wash them there?"

Herman Gardner: "Well, yeah there is, but it's so crowded and the time of day that we have to wash them is just in between our bus runs and it's not available all the time, so I bring it home and I wash it and I go back out on my run and then park it at the bus ???? the rest of the night. I was out from 4 o'clock in the morning to seven o'clock with the crew team this past weekend, I didn't have time to wash it, you know, but we have to clean them before we turn them in at the end of the year. There's thirty days left, now Tom Ayres has had since September to ticket these other buses and he's known about them, it's on record when we were in court. It's on record."

Mayor Quinn: "alright, we'll address it."

Joe Sutherland addressed the Board of Commissioners concerning the forthcoming Millville Municipal Alliance Activities and noted a Town Hall Meeting to be held at the Alternative School for the Students on May 16th at 5:30 p.m. in the cafeteria.

Paul Porreca of Porreca Drive addressed the Board of Commissioners and made the following comments:

Paul Porreca, Porreca Drive. Commissioner Derella I missed it, how many cents did you say that..."

Commissioner Derella: "estimation, approximately 16 cents"

Paul Porreca: "16 cent increase. Mr. Mayor, as you know that there's two sides to every story and you said sure, you thought it was good and I said well... There really is a lack of, I think, I know you fella's do a lot with information. But, there's really a lack of balance to the information that comes out, the down side the good side, the in between side. Maybe we ought to sit down and talk about having some type of an agreed upon topic that was okay that we could discuss at the end of the meeting, but a public discussion, not you know, one on one or you can only have two Commissioners. A regular public discussion on an agreed upon subject to get the whole thing on the table. It might result in a better-informed public. It might result in some better decisions..."

Mayor Quinn: "I think Paul, that's a good idea and I think that, like, you know, maybe what we could do is after we finish the regular meeting, you know, as we do then have a public discussion, we can keep the camera's running and all that, but I would like to be able to have that so we can. I mean I have some opinions, you have some opinions, I mean we differ respectively on certain things. But, you're right, we could learn from each other, go ahead I'm sorry..."

Paul Porreca: "that's fine, it's just a thought I had. Now, let me reiterate. I am not against your Arts District, believe me that I am not against the Motorsports Park, but what I am critical of, obviously and I hope constructively critical of some of the business judgments that are made and some of the lack of good business practice that is apparent to me, okay. One of the things are the UEZ loans there's no report on where they are and incidentally talking about UEZ Loan and I don't want to ramble, but the sixteen million dollars that you fella's have to spend municipally and I know a lot of its control. But, that's not all you have to spend, you've got all that UEZ dough that three percent money that comes in, you've got a lot of money and you really need

to be acting like bankers. Okay, so much for that, so I am critical, not of the projects, but I think you need to do a little cost analysis of what's going on. Now, I checked this morning, it was around noon time with John Krause to see if the Motorsports Park had paid it's April payment and they have, I don't know if it's a result of somebody inquiring or whether they just happened to pay it, but they paid it. So, then I asked when did they pay it and he said April 18th, now that's fifteen days, plus three after the due date. The Promissory Note says if it's fifteen days late there will be a penalty of five percent, just like me with my taxes, if I'm ten days, I don't get fifteen, the get fifteen, if I'm ten days late I get charged eighteen percent. If they're fifteen days late, they're supposed to be charged five percent of the payment, which is only one hundred sixty-seven dollars I will admit, but it's what the contract says. They did not pay it and were not charged it, so they're still in default on their April payment, because they were late. Incidentally, the May 1st payment had not been received, it's only May 2nd, so what. May 1st your mortgage is due and you pay it, especially when it's a six hundred thousand dollar interest free loan, for which so far we have nothing. So, the contract in substantial breach, not just the note, but he contract itself. The other thing is and this is true to UEZ loans too and I frankly don't quite understand it, but Mr. Krause told me that the payment, by the Motorsports Park would be made to the Sun Bank and then the Sun Bank charges the City a fee, only a small fee and then they transfer it to the City. I frankly don't understand that, we have a tax collector, who collects probably, I don't know all the school money, all the county money and all the City money, probably thirty or forty million dollars. She can't collect that. Why are we paying Sun Bank to accept payments on UEZ loans and on the Motorsports Park? I don't understand it, it's another expense maybe you could do away with. Anyway, those payments are due. Now the contract with the Motorsports Park is not, okay, the note, small breach they pay corrects the breach. That does not change what I called to your attention in December. June 1st they were suppose to settle, all of the time limits in the contract have been breached and don't tell me about the lawsuit, because there was no restraint in that lawsuit to stop anything from going forward and it was only a couple of months and they are now eleven months beyond the settlement date. I would like to know, because I've asked several times with no response. What is the status, what are you in fact, specifically doing about this breached contract? Where are the negotiations? Have they been told, you're in breach fella's the deals off? For example, you sell land to them for five thousand, Industrial Park Land and today you adopt a resolution selling industrial land for twenty-five thousand dollars. Am I wrong..."

Mayor Quinn: "Well, there's two sides to that too..."

Paul Porreca: "well, sure there's two sides, but they're getting sewer and water that's a part of the deal..."

Mayor Quinn: "yes, but they also have land that nobody else could use, because of the FAA...your time is up..."

Paul Porreca: "yeah, that's a good one, time, I'm not going to abide by that, you can have the Chief pull me out of here. But, I think when you fella's are spending hundreds of million of dollars and someone stands up here and ask you questions about it and then you're going to limit us on time, you're not limited on time to respond and that is grossly unfair, un-American and a lousy way to operate a public meeting. Now, another thing on that contract is the three million dollar grant that you accepted tonight, which I should have talked about in the agenda meeting, because then I would

have had more time, but I missed it. The contract says they're supposed to do the environmental study, that's what your contract says. Your contract says, you're spending three million dollars, it's going where? You don't get any answers..."

Mayor Quinn: "this is on munitions, this has nothing to do with them. This is because of the airport with munitions. This is fifteen hundred acres of which only a portion of it is theirs..."

Paul Porreca: "seven hundred. Half, okay, so make them pay one million and a half...Wait a minute, the contract, I'm only reading your contract, I'm not guessing, I'm not giving an opinion, I am not debating something. I'm telling you what your contract says. Quote "as is" quote, that's the way it's written in the contract you buy the land as is..."

Mayor Quinn: "well, you certainly have all the legal background why don't you and McCarthy sit down. We aren't the legal eagles, we're not the specialists. He gets paid good money to be the lawyer. I certainly understand what you're saying, but can't you talk to Mr. McCarthy?"

Paul Porreca: "question, what, I've talked to him, question...but, he's not the Commission. He says to me that it's you guys. So, now we have the rubber ball, you know, ping-pong, ping-pong. My question is what have you done since June 1st when they were suppose to settle and start paying taxes on the land that they were suppose to buy at bargain basement prices? Okay. What have you done and where do we stand? Where are the discussions with Red Bull? You know, nobody talks about them going on, oh by the way is this thing going the way of the Hydroponics and Cogeneration Plant that we never heard anymore about after the announcement here. Nothings coming fella's. No information, so what's the answer?"

Commissioner Derella: "We have Mr. Ayres, who can answer some of your questions. Red Bull is not ?????? thing, they're just one of the many developers that have come into this building and expressed interest in investing in the City of Millville..."

Paul Porreca: "that's not that whole story either, go ahead..."

Mayor Quinn: "well, obviously we don't know very much, you know more that we do, so we're learning I guess some things..."

Paul Porreca: "if I do that's a sad state of affairs. But, I would like to know what have you done about the breach of contract? Simple question."

Mayor Quinn: "alright, well let's let Mr. Ayres give his information I guess at this point and time. Would you allow him to get up to give his information?"

Paul Porreca: "I'll allow anybody to get up. It's not my ballgame it's yours."

Mayor Quinn: "well, other than Betty Monteleone you're the only one that's ever defied the time situation we have..."

Don Ayres: "As far as what's being done, Mr. McCarthy, Mr. Wodlinger, who is the attorney for NJMP, myself, the principals of NJMP have been meeting. We expect to update the dates and make some other modifications to the Municipal Development Agreement in a matter of weeks, I'm hoping that we're in here by June at the latest and presenting a draft update to the Municipal Development Agreement

to the Commission for action. As far as the June 2005 date goes, yes, that was a deadline in the MDA, but also in the MDA, there are a number of contingencies that were required, although that was a deadline date, a number of contingencies required to go to closing. In any closing as we know we have to be able to provide clear title to the purchaser, well the fact of the matter is we thought that the FAA would be a fairly short process. I has not turned into that and has caused great expense to the Motorsports people, but it's their obligation and they've spent those monies they're probably up around two million on predevelopment costs now totaled counting the six hundred thousand that we have loaned them. But, you cannot go to the...the FAA has not released the land, we think the public comment period will be started shortly and that within, say sixty days they'll be able to accomplish that, if the normal flow of that end process goes as we expect. As soon as the FAA releases the land and the ordnance sweep is completed, the ordnance sweep is underway, we'll be able to have a closing. The developer wishes that they were under construction today, so that they could open for racing season or hopeful they'll be open of 2007 or hopeful they'll have a shovel in the ground this summer. But, it's contingent on those things. It also says in the Development Agreement that if all parties are diligently working toward the Phase I conveyance deadline it may be extended as mutually agreed by Millville and NJMP. They are diligently working and we are diligently working. A lot of monies are being spent by all parties, in trying to get across the finish line, so we can indeed go to a closing and we can sell the land. I would just point out that the land we're selling, which is an average price of about fifty-two hundred dollars an acre, is really broken up into two different pieces, one of which is the historic airport land that we have no real basis of cost in and we're selling that land at four thousand dollar an acre. There are two hundred seventeen acres of land that we purchased from Better Materials Sand Mining Company for thirty-seven hundred dollars and change in 2003 that we are selling for eight thousand dollars an acre. So, just on the Phase I conveyance the money out from the City verses what we'll get back, we're gaining two point one six times what we put out and by the time we get done with the third conveyance, then we're out there gaining back close to four times the City's basis in that land. I would point out that some of the areas are impacted by clear zones and slopes, because they're right around the runways and our not applicable to the airport industrial park lands that we will be selling. That infrastructure will also open up that three hundred, four hundred acres and we'll be selling that land more in line with the land price that we were talking about earlier, because it's not impacted by the slope zones or the no build zones that are right around the airport. Some of that land, the only thing you could put in it is a racetrack. So, there are other factors that go into the pricing of this and then the final factor is we've worked with the Motorsports to try to make this happen. This is something we want. We're talking about an economic impact of over two hundred million dollars to the region, we're talking about regional impact of jobs in the thousands. We're talking about well over a million dollars a year in tax revenues to the City of Millville. We're talking about bringing affluent visitors to the City, who will also patronize our Arts District, Wheaton Village and the Millville Army Airfield Museum. We think we'll spin-off automotive industry and industrial park also, which I think is really the hidden gem that we're going to see happen with this project. Yes, the agreement needs to be updated, we're working on that and hopefully within the next month or so we'll have that accomplished. Hopefully, this summer we'll have a shovel in the ground on the project."

Brian McGahhey addressed the Board of Commissioners expressing his concerns over the fifteen-year tax abatement and that this should be eliminated concerning any further negotiations or development agreements with the race track proposal.

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

Adopted: May 16, 2006

Mayor

Commissioners

Attest:

City Clerk/Administrator

**BILL LIST
CITY OF MILLVILLE
MEETING OF MAY 2, 2006**

ACS GOVERNMENT SYSTEMS, INC.	700.00
ACTION SIGNS & AWARDS	763.00
ADAMS MAGNETIC PRODUCTS, INC.	193.01
ALLIED CONTROL SERVICES, INC.	1,552.40
AMATO'S PIZZA	34.90
AMERICAN WATER WORKS ASSN. INC	253.50
A&M PRODUCTS	208.86
APPLIED SWEEPERS, INC.	136.19
ARBOR CARE RESOURCES	2,688.00
AT&T	65.48
AT&T	27.25
AT&T INFORMATION SYSTEMS	1,991.80
ATLANTIC CO UTILITIES AUTHORITY	27,265.50
ATLANTIC CITY ELECTRIC	20,798.07
DON AYRES	133.41
GERALD A. BARRETT, INC.	1,293.50
BERNAL MECHANICAL CONTR. INC.	168.00
BIRCH'S COMMUNICATIONS	325.00
B J ROASTERS	63.24

FLOYD BURT	32.22
CITY MILLVILLE PAYROLL DED ACC	277,004.22
CITY OF MILLVILLE-SELF INS 'B'	6,130.17
COMCAST	60.00
CUMBERLAND COUNTY COLLEGE	3,750.00
CCIA	395.10
CUMBERLAND COUNTY S.P.C.A.	2,580.00
CUMBERLAND VALVE INC	95.28
CUMBERLAND TREE SERVICE, LLC	900.00
DARE'S FEED & PET SUPPLY	59.98
DEAF SERVICES, INC.	400.13
DEERFIELD ELECTRIC	3,557.40
DELTRONICS CORP	1,493.94
DOCUMENT CONCEPTS, INC.	495.00
EDSA CORP.	32,500.00
EIC INSPECTION AGENCY CORP.	1,880.00
JOSEPH C. ELWELL, SR.	1,375.00
EXECUTIVE BUSINESS PROD. CORP.	1,794.53
FEDEX	103.83
FLEET CAPITAL LEASING, INC.	372.17
THE FLOWER FARM, INC.	2,525.00
FORT DEARBORN LIFE INSURANCE	1,719.90
GARDEN STATE HIGHWAY PROD. INC	822.16
GENERAL CODE PUBLISHERS, INC.	1,707.50
GENTILINI FORD, INC.	44.96
GRAINGER	1,200.14
GRAPHICUS COMMUNICATION, LLC	601.45
GREENBAUM, ROWE, SMITH, RAVIN,	3,432.60
GREENBERG TRAUIG, LLP	38,401.55
DANIEL HOFFMAN, ESQ.	200.00
HOWELL HARDWARE	386.77
CARL HUND	431.76
INTERCON TRUCK EQUIPMENT, INC.	1,375.20
INTERNATIONAL CODE COUNCIL INC	162.00
KEEN COMPRESSED GAS CO., INC.	100.00
NCS ENTERPRISES, INC.	103.60
LAURY MACHINE WORKS	1,950.00
LILLISTON CHRYSLER/PLYM., INC.	1,117.62
LINCOLN FINANCL ADVISORS CORP.	27,600.00
LOWE'S CO., INC.	210.62
M&N INTERNATIONAL, INC.	474.14
MAJOR PETROLEUM, INC.	490.58
MARC PUBLISHING CO, INC.	126.00
MATTHEW BENDER & CO INC/LEXIS	662.20
MICROFLEX MEDICAL CORP	668.00
MIG ENVIRONMENTAL, LLC	200.00
MILLVILLE AUTOMOTIVE, INC.	545.86
MILLVILLE CHAMBER OF COMMERCE	450.00
MILLVILLE DEVELOPMENT CORP	49,155.20
MILLVILLE GIRLS BABE RUTH	400.00
MOORE-WALLACE NORTH AMERICA	53.20
NATIONAL PEN CORP.	106.47
NATIONAL WATERWORKS, INC.	11,617.25
VERIZON	1,750.72
STATE OF NEW JERSEY	39,689.66
NJ DEPT OF TRANSPORTATION	800.00
NJ SHADE TREE FEDERATION	160.00
NEW JERSEY TURFGRASS ASSOC.	60.00
NJWEA	734.00
OLIVER CONSTRUCTION	750.00
PACE & ASSOCIATES, INC.	115,321.30
PEDRONI FUEL CO, INC.	22,203.31
PHCC, INC.	85.00
PHILADELPHIA TURF CO. INC.	1,013.02
PHOENIX COMMUNICATIONS, INC.	545.30
PITNEY BOWES INC	249.00
PREMIER CHEMICALS, LLC	11,316.02
QSCEND TECHNOLOGIES, INC.	750.00

QUALITY FIRST, INC.		196.37
QUALITY LINCOLN MERCURY, INC.		619.08
RADIO SHACK		61.12
DEBRA REED		40.05
STATE OF NEW JERSEY		22,420.00
SCHOOR & DEPALMA, INC.		395.55
SCHWAAB, INC.		122.40
SHEPPARD BUS SERVICE, INC		450.00
CUMBERLAND COUNTY TREASURER		2,760,614.06
SIRCHIE FINGER PRINT LAB INC.		103.50
SJ AGRICULTURAL PRODUCTS, INC.		2,322.00
SJ NEWSPAPERS CO.		194.40
SJ OVERHEAD DOOR, INC.		523.15
RICKY SLADE CONSTRUCTION INC.		53,803.82
STAPLES, INC.		1,277.73
STEELMAN PHOTO SUPPLIES		213.95
SUN NATIONAL BANK		3,025.00
THIS & THAT UNIFORMS, LLC		360.00
TOMLIN BROTHERS AUTO BODY, INC		171.60
TREASURER, STATE OF NJ		1,249.00
TREASURER, STATE OF NJ		1,246.00
TRI-CITY PAPER & JAN. SUPPLIES		191.20
THE TWO 15 GROUP, INC.		618.75
UNIVAR USA INC.		2,486.85
URBAN ENTERPRISE ZONE		4,768.16
VERIZON WIRELESS		800.80
VINELAND AUTO ELECTRIC, INC.		595.00
VITAL COMPUTER RESOURCES, INC.		2,000.00
WEST GROUP, INC.		741.93
ALICE E WOOD		300.00
WYBLE ADVERTISING, INC.		5,393.82
BRENDA GUILFORD		5,150.00
PATRICIA'S TEA PARLOUR		10,000.00
RETHYMNO ENTERPRISES, LLC		10,000.00
ZELPHY'S CHRISTIAN LEARNING CTR		2,670.00
SHARON MCCURDY		770.00
TOTAL VOUCHERS FOR 05/02/06		3,634,004.43
IDA (DIRECT) (W)		5,433.29
IDA (DIRECT) (W)		234.20
IDA (DIRECT) (W)		462.58
STATE OF NJ-PWT (W)		2,470.40
TOTAL WIRES FOR 05/02/06 MEETING		8,600.47
CITY OF MILLVILLE SALARY ACCOUNT		249,775.20
CITY OF MILLVILLE SALARY ACCOUNT		283,840.46
TOTAL SALARY FOR 05/02/06 MEETING		533,615.66
TOTAL VOUCHERS, WIRES & SALARY		4,176,220.56