

Commission Chamber, City Hall
Millville, New Jersey
June 30, 2009, 11:35 p.m.

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

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

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

Richard McCarthy: *"This is a continued returned date of a hearing for a dangerous or unfit structure in connection with the property located at 1831 Hance Bridge Road, Millville, New Jersey, more particularly described as block 348, lot 14 and originally owned by Vaughn and Jennifer Brown Ministries, Inc. there were a number of parties present at the last time, two weeks ago when this matter was first brought to the attention of the board. The parties were advised to return today with a plan concerning how they wanted to proceed with respect to the rehabilitation of the property. Since that date, new notice and complaint was served upon the Banks Attorney, Brett Wiltsey, Esquire and also TD Bank NA, which is his client. I received certified mail correspondence back indicating that both parties received the documents on June 22, 2009 and I received a telephone call from Bob Colson yesterday and he was indicating that he had talked to the attorney that was planning on appearing today and he was planning on appearing today as well. I have proof of mailing with the respect to the Notice of Hearing and the Complaint, which was sent out to Dilworth and Paxson, which is the Attorney's Firm in Cherry Hill and the TD Bank in Millville and that was sent out on the 19th of June and as previously indicated they received the documents, because of the fact that the green cards are here, I got the green cards back. Everybody's been notified that as an interest in the real estate, but the only person I actually spoke with directly was the agent who called me yesterday, who said that everybody planned on being here. I don't know anything more than that at this point."*

Mayor Shannon: "Any Commissioners have a comment?"

Commissioner Finch: "Well, at this point what's our recommendation or what action should we proceed to follow?"

Richard McCarthy: "well, we should hear from Milt, but obviously the roof is the most immediate concern, because it will continue to cause damage to the property. The property has been boarded up, I've been out to the property and I've seen the boarding up of the property from the outside. I don't believe there's been any work done on the inside to cleanup the debris and everything that exists there, but I'll let Milt Truxton speak to that issue."

Milt Truxton: "Gentlemen the solicitor is correct, the property has been boarded and secured, but if you remember at the last meeting we had on this property the trustee stated that he got proposals to repair the roof for approximately I think \$140,000.00. I looked inside and we're looking probably another \$60,000.00 to \$70,000.00 of repairs in there, so we're looking at \$210,000.00 of repairs to this building right now. Structurally the building is sound, it's not in danger of immediate collapse, but we can't let it set there to deteriorate to the point where we're going to be responsible to tear it down and pass it off to the taxpayers. So, I would suggest that maybe we give them another 60 days to start making repairs and if they don't make repairs then proceed with demolition."

Commissioner Shannon: "I guess my question would be if representation was supposed to be present... is this something that they're not going to follow through on at this point? I don't see anybody here at this point."

Richard McCarthy: "again, I want the record to be clear I didn't speak with the attorney directly, he never called me. I spoke with the sales agent, which was Bob Colson, who did call me yesterday and advised that he had spoken to the attorney and he also advised me that the amount of the mortgage on the property is around \$97,000.00 and they felt that the property was worth far and excess of that figure. The most immediate concern is the roof. I don't know that I would recommend waiting 60 days to repair the roof, but I think again, if you're asking for my view on the subject, which I don't know that you are. But..."

Commissioner Shannon: "I'm sure you're going to give it to me."

Richard McCarthy: "I think the roof needs the first attention..."

Commissioner Finch: "Well, if I may, didn't we ask them for a plan today?"

Richard McCarthy: "yes we did."

Commissioner Finch: "and we don't have a plan, I mean are they just ignoring us or..."

Commissioner Vanaman: "right, that's the thing that concerns me. No plan and there's no presence here today."

Commissioner Derella: "isn't there an issue with and I'm not going to say ownership, but the gentlemen who spoke before was trying to get title or something and now we got a bank or another entity that notified us. I thought there was a little different problem with that as well."

Richard McCarthy: "Well, let me just address it two ways. At the last meeting the gentleman who testified, spoke and he indicated that he had a quick claim deed given to him, so actually the title was transferred into their name from the original owners as represented at the previous hearing. With respect to the bank, as I've indicated the Notice of Hearing today and a new complaint, or no, not a new complaint, but a copy of the old complaint along with a new notice was served, was sent to the bank and to the banks attorney by regular and

certified mail on June 18th and June 19th to the attorney on June 18th and to the bank on June 19th, expecting one of the individuals, who is arriving now. The certified mail was in fact received on June 22nd, so we have notices and from my conversation with Mr. Colson yesterday it was his representation that the people were going to appear today, including the banks attorney, himself and the people that previously been here two weeks ago. So, all I know is what I had, the conversation I had with Mr. Colson."

Mayor Shannon: "this gentleman obviously must be here for this hearing. Would you like to identify yourself and proceed to the podium and speak please?"

Brett Wiltsey: "Good morning everyone, Brett Wiltsey, from Dilworth Paxson, I am the banks attorney and I am here... it's my understanding that people were going to come in and I was here just to hear what the proposed plan was so that we could make sure that our collateral is going to be protected. So, I'm as surprised as the Code Enforcement Officer is that no one is here."

Commissioner Finch: "we're looking for the plan ourselves..."

Brett Wiltsey: "yeah, so... my understanding from my conversation with the bank officer is that there was going to be, it's a demolition hearing if I'm correct..."

Richard McCarthy: "the primary... the ????? of the meeting concern is the roof, because of the fact that without the repair of the roof continued waste will occur with respect to the property."

Brett Wiltsey: "I understand and someone was supposed to be here to make representation that they were going to repair the roof in a certain period of time and assuming that they were able to do that they were actually going to pay off the bank debt. So, it was my understanding that they were pretty serious about this, so I am surprised that no one is here."

Mayor Shannon: "To be honest with you I was expecting to see some type of plan. That was the impression I was under, but obviously the lack of a plan is sending me a loud strong message right now."

Commissioner Finch: "I don't think, I think 60 days ????????? I agree with the solicitor..."

Commissioner Derella: "Commissioner Finch, would we be better, since there is no representation to put a motion on the floor that they have 30 days to make the repair to the roof and if not we'll proceed with the demolition."

Richard McCarthy: "Yeah, we should hear from the banks attorney concerning the value of mortgage. Mr. Colson represented to me that it was around \$97,000.00, but I don't know whether that's an accurate figure or not."

Brett Wiltsey: "what was the number \$97,000.00?"

Richard McCarthy: "that's what he gave me on the phone."

Brett Wiltsey: "I think it's a little bit more than that, not substantially more, maybe in the mid-hundreds, something to that effect and I'm just a bank attorney, but I think 30 days makes sense, we obviously don't want the roof to fall down, we're here, we want to work with the township, it's certainly not going to help us if the place is not being maintained and that way I can take it back to the bank that we have 30 days to react and hopefully we can help spark a response. I think that seems fair."

Lew Thompson: "It would be appropriate to put the Construction Officials estimate of the repairs on the record while the gentlemen is present though."

Richard McCarthy: "Do you have an estimate of what it would cost, what you think it would cost to repair the roof?"

Milt Truxton: "the only knowledge I have of the cost to repair the roof was the previous gentleman who was here at the last meeting and said he got quotes on the roof of approximately \$140,000.00."

Richard McCarthy: "was that to put a new roof on or just to repair the roof?"

Milt Truxton: "no, you can't just repair that roof, that's got to be stripped..."

Commissioner Shannon: "and just for the record Milt will you also state an approximate estimate for the repairs to the interior."

Milt Truxton: "I looked at the interior and I estimated the interior repairs are going to cost between \$60,000.00 to \$70,000.00."

Commissioner Shannon: "okay, thank you."

Commissioner Derella: "but, the main issue Milt, would be the roof, because that's got to be tightened up and repaired, because if it doesn't the interior is just going to continually go."

Milt Truxton: "when the roof is not being repaired the total building continues to deteriorate. I mean, you can walk in there anytime after a rain and there's at least 2 inches of water all over the floor and the sheeting and everything on the roof starts to deteriorate where it gets wet and dry and it starts to rot and everything and before you know it you're replacing beams or whatever else you have to do there."

Commissioner Finch: "who are we going to make this notice to and how are we going to receive something back in terms of, again, what the plan is for this, we still need to get some direction from the owner or..."

Milt Truxton: "I would say that since they filed a quick claim deed that we should be getting some record of ownership at the tax assessor's office pretty soon."

Richard McCarthy: "Counsel may know, have you seen a quick claim deed on that..."

Brett Wiltsey: "no, I have not, but I did receive an email last night and apparently there's some other party and I don't know the name who is interested in making these repairs and is hopeful they'll work something out with the township and if they could do that then he was going to work something out with the bank."

Commissioner Finch: "we would like to be notified who the principals are too, so they can tell us in writing what they intend to do and comply with the 30 day notice."

Brett Wiltsey: "that seems fair, we're on the same page, I need that information as well. I'll tell you that the bank officer asked me to prepare an escrow agreement, they were going to put all the funds in escrow to make the roof repair and to pay off the banks debt. So, I don't know who that person is, but apparently there is someone out there who is interested in doing this."

Mayor Shannon: "We would love to know."

Commissioner Derella: "so the notice would go to who we have on record, Colson and then cc the bank?"

Richard McCarthy: "yeah, we would notify all parties and it would be in the form of a resolution and it would normally cover two things. The first thing we've already talked about and the other thing is that you would retain jurisdiction of this matter until further action depending on what occurred in response to the resolution. When we adopt the resolution it is sent out, it's posted on the property, it's sent out to all parties in interest and it's published in the newspaper. So, in other words we have to follow the same the procedural process with respect to the order that the Commissioners adopt through the resolution that we do have to do with respect to the papers of service. So, it's a big process."

Mayor Shannon: "Okay, let me ask one more question, because we're talking another 30 days. Is it unrealistic to try to tighten this up and say 15 days, I mean, you know we had a meeting a couple of weeks ago..."

Lew Thompson: "I don't think so..."

Mayor Shannon: "no plan, nobody's here..."

Richard McCarthy: "I think the dollar amount affects the ability to do things within a certain timeframe. You know if we were talking about \$5,000.00 to repair the roof, you could shorten the time period, but with the numbers that Milt is estimating I think that you need a longer period of time. We have somebody else arriving..."

Commissioner Finch: "Would they be required to notify the construction official of the schedule, timeframe and so forth..."

Commissioner Derella: "they got to get a permit..."

Richard McCarthy: "you need all of the various things that you would normally need..."

Milt Truxton: "we might have the gentleman here..."

Commissioner Derella: "twenty minutes late."

Lew Thompson: "State your name please."

Robert Colson: "It's Robert Colson, sorry I was late, I had a family emergency."

Richard McCarthy: "Mr. Colson can I ask you a question?"

Robert Colson: "yes sir."

Richard McCarthy: "Who holds the title right now."

Robert Colson: "the title is actually being transferred today, it will be in my company's name, in the Trust Name, Hance-Bridge Road Trust."

Richard McCarthy: "okay, so last time when there was talk of this quick-claim deed at the last hearing it wasn't actually executed yet?"

Robert Colson: "No. We had to wait for the court order from the divorce court. Pastor's Vaughn and Jennifer Brown were ordered by the court to remove their names from the property."

Richard McCarthy: "okay, can we..."

Lew Thompson: "Robert Colson, state your name again for the record and your address now."

Robert Colson: "okay, it's Robert Colson and the address is 1029 West Bay Bridge Drive and that's in Galloway Township, New Jersey and that's a new address."

Richard McCarthy: "and what's the actual legal name of the entity that the title is going to go into?"

Robert Colson: "It's going to be in the Hance-Bridge Road Land Trust."

Richard McCarthy: "Is that a nonprofit corporation?"

Robert Colson: "No."

Richard McCarthy: "What is it an LLC or..."

Robert Colson: "yes."

Richard McCarthy: "an LLC."

Robert Colson: "It would be in my care, so it will have my name on it."

Richard McCarthy: "in care of that address?"

Robert Colson: "absolutely and it's on this document that I'm going to give you and..."

Lew Thompson: "I'm going to repeat that for the record, 1029 West Bay Bridge... Galloway Township..."

Commissioner Vanaman: "Is that his address? Is that what you are giving, because 2 weeks ago it was different."

Robert Colson: "yes, there has been a change of address, we relocated. Basically what we have, we went ahead and hired the architect and put the architect under contract and put him on a retainer and had him come out and do an inspection of the building again. The first time he did it for us basically pro-bono, because of the church. We went ahead and retained him, Harry Harper is the Architect out of Absecon, New Jersey. He basically put together what he thought and felt should be done. What I failed to do, my grandfather has cancer, so it's a little crazy right now, what I failed to do was print out the pictures that we did take. We took some new pictures of the interior of the building in it's current condition that are recent. The ones that you guys have I don't know how recent they are, but these are current photos, but I will bring them back up and leave them with whoever, you know, if necessary. The stuff that he put in here, I'll read it to you and then we can pass it. It says, Dear Mr. Colson after inspecting the building at the above-captioned site I think the following items should be addressed to insure the public safety and the building's appearance. That would allow time to decide the future for the building and the site. He put basically 6 line items and there's really not a lot of work to be done at the property. It really just needs to be cleaned up and the roof needs to be repaired.

1. Maintain the lawn and shrubs and keep the site clean of all debris.
2. Board up the building and secure all entrances. He knows that it's boarded, of course he's been there, but what he wants us to do is go in and actually secure the entrances with some kind of bolt and 2x4 process that he recommended, which will keep the intruders from breaking or tearing the boards off. The problem we had in the past is even when it was boarded up, they tore the boards off, because the only thing holding it was screws into the frame. But, he's recommending some kind of bolts and 2x4 process to actually secure the wood to the frame of the windows and doors to keep people from breaking in.
3. Make the building water tight mainly by repairing the roof as necessary.
4. Cap off all water and sewer lines to the building
5. Make sure all electric is turned off, which we've already done that.
6. General cleanup of the interior and exterior of the building

Once these items have been completed I believe that we can start to consider what the future holds for the site. So, basically those are the things that we had already talked about. We have a meeting today at 3 o'clock with the construction company, Russell Construction, who's a New Jersey Licensed Contractor, Russell Construction Company actually was referred to us from Spring Time Realtor's Office, he handles all their roof repairs and stuff like that for their houses and commercial properties. As a matter of fact he just did a roof repair for their ?????? apartment building, I went and looked at it just to make sure he knew what he was doing. So, we meet with them at 3 o'clock to put, to get that contract done. He's already been out and gave us an estimate, some rough estimates, I'm waiting for those in writing, which is what we're going to go over today at 3, he didn't have the time to meet me to get it done before this meeting, so that will be done today. The estimates on the roof repairs that he has given me verbally was somewhere around \$6,000.00 to \$7,000.00 to repair the whole, and patch up the

areas where it's actually leaking. There is a hole in the roof that is approximately 2 foot by 2 foot that needs to be basically torn off and you know, repaired from the bottom up, that area does need to be repaired, that's the largest area. Then the rest of it, it's a flat roof, it just needs to be patched up and that's the architect and the contractors opinion as to what needs to be done. I also have, I'm sorry I don't have it right this second, but I can get it here by the end of the day, from the engineer that the building is sound, structurally sound, there's nothing wrong with the roof, it just needs to be repaired, you know, any building with a roof leak. The building is structurally sound, the building is not in any way, any shape or fashion dangerous. It needs to be repaired."

Richard McCarthy: "Do you have a copy of that report that can be filed with the clerk?"

Robert Colson: "yeah, I'm going to get that over today. Yes."

Richard McCarthy: "the one that you're referring to."

Robert Colson: "yes, the engineer's report."

Richard McCarthy: "the architect or engineering."

Robert Colson: "that's the engineer."

Richard McCarthy: "okay, how about, do you have an architect's report with you?"

Robert Colson: "I just have this, I made copies of it, I did make copies of it."

Commissioner Vanaman: "Mr. Mayor, looking at the minutes from 2 weeks ago he had estimates of \$150,000.00 to \$180,000.00 for the roof and now he's saying it just needs patches. The other thing he also said in the same paragraph was that since they were going to put it up for sale that they were probably just going to wait to sell it before they did anything with the roof. I think the roofs got to be done with or without a sale."

Robert Colson: "Well, here's where we are with the roof and remember there's two different situations here. One piece of the scenario was we were still working out the Land Trust Agreement, the Land Trust was signed and we were still working out the ins and outs of how the sale and stuff was going to work. Then when we got the news that the building couldn't be sold, which we hadn't researched that information to find out before we got here, it changes the whole ballgame here. Our company, as far as the church is concerned, the church does not have the finances to do any of this stuff, so if it was left in the churches hands and the church was left with the property, you guys would basically just be here by yourselves determining to tear the building down. The church does not have the finances, they do not. The church will be bankrupt by the end of the month. That's the bottom line today. So, what my position does is 1. protects the bank, 2. protects the building and 3. keeps the church in the position where they can potentially benefit from the sale of the property and re-establish their organization and their ministry, which is what they are trying to do. So, what my position does is create basically a win, win situation for everybody that's involved."

The only piece, the only extra piece now is getting through this and what our hope is and I'll just be frank is that we can get the roof repaired, the building is not in the condition that everybody may be thinking, I don't know what picture you guys have of this building is not in any way, shape, form or fashion, any collapsible, any dangerous fashion. There's a hole in the roof, it's 2 foot by 2 foot, not that much water comes in there, the roof has some other areas where it leaks. The entire back half of the building is completely demolished there's nothing inside, nothing there. The front end of the building, which the church was using as a sanctuary is the main area where the people were, the congregation area or the sanctuary area as I just said, is the part where the ceiling tiles you see on the floor, the ceiling tiles, which are these are on the floor. If it gets wet, you know, that's basically what happens. But, again the key to understand is the reason they were not maintaining even that portion of the property is because the owners were going through, you know, personal matters at that time and the property was up in the air and that issue was just finished not too long ago. So, now, you know, we kind of got everything worked out on that end and now we can move forward. Unfortunately, you know, this caught us before we could get our stuff done. So, at this point, moving forward, what we're looking to do is basically, create whatever plan or whatever needs to be done to make every body here satisfied so that we can get a sale authorized on this property. Get the property sold, the bank, I didn't get a chance to talk to the Vice-President today, but I did speak to him yesterday and I know that they were in the process of preparing an escrow agreement for my company to put \$100,000.00 in escrow to cover the balance that's owed to the bank. My concern with doing that is not a problem, I don't have a problem putting \$100,000.00 up for them, that's not an issue and they know that the question or concern that I had was I told them that I wanted to wait until we had this meeting so I could get some kind of consensus on whether or not, if we did these line items or if we agreed on what line items needed to be done today, if you guys would authorize the sale after those line items were met. Because, if we can authorize a sale, then I'll satisfy the banks \$100,000.00, which puts them in a better position. We will have this stuff in place and worked out and I'll have the contract signed by the close of business today and fax it over to this office with the contractor to begin the work on the construction. That's not an issue. If you guys will agree that we can get a sale authorized once these criteria on that we determine today are met then that will move the process forward. Otherwise there's no other option for my company as far as the land trust is concerned, you know, we'll basically revoke the entire process and it'll basically be, you know, the City tearing down the building at this point, unless the bank steps in and I don't think any of us wants that and it's not necessary. It's really not necessary."

Commissioner Derella: "I guess I got a question and I'm looking at the minutes from the last meeting and you said Mr. Colson that the bottom line is we want to replace the roof, I have in writing from Russell Construction later in that previous week on what you would have as far as a cost and then you have down here, you said it's several bids so far from my consultant for the church that put us at about \$150,000.00 to \$180,000.00 price range to replace the roof."

Robert Colson: "now remember, that's to replace the roof..."

Commissioner Derella: "right, so you went from \$150,000.00 to 6-7 thousand dollars..."

Robert Colson: "that's to replace the roof. I'm telling you repair costs and that's what we're talking about"

Commissioner Derella: "right, we also saw photos that night when you were here that showed pretty much the building is pretty well stripped, people went and took copper and did a lot of stuff..."

Robert Colson: "No. That's not true."

Commissioner Derella: "okay, well then I guess the pictures we saw weren't..."

Robert Colson: "I mean, if you got, I mean I'm sure you have pictures right there. That the only area in that building, I mean it's only a matter of, Milt's been there and several other people from the Inspection Office have been there and if they can stand up here right now and say that anything in that building outside of the men's bathroom is stripped. Then we all need to take a ride to the church right now and go inside. That's bottom line. Because, that is certainly the case. The only area in this building that is stripped is the men's restroom when you walk into the main entrance of the building. If this building, here's the architects, the architect just walked inside, if there was anything else, I'm sure as a licensed architect and an architect for Atlantic City and Absecon City that he would have put that stuff in here and said these things need to be addressed as well. That was not done, because those things do not exist. The back half of the building, not the main sanctuary, the back half of the building, which the church was not using, we had the doors locked to that side of the building, is empty. It's completely gutted, there's nothing in there, it's bare walls. That's it. The plumbing where the bathrooms were in the kitchen area, which is not in there, the stove, nothing. No gas or anything is hooked up to the property, but the fixtures are still there. That is the only room that still exists in the back of the building. Other than that the only thing that's exposed is the ceiling tiles, where the ceiling tiles have got wet and fell down to the floor. That's it."

Commissioner Finch: "let's hear from Milt. Milt is this plan status by your issues?"

Milt Truxton: "First, I think we addressed before that we said the plumbing facilities have been stripped in there and again the air condition and things like that were stole out of it. The plan would satisfy my issue, but I don't think a \$6,000.00 patch job is going to help the roof. I really don't. If we are going to allow them to proceed forward I think we should at least ask for a letter of credit or a bond from the bank enough to do what we have to do at the end or maybe \$50,000.00 to go toward the repair of the roof or something like that. But, get something somewhere where you know something is going to be done."

Mayor Shannon: "Commissioners do you have any comments?"

Commissioner Derella: "Well, pretty much we kind of rehashed what we discussed last time with trying to get a plan

in place, Mr. Colson's here formulating something again. I have to agree with Milt, we need to protect ourselves if we're going to give them a chance to move forward, he supposedly got a claim, we got the bank, who I'm sure is concerned with their investment in regards to that so, maybe we want to hear a little bit more from them and then..."

Brett Wiltsey: "If I may, from the bank's perspective we obviously haven't seen these reports. The architect and engineer reports and I know you guys haven't seen them either. But, I think we need to see those. I think we need to see what they have to say, before we can really figure out exactly what makes sense. I appreciate the position you're in, this is the first time everybody's been here to discuss this matter with you and patience runs thin. I believe Mr. Colson he could get them to everybody by the end of business today, but that's an uncertainty. Without those reports we're kind of trying to make a decision in the dark. You know, it's difficult."

Mayor Shannon: "Well, I personally was under the impression that we were going to have a plan today and that's why we had scheduled this meeting at 11:30 today, prior to our actual City Commission Meeting. So, I for one am a little bit disappointed that I don't have something to look at and I'm sitting here expecting to make some type of decision and I'm not real comfortable with that. Obviously, I agree with you Commissioner Derella that we got to protect ourselves, there's no way I'm going into this blind where it's going to come back and bite the taxpayers. So, Mr. McCarthy we need some direction here and I'm not real comfortable waiting to the end of the business day. I don't know. We need a recommendation from somebody here."

Commissioner Finch: "We have no documents to review, nobody has anything we're just flying by the seat of our pants so-to-speak..."

Richard McCarthy: "the only document that's been presented is this. There is, well there's two ways to look at this. One is looking at the document that has been presented indicates a short term solution, a potential short term solution to the problem. I'm not going to call it a solution, because there's some disagreement between Mr. Colson and Mr. Truxton concerning the extent of the short term problems, but I think the bank and the municipality have a community of interest on one area and that is the short term solution, because basically the bank and the City are in the same position. If Mr. Colson's company is willing to do the short term problems in a reasonable period of time, 30 days or less, with the understanding that if a plan is submitted and approved in the near future for the ultimate rehabilitation and then the governing body could sign off on a sale, because the only way the governing body in my mind can sign off on a sale of the property, because we right now we have documents recorded in the Clerk's Office concerning these proceedings, which we're required to do by statute. The only way we can really sign off on a sale is if we have an ultimate plan for the restoration of the property. But, that might take more time than what we have had thus far. If we address the immediate concerns at this time with the understanding that we expect a restoration for the entire structure as part of any authorization for sale that may accommodate all the various interests that are here. It protects the bank, it protects the City from a liability standpoint and actually moves a little bit

towards the direction that Mr. Colson is asking us to do, because he's reluctant to commit funds, unless he can see at the end of the tunnel that he's able to get a sale of the property. Again, if we have a plan for where the potential buyer comes forth and that's part of the process that there's a plan of restoration and then we could authorize the sale, because now we have someone that's ultimately responsible to implement that restoration. But, the short term problems are the most immediate concern at this point. If that provides some guidance..."

Commissioner Finch: "What happens if this plan falls apart and then we're back to square one again?"

Richard McCarthy: "If they don't accomplish what the document here indicates is absolutely the minimal necessary within the specified period of time that the governing body determines and we make it part of a resolution then all bets are off at that point. But..."

Lew Thompson: "Could we not ask for a joint agreement between the plan holder as of tomorrow, the bank and the construction official to submit something to the governing body by July 15th so that you can place it on the agenda for the 21st Commission Meeting as in to being satisfactorily resolved between all three parties or proceeding with the demolition within a certain period of time if it's not to the satisfaction of all parties involved."

Milt Truxton: "I think after looking at this list that we've got an agreement, he already has an agreement in place for maintaining the lawn and shrubs and everything else. The place is boarded and secured. Why they want to cap off the sewer lines, because there's not City sewer out there, I don't know. But, the electric is already turned off, so we need a general cleanup inside the building and at least to make sure the roof is water tight. So, you know, the sale of property and you would have to go with the new owner, obviously giving us something, a letter of credit, escrow money for the repair of the roof or something that is going to protect us. If he's going to sell it, then the new owner has to be responsible. Somebody has to be responsible with what's going to happen there."

Commissioner Derella: "so we could by July 15th do the bare minimum, but we do need to protect the City, if the new owner comes in or something happens, a performance bond or something in case we get stuck having to demolition this property in 60 days or 6 months or whatever the case may be."

Richard McCarthy: "yeah, the governing body has the authority to put whatever conditions they feel are reasonable in the resolution. But, I think we're trying to address two issues, the short term problem and the ultimate restoration in a way that's takes into consideration everybody's financial interest here."

Commissioner Quinn: "I can't see the bank walking away from this when the small amount that's owed and with this property being put into descent shape it has a heck of a lot more value in it and I don't imagine that TD would want to walk from that. I think Mr. Colson's intentions are honorable. Is

Mr. Russell by any chance from Millville do you know? The contractor."

Robert Colson: "no."

Commissioner Quinn: "You know, I think that's a good situation and the property has a very upside and as everyone said we don't want to deal with the downside of having to demolish it and use taxpayer's money. But, on the same thing, I'm sure the attorney for TD Bank would assure you that they're not going to let that happen. I can't see that going by the wayside to lose that kind of money that they have invested in the property that's probably worth 3 times what you have invested in it."

Brett Wiltsey: "I can tell you that is why I'm here in regards to the banks concern. I can't make any affirmative statement to you guys that the banks going to step in and fix the roof or anything like that. I don't have that authority to do that. But, they sent me here to make sure that this property is protected, so that's a clue of that's where their head is. I can make that representation."

Commissioner Derella: "So, he can go with a short term fix by the 15th, the bare minimums that Mr. Colson has put in front of us. Mr. Truxton can oversee that, because they got to get permits obviously for some of that repair and then they got to present that back to us by the 15th and if we don't have that then that will give way to a resolution to move forward with demolition. But, also a caveat would be something of a performance bond to guarantee the City that if we have to go that direction..."

Commissioner Finch: "I just don't want to get stuck from July 15th with..."

Commissioner Derella: "do you know what a demolition costs..."

Commissioner Finch: "20, 30 or 40 thousand dollars, which we don't have."

Commissioner Derella: "Mr. Truxton recommended 30 or 35, I'm willing to take that chance at this point. Again, knowing that the bank is here and Mr. Colson has started to do some work, I'd rather see it get rehabbed and move forward and get a new owner on there, but..."

Milt Truxton: "What I would like to do is meet with Mr. Russell, is the contractor, meet with Mr. Russell and actually climb up on the roof and see what type of repairs he's talking about and see if they're going to be acceptable to us. Is it just going to be quick or is it going to be something that's going to hold up over a short period of time until there's a decent sale."

Mayor Shannon: "Well, that's the other concern I had, because I've heard Mr. Colson explain what he feels the problem is with the roof and I've heard our construction official say what his concerns are with the roof and I'm hearing two different issues and that concerns me."

Commissioner Finch: "Everything on that list that we had given to us should be coordinated through Milt's Office and if you feel that additional work needs to be done, so authorize it and come back on the 15th and give us an update and if you're satisfied we'll move forward and if not then we'll move backwards. I mean..."

Richard McCarthy: "Mr. Colson can all this stuff on the list be done by the 15th."

Robert Colson: "yes."

Commissioner Finch: "so, that's a form of the motion, that the list presented to us today be completed by July 15th under the construction official's supervision and to report back at that time from Milt to indicate that everything was done in accordance with his requirements. How about the performance bond? How will that work?"

Richard McCarthy: "that would depend on these documents that we don't have, because it's difficult to... This document doesn't justify a performance bond. The architects presumably, I'm sorry, the Engineer's Report may give some guidance concerning the amount of cost associated with the various things that they're recommending to be done. That's usually what a performance bond is based on, an engineer or architects estimate. These items are immediate repair items. The longer term items are supposedly in some report the engineer has prepared or there will be some..."

Robert Colson: "there are no long-term items in his report, that's what our issue..."

Commissioner Derella: "we got a bank address and an attorney on record and we got Mr. Colson on record so, we got somebody to go after."

Lew Thompson: "Mr. Wiltsey may be able to provide some information to Mr. Truxton between now and the 15th as in to their position to protect the investment..."

Milt Truxton: "I explained to the Commission a little bit what the state says on this for onsite structures. N.J.A.C. 5:2332 says that if they don't have sanitary facilities or anything like that, it doesn't just have to be in danger of collapse, it becomes a dangerous structure. It has to be habitable. It has to be habitable. You can't just leave it in that condition. You got to do something to make the repairs. So, the person that purchases the place, they're the ones that is evidently going to take the responsibility by saying we're going to bring this up to the code and we're going to make it habitable and we're going to do everything we need to do. So, maybe at that time is when we have to address whether we're going to need the type of performance bond or something. If we do the minimum repair now on the roof then Mr. Colson's going to have to assume some responsibility to know that we could be coming back to him later if he hasn't made a sale and he's still having problems. Quite frankly, the neighbors out there deserve the right that they don't have to keep calling my office all the time and asking me to get it taken care of."

Commissioner Finch: "alright let's give this to the 15th with that motion, if we can, that I made."

A motion was made that all items on the list presented to the Board of Commissioners by Robert Colson be completed by July 15th under the construction official's supervision and to have the Construction Official report back as to whether everything was done in accordance with his requirements and within the specified timeframe as ordered by the Board of Commissioners.

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

There being no further business to come before the board the special meeting was adjourned subject to the call of the chair, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Commission Chamber, City Hall
Millville, New Jersey
June 30, 2009, 12:00 p.m.

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

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

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

Resolution No. A- 6536 authorizing transfers in the FY 2009 Budget Appropriations was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

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

COPY OF BILLS SEE PAGES

THROUGH

The Cumberland County Health Report for the month of May 2009; Permit Fee Log Report and the Monthly Fees Report for the month of May 2009 were ordered, received and filed, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Commissioner Vanaman reported on the following:

"I would just like to make a general comment about last weeks Hazmat Major Disaster Drill that took place with many, many organizations throughout the County; Police, Fire, Rescue, State Police. The people that were overseeing and observing and grading the drill had lots of high praise for everybody involved. I think we're going to get good reports back when they do their final analysis and I just want to take this opportunity to make sure that the newspapers note that the Millville Fire Department was a major player in that whole

drill, somehow they got overlooked in all of the publicity that went out about it last week. They were one of the primary operations and totally got overlooked at the wrap up meeting that night when the Freeholder was handing out all his praise to everybody, but the Fire Department."

The Treasurer's Report for the months of April and May 2009 were ordered, received and filed, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Commissioner Derella made the following comment:

"I would also make a quick comment. I think the drill was outstanding, I didn't get a chance to go there, but I heard a lot of positive things from all of the groups that participated. I did get one phone call over the weekend and I should have maybe said something sooner. A representative from Goodman Properties of Union Lake Crossing apparently had people coming in from out of town shopping and they had no clue what was going on and they see all this activity and they start to get a little bit nervous and they go into the store and say, "what's going on, what's going on" and there was a little bit of miscommunication. So, if we ever do that again, maybe we send the business people a little bit or the County send some information. I did make that point to the shop owners up there that the County ran the drill, we did have big billboards up, it's been advertised. I didn't even think about shoppers coming from somewhere else and then getting caught up in some of the hype, because I guess the performance was outstanding as far as the people that were playing victims."

Mayor Shannon: "Thank you. I will make a comment about the drill, because I did attend with our City Administrator and thought it was very well organized and under the circumstances it was very hot and I have a new found respect for all of our first responders in their turnout gear in that heat has got to be very cumbersome to work in. So, I have a new appreciation for what they go through and I thought it was a very neat operation to see up close in what our first responders go to and I am very interested to see how it does grade out and I do want to commend our local agencies for performing very well on the lines that I was able to see and get up close and watch. Also, I would like to thank Liz Nicke in the Recreation Department, we had a very successful block party this past Saturday night and also extend thanks to Commissioner Vanaman and Millville PD for coming down and serving as security and the officers down there had a great evening, great weather, the bands were great. I think we might have had the largest crowd that we've had and for those folks that do not think that this is a family affair, I encourage you to please come down, instead of sitting home and complaining that we don't have any family activities, come to one of our block parties. A lot of young people, very young people were there enjoying the moon bounces and the different vendors and I would have to argue that it is a family event. So, I would like to extend thanks to Liz and the Recreation Department staff and also Millville PD and the acts were fantastic."

Resolution No. A-6537 authorizing the adoption of the temporary budget for the FY2010 was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. A-6538 authorizing the adoption of the Annual Cash Management Plan in accordance with NJSA 40A:5-14 designating responsibilities and reporting procedures of the Chief Financial Officer was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. A-6539 authorizing Amusement Game Licenses for the purpose of conducting various Games of Chance at the Cumberland County Fairgrounds, from July 6, 2009 through July 11, 2009 was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. A-6540 authorizing Agreement to share facilities between the City of Millville and Millville Rescue Squad for utilization of a portion of space at the Millville Rescue Squad's facility located at 600 Cedar Street for the purpose of housing or storing firefighter turnout gear and vehicles utilized by the Millville Fire Department and the Incident Command Vehicle and Emergency Incident Command Center utilized by the Millville Police Department Emergency Management and utilization of the decontamination area, emergency power backup system, indoor wash bay and cleaning system, and security system for an annual fee in the amount of \$58,000.00 for the period covering July 1, 2009 through June 30, 2010 was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

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

Resolution No. A-6541 authorizing submission of electronic grant application identified as COP 2010 - Millville City - 00041 to the New Jersey Department of Transportation for Local Aid to Centers of Place Program Grant Funds provided under the New Jersey Transportation Trust Fund Authority Act to construct Phase II of a comprehensive, city-wide Wayfinding Signage Program was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. A-6542 authorizing submission of electronic grant application identified as BIKE-2010 - Millville City - 00102 to the New Jersey Department of Transportation for Bikeway Program Grant Funds provided under the New Jersey Transportation Trust Fund Authority Act to construct bikeway improvements along the Maurice River Waterfront from Ware Avenue to approximately 1,100 feet south through City lands known as Block 461, Lot 1 was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Mayor Shannon made the following comment:

"I should point out that this really falls under the Parks Department and this is a continuation of the Bike Trails, this is now going to put the piece together from about the municipal docks south, moving in the southerly direction as we will continue to move forward. The ultimate goal being, obviously complete public access from the dam all the way down to the Fowser Road Boat Ramp, so this is just the next piece of the puzzle and it should be pointed out that in the design there are no wetlands that are going to be impacted as the actual boardwalk will actually be elevated over the wetlands, so there is no impact on the wetlands or wildlife or river foliage. So,

I'm looking forward to getting that next phase started."

Resolution No. A-6543 authorizing submission of electronic grant application identified as MA - 2010 - Millville City - 00566 to the New Jersey Department of Transportation for Municipal Aid Program Grant Funds provided under the New Jersey Transportation Trust Fund Authority Act to construct road improvements on Miller Avenue from Whitaker Avenue to Coombs Road was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. A-6544 authorizing Insertion of an Additional Item of Revenue in the Fiscal Year 2009 Budget in the amount of \$348,909.00, which is now available as revenue from the New Jersey Urban Enterprise Zone Authority and appropriated in the budget under the Caption:

Operations - Excluded from "CAPS"

State & Federal Programs Offset by Revenues:

New Jersey Urban Enterprise Zone

(Riverwalk Extension \$324,909.00)

(Cumberland Empowerment Zone Corp.-

Entrepreneurial Training Program YR-1 \$24,000.00 was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Mayor Shannon made the following comments:

"I guess I should point out, we talked about heading south on the river and I should point out that we're going to be heading north on the river this time. This is the extension of our boardwalk area, our new phasing project going under the Brandriff Street Bridge and meeting up with the new private development, the condos in which he is required to be putting in all the bulk heading, matching the specs of our project, which will now allow folks to be moving forward towards the next phase, which will be the old cotton mill and industrial park on the river so we're moving in both directions with these two projects."

Resolution No. A-6545 granting Alcoholic Beverage License in the Name of BPO Elks Lodge #580 t/a BPOE Millville Elks Lodge #580 for the period beginning July 1, 2009 and ending June 30, 2010 was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. A-6546 authorizing Change Order No. 1 for Project entitled "Street Patching & Utility Opening Repairs - 2007" with Arbrisco Enterprises, Inc. in which a contract time extension through November 5, 2009 is necessary to complete the full extent of work was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. A-6547 authorizing a Shared Services Agreement between the City of Millville and Millville Board of Education for Information Technology Services with the City of Millville's total portion of the cost \$60,979.00 and the Millville Board of Education's portion of the cost \$26,372.00:

- a) City of Millville to pay the Board of Education the sum of \$34,729.00 for FY ending June 30, 2010
- b) The City of Millville to pay the Board of Education an additional fee of \$26,250.00 for period covering July 1, 2009 through June 30, 2010 for Senior Computer Services Technician #1

c) The Board of Education to pay the City of Millville \$26,372.00 for period covering July 1, 2009 through June 30, 2010 for Senior Computer Services Technician #2 was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

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

Resolution No. A-6548 authorizing the City of Millville to be a partner in the Cumberland Empowerment Zone consortium to apply for and obtain a grant from the New Jersey Department of Community Affairs for additional Neighborhood Stabilization Program funding for the following projects:

a) Redevelopment of 102 West Foundry Street
 b) Acquisition and rehabilitation of abandoned or foreclosed homes was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. A-6549 authorizing cancellation of outstanding checks over one year old was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. A-6550 authorizing cancellation of funded Capital Ordinances unexpended balances was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. A-6551 rescinding Resolution No. A-6494 adopted on May 19, 2009 which appointed James Swift, Esq. as Municipal Public Defender for a partial year which was not in accordance with applicable state law that requires that the appointment be made for a term of one year and the governing body desires to make certain appointments on a calendar year rather than a fiscal year as previously done therefore, James F. Swift, Esq. is hereby authorized to continue to serve as Municipal Public Defender for the Municipal Court through January 1, 2010 pursuant to the applicable law which authorizes the Public Defender to be held over and continue in office for a period of time at the discretion of the governing body. was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Mayor Shannon: *"I have a question, have we done this with all of the appointments?"*

Commissioner Vanaman: *"Well, I was going to ask for a further explanation, because I got one yesterday and I'm still trying to figure out what's the difference between December 31st and January 1st. The only known difference is usually a headache, so they tell me. Perhaps Mr. McCarthy could explain that to everyone's satisfaction, because the appointment as it stood with the appointment was December 31st, now we're bumping it up one more day."*

Richard McCarthy: *"I can't explain it..."*

Lew Thompson: *"We're not bumping it up one more day, we're rescinding that and continuing it to that period of time until sooner or later."*

Commissioner Vanaman: *"okay."*

Mayor Shannon: "okay, I guess going back to my original question. We have a public defender and prosecutor, are these all on the same dates now?"

Richard McCarthy: "yes, accept for one day. The answer is essentially yes, I don't think 24 hours is going to make a difference to anybody."

Commissioner Vanaman: "There is a state statute that deals with the appointment of the defender. Whereas a lot of the other appointments are not covered by a state statute, so what I am being told is that what this does is that it allows him to serve for a whole year, since he's already served a half a year, so he will now serve the balance of this year up through January 1st or until his reappointment. Which means on January 1st we just appoint him again, possibly, or he could go month-to-month. But, the reason this is the only one being done, I'm not advocating it, I'm passing the resolution, is that the defender is covered by State Statute and the other appointments are not."

Richard McCarthy: "That's exactly right."

Resolution No. A-6552 authorizing Professional Service Contract for Richard C. McCarthy Esq. to perform basic duties and legal services for the City of Millville

- a) \$40,000.00 flat fee for basic services
- b) \$130.00 per hour for special legal services
- c) \$300.00 per week for secretarial services was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

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

Resolution No. A-6553 amending Resolution No. A-5811 adopted on June 5, 2007 regarding Professional Service Contract with Steven Secare, Esq. for supplemental professional services required to perform additional professional legal services in connection with special personnel matters involving the Millville Police Department in an amount not to exceed an additional \$6,000.00 was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

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

Resolution No. A-6554 authorizing Fireworks display by Schaefer Pyro Technics, 376 Hartman Bridge Road, Ronks, PA 17572 sponsored by the Cumberland County Board of Chosen Freeholders, to be held at the Cumberland County Fairgrounds on July 8, 2009, 9:00pm with a rain date of July 9, 2009 subject to any conditions set forth by the Millville Fire Official and approval of same. was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Commissioner Vanaman introduced Chief Hess, who reported the following:

"Good afternoon gentlemen. As of today we are lacking two things, which I don't anticipate being any problem. We have received and I passed along to the City Clerk all of the insurance information and hold harmless agreement yesterday.

Today we are still waiting for a site plan of the area and we're working with the company on that and we're also waiting for the permit application through the Division of Fire Safety for the Bureau of Millville, for Millville. Once that paperwork is done, of course it all depends what the inspectors find when we inspect them on the day of the fireworks, but I don't anticipate anything. We have been in contact with other cities where this company has dealt with in New Jersey and they seem to be a pretty straightforward group. I'm not anticipating any problems on the July 8th display and as soon as we get those two documents we're ready to roll."

Mayor Shannon: "Chief the permit application, does the Fireworks Company obtain that..."

Chief Hess: "that should actually be obtained and I faxed one over to the County yesterday, that is filled out by the sponsor of the event. Now, with all the hands in this, I don't know who the exact sponsor is."

Mayor Shannon: "well, I was wondering are you able to reveal who you actually faxed that to?"

Chief Hess: "Kim Gaunt, Recreation and Tourism Commission I guess for the County. That's who we've been in contact with throughout this whole thing. So, she has that and she's been in contact with Mr. McCouch too, over these issues. So, that's what we're waiting for is those two things."

Commissioner Vanaman: "and that would also include the payment of the permit fee, right Chief?"

Chief Hess: "yeah, she assured me that the permit fee, the PO's will be cut and they already started the necessary paperwork for that and that fee just for everybody's knowledge is \$331.00 and that goes in my budget."

Commissioner Vanaman: "legal advice please Mr. Solicitor. If he's missing a couple of items do we proceed with this resolution?"

Richard McCarthy: "yeah, the conditions on the receipt of those items. Yes."

Lew Thompson: "paragraph 4 indicates that your approval here is subject to the receipt of all final determinations for the permit by the Fire Official. If he doesn't get them, he stops it on his own."

Commissioner Finch: "has this been a lengthy process to get this thing to this point?"

Commissioner Shannon: "well, no, I think I can speak to this a little bit. What has happened is it is not a long lengthy process, it's just that there's a lot of hands involved in this and it's trying to be done quickly..."

Commissioner Vanaman: "yeah, because this just came up a week ago..."

Commissioner Shannon: "that's why it's a little bit more confusing than normal. But, I think it can be worked out and I had a conversation with the Chief yesterday in trying to get

some of this information and providing that information. Obviously, if they're able to get their paperwork in place it'll be sweet to have fireworks at the fair that week, so we'll do what we can."

Resolution No. A-6555 authorizing Professional Service Contract for QC Laboratories, Inc. to perform professional testing services and laboratory analysis of wastewater and sludge parameters for the Sewer Utility in an amount not to exceed \$21,711.00 with the source of funding from the Sewer operating budget was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

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

Resolution No. A-6556 authorizing cancellation of accounts/contracts payable or the encumbrances in the funds for Current Accounts Payable, Water Operations Accounts Payable and Sewer Operations Accounts Payable was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

Resolution No. A-6557 authorizing Professional Service Contract with GPM Associates, Inc to perform professional engineering services in connection with the design of booster stations at five water storage tanks in an amount not to exceed \$110,000.00 was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

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

Resolution No. A-6558 establishing a change fund for the Recreation Department in the amount of \$100.00 due to the Recreation Department taking payments off site at their new location and need to make appropriate change available to the public on demand as needed was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

A motion was made to authorize Special Event Application on Public Lands:

a) Summer Fest sponsored by the Millville Development Corporation to be held at the Riverfront and Waltman Park, Buck Street & Main Street to Pine Street and 3 Buck Street parking lots on July 11, 2009 11:00am to 6:00pm with setup from 6:00am to 11:00am and 6:00pm to 8:00pm with a rain date of July 12, 2009.

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

A motion was made to authorize the following events at the Cumberland County Fairgrounds

a) Cumberland County Fair, sponsored by the Cumberland County Fair Association from Monday, July 6, 2009 through Saturday, July 11, 2009 subject to inspection by the Construction Official
b) One Love Family Fest (Music) sponsored by Zulu Promotions, Inc., August 1, 2009, 12:00 noon to 11:00pm.

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

The City Clerk/Administrator read correspondence from residents of the 400 block of South Second Street to have alley paved at that location.

A motion was made to receive, file and refer same to the proper City Officials, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

A motion was made to authorize the City Clerk to advertise Notice of Public Hearing regarding Neighborhood Stabilization Program 2.

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

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

Chief Hess addressed the Board of Commissioners and made the following comments:

"I just want to make it known that the last resolution for the County Fair through the New Jersey Uniform Fire Code we are, the Fire Department, is bound to inspect every event that occurs within our district, so that's every private, like when Wheaton Village has something we send people out there, when the river along the riverfront and we have something out there we go down and inspect that. The fairgrounds, the Motorsports Park, just so in the future you know that when there is a public large gathering like that we are bound to do that inspection."

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

There being no comments from the Commissioners the City Clerk/Administrator read the following resolution:

Resolution No. A- 6559(A) authorizing a closed session regarding review of contract negotiation status of all bargaining units was adopted, by the following vote. Yeas: Finch, Quinn, Derella, Vanaman and Shannon.

3rd Fl Conference Room, City Hall
Millville, New Jersey
June 30, 2009, 1:45 p.m.

The Board of Commissioners reconvened in executive session with Mayor Shannon presiding. Members present: Shannon, Finch, Derella and Vanaman. Absent: Quinn.

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

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

There being no further business the executive session was adjourned and a motion was passed to reconvene to open regular session, by the following vote. Yeas: Finch, Derella, Vanaman and Shannon.

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

Approved: July 21, 2009

James T. Shannon
Mayor

Joseph J. Derella

James F. Quinn

David W. Vanaman

Dale L. Finch
Commissioner

Attest:

Lewis N. Thompson
City Clerk/Administrator

**BILL LIST
CITY OF MILLVILLE
MEETING JUNE 30, 2009**

A-QUALITY BUSINESS SYSTEMS,LLC	34.99
ADVANCE LEARNING	297.00
ALL INDUSTRIAL SAFETY PROD INC	598.17
AMERICAN PLANNING ASSOC.	372.90
AMERICAN WATER WORKS ASSN. INC	274.00
PAUL G. KANIGOWSKI	197.80
ARAMARK UNIFORM SERVICES, INC.	808.72
ARCADIS U.S., INC.	1,275.65
ATL. CO. UTILITIES AUTHORITY	19,590.75
ATLANTIC CITY ELECTRIC	39,433.28
AUTOZONE NORTHEAST, INC.	1,182.70
AW DIRECT, INC.	87.80
J P BAINBRIDGE & ASSOC., INC.	8,120.00
SHERRI J. BALL	50.00
BERNAL MECHANICAL CONTR. INC.	1,255.00
THE BIG CONSTRUCTION &	1,721.25
STEVEN BIRNSTIEL	22.75
A.F. CARVOLTH & SON CO., INC.	139.52
CINTAS FIRST AID & SAFETY CORP	245.60
CITY OF MILLVILLE CHANGE FUND	100.00
CITY OF MILLVILLE PETTY CASH	175.74
CITY OF MILLVILLE UTILITY	590.00
CITY OF MILLVILLE-P/R DEDUCTN	7,693.14

COBRA ELECT	13.46
COMCAST, INC.	288.41
ATLANTIC CITY ELECTRIC	745.84
COUNCIL DEV. FINANCE AGENCIES	275.00
GEORGE S COYNE CHEMICAL CO INC	5,376.00
CCIA	674.90
CUMBERLAND TIRE CENTER, INC.	2,520.10
DELTRONICS CORP	1,274.40
PHIL DESIERE ELECTR. MOTOR INC	1,390.52
EDMUNDS & ASSOCIATES INC.	500.00
THE FLOWER FARM, INC.	47.60
GARRISON ENTERPRISE INC	6,913.15
GENERAL CODE PUBLISHERS, INC.	1,875.00
GIORDANO VINELAND SCRAP	855.99
GRAINGER	1,121.63
GREENBERG TRAUERIG, LLP	8,832.50
GRUCCIO, PEPPER, DESANTO	8,277.00
HACH COMPANY, INC.	790.18
DANIEL HOFFMAN, ESQ.	200.00
INDUSTRIAL SUPPLIES INC	137.50
JESCO, INC.	54,600.00
JOHN DEERE LANDSCAPES, INC	618.80
JOSEPH BULLOCK	2,640.00
KEYSTONE DIGITAL IMAGINE INC.	607.19
NICHOLAS T. LACOVARA, ESQ.	520.00
LOWE'S CO., INC.	2,830.69
MCI COMM SERVICE	19.83
MAIN STREET SUPERMARKET	18.98
MARC PUBLISHING CO, INC.	138.50
MGL PRINTING SOLUTIONS	334.00
MIAMI SYSTEMS, INC.	729.91
MILLVILLE ARMY AIRFIELD MUSEUM	2,977.00
MILLVILLE BOARD OF EDUCATION	320.00
MONTGOMERY, MCCRACKEN, WALKER	7,453.60
MOTOROLA, INC.	234.00
SHARI L. NEY	19.98
VERIZON	428.18
NJ STATE LEAGUE MUNICIPALITIES	256.00
NORRIS SALES COMPANY, INC.	792.20
OFFICE BASICS, INC.	202.40
SUZANNE L OLAH	25.00
TODD OLIVER & SONS, LLC	26,890.00
PACE & ASSOCIATES, INC.	17,873.68
PERFORMANCE PLUS, LHA, LLC	600.00
POSTMASTER, CITY OF MILLVILLE	608.00
QUALITY COMMUNICATIONS, INC.	1,206.62
QUALITY CONTROL LABS, INC.	3,645.50
STATE OF NEW JERSEY	1,546.00
THYSSENKRUPP ELEVATOR	525.59
SENSUS TECHNOLOGIES INC.	1,320.00
SERVICE TIRE TRUCK CENTER, INC	78.21
CUMBERLAND COUNTY TREASURER	17,057.44
SIRCHIE FINGER PRINT LAB	310.50
SJ GAS COMPANY	928.94
SJ PAPER PRODUCTS, INC.	457.57
ST. JOHN BOSCO	225.00
STORAGE ENGINE, INC.	4,299.00
SYNERTECH INC, ENVIRONMENTAL	1,250.00
SYSTEC OF VINELAND, INC.	1,008.00
ELWYN NEW JERSEY	784.00
TRI-CITY PAPER & JAN. SUPPLIES	915.40
TROUT PRINTING, LLC	2,950.00
TURF EQUIPMENT & SUPPLY CO LLC	78.66
CHARLES TWIGG	16.28
PAMELA UPHAM	245.95
USA BLUE BOOK, INC.	845.13
USHLER'S FRAME & BODY SHOP INC	4,018.33

R H VASSALLO INC		2,280.00
VERIZON WIRELESS		3,071.18
VWR INTERNATIONAL, INC.		422.62
W. B. MASON COMPANY, INC.		259.39
WILSON WEB SERVICES		546.90
WEST GROUP, INC.		2,172.51
DOUGLAS WILSON		35.42
WOODRUFF ENERGY COMPANY, INC.		807.25
XEROX CORPORATION		314.00
KELLY A YOUNG		99.00
ZEE MEDICAL SERVICE, INC.		51.23
TOTAL VOUCHERS JUNE 30, 2009		301,885.50
BOND & COUPON	WIRE	16,958.75
BOND & COUPON	WIRE	12,025.00
BOND & COUPON	WIRE	8,100.00
CITY MILV COMM DEV ACCT	WIRE	28,155.00
TOTAL WIRE FOR JUNE 30, 2009		65,238.75
CITY OF MILLVILLE SALARY		276,130.44
CITY OF MILLVILLE SALARY		284,402.34
TOTAL SALARY JUNE 30, 2009		560,532.78
TOTAL VOUCHERS & SALARY 6/30/09		927,657.03