

Conference Room 3<sup>rd</sup> Floor  
October 2, 2007, 5:30 PM  
Millville, New Jersey

The Board of Commissioners met in special session with Vice-Mayor Derella presiding: Members Present: Shannon, Hollingshead and Derella. Absent: Quinn and Parent.

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

Resolution No. A- 5924 authorizing executive session for matters regarding pending litigation Airport Environmental Issues was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

*Closed Session*  
*October 2, 2007*

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

Commission Chamber, City Hall  
Millville, New Jersey  
October 2, 2007, 6:30 P.M.

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

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

The City Clerk/Administrator noted additions to the agenda including correspondence from the Cumberland County Improvement Authority with the 2000 update to their Solid Waste Management Plan.

The City Clerk/Administrator referred to Page No. 6 authorizing minor amendments and to republish the scheduled public hearing regarding the Sports and Entertainment District Final Financial Plan.

The City Clerk/Administrator also noted Item No. 2 on Page No. 6 on second reading regarding Chapter 30 Land Use and Development Regulations would have a motion to amend to change the District Regulations B3 Zone from Formula Businesses to Formula Restaurants and to delete Tattoo Parlors from the prohibited uses.

The City Clerk/Administrator also noted a motion to authorize mutual emergency assistance agreement between the City of Millville and the Federal Bureau of Prisons with our Millville Police Department was added as Item No. 4 under new business.

Commissioner Shannon stated Keiko Warner from the City of Millville Board of Education would be present this evening to distribute Student Awards for the Drug, Alcohol and Violence Awareness Program.

Commissioner Hollingshead reported that Loose Leaf Pickup would begin November 1<sup>st</sup> and urged everyone to please not rake their leaves to the curblin until the 3<sup>rd</sup> Week of October for safety and drainage purposes.

Paul Porreca addressed the Board of Commissioners and referred to Page 3, Item No. 6 from Richard Jones regarding to improvements to various intersections and the County of Cumberland being able to participate in the project as planned.

Commissioner Derella responded:

*"We have correspondence and we've been working with the county for approximately three years now in regards to trying to create a better traffic pattern connecting the various county roads as they go through Millville and trying to utilize the*

underutilized Brandriff Bridge and we had discussed on several occasions with the County Road Department and our Engineering Department three different intersections. One at Brandriff and Columbia Avenue and then again at the corner of Broad and Dock, if I'm not mistaken and then the third one being Wheaton Avenue and D Street in trying to see if we can come up with a Financial Plan and an overall engineering plan to try to create the better traffic flow throughout the City of Millville. Currently we've had the opportunity to pick up a New Jersey Department of Transportation Grant. It is not enough money to be able to do all three of those intersections. At the current time right now the county does not have any funds due to their budget situations, so we are going to take the initiative to start what we are going to call Phase I with working on and improving the intersection at D and Wheaton Avenue. There's a couple of other positive things going on there, you have In His Presence Worship Church under Reverend Ennis, who's been doing some very positive things on their corner. They fixed up the church and they continue to make improvements on their property and AHOME just acquired a very troublesome rental unit and that will be converted back into a duplex with homeownership. Those two positive things along with making some improvements with that intersection we feel is very important."

Paul Porreca: "which three intersections was it, it was Brandriff and..."

Commissioner Derella: "Brandriff and Columbia and the next one is, again, I'm bad with my streets, it would be Dock and Broad to make that better turning radius..."

Paul Porreca: "addressed the Board of Commissioners and asked a question regarding Page 4 and the Bond Ordinance."

The City Attorney responded to Mr. Porreca as well as Commissioner Derella noting the first Bond Ordinance in the amount of three million dollars received funding in the amount of 2.3 million dollars and that the proposed ordinance now will authorize the cancellation of the previous bond Ordinance and enable the City of Millville to apply for 2008 DEP funding with the new proposed 3 million dollar Bond Ordinance.

The City Attorney referred to Brownfield Funding from New Jersey State DEP.

Mr. Porreca also referred to correspondence from the Engineering Department regarding a request for a license agreement to access certain City of Millville properties for the setting of a well.

Mr. Porreca was advised the City of Millville would site a well on the east and west side of town and a developer would be responsible for the site of the additional well and this would provide exploratory sites for consideration.

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

Commission Chamber, City Hall  
Millville, New Jersey  
October 2, 2007, 7:00 P.M.

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

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

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

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

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

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

**COPY OF BILLS SEE PAGES                      THROUGH**

The City Clerk/Administrator read correspondence from Christina M. Genovese of South Jersey Gas regarding annual notification indicating no additional natural gas transmission lines have been located within the City of Millville in accordance with N.J.S.A. 46:3C-1.

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

The City Clerk/Administrator read correspondence from Amber D. Cicotte, CHMM of Bradburne, Briller & Johnson, LLC regarding NJDEP established a Classification Exception Area (CEA) for the ground water beneath a portion of property located at 1201 N. 10<sup>th</sup> Street, Block 265, Lot 4 (former Alcan Global Pharmaceutical Packaging Property) and sampling began in 1999 identifying concentrations of tetrachloroethene (PCE) at levels that exceed NJ Ground-Water Quality Standards (GWQS).

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

The City Clerk/Administrator read correspondence from Brooke M. Franklin, HS&E Manager of the NJ Department of Environmental Protection regarding submittal of Biennial Certification Monitoring Report Form for Dallas Airmotive, Inc.

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

The City Clerk/Administrator read correspondence from Edward N. Romanik, Treasurer of the Ukrainian National Home for Lighting 801 Carmel Road, ABC License number 0610-31-025-001 regarding to cease operation as an ABC Club Licensed premise effective July 1, 2007 pursuant to request of Licensee.

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

The City Clerk/Administrator read correspondence from Kim Warker, Planning Director regarding recommendation by the Millville Planning Board to amend the permitted uses in the B-3/Arts District Overlay zones.

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

The City Clerk/Administrator read correspondence from Rich Jones, Assistant Municipal Engineer regarding New Jersey Department of Transportation (NJDOT) requiring the City of Millville to execute an Incidental Modification to Project Scope/Limits Agreement for project known as "Various Intersection Improvements NJDOT Municipal Aid - FY2005," so as not to jeopardize approved funding, due to Cumberland County Government being unable to participate in said project as previously planned.

Commissioner Derella made the following comments:

*"It was asked during the agenda meeting. We have had ongoing correspondence and meetings back and forth with the county for approximately three years in regards to trying to create a better flow of traffic through the City of Millville in trying to connect and use the under utilized bridge, which is the Brandriff Bridge, it's very under utilized, to try to create traffic flow in that direction, we had originally discussed again on several occasions with the County Road Committee, as well as our Engineering Department and theirs to try to make improvements in three different areas. One being Columbia Avenue and Brandriff, as well as Dock and Broad and then another improvement on Third and D. Unfortunately, funding from the County right now is unavailable, we were fortunate enough to get a grant of \$140,000.00 from the Department of Transportation and we are going to move forward with what we're going to consider to be Phase I with this project, which would be Third and D Street. We have some positive things going on in that particular little area, In His Presence Church under Reverend Ennis has done a wonderful job up keeping the church there and doing positive things in and around his property and AHOME has just acquired what we consider to be a problem apartment building and they're going to convert that back to homeownership. So, with those things going on, we thought it was appropriate not to lose this money and move forward with that. We will continue to have a positive dialogue with the County in regards to the other two intersections and what we can do to work together and form a partnership, both financially as well as using our resources within each department and we will*

*continue to meet with other needs throughout the City of Millville in regards to our road improvements."*

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

The City Clerk/Administrator read correspondence from Bernard D. Germanio, P.E., D.E.E. of the Cumberland County Improvement Authority regarding 2007 update to the Cumberland County Solid Waste Management Plan and Notice of Public Hearing to be held at 6:30 p.m., Thursday, October 25, 2007, at the Cumberland County Court House, 3<sup>rd</sup> floor, Freeholder Meeting Room.

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

Commissioner Shannon introduced Keiko Warner representing the Millville Board of Education in providing awareness for the Drug, Alcohol and Violence Awareness Program.

Nicole Delvicario was introduced as the Elementary School Winner and Fernada Weller, as the Secondary Winner, who was an exchange student from Brazil last year.

Everyone extended sincere appreciation to the Board of Education representatives, the students and the Wellness Week Button Design Contestant Winners.

Joe Sutherland of the Millville Municipal Alliance presented shirts to the winners on behalf of his organization.

The Tax Collector Report for the month of August 2007 was ordered received and filed by the following vote. Yeas: Shannon, Derella, Hollingshead and Quinn.

The report of the Cumberland County Health Department Quarterly Summation of Services for 2<sup>nd</sup> quarter, 2007 was ordered received and filed, by the following vote: Yeas: Shannon, Derella, Hollingshead and Quinn.

Commissioner Hollingshead reported on the forthcoming Loose Leaf Pick Up to start November 1<sup>st</sup> and urged everyone to please not rake their leaves to the curblin until the 3<sup>rd</sup> week of October.

Commissioner Hollingshead called upon Chief Kurt Hess of the Millville Fire Department and recognized Officer Larry Fawcett, who provided assistance to Officer Ed Ziller and by administering CPR saved Mr. Ziller's life and was presented with the Distinguished Service Award for Heroism.

Larry Fawcett received a standing ovation from the members present and sincere appreciation from Ed Ziller's family.

Chief Hess also reported on the successful Shared Services Agreement between the City of Millville and the Millville Rescue Squad and that Station 30-2 is now up and running on the west side of town at the Rescue Squad Facility.

The following proposed ordinance was read on first reading:

Ordinance No. 41-2007

Bond Ordinance authorizing the improvement of 1,500 acres of vacant land on or adjacent to the Millville Municipal Airport and other lands owned by the City for environmental investigation and remediation and to appropriate the Sum of \$3,000,000.00 to pay the cost thereof, to authorize the issuance of Bonds to finance the appropriation and to provide for the issuance of Bond Anticipation Notes in anticipation of the Issuance of Bonds for the following Blocks and Lots:

- a) Block 124, Lot 16
- b) Block 125, Lots 1, 2, 3 and 5
- c) Block 125, Lot 17
- d) Block 136, Lots 1 and 1.01

Director Shannon moved for the adoption of the proposed Ordinance on first reading with final consideration to be given on Tuesday, October 16, 2007 after due publication as provided by law.

Director Derella seconded the motion.

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

The following proposed ordinance was read on first reading:

Ordinance No. 42-2007

Bond Ordinance authorizing the funding of a Water Utility Capital Project, replacing Well No. 2, which is more than 60 years old and to appropriate the sum of \$475,000.00 to pay the cost thereof, to authorize the issuance of bonds to finance the appropriation and to provide for the issuance of Bond Anticipation Notes in anticipation of the Issuance of Bonds.

Director Hollingshead moved for the adoption of the proposed ordinance on first reading with final consideration to be given on Tuesday, October 16, 2007 after due publication as provided by law.

Director Derella seconded the motion.

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

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

Ordinance No. 26-2007

A motion was passed to remove from the table Ordinance No. 26-2007 tabled at the September 18, 2007 Commission Meeting, by the following vote: Yeas: Shannon, Derella, Hollingshead and Quinn.

A motion was passed to approve minor amendments and republish with a scheduled public hearing on Ordinance No. 26-2007 on October 16, 2007, by the following vote: Yeas: Shannon, Derella, Hollingshead and Quinn.

The City Attorney outlined the minor amendments as follows:

*"Actually there were some amendments, the original draft just made reference to ordinance No. 13-2007, which was adopted on July 3, 2007. We made some minor changes to that ordinance on September 4, 2007 when we adopted Ordinance No. 29-2007. The amendments to this draft, which is a subsequent ordinance that deals with the final financial plan just incorporates the fact that there are two ordinances involved in the original Sports and Entertainment District, not just the one. That's reflective in Paragraph 1 and then the subsequent paragraph, so it just eliminated reference to the specific 13-2007, except for paragraph No. 2, but with respect to the other paragraphs I just made reference to aforesaid ordinances, since there were two ordinances and not just the one. That's the only change, it's more procedural than anything else."*

A motion was passed to continue to table Ordinance No. 26-2007 pending receipt of the appropriate letter from the State Treasurer, by the following vote: Yeas: Shannon, Derella, Hollingshead and Quinn.

The following proposed was read on second and final reading:

Ordinance No. 34-2007

Ordinance amending the Municipal Code, of the City of Millville, Chapter 30, Land Use and Development Regulations

Director Derella moved to amend the proposed Ordinance No. 34-2007 to change Schedule of District Regulations, B3 Zone from formula businesses to formula restaurants and to delete tattoo parlors from prohibited uses.

Director Hollingshead seconded the motion.

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

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

Director Hollingshead seconded the motion.

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

Mayor Quinn called upon Dr. Warker, Planning Director for the City of Millville to provide an explanation of the proposal:

Dr. Kim Warker, Planning Director, made the following comments:

*"Mayor and Commissioners I just want to explain what this Ordinance is all about and what the action proposed that's contained in this Ordinance tonight. This is very simply a change to a Zoning District known as B3, which is our Central Business District. It is also the same district that contains our Arts District Overlay. So, the actions that are proposed, which is to change some of the permitted uses in that particular area, which is about 16 blocks of our downtown is the proper use of zoning. Zoning is the tool that we use, within cities*

throughout the state, throughout the Country to control the types of land uses we have, and where those land uses actually occur. And what zoning is essentially supposed to do is to segregate uses within the City. So you'll see zones that are residential, zones that are business oriented, industry oriented, and so forth. So, what we're proposing here tonight is to change one particular zone, our Downtown Business District, which is also known as the B3 zone. We have done this periodically over the course, particularly over the last 24 months, once we adopted our master plan, we have looked at almost every zone throughout the City of Millville, we have proposed changes in several of them, we brought them forward in the AC Zone, the Lakeshore Zone, we created some new zones, a new R40 Zone, a new Office-Residential Zone. So, this is part of an ongoing effort that we have to bring our Zoning in conformance with the master plan. This particular amendment also came about from a number of different sources. The first one was, we have talked, probably, since we've been designated with Main Street, New Jersey about what the different uses should be in our downtown. And that conversation has evolved around what uses would help the downtown grow to be the type of district that we envisioned when we created that Arts District. So we've talked about what would help maintain the particular character and that special niche we're trying to do in our downtown. I think most downtowns look for something very specific, very unique, to their town that they can be so they can move forward and redevelop that area. For us, it's been the Arts District. In Vineland, they're looking to do something around the theme of food. But, for us, it's the Arts District, and so we've had a lot of conversations with Main Street, New Jersey in terms of, well, what would help us advance that district and keep it on track. This past summer, during our annual review by Main Street, they had various discussions with several different focus groups, and in the course of those discussions, their idea of limiting some of these uses was discussed. So that's one area. When that was brought to my attention, I did a little bit of research, and I found that, across the country, what is happening, most of it has been in response to a number of communities that have been fighting WalMarts coming to their town. And one of the consequences of that particular battle in many of the communities has been ordinances that have been developed to limit Big Box Retailers in their downtown. Essentially to eliminate the competition between smaller, "Mom-and-Pop" type stores, and the larger retailers. An outgrowth of that has also been an effort to limit what's been called "formula businesses". And, in common terms, I think "formula businesses" would be businesses that are known, to us, as chains. In this particular situation, the amendment that's before you tonight is to limit "formula restaurants". I had mistakenly written in the B3 District, actually a typo, businesses instead of restaurants. That's the nature of the first change. So, tonight we're talking specifically about "formula businesses", or what we would commonly know as fast-food chains. Anything that requires a contractual arrangement in order to serve a particular type of food, have a particular motif, signage, uniforms, menu, those kinds of things. What we say in this Ordinance is, there are about 16 blocks in our downtown that are affected by this. We are limiting several particular uses, in addition to the fast-food restaurants, would be arcades, pawn shops, bail bond offices, Laundromats, check-cashing facilities, and used furniture stores. We did previously have on that list tattoo parlors, I've had a number of calls from people, and I think

some have made very convincing arguments to me that tattoo parlors are allowed in a lot of Arts Districts. It's actually a form of art that's considered "body art", and so, tonight, I'm actually proposing withdrawing that, deleting that from the list of prohibited uses. This would be an Ordinance, just like any other, that would be enforced by the City of Millville through our Zoning Officer, who would then determine the particular uses are or are not allowed. We have defined, within the Ordinance; I think, very clearly, the difference between antique shops and used furniture stores to try and have that clarified. That's the very first thing in our Ordinance. We are not prohibiting these uses from within the City of Millville. These uses can be, are allowed in every other business district that we have within the City. We're simply saying, "In order to maintain the character of our downtown, in order to protect the investment that the City has made, private investors have made, in the properties down there, in the improvements that have happened down there, to assist in having economic viability in the future. That is a unique character that we want to preserve. So that is the sole purpose of this Ordinance. Businesses would still have an opportunity to appear before our Zoning Board and request a variance to locate, if they felt they had a strong argument for that or, as I said, they can locate in any other business district. If you think about the fast-food restaurants that we have today that most of those are located outside of our B3 District. They are located on more commercial frontage where they have a lot of traffic. Existing businesses that may be one of these six or so businesses that we want to prohibit would be allowed to continue, they would be grandfathered in our Ordinance, they cannot expand, but they would not be eliminated until such as that use was determined to be abandoned. Generally, to consider a use abandoned means that they have not been in operation for 12 months. So, the uses that do exist today are actually protected. This is a change that I would recommend going forward, our Planning Board has looked at it and would recommend that going forward. It does not mean that in the future we might not want to revisit this again. As things change, times change, land use changes, we may want to look at not only this district, but the surrounding districts. We're actually working right now on our Waterfront District, as another area that we want to look at the types of land uses we'd like to have in the future. So, this is something that is dynamic rather than static. But, at this time with the conditions that are in the downtown with the requests that were brought forward to us by people who do have a stake in the downtown, who are considering making an investment in the downtown, I agree with those recommendations and have brought them forward. I think the real purpose tonight is for you to hear other opinions and what other people have to say, so I would just ask if there are questions that are raised I would be happy to come back and answer those questions."

Mayor Quinn declared a public hearing open and asked if any person wished to speak on the Ordinance as amended.

Libby Rothfarb: "I'm Libby Rothfarb, I reside on Mallard Street in Millville. As Chair of the Board of Directors of the Riverfront Renaissance Center for the Arts I have had the opportunity to attend a number of symposia on building a better board, as well as on various related to Urban Renewal. At one series of workshops I attended through the MDC Main Street Organization I had the privilege of listening to nationally renowned experts give advice on revitalization. First and

foremost at these conferences we were advised against trying to compete with the shopping malls, simply because we cannot successfully compete with them. They have their own niche. The goal for revitalizing a downtown should instead be the establishment of business that can together create a unique blend of dining and shopping experiences. In our case the main theme is the arts. These planning gurus went on to say that ambience in such a place is paramount, so much so that if a parking garage were to be located within the commercial zone, the ground floor area of the area of the garage that is contiguous with the business sector should have retail spaces or display areas, rather than parking in order not to break the continuity of the experience, which would send the patron across the street. I shortly thereafter noticed that on the periphery of the University of Pennsylvania Campus at the corner of Walnut and 38<sup>th</sup> Streets there are in fact display windows on the ground floor of the parking garage put there to maintain the ambience created by the lovely shops that line several blocks of Walnut Street. With almost no exceptions, Millville's Merchants and Artists have poured their energy and money into making their business establishment very attractive and have in fact created a wonderful ambience in our downtown. When the Arts District was first established and the 500 block of High Street truly was the other end, this space in the area between Broad and Main Streets seemed infinite. But, as we've grown we've seen that this is not the case. We need to continue to nurture the very finite span of the district, adding businesses that will add to and not detract from the mix. Also pointed out at the Urban Renewal Conferences was the fact that there would be a ripple affect and that with redevelopment of the primary area, our Arts District, secondary areas would begin to revive. These secondary areas would be the appropriate locations for the businesses that are not perceived as complimentary to the primary area and they could include the formula businesses, the check-cashing establishments, etc. Mind you I am not saying that we do not want the formula businesses at all. Our downtown must serve the residents with whatever goods and services we need, they need. But, we must acknowledge that some of these establishments would not be an asset within the Arts District or proper. Finally, I just want to relate an antidote to you. Something that I heard repeatedly at both Main Street and Geraldine R. Dodge Foundation Workshop. Millville is widely considered, exact quote: "The Poster Child for New Jersey". It is known throughout the state that we have made astounding progress toward reclaiming our downtown and have done so in very little time. It is widely acknowledged throughout this State that our City Officials, businessmen, artists and volunteers have shown amazing vision as well as collaboration to bring about these changes. I strongly encourage the City Commissioners to pass the Ordinance before you tonight. You have helped to begin an incredibly successful rebirth for Millville and it is your privilege and your responsibility to continue to nurture it further. Thank you."

Aggey McVeigh: "Hello, my name is Aggey McVeigh. For eight years the President of the United States has used fear to manipulate us. Fear is the missing weapon of mass-destruction. Fear is being used here in Millville also. When you live in fear your world is very narrow. I'm tired of giving away my rights, because of fear. We can all relate to the affects of fear, has anybody flown lately? As a resident of this town, I believe I am entitled to a reasonable expectation of safety. But, I have been given, what I have been told..."

Mayor Quinn: "Excuse me, Aggey. This is, you'll have time, believe me. This is just on the downtown proposal. Your subject is one I know that's very near and dear to you, but that will come after we get to the end of the meeting where everybody can talk about anything and that will be your topic. So, this, your topic, I don't believe at this point and time, but this is a public hearing just on changing the zoning of the downtown area from High and Broad to High and Main. Then you can get back up and I know you're a business person..."

Aggey McVeigh: "Well as a... well, this is why I'm speaking. As a property owner on High Street, I think I do have an investment in this town and I do have concerns as to who is kept out of this town. Because in the event that we're grandfathered in, but what happens three months from now when I decide that I need to change my storefront to get new renters. I'm limited now in who can rent my store..."

Mayor Quinn: "That's a good point..."

Aggey McVeigh: "When I go to sell, same problem. I'm going to be limited as to who can buy my building. So you are affecting me with this decision. This is not just all pro and I would also like to think about how many people who are making these decisions actually have an investment on High Street..."

Mayor Quinn: "I do, I'm your neighbor..."

Aggey McVeigh: "I know you do. Thank you I will finish later then..."

Mayor Quinn: "yeah, you can comment on the other then, but thank you Aggey, it's a good point. Thank you."

Pat Jones: "My name is Pat Jones, I live on Wedgewood Court in Millville. I currently rent a space in Aggey's Shop and my concern is the used furniture and thrift shops. Now, this business area will be serving all of the people in our community. It really touched me when they talked about excluding Thrift Shops in this particular area, because this community has people who don't have a lot of money and they need to be served. In fact, when I was getting my education and completing it, I could not afford to shop at a regular store. My practicum and student teaching wardrobe consisted of Thrift Shop finds. Were these not available to me, it would have been a disaster, so there are a lot of people in our community who need access to this and I wish you would reconsider the idea of a Thrift Shop. Currently, there are a few Thrift Shops, but there are people who don't have transportation and I think in this area it would provide that mix that we're looking for and I have to say our shop has been getting marvelous endorsements in terms of this is so nice, this looks very attractive. Feel free to come in. I will say more later. Thank you very much."

Betty Monteleone: "Betty Monteleone, Briar Drive. Free enterprise aside and just being down right honest. We all know, if you're involved in real estate that Pawn Shops, Tattoo Parlors and Check Cashing Places are a sign, they're a first sign of community going down the tubes. Now, whether we like to admit it or not, that's what happens when you see any municipality, any area and those things start coming in that means the town is going this way. Like I said, free enterprise

aside. Now, when you see a Starbucks come in, you know you've made, so I think that you need to be looking for... Because, you can't live on Art, nobody gets up and I love to shop, I work in retail, I know a lot about shopping. I don't get and go, and neither do my friends, let's just go shop for Art today. If you did, you might do that once a year. You're not going to shop for Art everyday. You need other stores downtown. How do the artists survive? That's why you're seeing such turnover down there, you're not going after a Starbucks or an American Eagle Outfitters or a Bed and Bath or a special lighting store, a special tile store or a special men's shoe store. You need specialty shops to get the people with the money to come and buy the other products and stop at Starbucks and have a cup of coffee, so they might stop in and buy some of the stuff from the art. But, if you think for one... and I've told you this before and I'll tell you again and I'll tell you standing here ten years from now and tell you the same thing. If you think the downtown is going to survive on arts alone, I can take you across this country to other towns that have tried it and have failed and failed miserably. So, I think somebody better take a step back and say what are we doing wrong. I walked down High Street all the way down Saturday, I brought a friend thinking she might want to do a little business down there and start her own business. I walked down one side and back down the other, how many closed up stores, even stores that I had gone to prior, like the bakery shop, different places that I had went to, they're not there now. You've got to stop this turn over and at 2 o'clock half the stores were closed. There were a handful of the stores closed, I mean open. How is it on a busy shopping day of the week, which is a Saturday at 2 o'clock they're closed up? How are you going to survive? It's costing us as taxpayers millions, and millions, and millions of dollars. I want to see some return for those millions of dollars. I want to see some businesses that are going to put some taxes into the City. Because, if you don't you can't keep doing this, because you're going to end up in bad shape. Trust me."

Mayor Quinn: "Thank you, Betty."

Bryan Montemurro: "I have Revelation of Records, we're on the corner of High and Pine, so I have a business in the downtown Arts District. I think what maybe with some of the confusion here is and what some of the newspapers have put out, isn't exactly what's going on and basically the point of this Ordinance that myself has helped draft with Kim at several meetings is to allow the mom and pop shops to compete with big business. This has not targeted any specific entity or any specific business. This is something that we're trying to do to maintain the integrity of what we have envisioned for the Arts District. Some points are taken from the last lady who just spoke. A lot of businesses aren't open, but there's a whole new class of people coming into town that are willing to be open on Saturday and be open on Sunday. We're here to help revitalize the High Street Business District, but it is going to be difficult to compete with large franchises, large formula style business and I do think what we have set up right now, as far as some of the galleries, some of the small independent businesses are creating a very unique situation for High Street and our Arts District and I'd like to see that plan and projection go forward. Thank you."

Samantha Karetska: "Hello, my name is Samantha Karetska and I live on Dove Drive in Millville. I am speaking tonight as

an Artist in the Glasstown Arts District and I would like to read a letter from another Glasstown Artist, Verna McLain, who lives in Port Norris and is unable to make it to the meeting tonight, she has Marsh Hen Studio in the Shed Village on High Street in the 500 block. Verna says, I would like to take issue with some comments reportedly made by Emil Van Hook. Mr. Van Hook questions why Artists would have been included in discussions concerning businesses with Millville's Artist District. I am aware of at least 9 business within the Arts District owned and operated by Artists and of these half of the owners also own homes and live within the district, as do a number of other Artists. Others may not own businesses, but have a stake in the downtown as part of various co-ops. Mr. Van Hook would like to see the Market dictate what enterprises locate within the Arts District. I would suggest that did not work very well in the past. Market forces left a function on their own, which resulted in a dying dilapidated downtown area avoided by City Residents. With the vision of city leaders and the creation of an Arts District an element of risk taking entrepreneurs came to town with a belief that they could play a positive role in turning the City around. These of course were the artists. True, some did not make it, but others continue to come along and take their places. Since the Artists began arriving, so did quality restaurants, boutiques and other desirable business that have brought people back downtown. While the process of revitalization is far from complete it is well on its way and like any growing entity it needs to be nurtured. Yet, Mr. Van Hook does not appear to be able to differentiate between the 24 hour fast-food carry out joint and the small intimate family owned ethnic restaurant is ludicrous. I can only surmise what his agenda is, but it clearly would like to see the revitalization of this City fail. Please do not allow that to happen. She signs it, I heartily support the ordinance being considered."

Maryann Cannon: "My name is Maryann Cannon, I am an artist, I have a gallery, I'm a landlord and I live in Millville. I want to strongly support this Ordinance and hope that you pass it. I don't want to see a Starbucks, I want a mom-pop. I know that the Arts District is not just artists. It's ??? we are artists, we are an original one of a kind product. We want original one of a kind little shops. We want boutiques, we want the café. There's a café coming and I would ask everyone within a five block area to buy from the mom-pop coffee shop and the little bakery that's coming. Don't go to a Starbucks, go two blocks down out to the Arts District. I think as more people come, they'll find them open. I know that as a landlord we put it in our lease that you be open on the weekend. I would welcome anyone to come into the 500 block. I think there are over 30 Artists showing their work in the 500 block and there are enough studios and galleries with probably close to 20 active working artists in that area. There's also boutiques, button shops, antique doll shops, a collective, used, I'm not sure what you call it an ??? Shop, an antique shop, a jewelry maker, blacksmith, all of this can be found in the 500 block, a women's boutique, candy shop, I don't think that's all artists. I, as an artist, I think most of us coming in, we honestly thought that this Ordinance was already in place. A lot of us paying rent for our studios and galleries, some of us have made the investment and purchased this. We don't want chains, fast food, I don't know all of the right words for these businesses. I think those that are grandfathered should be, but

I think what we have has to move on to a one of a kind mom-pop small businesses. Please pass this Ordinance."

Gail Shivari: "My name is Gail Shivari and I am the owner operator of the Vintage Rose Tea Room next to the Levoy Theatre. I came to this community, it was a long and hard decision where to open my business and I came here with the impression that this was a unique Arts District with unique shops, boutiques, things that would compliment my business and that's why I came here and invested a large amount of money. Now, sadly I didn't realize that there wasn't such an Ordinance stating that the Arts District would grow encouraging unique businesses and things of that sort. I truly support this Ordinance. The people that come to my business don't want to go to Starbucks after they've come to dine at my Tea Room. I have women, I cater to a 50 mile radius and I draw a lot of people to this town. They come here and they want to do something different and unique and that's why I chose Millville, because there are the wonderful little shops on the 500 block, there are the dress shops, the jewelry shops, the Art Galleries and I can say to them before and after they come, oh, please make sure that you go to this shop or that shop and they love it and they'll come back again and again. So, for that reason, that's why I opened my business here, I plan on staying here and I hope that you do pass this Ordinance so that it will make it able for me to continue to grow as I have."

Judy Scull: "Hi, Mayor Quinn. My name is Judy Scull and myself and two other artists just opened in June, Brush in Hand, which is part of the village where Maryann Cannon has La Bottega across the street. The first thing I want to say is I want to congratulate Millville. I live in Vineland. I was the Director of the Vineland Community Art Alliance and some of you know from reading the paper that we closed. We closed, because we didn't have what Millville has already and that's an Art's District. We didn't want an Art's District, we didn't want to compete with Millville in the sense that they had an Arts District. We just felt that, because Bridgeton had Gallery 50 and Millville had RRCA that Vineland is a big town in Cumberland County and that we should have had our own art center for the community. However, we left because of the crime on Landis Avenue began to accelerate. We actually left, because there was a double murder that was generated by the bar that was adjacent to us and was two doors from us and in the paper it said that the murders were at the bar. Well, the murders occurred at our backdoor and in fact we had two lovely shrines that were erected right after the murders and we had an opening two nights later. So, the people who parked in back of our establishment got to see the shrines. Unfortunately, while there were two people that were murdered, one, whom I know was a student at Bridgeton High School and was a good student and was a college student and he was in the line of fire and he was murdered that night and he was a good person. The other person was supposed to report to jail the next morning. But, that's neither here nor there, but the point is that it became extremely uncomfortable to be at that establishment, because of the crime and there was also a robbery at one of those kinds of jewelry stores that sells the chains by the yard or by the foot, you know what I'm talking about and it was a viable business, but they unfortunately were held up by gunpoint and tied up and put in the back room and that was three doors from us and that happened three months before we decided to close. Now, why am I making this point? I'm making this point, because if we don't pass this Ordinance and we have

places that attract the kinds of people that we had on Landis Avenue, we're going to be going in the wrong direction. We need this Ordinance to protect the sanctity of that Arts District. It is the absolutely place to be. I love Vineland too and I feel very bad that happened in Vineland and I feel very bad that we had to close and I know a lot of people criticized us for that. But, now Helen and Sandra and I have a very small little cottage, it's Cottage H in the Village, but we feel safe there. It's a lovely place and if we can only fill in from our RRCA all the way down the High Street, we will have something in Cumberland County and in the State of New Jersey. They don't have it anywhere else and we're on the way there's no reason to turn back. We need to pass this Ordinance. Thank you."

Donald J. Cossaboon-DeGregorio: "Donald J. Cossaboon-DeGregorio, 502 North High Street. I wrote some stuff down, but pretty much every idea I had has been said by somebody already. So, pretty much, I started talking about this and it got the ball rolling. Just pass it, that's all that needs to be done. Thank you."

Bob Tesoroni: "Mr. Mayor and Commissioners, Bob Tesoroni of Howard Street in Millville. Initially I was of the opinion that the Ordinance would be disastrous to future potential businesses locating in our business district. That should not be our greatest concern. Our greatest concern should be current property owners within this district that would come under this Ordinance. Why, because they will now be limited as to whom they can sell or rent to. That in turn will result in a decrease in their resale values and I don't think anyone can argue that point. As previously stated, I have a concern over making a monumental change prior to acquiring the reports that we have paid a firm \$50,000.00 to conduct. The purpose of hiring this firm was to ascertain how we can revitalize our Arts District if we make major changes as is the case with this Ordinance it would be contrary to what the recommendations and, if it were contrary to the recommendations of this firm may be, it may cause more harm than good. Why the rush on passing this Ordinance? I submitted an OPRA Request and I'm going to read it, it's very short, so that you understand what I asked for. Onsite inspection of all information relating to the proposed resolution aimed at, or Ordinance, aimed at keeping specific businesses out of the Arts District. Any and all memos sent to the Commissioner, Planning Board, Zoning Board, City Commissioner, City Clerk, City Solicitor, names of concerned residents and business owners Ms. Warker met with, dates meetings were held and any and all transcripts pertaining to said meetings to include notes, reports, sign in rosters, tape recordings, list of concerns, recommendations, etc. from those in attendance. What I got attached to Ms. Warker's OPRA Request that went to her was: The meetings which started this discussion were held at the MDC as part of the annual review by the New Jersey Main Street staff, they held focus group meetings all day July 12<sup>th</sup> and restricting uses in a Main Street was topic brought up during the focus group session. I did not attend these meetings, so I do not have any notes from them. The Main Street folks, generally issue a report after their evaluation, but we did not receive any written report yet. This was dated 9-24-07, some two and a half months after the meeting and yet no reports and she's submitting this to you. Do you know how many businesses and I ask this to all of the Commissioners, how many businesses are located within this district, the B3 district?"

Mayor Quinn: "90 some."

Bob Tesoroni: "I would think we would know how many we're going to impact on. Conservatively, 80 businesses and that's a very..."

Mayor Quinn: "I said 90, so I wasn't far off..."

Bob Tesoroni: "Okay, I'm sorry, I didn't hear your 90, 80 was a conservative figure. The records provided to me under my OPRA request indicate no more than 12 individuals were involved in these plans to move on this Ordinance. I have the records here. And of those, you can count on one hand of those that own property within the affected district and still have fingers left. As of 9-24-07 Ms. Warker stated, and I read the report, why this Ordinance would be submitted to you for your consideration without total review of all medians and reports is far beyond my comprehension. Also, for this Commission to proceed on this ordinance without insisting on a negative impact statement would be a disservice to every resident in Millville. My request was for all documents and there was no negative impact statement included. Therefore, one must conclude that none exists. How can you possibly adopt an Ordinance of this magnitude without a negative impact statement. To do so would be shooting from the hip. We know that if you adopt this Ordinance it's going to have a negative impact on someone, we should have that information available before we vote on it. On August 7<sup>th</sup> a member of the Zoning Board posted a video on the internet, in which he states in part, Crown Chicken's philosophy is to make money at your expense. It's only at your expense if you choose to purchase their products and yes that is why people go into business, to provide a service and make money. Are we surprised by that? Ms. Warker mentioned Walmart. Well, it's interesting, because on August 16, 2007 there was an Article in the Daily Journal for Walmart, coexistence not part of plan. This was published in opposition to Walmart located in Vineland. One of the instrumental players in pushing this current Ordinance banning certain businesses in Millville, Mr. Carl Johnson, responded to the above open letter stating, "welcome to America and Free Enterprise, if you don't like it move to a country with no freedoms." I don't know what happened since August 16<sup>th</sup> to change his mind. I don't own property on High Street, nor do I have any current plans on opening a business on High Street. My concern is that prior to passing an Ordinance with far reaching ramifications, you have all the facts available to you, so that you can make a well informed decision. I don't think that is the case as we speak. At the very least this Commission should table this Ordinance, assign Ms. Warker's Office to contact as many, if not all of the business owners within the affected area to determine how they feel. While they may not be Artist's they have the true investment and should be heard. Thank you."

Mayor Quinn: "Thank you, Bob."

Commissioner Shannon: "Should probably clarify that's Dr. Warker too."

Carl B. Johnson: "Good evening, Carl B. Johnson, Sassafras Street in Millville. I was happy to hear that Judy Scull feels safe at the cottages on Fifth and Oak. I remember when we started a group..."

Mayor Quinn: "High and Oak..."

Carl B. Johnson: "High and Oak. I remember when we started a group called Glasstown Nine, this was before we even had a viable Arts District. Pat Witt, myself and about a dozen Artists would go out and we would paint on High Street. One area that we didn't go to was High and Oak and we told our group, you stay away from there, because it wasn't really safe at that time. Things have changed. Listen to the arguments, first of all, I like the way some of my statements are taken out of context or without the entire talk of being brought into it. I am for free enterprise and a democratic republic is a majority of the people have a say and the majority should have a say, I think the majority of people involved in High Street have actually talked tonight and that's a good thing. I think it's a much ado about nothing. This is a simple zoning law change to the zoning code. It's nothing more, nothing less. Zoning laws do many things, it keeps strip malls from opening up on Porreca Drive. They prevent McDonald's from opening up on Howard Street. They prevent tire factories from opening up on High Street next to the Fath Building. They serve a purpose and all we're asking for is a minor change, it's not a permanent change, it's not the 10 commandments passed in stone. It's a simple change that can be amended later, if we realize something is not working, but right now we realize what we have in place isn't actually working one hundred percent, it's not doing what we need to do in order to maintain the continuity of the Arts District. There's been some flag waving, people wrapping the flag around them talking about the free market. Let's talk about what the free market did. It turned a successful department store into offices and Section 8 rentals. Intelligent planning on the part of the City turned a vacant men's and boy's, Frank's Men's and Boy's store, three buildings into a successful Arts Center. That was the catalyst for Third Friday, which now has turned five blocks of High Street into a successful destination that people, not from Millville only, but people from Cape May, from Philadelphia, from New York, from Ocean City come and they visit and spend their money here. The people that have invested in the businesses there are actually making money too and that all goes back into the local economy and that has made Millville better and has made me proud to be a resident of Millville. You know the old guard? allowed during their tenure in the City Commission of thriving downtown to turn into a blighted strip. This current administration has turned that blight into a successful Arts District, Third Friday's and all. So, I thank you and I urge you to pass this Ordinance."

Mayor Quinn: "Thank you Carl."

Carolyn Krull: "Hi, Carolyn Krull, 112 East Pine in the Arts District. Mark my husband and I moved here five years ago from our home of 15 years near University of Pennsylvania. During our time there we saw the entire neighborhood fall from a well-maintained community to one that was dirty, drug and crime ridden with countless beautiful homes on every block for sale. When students started being killed for \$5.00, the University and the City finally got involved and started investing in mortgage and renovation programs, policing and infrastructure. Thank goodness when things got bad here in Millville, unlike in Vineland, the City Commission stepped in to begin to raise the quality of life before something like this happened. When we left University City, we had every type of amenity within our walking or biking distance. Why would we leave Tai and

Vietnamese, Urban Outfitters, Whole Foods, museums, galleries, our food co-op, our friends, my Yoga Teacher of 20 years, for Millville. We wanted a small town near nature with still some of the same lifestyle choices, the shops, the Artists, the restaurants, the plaza, the river walk, the murals, the flower baskets, the hanging flower baskets, Howell's, the Christmas decorations, the friendly hello's along the street. There are multiple events to choose from along High Street all throughout the week. Of all the wonderful things going on, I really have to thank the Recreation Department for the Zumba Classes. To see people of all ages and backgrounds out there having fun and getting fit together is fantastic. I love seeing the sunset over the river after the class. I can say for certain, however if the street had been filled with pawn shops, fast food stores, check cashing places, we wouldn't have moved here. We both give to the community to improve all areas of Millville. But, we will not stay if the downtown loses its small town fun, unique and imaginative appeal. Please pass this Ordinance to continue the upward spiral that we are on. Thank you."

Linda Forbes: "Good evening, I'm Linda Forbes, I live at 601 Dove Drive. I would like to second Carolyn Krulls sentiments. High Street and the Arts District were a major incentive for our move to Millville three years ago and this is very important, because you are attracting new taxpayers. I was in Bridgeton on Laurel Street today and believe it's most unfortunate appearance would be what Millville would look like without its Arts District. A town who's Main Street is boarded up and vacant stores and shabby businesses is not a place to which I would move. As much as I like the Arts District I understand it's not a completed work, it's a work in progress. One that must be nurtured and supported. Part of that support is preserving its character through the Ordinance before us. While the business that define its character struggle to gain a solid footing, let's not undermine their efforts, while allowing establishments that present an entirely different image than a friendly and inviting Arts District. Protections for Business Districts that we've talked about have solid precedent. The listed businesses can locate outside of the district. I don't believe, as some are implying that the proposed exclusions are necessarily to the detriment of some of the lower income people. In fact, I think that those with lower income have been able to benefit for, for instance the Arts Programs for young people at the Renaissance Center and in recreational programs. As well as the growing overall economic health of the City. So, I say let's support the Art's District, let's give it room and time to grow. I find it really ironic that those who said the Arts District would never happen are the same as those who are now saying it is not as successful as they think it should be. Opposition to this Ordinance is one more example of the incessant nay saying that prevents everyone from pulling together to make this a better City. Thank you."

Ellen Gavin: "Good evening, my name is Ellen Gavin and I live and own Green Boots Studio on Second Street, 14 North Second Street here in Millville and I wasn't planning on getting up to speak, but I guess I want to support this Ordinance. I actually thought when I moved here, I was very impressed with what Millville was doing and the fact it had great spirit in trying to turn itself around and I was attracted and I moved here and bought on Second Street, not on High Street, not on Second Street, so I'm actually trying to expand off of High Street. But, I would very much like to support the Ordinance

and give my full support to passing that. I didn't, I wasn't really part of the, I haven't read it, but is there anything about Adult Book Stores or Adult..."

Commissioner Derella: "that was passed earlier in the year with the restrictions..."

Ellen Gavin: "Well you never know, okay, it seemed like a real obvious miss and I thought well, you know, that's the only mom and pop we don't want. Thank you."

Mark Krull: "Just a short word I would like the Commission to support this Ordinance fully, there are many business people that have invested their time and money and pay taxes and I think they said it all. Please support the Ordinance tonight. Do not delay. I'm sorry, Mark Krull, 112 East Pine Street, my wife's the better speaker obviously."

Lori Maddox: "Hi, Lori Maddox, I own Madrigal, the business on the new other end of High Street, which is the original end actually. Madrigal is just a block north of here. I want to say thank you to the City Commissioners for maintaining a quality standard for High Street. Five or six years ago I wouldn't have been able to think of establishing a business like mine on High Street and I am blessed everyday by the type of people who come in. They give me a lot of joy, they give me great stories, they support my business, they enable me to talk up Millville. We have a wonderful, wonderful town and great leadership and I'm very proud of that. I'm asking you please do pass this Ordinance, protect our investments and it will also protect property values. For those of you who do own property on High Street, the property values have done nothing, but gone up. So, I cannot see where any kind of Ordinance that we're passing tonight would do anything, but help that go farther. So, please I just wanted to show my support. I hadn't intended to speak, because there are some that are much more eloquent than I, but thank you for what you're doing and please keep it up."

Aggey McVeigh: Again, as an owner of a building, this Ordinance to me implies that I am not capable of choosing who should rent my stores. But, I think if you take a look around town, that's not a problem with what we have in town right now. So, I'm thinking that what's the rush on this, because actually this is already in place. It's called an owner and the owner is the one that's deciding."

Mayor Quinn: "Well, can I, can I state something right now..."

Aggey McVeigh: "yeah..."

Mayor Quinn: "that's a very good point you make, because I have to tell you. Main Street, New Jersey and I've told this story before, were on me like white on rice. They said we want you to take care of that High and Broad blighted property, okay. They've told us that and they put it up in slide presentations and it's embarrassing. So, Maryann Cannon, her husband and I with the City, we worked an arrangement, we offered the people the money, they settled on the money and then all of a sudden they changed their mind. What happened was greed, they wanted more money. They backed out of the deal. That is so frustrating for me, because it's the corridor to our Arts

District. So, you know, that's the kind of situation and now in there we have a check cashing facility that has a three year lease from what I understand. The property looks a little better, because the ugly fence is down, but it's an ugly property. It is heartbreaking to me, because I care, as you all care about this City. It breaks my heart. When I stopped at High and Broad today for the light and I looked over at that building, I thought what a sad looking building that is. Main Street New Jersey, the state tells us that building there should have been condemned, you should have taken them. Oh, gosh, we couldn't condemn we'd be ridden out of town again on a rail, you know, so we don't do that. But, the fair market or the market value didn't happen. The Cannon's thought they had a deal and he said he was going to buy the parking lot, we were chastised, we were spending too much for the parking lot and still the people backed out, because they thought well, you know, we want more money now. So, you know, that's a blighted building and that's a shame, because that's the building as we come into High Street. So, you know, shame on us, whatever reasons we didn't have the courage to do maybe what we needed to do, so that building sits there at the gateway to our Arts District and it's blighted. Now, that's something that no one can deny and that's a sad scenario."

Aggey McVeigh: "and I do agree that the last thing you want to happen in this town is anymore buildings being boarded up. That's when business doesn't come here anymore..."

Mayor Quinn: "Well, you know what, I don't know about you, but my building currently is worth two and a half times of what it was worth when I moved to Millville..."

Aggey McVeigh: "well, I've only been here two and a half years..."

Mayor Quinn: "Okay, I understand, but I'm saying, I think when Mr. Tesoroni made the statement about the property value. I totally disagree with that, as I think Mrs. Maddox said, property values are going to increase. I sold a lot on High Street when my Millville Fire Stone Building burned down for \$25,000.00. The person who bought it from me sold it for \$40,000.00. I have not gotten a formal confirmation, but there's a very good source telling me that property is going to be sold for over \$150,000.00 for that lot alone and obviously the person is going to be putting up a beautiful building on that property. So, don't tell me the property values are going down. They're going up and they're going to keep going up, because this is the type of stuff we need to do."

Aggey McVeigh: "I don't deny that property values are going up. My concern is that when it comes time for me to sell or to rent to different people it's going to be an issue for me, because if this Ordinance is passed then stores not on High Street can get the rentals that I can't rent. So, I'm losing it both ways."

Mayor Quinn: "I'm sorry, say that again..."

Aggey McVeigh: "if I'm trying to rent the storefronts of my building and I can't because of a limited business opportunity, but they can go right around the corner and rent around the corner. That's impacting my business, it's impacting my building and my business. It's hitting me two ways. Same

with selling. If they can go around the corner and buy a building that's not restricted, why would they buy my building?"

Mayor Quinn: "Because, your building would be on one of the most beautiful streets in the state of New Jersey. We've actually been getting recognized as one of the most beautiful downtowns in the State of New Jersey. So, that's going to help your building, that truly will, that'll help the value if you don't feel you can rent it in selling it. I'm sure you will get more money for it today than what you paid for it two and a half years ago."

Aggey McVeigh: "Can you make a commitment at this time to buy my building..."

Mayor Quinn: "You know what I would. Absolutely, I will buy your building for fair market value, if you can't sell it to somebody else and believe me the last thing I want to do is buy buildings in Millville, because I'm not eligible for any thing, but you know. Accept aggravation I think."

Aggey McVeigh: "Thank you I'll be talking to you."

Mayor Quinn: "you bet..."

Commissioner Shannon: "he'd get paid with a bucket of aggravation..."

Troy Blevin: "Troy, Blevin, I don't have a good story to tell you I guess, it's pretty simple though. I'm an outside investor, a year ago, well a year and a half ago..."

Mayor Quinn: "Would you give your address?"

Troy Blevin: "Ocean City, New Jersey. A year ago I came up here and I realized that this town..."

Mayor Quinn: "they didn't hear your name, would you state your name again..."

Troy Blevin: "Troy Blevin, Ocean City, NJ. A year ago I came up here and I saw the growth. This Ordinance here will definitely protect what you guys call the Arts District. Again, that's what you guys need. You need to lock in on something, you've done that. You've got to protect your investment. It's that simple. I'm coming up here and I am buying property up here and there's a reason for why I'm buying property up here and that's because you're protecting the investment. Which would be in return my investment. Then I'm trying to bring stores from Cape May and Ocean City, hopefully Avalon and Stone Harbor if I can. I'd like to get them to come up here, I think it's a good mix. I don't see why there would be any problems to pass this Ordinance. It's been repeated over and over that you can revisit it, I see that you guys are very public, you guys come out and you speak. I see you have a great Commission here that allows you to speak at the same time and listens to everything you have to say and you know you're taking it all in, so, I think you really should pass this, it would only be positive for the downtown. Thank you."

Commissioner Shannon: "Mr. Mayor, I'd hate to put anybody on the spot, but I see Marianne Lods over there and I'm not sure if you would be able to just address the type of businesses that

we do have downtown, the type of mix. Because, everybody keeps talking about galleries and there's no stores and I'm afraid that there's a little bit more there than just the Art Galleries, although that may be what everybody seems to be dwelling on. I think we do have quite a few other businesses downtown. Maryann could you address some of that please, so it's not just a singular use."

Marianne Lods: "Yes, Marianne Lods, I'm the Executive Director of Main Street Millville and the Millville Development Corporation. I didn't come prepared with my list of exactly what is what. But, in the Arts District, all of the Arts District, not just High Street, the quantity of businesses is approximately 145 businesses. High Street alone being closer to the 90 mark that the Mayor mentioned. In that mix there are again, these are round figures, there are about 12 full-time galleries, there are also some part-time. There are studios besides, that are just working studios, not necessarily open five or six days a week. In addition to those, and the Public Art Center, the RRCA, in addition to that there are about 20 eateries and that ranges from pizzerias, Chinese Food, more upscale dining at places like Winfield's and the Next Oar to Pubs, some Cafés, some of our shops that are also serving coffee, they have a coffee bar and what not, a new little bakery that's coming and so forth. Retail Shops, we have, I didn't want to just say their names, I wanted to give a number approximately of Retail Shops of about I'd say 20 and that does range from Amanda's Ladies Wear, which is very difficult to get in a downtown that isn't in revitalization to be able to offer that and has a good following, Bogart's Books, a continuation and expansion of a former book shop that was already there. Where Mr. Montemurro came to the podium before, he talked about Revelation Records and he didn't say that his business is expanding as of this week. He was in a small, more of an incubator type of area on the Second Floor of the building and he is now going to be on the corner of High and Pine..."

Mr. Montemurro: "the Arts District has nurtured me and allowed me to expand..."

Marianne Lods: "that's right, there you go. Thanks, Bryan. So, business expansion from that retailer and we have a nice mix of professional Office Space, both on first floor and second floor, we have some attorneys, accountants, I would say again that's about another 15 to 20 or so businesses in that category. Then you have personal services, your hair salons, there's a spa, there are some nail salons that are exclusive to just nails and that would be about another 8 to 10 businesses in that category. So, I think that we're seeing that we have a pretty nice mix and when I go around and I'm asked to go to different towns in New Jersey and outside of New Jersey to speak about our revitalization in this town, what you all started, what I was hired to try to do and I feel that we have certainly done a lot together, both the City and the MDC and Main Street Millville and that is to tell them that you find your niche and we found ours with the Arts and the artists were willing to take risks here and that birth, the development of the restaurants and after the restaurants were the boutiques and that is now the infill. The buildings that have vacancies will get a mix of those businesses and that proves to be a healthy downtown. They're only, as of last week I counted first floor vacancies, there are nine vacancies on the first floor and some of those are being worked on and developed right now at this moment.

Next week that number may drop to seven or six, there's always going to be, well not always, but there may always be a few vacancies. Businesses will turn over, not everyone has a good business plan, I try to counsel people when they come into my office of getting a business plan, working with their finance officers and their accountants and using Urban Enterprise Zone to their advantage, but they don't all heed that and know exactly what they are going to do over a five year period. But, those that do have a business plan and know their business, for instance, Mrs. Chivari, with the Vintage Rose Tea Room, when she first came to me it was a year and a half before she ever opened, because she was working her business plan and did it until she knew she had a formula for success and she's successful. So thank you for asking me that question. Anything else?"

George Walter: "Good evening Mayor and Commissioners, My name is George and I'm a business owner at 16 East Pine Street. Relatively new, I've only been in the building for several months. I've been working on it since April. I'd like to just say one thing and follow-up on what Maryann was saying. We're an advertising marketing firm that 85, probably 90 percent of our clientele are out of the City. They have nothing to do with the City. We have several small clients within the City, but we deal with clients out of the City. I moved to downtown, because of its revitalization. I knew, I felt that I wanted to be there, not for the business, I wanted to be there, because of what was happening. I'm a resident, I've been a resident of this town for 25 years, I raised my kids here. They came back, well I shouldn't say they, my son came back. He came back to be in the business, because of this revitalization. Not, because of my business, because of the revitalization in this town. He wanted to raise his children, he wants to live here and we need to be very, very conscious of what we're doing with this downtown. We need to make sure that we don't have pawn shops and adult bookstores and fast food places. This is a very, very good and very, very important thing that we're talking about here tonight and I support it one hundred percent..."

Tape II

?????: Today if my father were alive he would be so proud to look down High Street in Millville and see that you men had the foresight to change things. Please keep up the good work and please pass the Ordinance. Thank you."

Emil Van Hook: "Good evening Mayor. Emil Van Hook, Sunset Drive. I had not planned to say anything tonight. I had no idea that I was going to start such a furor when I simply said that I believed in the free economy and capitalism. It seems that I've become the root of all evil as a result of that. Although free enterprise seemed to have served the United States of America pretty well for the last 300 years and it seems that a hundred of those years my family have been in business on High Street, so we have a little bit of seniority over those that have been here two or three years, although we welcome you. I would also like to point out that, while perhaps I appear to be the most hated person in the City tonight I kind of question why. If these people kind of look back when the Arts District was first proposed... which Art Gallery opened before the RRCA? Which one was the first one to open in the City Mayor, you know which one it was, you were there..."

Mayor Quinn: "yes, I was..."

Emil Van Hook: "which one was it?"

Mayor Quinn: "yours."

Emil Van Hook: "Our Art Gallery was the first one to open and we're still open and we're still the largest, we have the largest display windows and we have the largest amount of square feet and we're still open. Although, I find it interesting that we're not invited to participate in any of the programs that some of the other Arts District people are invited to participate in. I also find it interesting that Mr. Johnson happens to know so much about who lives in my building. Now, the lady from Port Norris, who was so eloquent to chastise me and defame me, doesn't own property in Millville, doesn't live in Millville, doesn't vote in Millville and you allowed her to do that in violation Robert's Rules of Order..."

Mayor Quinn: "it was a Millville person that read it..."

Emil Van Hook: "you allowed her to do that in violation of Robert's Rules of Order Mr. Mayor..."

Mayor Quinn: "it was a Millville person who got up, Emil and introduced themselves as a Millville person..."

Emil Van Hook: "you allowed that..."

Mayor Quinn: "how did I know that she..."

Emil Van Hook: "Mr. Mayor I suggest that you review the Robert's Rules of Order with Mr. McCarthy and he'll be glad to explain that to you, because he explained that to me one day so eloquently."

Mayor Quinn: "Okay. Thank you."

Emil Van Hook: "and when we're talking about revitalization, let's get a couple of other things on the table. This Commission, while they've done a fine job in revitalizing this community was not the first Commission to start working on revitalization of the downtown area. I submit to you that the first Commission that started to really work on it was back in 1981 when Mr. Goodwin was the Mayor and your brother was Vice-Mayor. Am I right Tim?"

Commissioner Shannon: "you would know better than I..."

Emil Van Hook: "you don't remember. Well, I will also point out that I was the one that dragged Mr. Thompson and Dr. Warker to Atlanta, Georgia to Georgia Tech for 2 day seminar for a teaching project put on by the firm that was the one chosen by the National League of Cities for the best firm in the country for downtown revitalization. So, there have been other people that have done things..."

Mayor Quinn: "Was that Hyatt Palma?"

Emil Van Hook: "yes."

Mayor Quinn: "because, that was something that was very important and I give you credit for that, because you brought

those people in, but Emil do you remember, and they must have said it to you, because they sure said it to me about AA Sales, about how embarrassing that was to have mattresses and box springs and boxes out on the street. That was the first thing they told me when I got elected Mayor, so they must have told you that when you were there..."

Emil Van Hook: "that's not..."

Mayor Quinn: "my point is, but the point I'm trying to make is we're trying not to let that happen again..."

Emil Van Hook: "Mr. Mayor I never said you shouldn't..."

Mayor Quinn: "okay, I'm just saying..."

Emil Van Hook: "in fact I prefaced my remarks at your last meeting saying "A" I don't approve of nor do I or am I looking for bail bondsmen, pawnshops, or businesses of that type. I said I don't own any stock, I'm not interested in it as far as that is concerned. But, there are ways to do that without banning them totally and that's through a conditional use permit Mr. Mayor. Because, I think to ban them totally is probably unconstitutional, but be that as it may, I'm not going to fight you. I didn't fight you. All I said was capitalism ain't so bad and neither is free enterprise. Now and as a result I have been ostracized by you gentlemen and all over the community as being, apparently I am again, the root of all evil. Mr. Mayor, I have been one of the biggest supporters of downtown Millville, since 1971 when I came back from school. While we're on that subject I went to school in the Mainline, pretty high class area, not that I'm high class, but that area was pretty high class. They had secondhand clothing stores and they had secondhand furniture stores. I still to this day don't see the Mainline folding up as a result of it. So, those types of things may have a place. But, again, I'm part of this community, I've been part of this community for 60 years, I intend to be part of this community for a few more years anyway. We still have a pretty substantial investment in the downtown area and I think we're running 5 businesses downtown right now. So, to say that we are against this community and to say that we are against the progress of this community, and nobody can ever point to a time when I said the Arts District ought to be done away with. So, excuse me if I've gotten a lot passionate tonight, but I am passionate about downtown and I have only worked for the betterment of the community and betterment of downtown for all the years that I've been involved in public life and in this community and I will continue to do so. And when you're right I will applaud you and when you're wrong I'll point it out. Thank you."

Mayor Quinn: "thank you. Anyone else?"

Robert Price: "Hi, I'm Robert Price, also known as ??? Bob, 129 N. High, the Brain Church Studio. I would just like to say that I am in favor of this Ordinance or at least aspects of it, personally I don't see anything wrong with an arcade, I have no use for a Barber Shop, as I'm sure Commissioner Derella will attest to. But, I do believe yes, the big box companies, the franchises, the fast food restaurant, they have a place in Millville and that's on the northern end of High Street where we have it now. Downtown, you want a place that is attractive and has as much personality as me. When I go to Amy's, Bogart Books

for coffee in the morning, I go there and I see my friends, I see people that are doing things in the Arts District, we talk about our plans, we support each other, we help each other when stores are moving. You know you hear the latest gossip, you can sit and read the paper when I go to Luke's for something to eat, The Looking Glass Café and so on. It's a completely different atmosphere than when I go to Starbucks and I order their tall latte and I don't know anybody in there. Once in awhile I'll get a craving for Starbucks and I'll go, but downtown I think we want to keep it intimate, personable and unique and the investment that the people have made here to put their own staff on High Street is what makes us attractive now and what has other cities talking about. I applaud your efforts and thank you very much for your time."

Heather Flynn: "Good evening my name is Heather Flynn, I'm the owner of Flynn Interiors on the corner of Buck and Pine, 201 Buck Street. I am an outside resident, I reside in Pittsgrove Township, I had a successful business running out of my home and felt the urge to start retail business as well. I have new items in my store, I am not an artist, although interior decorating is art. I had many options to start my business pretty much anywhere, I was a member of the Salem Chamber of Commerce and was offered many opportunities to continue with the revitalization in Salem and I chose Millville, because of what is going on in the Arts District and it is extremely important to me to be in an area where the integrity of the town and the pride of the merchants and the people is very strong and felt very strong. I am not on High Street. I am a block over, I am a destination store and my fellow merchants have pointed people into my direction and I value that and I greatly appreciate that and in return I hope that this ordinance you seriously consider what this will do for the City of Millville and please make it a point to allow for us to continue what has been started and allow it to move forward and raise the bar for all of the other cities. Thank you."

Isabell Samuel: "Good evening, my name is Isabell Samuel, I'm the owner of Isabell's Studio 135, I am a gallery, also an artist. I also own a beautiful home up the street from Tim's on Second Street, next to Ellen's Green Boots Studio, which we plan on one day moving some of the big energy over to Second Street and looking forward to it. I also rent my space on High Street and my biggest fear about renting is that I expect the rents to go up. I have a three year lease with an option for another 3 years. When you expect the rents to go up it's basic economics. You expect there to be people that are interested in coming to the City, they expect to pay higher prices for the rent and you should want the prices for the rent to be high and that means people are coming in and spending their money. I believe in giving people what they want and the types of economic people that you want in the City. It has nothing to do with being prejudice and it has nothing to do with anything that would slight anyone from making a living. It's just a growing town and that's why I'm here. I don't like to feel like my hand is being slapped at all for being here. I spend money, I pay taxes and will I want to rent another 3 years after 6 and that's all up to what the City is going to present to the, my clients are really from out of town and the energy in the very beginning, which is a year as of May 1<sup>st</sup>, a Third Friday. From that one night I have people that come in throughout the week, not every month, but it's growing and growing for me. But, I know this

Ordinance is also very important for other people to grow and to be a part of our City. Thank you."

Amy Lombardo: "Good evening, I'm Amy Lombardo, Bogart's Books, 210 N. High Street. I came to Millville, because I had hope and I saw promise in this downtown. I am not an artist, but I am a true business person and I truly believe that we have some great galleries and great stores and some terrific people in downtown. By passing this Ordinance that will only promote additional great businesses and great people coming to the downtown. If you would like to settle for poor and mediocre businesses then don't pass the ordinance. But, if you want a great town and you want something that we all believe in and that we can be proud of, please pass the Ordinance."

Libby Rothfarb: "If I may just say one thing, Libby Rothfarb, Mallard Street in Millville. Just one thing, I just want to remind everybody with regard to concerns that we will have an overwhelmingly Arts Related downtown. There have been some preexisting gems, like Steelman's Photographic, Colonial Flowers, Okay Watch, New York Style Pizza and Incredible Bulk that are still part of the mix and I think that they are a wonderful part of that blend. So, I think, you know, they've survived the blight and I would like to believe they are doing well now and I just want you to remember that."

Mayor Quinn: "Thank you. Anyone else?"

Pat Jones: "this is just a final before you consider passing this Ordinance and it goes back to the idea of the used furniture stores and the Thrift Shops..."

Mayor Quinn: "would you state your name and address again please?"

Pat Jones: "yes, I'm sorry, my name is Pat Jones and I live on Wedgewood Court and I've lived here since 1973 and again I would like you to consider excluding the used furniture stores and the thrift shops. I think there could be and is a need in our community."

Mayor Quinn: "you know Pat, I'm glad you mentioned that. I see like, Second Time Around Children's Store, I believe there's something across from me that's similar to that and don't forget you have the Angels of Light, it's right up on High Street and further up we have one of the largest, most modern thrift stores probably in the United State, with Goodwill, which is a beautiful building too..."

Pat Jones: "that's the one that helped me survive when I was struggling..."

Mayor Quinn: "Well, as you know, and they are very important to the community, but we do have them fortunately and as we've talked about, it doesn't restrict them from being from 600 block up or anywhere else other than the downtown. But, I understand what you're saying, but we have a lot of thrift stores. How many can a community support? I don't know..."

Pat Jones: "Well, I'm not asking for a great deal, but I'm asking that some be allowed to continue to be on High Street. Not just totally excluded."

Mayor Quinn: "Well, if they're there, they're grandfathered in..."

Pat Jones: "but, if the business should change, for instance if I should decide to purchase a property, would I be able to do that, would the people who currently have these thrift shops, once they sold that business, would you be allowed in fact to continue or would they be the only ones that's grandfathered..."

Commissioner Derella: "yes..."

Richard McCarthy: "you continue the use..."

Commissioner Derella: "you continue the use, if it's abandoned for one full year with no activity, then that changes the use..."

Commissioner Shannon: "if it's down for one full year that's when..."

Pat Jones: "so, currently the shops that are on..."

Commissioner Derella: "correct..."

Pat Jones: "okay, alright..."

Commissioner Shannon: "as long as they continue and they're not down for a year..."

Pat Jones: "alright..."

Commissioner Shannon: "and also, Dr. Warker, could you also just clarify something also. If a business came before the Planning Board or the Zoning Board, I'm sorry, the Zoning Board. They could ask for a variance. Correct? Present the plan and if that plan was then accepted by the Zoning Board they would then recommend it to us and we would allow that business..."

Mayor Quinn: "no, the Zoning Board approves it."

Commissioner Shannon: "okay, the Zoning Board just approves it."

Pat Jones: "Well, before I go, with what I'm hearing tonight with the particular businesses that have been listed. The restaurants, Laundromats, the furniture, etc., etc., there seems to be not that much enthusiasm for the idea of a thrift shop or the used furniture. Because, what is someone's used furniture could well be someone else's antiques, etc."

Mayor Quinn: "but, there's a 50 year, I think if you read that, it's 50 years or more makes it antiques. The problem we've had, Pat, in the past when it was the downturn in Millville, there were used furniture stores and they would have stuff, like I said mattress box springs on the sidewalk and it was very unattractive and then trying to take a truck in to get that stuff out. There's a lot of things that go with that problem..."

Pat Jones: "I think that could be eliminated through limitations on what you could put outside and when you could put it outside. My concern is that the idea that they not be

totally eliminated, because I think it does bring something, something unique. Thank you."

Betty Monteleone: "I would just like you to clear, Betty Monteleone, Briar Drive, clear something up. I'm getting a little confused here, I mean I wouldn't care if you eliminated those stores from the whole town, personally. That's just my personal opinion. Like I said, free enterprise aside. You could say you don't want them anywhere in town and that would make me happy. But, I don't understand, you're really saying you don't want stores like Platypus, you don't want like Starbucks, you don't want those type stores that bring in traffic to shop."

Commissioner Shannon: "I personally wouldn't want to see a Starbucks downtown to compete with the Tea Room and to compete with the Looking Glass. We got Bogart's Book Store that has..."

Betty Monteleone: "I don't think that Starbucks could ever compete with that Tea Room, ever. That Tea Room is totally different niche and the people who go there is totally different. They would be able to come to the Zoning Board and, yeah, that's what I'm saying, because Starbucks is a place that brings in traffic. Some people might sit around and read a magazine for awhile, but if you talk to any successful... I mean you name me a town that does not have these type stores that is successful. Can you give me an example of one town that does not allow places like Starbucks and store like Pottery Barn that is successful. They need those stores. It's a disservice, I think to the Art's people, not personally, because you don't have anything to draw people to the streets to shop. Honest, there was only three people on the street Saturday afternoon at 2 o'clock. Three people..."

Mayor Quinn: "That's three people more than there were 10 years ago, so..."

Betty Monteleone: "well, I know, but I mean fine. See, I'm not saying that..."

Mayor Quinn: "no, you have... Betty, you've made a very valid point and with the MDC we've discussed this with the merchants and as Maryann talked about and I know Amy and several others, they stay open on Saturday until 6:00, Sunday's and Maryann said in her lease she requires that. Right now, we can't require that, because each landlord has the opportunity to do, or the tenant what they want to do, unless it's in their lease..."

Betty Monteleone: "no, no, I understand that and you know you got to... you're really missing, you're thinking inside of a box, you're not thinking out. You're sitting here applauding, because I said there's three people... oh, it was three more than it was ten years ago. Well, guess what, if you don't do something you're not going to have those three. Thank you."

Mayor Quinn: "Thank you, Betty."

Paul Krassover: "I live in East Vineland, but I'm proud to say I work at Southern Realty, 131 North High Street. I'm very much part of the Art's District. I moved down here from North Jersey seven years ago. I lived in Union County for twelve of those years I lived in Cranford, I'm not up on the latest, so

I'm going to put a caveat on this, but I think I can give this lady an example of a town that did restrict, successfully, did restrict chain restaurants. Cranford was, I believe the first, if not the first, one of the first downtowns to revitalize. They did it back in the 80's. Westfield, which does have mall stores, copied Cranford. Cranford was one of the first ones to put in the pavers, to have the little mom and pop shops and they did not allow fast food, they did not allow chain restaurants in the downtown. But, having gotten beyond that, the thing that has impressed me so much and I just wanted to come out in support of, when I moved down here seven years ago from New York metro, my best friend warned me, you're going to be so bored, it's in the middle of nowhere, there's nothing here. I said, well, I've been reading about this Arts District and that sounds pretty good to me, because anywhere that I would travel that was the kind of area of the City that I would go and explore. My husband and I got in the car and we started at the bottom of the High Street, this was seven years ago, and we saw two salons with nail art, we saw an auto parts store with the Pema thing, I still remember this, we saw a Martial Arts Studio and I think Art's Auto Body and literally that was all the arts, I think there might have been like one gallery, but it wasn't open, literally that was all the arts we saw and we joked about it for two years that was arts, that was the Arts District. This City has come so far, I talk it up to everyone I know, I just am so impressed by what I've seen in the vision that this Commission has had and the City has had and that the energy of the people and in working in the business that I do. I see the people coming to town, I remember when Amy first came to town, she came to my office and she was asking about Millville and researching it, you know, considering whether to bring her business and just to see the positive momentum I just can't imagine why you would not want to pass this Ordinance. As far as anybody saying well if my business is restricted in who I could sell to that would lesson my Economic opportunities. Well, I'm here to tell you as a full time realtor, location, location, location. With the amazing downtown that you guys have it's only going up."

There being no further comments Mayor Quinn declared the public hearing closed.

Dr. Kim Warker made the following comments:

Dr. Warker: "I just thought we should clarify some of the comments that were made. I didn't hear a lot of questions, but there are some comments that I think need some clarification. But, I think if you want to take a positive away from tonight, we're often asked why do we spend so much time working on our downtown. Well, to have people here for two hours demonstrating how much they care about what we do with the downtown, I take that as a very big positive for our community. Just in terms of the Ordinance again, I don't see this as a monumental change to our Ordinance, I don't see it as a huge change, I see it as a minor change to a zoning district. The nature of zoning is such that it considers the overall good of the district and the overall good of the town. Does that match into the vision in the plan that's in the master plan? Unfortunately, there are going to be individual property owners, which will have to face restrictions based on this, but again Zoning looks at the bigger picture and says overall in that district and those sixteen blocks, with what we're trying to create in those sixteen blocks with the character and the distinctiveness and the niche we're after, which is specialty retail, as well as art, what is the

best thing for that entire district to move forward? Again, it can be open to change, I think Miss Jones made a number of good comments tonight, a number of good ideas and we may look at this again in the future. But, for today we're saying to you that this is how we see the best interest of the entire City through its downtown advancing. This is how we see being able to maintain the vitality of that downtown. There were some questions about an OPRA Request that came to me and there were a few things, Mr. Tesoroni that you did leave out of your comments that I do want to add for the record. One is that today, I realized when I looked on the agenda that my report was on this agenda and Mr. Tesoroni's request to me for all documents had been already answered, so I emailed him that report, so he would have all the documents I was aware of that I created in terms of what we're trying to do tonight. So, I did send you even additional documents beyond the deadline from which we responded. The other part of my request was the way I worked on this, was I went to several meetings, I've had people call me, I listened to people who went to the Main Street meetings and I went home and I drafted the Ordinance. The way I did that was to look all across the country, googled it, researched it, got all my American Planning Association books out and I pulled all those Ordinances off, looked at them and in a matter of a few hours drafted this Ordinance. So, when that request came in, I didn't have all of the things that I looked at. So, I recreated them for Mr. Tesoroni. I went back into google and I tried to remember the communities that I looked at and I generated those Ordinances for you look at as part of that request. So, I don't know if you were trying to say that I didn't respond to your request or I just didn't do a good job, but either way you were provided above and beyond what you requested through your OPRA request. The comments that are made about this Ordinance being unconstitutional, this is not an unconstitutional Ordinance and I will leave that to the attorney to justify. We have shared this with our Zoning Board Solicitor, with our Planning Board Solicitor, with our City Solicitor. The research I have done on case studies indicates you can pass an Ordinance like this, it is part of routine and regular zoning power that the City is authorized by state statute to exercise. There are Ordinances across the country that restrict Lowe's and Home Depot's and Walmart's from coming into your downtown, which have been held to be constitutional, because you do allow them somewhere else in your community. That's the key to that question of constitutionality. In terms of limiting uses, we already limit the uses you can use your building for in our downtown. We are simply adding several others and I can tell you from that list and I think Maryann could stand up here and tell you from that list that we've never been asked to go out and recruit anyone of those businesses that is on that list. We've never had anyone of those businesses seek our assistance or ask for help to locate particularly on High Street. So, I'm very comfortable right now with that list. Just as a final comment, because the door was opened about the free market. There's nobody in this room who would stand before you and say they don't support the free market or the free economy. Unfortunately, I think it's long been recognized in our country that left unfettered that the free market will not maintain equilibrium. So, even in our national economy, even in our national governments, two weeks ago we saw the federal reserve lower interest rates to try and preserve the housing market. We always intervene in that market to support it, to help it reach stability, whether that's because we have too much unemployment, whether it's because interest rates are too high. That has nothing to do with

whether or not you support the free market. But, I will say this and I think Mr. Van Hook's example was an excellent example. The fact that he opened an Art Gallery in our downtown is representative of an intervention that we took in that downtown to create a market that did not exist. There was no market for an Art Gallery before we created Glasstown Arts District. That would not have been a choice someone would have made had we not intervened in the market and actually created a new market down there. For years we saw people who had to rely on the upstairs of their building to generate income. You know people had to rely on the apartments and things upstairs just to keep themselves in good stead economically, just to keep themselves solvent, because the market was so soft downtown. So, what we did was a market intervention, because we do believe in the market down there. So, it has nothing to do with that and we certainly support that. I think in the end we're looking, there are six uses that we're looking to help our downtown move forward and we think those uses need to be eliminated for now. We're willing to go back and look at it again. The market study that was referenced, we should not for the record, is a market study that we received a grant for from the State of New Jersey. That market study is being paid for by grant funds. It's a two year market study. The first phase is six or seven months in which they're going to look at the downtown, they're going to generate some twelve thousand consumer surveys that are going to go out throughout the community to see and look at what are people buying downtown, what are people requesting downtown and the result of that over the two year period when it's finished are going to try to guide us in developing a marketing program, in developing a business recruitment program that can take us to the next level. For me, as a planner, I think even planners from time-to-time have to rely on common sense and I look at that and I say I really don't feel that I need to wait for a two year period to make this recommendation. I'm active in the downtown, I'm active on the boards, I'm listening to what people have to say, I can tell you that without waiting for that study, which was provided by grant funding that I think this is a good move and I think this is something that in the end will benefit. In terms of negative, doing a negative impact study, I think if you do a negative impact study, you've pretty much made up your mind that you're going to have a negative result. So, what I would say is if people want to locate in our downtown, they still feel very strongly that the use we prohibited should still be on downtown that it is now up to them to come before our Zoning Board, and they do have to meet a negative criteria and they do have to meet a positive criteria, so the onus of proving that it is not a negative impact and that it is a positive impact is on the applicant to come forward. *There is an avenue for them to do that, so the door isn't closed. There is a possibility for them to do that, but the onus is now on them to demonstrate that this will not harm the district. So, again all in all I think we have a minor amendment to the zoning plan it covers sixteen blocks and it can be amended in the future if we see the need.*

Commissioner Shannon: *"Just real quick, the esteemed former Mayor spoke and left. I was hoping he was going to stay, because he asked me about '71 and I wanted to remind him that in '71 I was just a little boy. I really didn't mean to not remember, but I was like maybe a sophomore in high school or something. But, I can tell you this, my brother served on that Commission and I can tell you that they did start making that investment and at that time they were looking at that vision and*

they were trying to figure out what they were going to do when there was a heartbeat downtown and it was faint. It was faint. It needed a respirator. It needed a jump. A few Commissions ago they got a vision and the plan was prepared and they set this vision in front of them and they moved forward with it, a twenty million dollar investment over the past few years. You look at the first block, you look at the riverfront, you look at the things that have been going on down there and I should say that although I am not located in the downtown Arts District, I'm a block away and I have seniority. My family has been in business in Millville now for 140 years. So, the thing is I do have an interest in what goes on in the downtown, okay, I do pay my taxes and I can tell you that what I've seen in the energy created with the vision of past Commissions and that I am happy to be part of this now, a small part, moving Millville forward, there's a heartbeat down there, there's a happening now and there are people on the street that you never saw before. Now, is that the greatest thing in the world? I don't know. Is that the answer? I don't know. Is it better than what we had? Absolutely it is. I know Friday Nights there are things going on in Millville and I'm not talking about just Third Friday's folks. I go down there on Friday Nights, find yourself a parking place, find a parking place. I claim that the vision the City had a few years ago and was moving forward with is something that is a positive change in this town. We needed to be reinvented, we are reinventing ourselves. It's a work in progress for sure. A positive work in progress and I'm here to say that I'll be supporting this Ordinance this evening."

Commissioner Derella: "It's hard to follow Commissioner Shannon, because there was a lot of positive things. The one thing I can say is you must be doing something right when you have people come out and speak passionately about what's going on, whether it be pro or con. If no one showed up, which has happened in the past, you would have a real concern. So, again, I thank everyone that came out. I want to pass a special thank you to some of the businesses that were mentioned earlier; Steelman Photo's, The Incredible Bulk, Howell's Hardware and some of the others that have been around, Okay Watch Shop, some of the other businesses that have been around so long and seeing all this and have managed to survive some how, some way. They're still here and they bought into it, they bought into the dream that Kim Warker brought with Mayor to the Commission. When you take a dream and you put that with passion and you put that with thought process and being a vision and setting a plan, it does become a reality and we've taken a few steps to get there. We still have a long way to go, we still have problems in our City and no one's dodging that. We all know it and they will always be here, but you need to take two or three steps forward and sometimes you get one step back. So, far I think we're ahead of the game and again, I want to thank the people that came out for and against. It is important that you get involved. I also want to mention that there was several studies when I first was elected, Mr. Thompson came in and put the Hyatt Palma Report down in front of me and said you need to read this and I did. The past commission slowly tried to go through that and they put some things in place for infrastructure and things of that nature. As Commissioner Shannon said that there wasn't a true vision yet on what would be the destination, what would be the theme. Again, thanks to our professional staff and the foresight of the Commissioners that have served so far in the last ten years, that vision was put in place and it's now coming to fruition. I don't know if the Starbucks would make a

difference downtown. I do know from working from a very large company, Select Medical, is huge now, we have sixteen hundred clinics, you look for when you're a big box store for the most activity possible, which is in your malls, which is where you know you get a constant flow of people. We want to promote the mom and pops stores downtown with the arts. I think it's critical, I think it's important and I think it gives us a distinction from just our neighbors in the county, let alone the entire State of New Jersey. So, I thank all the people that were pioneers as well. Again, Mr. Mayor, I think that after careful consideration, sitting on the Planning Board and listening to the debate back and forth, listening to our professionals, this is the right way to go."

Commissioner Hollingshead: "I just want to add a little bit. You know, I am a retired lady and I am out and about every day. I will tell you as I drive through Millville and I don't recall if it was yesterday morning or this morning, I could not believe that there were people on the street. They were looking in the shops, maybe they weren't open, but they were window shopping and there were people out and about. I can't take any credit sitting here for only two months for what this Commission has done. But, I will say that I totally agree and I will go forward and I'm proud of what these people have done in our City. I have been to the Tea Room with my daughter. It's an awesome experience. I go into the shops, I go to the candle shop, I enjoy the City and I think we're making wonderful progress and I am totally proud to see all of you people here and grateful for that. Thank you Mr. Mayor."

Mayor Quinn: "You know I don't wear my heart on my sleeve, so you probably don't know how I feel about it. Maybe I can tell you. I have to go back and there's a gentleman I hope some day will be here and all of you come out and many of you already know him. His name is Jeff Buehler, he's the Main Street New Jersey Coordinator. He's one of my absolute favorite people. Number one, he's always positive. Number two, he's got energy and he's not like most government people I've met, he works his tail off. The guy is an unbelievable worker. He said when we sat, and I think Maryann you were with us, we sat and we talked about the problems other towns are having and in fact the Assistant Director and I forget her name, she was from Mount Holly. She was there and she talked about the problems in Mount Holly and they are a Main Street Community and she said we just wish we would have known about the overlay then, because in Mount Holly we would have put it in affect, because they have bail bondsmen, because they're at the courthouse there and they have other things they didn't like in their town and it's hurt them. So, Jeff said well, you guys can do this and then of course I talked to Dr. Warker and she said yes, we're certainly able to do an overlay district. But, I'll tell you what, Jeff Buehler believes in Millville so much and I have to announce to you tonight that Jeff has informed us that next year the National Main Street Association's Convention is going to be in Philadelphia. We have been selected as one of the premier tours from Philadelphia for people throughout the United States to come to our City. So, congratulations to all of you, because you've made it possible."

There being no further comments Mayor Quinn asked for a roll call on the motion.

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

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

Ordinance No. 35-2007

Ordinance amending the Municipal Code of the City of Millville, Chapter 2, Administration regarding Vital Statistic document fee increase from \$10.00 to \$15.00 per copy.

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

Director Hollingshead seconded the motion.

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

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

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

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

Ordinance No. 36-2007

Ordinance amending the Municipal Code of the City of Millville, Chapter 5, Alcoholic Beverage Control, Section 5-5 Licenses and Fees:

- a) Club License from \$150.00 to \$180.00
- b) Plenary Retail Consumption License from \$700.00 to \$840.00
- c) Plenary Retail Distribution License from \$575.00 to \$690.00

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

Director Shannon seconded the motion.

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

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

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

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

Ordinance No. 37-2007

Ordinance amending the Municipal Code of the City of Millville, Chapter 8, Animal Control Section 8-5. License fees

- a) Registering dog yearly from \$5.20 to \$7.00
- b) Registering an aggressive breed dog from \$25.00 to \$50.00

- c) Registering attack dog or guard dog from \$25.00 to \$50.00
- d) Registering dog late from \$3.00 to \$5.00
- e) Non-spayed female or non-neutered male dog from \$8.20 to \$10.00

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

Director Shannon seconded the motion.

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

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

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

#### Ordinance No. 38-2007

Ordinance amending the Municipal code of the City of Millville, Chapter 39, Motor Vehicles and Traffic Regulations, Article X, Schedule 22 Parking Time Limited regarding High Street, both sides changed from 2 hours to 3 hours - 9:00 a.m. to 5:00 p.m., Monday through Saturday, from Smith Street to Broad Street.

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

Director Shannon seconded the motion.

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

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

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

#### Ordinance No. 39-2007

Ordinance amending Chapter 52 Police Regulations, Article III Curfew for Juveniles, Section 52-9 Exceptions, deleting Section G and H as permitted circumstances.

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

Director Shannon seconded the motion.

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

Eric Solar made the following comment:

*"My name is Eric Solar, 408 North High Street..."*

Mayor Quinn: *"This is being changed, Richard do you want to..."*

Rich McCarthy: "Yes, it's two exceptions under our curfew for juveniles, one allowed for people to go to restaurants at a very late hour and the other one allowed for visits to homes and it was being abused through the court system and consequently we just deleted those exceptions entirely. There's other exceptions in the ordinance that still exist."

Eric Solar: "so you're deleting which ones?"

Rich McCarthy: "the two, one related to going to a restaurant late at night for juveniles, which seemed to be impractical to begin with and the other one has to do with visiting, allegedly visiting relatives at a late hour..."

Eric Solar: "well, that's the problem I got. I got the problem with the one allegedly visiting. Considering I live in center city I know 90 percent of the filth that happens when all of us are sleeping. I mean that can just be misconstrued in any kind of way. I mean that one, visiting a relative, that kind of bothers me as a citizen, you might want to think about that, reevaluate that one. I mean the restaurant one I can see..."

Mayor Quinn: "Well, I think Eric, what the problem is they use that as an excuse when it's not true..."

Eric Solar: "right..."

Mayor Quinn: "so they're hanging their hat on something they can hang their hat on when it isn't the facts and that makes it very difficult for the police to deal with that I believe..."

Rich McCarthy: "that's exactly what the problem is..."

Mayor Quinn: "you know, I understand what you're saying and I'm sure... give the officers some credit, if it's somebody who's legitimately going from their aunt's house to their uncle's or something like that, I'm sure if they go over and they say here, look I'm going here I'll take you and introduce you to my uncle and the people say, so I'm sure the officers will be understanding. But, most young people use that as their excuse to get away with breaking curfew when in fact they're not abiding by it."

Eric Solar: "well, I hope I didn't take too much of your time. That was my only concern on that second one."

Mayor Quinn: "that's okay. Good question."

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

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

Resolution No. A-5925 authorizing adjustments to the Tax and Utility Records was adopted, by the following vote. Yeas: Shannon, Derella, Hollingshead and Quinn.

Resolution No. A-5926 authorizing Atlantic City Electric to install 8 streetlights at the Pleasant Grove Major Subdivision located off Rieck Avenue between Pleasant Drive and Fairton Road

was adopted, by the following vote. Yeas: Shannon, Derella, Hollingshead and Quinn.

Resolution No. A-5927 authorizing ABC Club License to cease operation as a licensed premise effective July 1, 2007 pursuant to request of Licensee regarding Ukranian National Home for Lighting, 801 Carmel Road, License # 0610-31-025-001 was adopted, by the following vote. Yeas: Shannon, Derella, Hollingshead and Quinn.

The City Clerk/Administrator read a Report from Engineering responding to correspondence received from Kavesh, Pancari, Tedesco & Pancari, KPTP regarding requesting execution of a License Agreement for Block 516, Lot 6, Block 574, Lot 22 & 23 and Block 136, Lot 1, and Engineering recommends not authorizing permission to access to the Spinelli site, Block 576, Lot 6 due to history of contamination and recommends the following city owned lots for a potential drinking well site in order of priority

- a) Block 574, Lot 22 & 23 Orange Street Water tank and adjacent lands
- b) Block 494, Lot 3, Geissinger Avenue water tank site
- c) Block 136, Lot 1, BMAC land purchase next to Silver Run School 535 Acres
- d) Block 515, Lot 15, Clover Lane site

A motion was passed to receive and file the correspondence and refer the matter to the City Attorney and City Engineer for preparation of the licensing agreement, by the following vote. Yeas: Shannon, Derella, Hollingshead and Quinn.

A motion was passed to approve the following Special Event Permit on Public Lands Application for the Crop Walk for Hunger October 20, 2007, 8:30 a.m. to 12:00 noon, sponsored by the Help & Hope Ministries, to be held at the River Walk, by the following vote: Yeas: Shannon, Derella, Hollingshead and Quinn.

A motion was passed to authorize Social Affair Permit on behalf of the Ukranian National Home for Lighting, Sunday, October 20, 2007, 5:00 p.m. to 12:00 a.m. at the Ukranian National Home for Lighting, by the following vote: Yeas: Shannon, Derella, Hollingshead and Quinn.

A motion was made to authorize the City Clerk to advertise for bids for the following:

- a) Street Patching and utility Opening Repairs - 2007 with said bids to be returned to the Purchasing Board on Tuesday, October 16, 2007 at 10:00 a.m.
- b) Collection and Disposal of Solid Waste and Recyclables with said bids to be returned to the Purchasing Agent on Tuesday, December 4, 2007, 10:00 a.m.

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

A motion was passed to authorize Mutual Emergency Assistance Agreement with Federal Correctional Institution, Fairton Federal Bureau of Prisons, United States Department of Justice and Millville Police Department, by the following vote: Yeas: Shannon, Derella, Hollingshead and Quinn.

Mayor Quinn stated we have now reached the public comment portion regarding our agenda and asked if any person present wished to comment, please go to the podium and please limit your comments to approximately five minutes.

Arnold Bell, Millville Gardens, addressed the Board of Commissioners and expressed his concerns regarding shots being fired in the vicinity of the 7<sup>th</sup> building on Dock Street and Building No. 8.

Mr. Bell indicated they needed more lighting and more police presence and noted a dark jeep Cherokee was possibly responsible for the discharge of the fire arm.

Police Chief Thomas Riley was in attendance and would speak with Mr. Bell at the conclusion of the meeting.

Jim Reeves addressed the Board of Commissioners and stated that he sees a problem with the traffic with the forthcoming Motorsports Project and proceeded to analyze the potential traffic routes to the airport facility and noted the best solution all around is building a bridge across the river that would link up Route 55 to the airport and eventually a beltway around to Route 55 via Sherman Avenue.

Mr. Reeves further discussed the options available for Nabb Avenue and noted that we need to immediately proceed with the County, State and/or Federal Funds and to provide additional traffic routes from Route 55 to the airport.

Mayor Quinn stated the City of Millville representatives have a scheduled meeting with Cumberland County Freeholder representatives to discuss the forthcoming 2008 Transportation Plan and Funding Assistance.

Commissioner Derella stated he is hoping that we have a successful meeting.

Libby Rothfarb, Mallard Street, addressed the Board of Commissioners and made the following comments:

*"This is going to sound like it's coming from out in left field, but this is something that has disturbed me for quite some time. I believe in the separation of Church and State. In my way of viewing it, God has a place in our personal lives and in our places of worship, but not in the civic form. Now, I can live with invocation in civic functions where we address God. Now, I don't expect any of you to know how I feel as a Jew, because you're not there. But, I have repeatedly been to civic functions, Chamber of Commerce luncheons, the groundbreaking for the Motorsports Park and I can go on and on and routinely someone invokes Jesus. Jesus is not my savior, I am sorry. I feel marginalized. I feel as if I'm being told that my religion doesn't matter in this community or in the United States when this happens. I know there is a tendency even on the part of the National Government to hold sectarian service within congress. I have a problem with all of that. I would really feel very good if you would... as I said I could live with the idea of invocations at these events, but I don't think that anyone particular religion or set of religions, the Christian religions, should be singled out. Muslims, Jews, Christians all believe in some form of God and I think that we ought to limit*

it to that, in the vein of the true separation, the meaning of separation of Church and State. Thank you."

Betty Monteleone made the following comments:

"Betty Monteleone, Briar Drive. I'm sorry all the artists left before the end of the meeting. But, I would just like to let this Commission know that there is a whole town out there, this is just a handful of people that pay the taxes and wants what's best for the City. So, just because they were here, they don't represent everyone in this City. They were here, because they have a vested interest and that's why they were here. A lot of us come here, because we're here for the City as a whole, not because we have a little vested interest. I will tell you a quick story and this is not what I came here to talk about I came to talk about something else. I was sitting in the Chinese Restaurant one night having dinner and next to me was a gentlemen who was saying how much he got for the City to open up his business on High Street and he started saying he's trying to talk his friend in, from North Jersey, to come down, because she can get money too, da, da, da. Well, you know what place that is, it's the old Coal Bin. He did a beautiful job, he opened that Coal Bin, it's gorgeous. Now, it's all closed up and it's up for sale..."

Mayor Quinn: "and it will sell..."

Betty Monteleone: "I think it probably will, but this is my point. When I get up here and I speak about, you know, High Street. I don't have a business down High Street, but I do have a vested interest and instead of thanking the artists, you need to thank all of us taxpayers who've lived here for all these years and have saw our taxes triple to support the renovation downtown, while we are suffering to pay our taxes and senior citizens. So, I think they're owed a great, great thanks..."

Mayor Quinn: "well, you know Betty..."

Betty Monteleone: "because without the taxpayers, not only locally, but State and Federal, without those taxpayers we would not have that downtown looking the way it is. Twenty-some million and probably more and it still doesn't generate a lot of taxes, so we're still waiting to get a return. So, that being said, now what did you want to say?"

Mayor Quinn: "I was just going to state that the tax, the monies that went into that were UEZ monies or grants, but you covered that..."

Betty Monteleone: "yeah, it's still tax, there is no free money out there..."

Mayor Quinn: "I understand, but I don't want the taxpayers who pay property tax to think that guy got his money. They didn't get the taxpayer..."

Betty Monteleone: "they got grant money..."

Mayor Quinn: "they got UEZ money and grant money..."

Betty Monteleone: "not UEZ, a lot of it is ???? grant money, grant money..."

Mayor Quinn: "no, it's UEZ..."

Betty Monteleone: "the Wheaton property for example, was supposed to be a Bed and Breakfast, very nice lady, she did a lovely job. She was going to put the porch on to restore it back and have a Bed and Breakfast and it's never been done. I don't know where the matching grant money went..."

Commissioner Derella: "she could not fulfill her destination to make it a bed and breakfast, because there were too many renovations that needed to be done, because of codes that now exist, fire separation and all of the things that need to go along with that..."

Betty Monteleone: "What happened with the money? She was the first to come up with her matching funds..."

Commissioner Derella: "I do not believe that she, I'd have to research that, I'd have to pull out all the facts, but I thought she did not take those funds, because she could not do what she had to do..."

Betty Monteleone: "She was the first to come up with the matching funds and the city was supposed to match it, so I don't know, if you would research that I'd appreciate it."

Mayor Quinn: "sure will."

Betty Monteleone: "but, anyway those are the things, and a bakery, oh we're getting another bakery. How many bakeries have we went through? I mean you know, you're missing it..."

Mayor Quinn: "well, first you try and try, try again..."

Betty Monteleone: "yeah, and taxpayers keep paying, paying and paying..."

Mayor Quinn: "no, there's not one taxpayer dollar going into that bakery, she's..."

Betty Monteleone: "no, I'm saying on the downtown as a whole. Now, my real thing to come here was, that I really wanted to talk about. Getting back to the RAD District, which downtown is in the RAD and I don't understand how you have the right to say that the rest of Millville has to make up the County portion of that tax. How do you have that right? I have homes in other places and I get three tax bills, I get a municipal tax bill, I get a County tax bill and I get a school tax bill. Now, if the municipality where my home is and the other places wants to say we will create a district and you will pay municipal tax. That's fine. But, they don't say, they have nothing to do with the County. I would still have to pay my County tax. It's just because the City of Millville collect all three taxes..."

Mayor Quinn: "well, New Jersey Betty, New Jersey is different than Pennsylvania..."

Betty Monteleone: "but you're only the collector..."

Mayor Quinn: "I understand what you're saying, but we have to collect all three..."

Betty Monteleone: "you collect..."

Mayor Quinn: "not ????...."

Betty Monteleone: "and you distribute it..."

Mayor Quinn: "we'd rather just collect our own..."

Betty Monteleone: "okay, so you collect and you distribute these three taxes. How come you have to forgive, like how come it has to be the County too? Why can't you say everything in the RAD will pay not... fifty percent of the municipal tax will go back into that district? Why can't the school and the county still get their fair portion? Why do we outside of the RAD have to make up that difference? You can't expect us to do this. You know what? We're the first municipality in the State of New Jersey to do this. How do we know this is even legal? How do we know?"

Mayor Quinn: "every other state does a TIF, which is a Tax Increment Financing. New Jersey never called it a TIF, they call it the RAD and we're the first and we are ??, we have people come to us and we are the poster child for the RAD, just like we are for the Main Street..."

Betty Monteleone: "right, so..."

Mayor Quinn: "which is a good thing, not a bad thing..."

Betty Monteleone: "but, no, how do we know that we can technically say the rest of the city has to make up the county and school portion? How do we know we can legally do that, if we're the first? Does anybody have the answer?"

Mayor Quinn: "as soon as you're done he'll answer. Are you all done?"

Betty Monteleone: "no, that's the question..."

Mayor Quinn: "okay, well your times up, so he'll answer you if you're done then with questions..."

Betty Monteleone: "well, I might want to respond when you answer..."

Mayor Quinn: "well, come on up and see us after the meeting and you can respond to us..."

Betty Monteleone: "no. Because, see you like to take that..."

Commissioner Derella: "the RAD has been discussed over and over again and I did make the statement that the RAD affect on the municipal tax rate is one tenth of a penny..."

Betty Monteleone: "I don't care if it's one half, that's not my question. Can we stick to the question..."

Commissioner Derella: "they asked us to put a hundred percent of the money, the state recommended, okay we went in front of the Local Finance Board to put one hundred percent of that money directly into the RAD District and not share with

anyone, the municipality, it was supposed to go directly back in. We elected to take a totally different direction and..."

Betty Monteleone: "that's just a recommendation. I mean I could recommend anything..."

Commissioner Derella: "we went the other way to make sure that there was a portion going to the municipality, a portion going to the county. We discussed it time and time again in regards to how the thing is structured and what the impact is going to be on your taxes."

Betty Monteleone: "but that is absolutely unfair to expect the rest of the city to make up the difference for the school and the county portion of that tax..."

Commissioner Derella: "the school is, you got to throw the school out, it's an Abbott District..."

Betty Monteleone: "Okay we'll throw the school out. Throw it out, it don't count, if that's what you want, we'll throw it out..."

Commissioner Derella: "it really has no impact on you, because they set their budget, you've watched us, you've criticized us and rightfully so, we couldn't make changes on their budget even when we tried to several years ago..."

Betty Monteleone: "exactly, so take the school out..."

Commissioner Derella: "they run a pretty good show..."

Betty Monteleone: "how do you think it's fair to make the rest of the city pay the difference... you're already overcharging people water and sewer, so you..."

Mayor Quinn: "well that's your opinion, Betty, that's your opinion and your time is up..."

Betty Monteleone: "what opinion, no, no you really do..."

Mayor Quinn: "okay, I understand that's your opinion..."

Betty Monteleone: "you know that..."

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

Betty Monteleone: "that's not an opinion that's a mathematical fact..."

Mayor Quinn: "yes, thank you."

Joe Sutherland addressed the Board of Commissioners regarding the forthcoming Millville Municipal Alliance activities on October 30, 2007 at the Millville Senior High School and also referred to the forthcoming October 20<sup>th</sup> Halloween Party and the Millville Municipal Alliance participation with the Holiday Season Jolly Holly 5K Run.

Joe Sutherland on a personal note also noted his return back to the City of Millville in 1972 and that High Street was nice back then, however with the construction of the mall the downtown started to deteriorate with other respective problems

and with the new Arts District he is now happy to have his kids return to the area where they can stay and raise their children.

Robert McQuade addressed the Board of Commissioners and thanked them for the very successful High Street situation and noted that Chief Riley is the man to address the drug issues and to continue the betterment of the City of Millville.

Reverend Jonathan Merki made the following comments:

*"My name is Jonathan Merki, I live at 24 Churchill Drive. I like Millville so much that I bought a home here. So, for the record I am a taxpayer and I just want to tell you that I think what is happening in Millville is incredible. I also am so glad that Chief Redden and Chief Riley are here, because as a pastor I deal with some very awkward moments in peoples lives and received a death call to a house. The EMT's and the police were there and they were not only professional, but they were compassionate and I was very grateful for what they did and I want to tell you as a pastor that means a lot to someone who works and lives in this community. I haven't had a chance to do it yet, but I want to thank Commissioner Shannon and Liz Nicke for a most incredible 911 Memorial Service. I went away feeling grateful to be a part of a community that remembers. The thing that I love about this city is that it has heart and a place that has heart is a place that will keep growing. I'm very pleased with what I see happening downtown mostly and I'm grateful for the progress that's being made and I want to commend for your leadership and thank you for what you're doing."*

Mayor Quinn: "thank you John."

Eric Solar: "How are you doing Mr. Mayor and Commissioners? My name is Eric Solar, 408 N. High Street. I just do want to say what this Commission has ??? here, Mr. Shannon, Mayor, Derella, Miss Hollingshead. You guys have done a wonderful job, I mean I can remember when I use to catch the bus, to go work in Atlantic City, right on High and Sassafras. The foggiest mornings is like a ghost town, it was just me waiting on the bus with the fog. You guys did a wonderful job. I would like to say if we can focus more on like whatever leadership, I know there's people in charge of the Levoy Theatre with fundraisers and people that handle that, but we can leadership up there. With a part of the leadership that is control of that and make that Levoy Theatre come a little quicker than what we anticipated on and it will be a better Millville and a bigger Millville. That theatre is the key truly. I mean the racetrack is great, I'm not dogging the racetrack, I'm all for that too, but I think that Levoy Theatre is the biggest key in this community and everybody really needs to start, you know, as much as focusing on other focal points in this community. Really put your attention on that theatre. Everybody needs to put their hands on that and really make that theatre get off the road. Everything is happening on High Street. Mr. Mayor, you're complaining about the check cashing, I mean I'm opposing the check cashing place to be there, you talk about it's an eyesore. I mean I don't know if there's an ordinance in place to give these people... I read something with the Harvey or some real estate, I mean I can't quote exactly what I read, but if things are not properly fixed or tended to, I'm sure you can, you know, tell them about it kindly and give them a little bit of notice and tell them to paint. Paint goes

a long way. The Bookstore on High Street, that's the best looking place with paint that I ever saw. So, that check cashing place, that eyesore, that's an old building you don't want to tear it down..."

Mayor Quinn: "oh, no, no..."

Eric Solar: "I'm just saying the way you stressed out, the way you let your release, the way you released sir. Paint goes a long way..."

Mayor Quinn: "Well that's what the Cannon's were going to do..."

Eric Solar: "you know you got three years to deal with them, they locked in for three years, guess what I guess you got to deal with them for three years..."

Mayor Quinn: "absolutely..."

Eric Solar: "but, let them paint the place, let's make them beautify the place..."

Mayor Quinn: "it would be nice if they would Eric..."

Eric Solar: "alright? Let's lean on them for that. I'm sure there's an ordinance in place..."

Mayor Quinn: "I would hope..."

Eric Solar: "Alright, so if that's the gateway to our community coming let's make them paint that place. Thank you."

Francis Sporano: "Good evening Mayor and Council, I hadn't intended to speak, but I just couldn't keep quiet. I have to give a substantive response of something I just heard within the last 20 minutes. Someone invoked the separation of Church and State. There is no such thing in our constitution. There is sixteen words, the first amendment that relate to religion and it protects the individual. This invocation, I don't know, if you don't want to use the word Jesus, you're allowed to use the word God, because we all have the same God. We believe in God. Whether you're a Muslim, whether you're Jewish, whether you're Protestant, whether you're Roman Catholic. The first amendment says that congress shall make no law prohibiting the exercise of any religion or the free exercise thereof. So, I wish people would stop using the phrase separation of Church and State. There is no such thing in the constitution. Thank you."

Robert Tesoroni: "Good evening Mr. Mayor and Commissioners. Boy it's late. I want to clear up one thing. Negative impact studies, they are not the bad thing that some people would picture that they are. You just heard a member of the Fire Department here voicing their concerns over the Motorsports Park, not saying they're for or against the Motorsports Park, but if you don't have the infrastructure to support it that's a negative impact. What's going to happen when you get 40,000 people here and the roads won't handle them. I think you'd want to know about that before they get here. If you didn't run water and sewer out there and they opened the place up without that we'd be up to here in, and I don't have to go there. That would be a negative impact. You should be asking when someone comes to you with a proposal and they get

all done, no pun intended, painting this beautiful picture for you about how things are going to be rosy and when they're all done and they say that's it Mr. Mayor, that's it Commissioners. You should be saying, what will be the negative impact? Because, there's always a negative impact when you make change, whether we like it or not, and now you weigh the two. It doesn't mean I'm for or against. You weight the two. If the negative outweighs the positive you say then we're going to leave it the way it is. So, it's not the ogre that everybody thinks it is, but you should always have that in all your reports when they're submitted to you. Now, I'll go on to another area. At a previous Commission Meeting I had inquired as to the number of jobs that had been created at the Motorsports Park. From the chair I was told at that time that we don't track that. To my amazement after the last Commission Meeting the next day I read where there was a press release earlier before the Commission Meeting in which we do have those figures now..."

Commissioner Derella: "we don't have a Motorsports..."

Robert Tesoroni: "no, no, not the Motorsports, I was talking..."

Commissioner Derella: "you just said the Motorsports..."

Mayor Quinn: "you said Motorsports..."

Robert Tesoroni: "no, I'm sorry, with the shopping center..."

Mayor Quinn: "right, yeah, I didn't at that time, but I saw the six hundred and some the next day in the paper, which is what you're referring to..."

Robert Tesoroni: "so, I did an OPRA request, I was interested in that we had it and this is what I was given. Does that look familiar Mr. Derella? Okay, that's the one that you gave the press release on..."

Commissioner Derella: "that is the report that I received from the UEZ Director. Yes."

Robert Tesoroni: "okay now, the press release and it's possible that the press got it wrong says it employs 668 people, more than 400 full-time and more expected. Another newspaper said in another local paper, it was reported that Mr. Derella stated since the creation of the shopping complex the city has added 668 part and full-time jobs. Well, I looked over this report and I don't see where we come up with the 400, because it lists full-time jobs as being 243..."

Commissioner Derella: "correct, then the newspaper got it wrong."

Robert Tesoroni: "okay, well then that cleared up that question..."

Mayor Quinn: "you should work in the newspaper and be their editor, you're sharp, you picked that up, that's good."

Robert Tesoroni: "well, it's possible that they made a mistake. But, there's another problem with this document is the

fact that only 274 jobs are listed as certified, the rest are not listed as, the remaining 394 jobs are projected by the businesses without anyway of knowing how many people are actually employed. They're projections, it doesn't list them as being certified positions. So, we don't know that those positions are filled, it doesn't say they are..."

Commissioner Derella: "they aren't certified, because they won't be a certified business, until next year. But, the UEZ Director contacts each of those businesses on a monthly basis, based on my request as a UEZ Board Member and supplies those. She still has to list them as projections. Month to month those projections will change. Currently, there's actually 12 less full-time jobs than originally reported, but there's 45 more part-time jobs. An example is Philly Soft Pretzel, they projected one full-time and zero part-time. Currently effective in the month of October they have one full-time and 12 part-time. So, it's a changing document, so if you would like to request it every month that can be arranged..."

Robert Tesoroni: "I recognize it would change. But, what's interesting was we said that the paper must have made a mistake and I picked it up, but it's interesting that the one paper that reported more than 400 full-time jobs, the other paper said that the city has added 668 part and full-time jobs, so I guess they got that wrong too..."

Mayor Quinn: "no they didn't..."

Robert Tesoroni: "see, because according to this report the City of Millville has 118 jobs, that's all you can derive from this report unless you're looking at something different than I am, because it does a breakout of each town..."

Commissioner Derella: "no, that's where the people come from, that's where they live..."

Robert Tesoroni: "okay, so the city didn't really add 668 part and full-time jobs?"

Commissioner Derella: "the City of Millville provided opportunity for employment for anybody in the County of Cumberland or anywhere else in the State or the country. I mean you know, you're getting a little crazy now with your fanatics..."

Mayor Quinn: "hey, Bob how about the Vineland Mall that hires Betty Monteleone, she's a Millville resident, she works at the Vineland Mall at Boscov's..."

Robert Tesoroni: "Well, so that we understand, so that the public understands there's a 118 jobs currently that we can say we're providing to the residents of Millville and I think in fairness to the residents of Millville, because I'm hearing this with the Motorsports Park now, I had a problem with 1500 jobs and you

End of Tape 2

Commissioner Shannon: "I am glad everybody comes down here and has their say, but I'm getting a little sick and tired of being accused of putting out bad information all the time. You know, people stand at the podium and say whatever they want to say. We're held to a higher standard. I think if you're going

to stand at that podium you need to be responsible too. That's all I got to say."

Mayor Quinn: "yeah, well, I mean let's be realistic folks. Talk about job creation, I mean you know, I don't know I employ 25 people, some live in Millville, some live throughout the County. You know, it's like, they're jobs and those people spend money, so maybe those people are living in Vineland who work at that shopping center, like Betty lives in Millville and works at the mall at Boscov's, maybe they're spending money in Millville. Maybe they're doing things to help our whole County, because as the County progresses, so does the entire area. You know, I was a Freeholder and I know how important it is for this County to grow. Millville has been a great leader for that for Economic Development and Vineland has been phenomenal for Economic Development. They brought in billions in ratables, the City of Vineland has. So, they're things that are important to us all. But, to get to pick and say, well where are they from, how many full-time, how many part-time. The point that I really like to be honest with you is that is an 80 million dollar ratable when it's all done or 80 million dollars that is spent there. That's real important to us. The Motorsports Park, a 150 million when it's all done, way down the road, but you know that's the projected thing, I think initially it's maybe 30 or 40 million, whatever. But, they're important to us to get those ratables and we can't put a barrier up and say people from outside of Millville can't go work at that new shopping center, just like Betty's not allowed to be from Millville and go work at Boscov's. That get's to be really nitpicking as to where the persons reside. Obviously, Bob, we wish they hire as many Millville people as possible, because I'm the Mayor of Millville, I want to see Millville people working and I would love to see that happen. Vineland hires lots of Millville people, so you know we work pretty well as City sisters, cities in the County and things like that."

Approved: October 16, 2007

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Mayor

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Commissioners

Attest:

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City Clerk/Administrator

BILL LIST  
CITY OF MILLVILLE  
MEETING OF OCTOBER 2, 2007

ACMJIF	246,355.00
ACTION SIGNS & AWARDS	188.50
ADAMS EVIDENCE GRD TECHNOLOGY	560.34
AGATE CONSTRUCTION CO., INC.	4,802.00
AHOME, INC	4,000.00
AIR POWER INTERNATIONAL, INC.	1,644.00
A&M PRODUCTS	899.72
AMSTERDAM PRINTING & LITHO	164.38
ANJR	150.00
AQUATIC GARDENS & KOI CO., INC	123.99
ARBRISCO ENTERPRISE, INC.	907.25
ARSENAL SOUND CO.	4,975.00
AT YOUR PACE	1,125.00
AT&T	52.34
AT&T	53.50
AT&T INFORMATION SYSTEMS	158.27
ATLANTIC CO UTILITIES AUTHORITY	14,042.25
ATLANTIC CITY ELECTRIC	14,802.89
BEST UNIFORM RENTAL, INC.	351.75
BOND & COUPON	652,930.00
JOHN BROWN, JR.	50.00
MICHAEL CALCHI	100.00
ANTHONY CAMPBELL	100.00
CAPE MAY COUNTY TECH HS	1,458.00
CDFA	275.00
DERIC CHEESEMAN	25.00
HENRY CIFALOGGIO, INC.	490.00
CIFALOGGIO INC	160.50
CINTAS FIRST AID & SAFETY CORP	245.70
CITY OF MILLVILLE	64,055.53
CITY MILLVILLE PAYROLL DED ACC	322,068.64
CITY OF MILLVILLE PETTY CASH	72.54
CITY MILLVILLE SEWER OPERATING	43,780.68
CITY OF MILLVILLE WATER OPER.	75,963.75
CLARKE CATON HINTZ, INC.	3,044.23
COBRA ELECT	50.18
COMCAST	234.51
CONTINENTAL FIRE & SAFETY, INC	748.00
CUMBERLAND COUNTY COLLEGE	500.00
CUMBERLAND COUNTY S.P.C.A.	7,402.60
CUMBERLAND FIRE PROTECTION	462.35
CURTIS 1000, INC.	866.50
RICHARD H. DANIELS, ESQ.	1,380.00
DELTRONICS CORP	1,502.00
TERRI DELVICARIO	50.00
ANTHONY DEPASQUALE	100.00
DERICK I. GLENN	650.00
DIRECT SAFETY COMPANY, INC.	61.63
EDWARD DUFFY, ESQ.	325.00
DYNAMIC IMAGING SYSTEMS, INC.	4,733.00
E. SAMBOL CORP.	306,894.85
EXECUTIVE BUSINESS PROD. CORP.	5,018.81
LAWRENCE FAWCETT, JR.	149.00
TRACY FAWCETT	100.00
FEDEX	112.35
FIRST DUE EMERGENCY SUPPLY INC	309.00
FORT DEARBORN LIFE INSURANCE	1,798.80
GARDEN STATE HIGHWAY PROD. INC	3,416.25
JOHN GARTON	50.00

GIORADANO'S WASTE DISP., LLC	1,928.75
GLOBAL TRACKING COMMUNICATIONS	3,796.00
KRISTI GOEHLI	50.00
GRAINGER	446.60
GREENBAUM, ROWE, SMITH AND	2,737.98
GRUCCIO, PEPPER, DESANTO	9,327.50
SCOTT HALEY	100.00
RYAN HALLQUIST	149.00
THOMAS D. HARTIGAN	639.25
HD SUPPLY WATERWORKS, LTD	1,769.00
HOWARD HEE	100.00
DANIEL C. HOFFMAN, ESQ	200.00
HOLLY CITY TIRE, LLC	774.76
HOWELL HARDWARE	927.19
ICMA	99.00
DANA INFERRERA	149.00
DOUGLAS INFERRERA	149.00
PAUL JONES	50.00
SCOTT KEYEK	100.00
LANDSMAN UNIFORMS INC.	1,579.00
RICHARD LAPPINE	100.00
LAURY MACHINE WORKS	50.00
LAWMEN SUPPLY CO, INC.	1,292.50
LAWN TECH	1,909.36
LILLISTON CHRYSLER/PLYM., INC.	12.73
LIPPINCOTT & JACOBS, INC.	1,436.25
SUMNER N LIPPINCOTT	149.00
LOWE'S CO., INC.	1,362.27
AVAYA COMMUNICATION	4,703.36
M&N INTERNATIONAL, INC.	163.95
MATTHEW BENDER & CO INC/LEXIS	86.15
MCCLURE'S POWER SYSTEMS, INC.	2,300.00
DAN MCLAUGHLIN	40.00
JOSEPH E. MCMAHON	149.00
MCMANIMON & SCOTLAND, LLC	5,568.95
RAYMOND MICHAELS	149.00
MIG ENVIRONMENTAL, LLC	265.00
MILLVILLE AUTOMOTIVE, INC.	1,374.58
MILLVILLE BOARD OF EDUCATION	8,833.75
MILLVILLE DEVELOPMENT	15,999.09
WILLIAM R. MINTS AGENCY, INC.	900.00
MISS ALL-STATE SCHOLARSHIP	100.00
HAROLD MOSER	149.00
MUNICIPAL CLERKS ASSN OF NJ	60.00
VERIZON	10,277.42
WILLIAM NICHOLS	149.00
NJ DEPT ENVIRONMENTAL PROTECTN	750.00
NJ DEPT OF HEALTH & SENIOR SER	960.00
NJ PLANNING OFFICIALS	234.00
NJ PUBLIC SAFETY ACCREDITATION	250.00
NJ REDEVELOPMENT AUTHORITY	80.00
NJ STATE LEAGUE MUNICIPALITIES	88.00
OMNI ENVIRONMENTAL LLC	1,314.50
PASTINA, INC.	96.00
PECO, INC.	4,994.00
CHRIS PITTINGER	50.00
POLYDYNE, INC.	6,600.00
PREMIER CHEMICALS, LLC	10,806.60
QUALITY CONTROL LABS, INC.	4,220.00
QUALITY FIRST, INC.	396.12
JAMES F. REEVES	149.00
RIGGINS, INC.	250.32
TIM ROMANIK	24,507.00
RUTGERS, THE STATE UNIVERSITY	235.00
SAFELITE AUTO GLASS, CORP.	1,092.61
SERIFINA'S	180.00
SERVICE TIRE TRUCK CENTER, INC	312.95

BRIAN SHAFFER	50.00
CHARLES SHAFFER, JR	50.00
SHAFTON, INC.	350.58
UHLIE SIMMERMAN	20.00
SOUTH JERSEY HEALTHCARE	2,724.80
RICKY SLADE CONSTRUCTION INC.	7,050.00
SOUTH STATE INC	575.00
SPORTSWEAR PLUS, INC.	1,631.25
WILLIAM STADNICK, III	100.00
STAPLES, INC.	740.10
ROBERT STEIN	50.00
STEWART BUSINESS SYSTEMS	235.97
TEPS POWER EQUIPMENT, INC.	170.40
TOMLIN BROTHERS AUTO BODY, INC	1,845.91
TRI-CITY PAPER & JAN. SUPPLIES	65.65
TRICO, INC.	206.37
TROUT PRINTING & PUBLISHING CO	585.00
RICHARD TUCKER	50.00
UNITED ELECTRIC SUPPLY, INC.	244.57
UNIVERSAL SUPPLY CO.	611.52
ARTHUR UPHAM	149.00
DAVID VANAMAN	149.00
VINELAND AUTO ELECTRIC, INC.	43.20
GARY L WALLEN	149.00
KIM WARKER	112.66
TIMOTHY WATSON	149.00
WESTERN TERMITE & PEST CONTROL	270.00
WETLAWN AUTOMATIC SPRINKLER	572.20
DALE WETTSTEIN	149.00
PATRICK WETTSTEIN	99.99
WE'VE GOT YOU COVERED, INC.	2,445.00
WOODRUFF ENERGY COMPANY, INC.	159.22
WYBLE ADVERTISING, INC.	2,135.00
CARTUS RELOCATION CORP.	2,661.15
CROWN ATLANTIC CO.	1,042.30
TOTAL VOUCHERS FOR 10/02/07	1,964,951.91
CITY OF MILLVILLE SALARY ACCOUNT	269,320.92
CITY OF MILLVILLE SALARY ACCOUNT	269,045.19
TOTAL SALARY FOR 10/02/07	538,366.11
TOTAL VOUCHERS & SALARY 10/02/07	2,503,318.02