

Commission Chamber, City Hall  
 Millville, New Jersey  
 November 2, 2009 4:30 p.m.

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

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

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

The City Clerk/Administrator stated the agenda this evening is a continuation of the previous meetings agenda, plus additional items on the agenda and the notification to the members present at the October 20<sup>th</sup> meeting stating the Ordinances on public hearing were carried forth to this date and time and did not require re-advertisement.

The City Clerk/Administrator noted the bold print on the agenda represents the previous agenda items, the regular print represents the current agenda items and the print in italics represents additions to the agenda.

The City Clerk/Administrator noted the following additions and deletions on the agenda.

#### ADDITIONS

##### **Reports of Commissioners:**

##### **Department of Public Works**

**Item No. 1** c) Sound Monitoring Report Presentation

##### **Department of Public Safety**

**Item No. 1** c) Monthly Activity Report for the Millville Fire Department during the month of September

##### **Ordinances 2<sup>nd</sup> Reading:**

**Item No. 1** Motion to amend Article VII Sewer and Water Connection Fees on the Ordinance introduced on October 6, 2009 to change the Water Connection Rate as introduced from \$960.00 to \$940.00 and the Sewer Connection Rate as introduced from \$1,750.00 to \$1,740.00 and the amendment as referenced is not a material change that requires republication

##### **Resolutions:**

**Item No. 11** Authorizing Change Order No. 1 for the project entitled "Millville Historical Society in the 1857 Millville Bank - Roof Stabilization & Restorations" with Pravco, Inc. of Rahway, New Jersey for an additional amount of \$12,527.15 with the total new contract amount of \$76,414.87

DELETIONS**New Business:****Resolution**

**Item No. 13** Authorizing award of bid for the project entitled "Third Ward Manhole Rehabilitation Project in the Millville Municipal Sewer Collection System" to SWERP Corporation, Lafayette, Pennsylvania in the amount of \$71,899.50

The City Clerk/Administrator noted the award of bid is being delayed due to the pending receipt of the Federal Funds Authorization Form.

**Resolution** Authorizing award of bid for the project entitled "South 15<sup>th</sup> Street Sanitary Sewer Extension in the Millville Municipal Sewer Collection System" to Mazzara Excavation Corporation for their successful low bid in the amount of \$274,328.00

Commissioner Finch announced that the Sound Monitoring Report will be presented by Dr. Kim Ayres and Wayne Caregnato.

Commissioner Finch stated that he would be reporting on the Fall Leaf Collection Program.

Commissioner Finch also noted that prior to the public hearing City Staff members would be providing an explanation of the Ordinance regarding the sewer and water rate increases.

Commissioner Derella stated he would be submitting the Tax Collector's Report for the month of September 2009; the Annual Report of Taxes Not Collectible for the Year 2009 and the Report from the Tax Assessor regarding 5 additional applications received for abatements for a 5-Year Tax Agreement for the 2010 Tax Year.

There being no further business Mayor Shannon declared a public hearing open and asked if any person present wished to be heard regarding agenda items only.

There being no response Mayor Shannon declared the agenda session closed subject to the call of the chair, by the following vote. Yeas: Finch, Derella, Vanaman and Shannon.

Commission Chamber, City Hall  
Millville, New Jersey  
November 2, 2009, 5:00 p.m.

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

A moment of silent prayer was observed, followed by the salute to the flag.

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

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

A motion was made to dispense with the reading of the minutes and to proceed with the regular order of business.

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

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

**COPY OF BILLS SEE PAGES THROUGH**

The City Clerk/Administrator read correspondence from Arlene Feldman, President of the New Jersey Aviation Association, indicating the proposed site locations on Cedar Street and Hogbin Road for the new high school are completely incompatible with the airport and highly recommends the school not be built on either site urging the Board of Commissioners to seek guidance from the airport sponsor and the Delaware River and Bay Authority and consider the other proposed site locations.

A motion was passed to receive and file the correspondence and forward same to the Board of Education for their review and files, by the following vote. Yeas: Finch, Derella, Vanaman and Shannon.

The City Clerk/Administrator read correspondence received from the Secretary of the Millville Volunteer Fire Department re: request for approval to admit Matthew M. Mander as a volunteer member of the Millville Fire Department.

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

The City Clerk/Administrator read correspondence from Commissioner Steven Dilts, State of New Jersey Department of Transportation (NJDOT) selecting the City to receive funding from the NJDOT Fiscal Year 2010 Municipal Aid Program for Miller Avenue Road Improvements in the amount of \$189,861.00.

A motion was passed to receive and file the correspondence and forward same to the Engineering Department for further action, by the following vote. Yeas: Finch, Derella, Vanaman and Shannon.

The City Clerk/Administrator read correspondence from John Knoop, City Engineer, recommending approval of Utility Easement Agreement between the City of Millville and Atlantic City Electric for 114 Smith Street, block 463, lot 11.

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

The City Clerk/Administrator read correspondence from Mayor Shannon reappointing Vicki Marshall as a member of the Millville Planning Board with a term expiring November 8, 2013

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

The City Clerk/Administrator read correspondence from Mayor Shannon reappointing Stanley Shewlakow as a member of the Millville Planning Board with a term expiring November 8, 2013.

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

Mayor Shannon made the following comments:

*"I would just like to make a couple of comments pertaining to both Vicki and Mr. Shewlakow. We appreciate their continued service on the Planning Board and look forward to working with them over the next few years.*

Commissioner Finch noted that Stanley Shewlakow has served as Chair of the Planning Board for over 25 years.

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

Commissioner Finch made the following comments:

*"Mr. Mayor tonight we have a sound monitoring report that we're going to receive and file. As conditions of the Planning Board approval for the Motorsports Track, the track had to submit to the City Commission and the Planning Board at the end of one year a study of the noise issues. In conjunction with that we asked our staff to provide a similar finding of the racetrack activity and that has been done. Tonight Dr. Kim Warker-Ayres and Wayne Caregnato are going to submit that report and explain it to us at this time."*

Dr. Ayres: *"Members of the Commission my job was to take a large set of data that was collected by Wayne Caregnato, our Zoning Officer and Kathy Eastmunt, our Code Enforcement Official, who went out and took numerous noise readings throughout a period from about May 1<sup>st</sup> through last month, the end of October. In fact, they actually changed their working hours in order to enable them to be at the track and to be at some 15 different locations throughout the City to collect sound readings. As you mentioned, Wayne is here and can answer any technical questions. He and Kathy were both certified for this type of work and they also had equipment that was certified and calibrated, so from a technical standpoint I think there work is well documented and we actually have as an appendix to the report we have all of the individual sound readings. The individual reports that Wayne has filed. So, that has been submitted as a separate document, as an appendix and then the actual accumulation of data has been reduced to about 9 or 10 pages and I'll just point out the findings and also point out the methodology that was used. Over that time period about 160*

sets of readings were taken. Some 15 locations were monitored and all of the 5 major races that were held this season at the Motorsports Park were covered by this testing. Sometimes when those major races were occurring on one track, the other track was also in use, so a lot of these noise readings actually represent two tracks running at the same time. In addition to being at different locations throughout the City, Wayne and Kathy both responded to complaints as they came in, so there are also readings and work that was done just simply in response to the complaints, not just when the major races were occurring. The testing occurred through the weekends, it occurred on the weekdays and it occurred whenever we received a complaint. The challenge was finding a way to put all of that data into a report that the Commissioners, as well as the public could get some actual understanding of the noise levels and how that played out throughout the City. What we did was we included in there, for comparison purposes what some standard noise levels are, what general traffic is at an intersection or your lawnmower or things like that, just so there's a comparison for people. We also took readings at 3 or 4 different neighborhoods throughout the City, different sections of the City that weren't related to the racetrack, just to demonstrate what the noise levels are in these different areas throughout the City that are independent of the track. Then we took the information actually on the sound readings, we gave people an idea of what the ambient or background noise levels were and how that changed when the track was running. We also looked at specific situations the main events when the track was being rented, as well as when the major event was running and then we also took all 5 of the major races and all of the site locations where any monitoring was done throughout this time and made a chart of that with the actual high and low readings that happened for all 5 events in all of the locations where they were monitored and that chart, which is Table 4 in the report is probably one of the most useful parts of the report, because you can look at that and you can see throughout the City and throughout those race venues what the high and low readings were. The conclusions that were reached were very similar to the result that were provided by the Motorsports Park in their study that was required by the Planning Board and we found that within all of the locations that were monitored the readings were roughly in the range of 40 to 65 DBA, there were no standards that even approached the threshold level in our Ordinance, which is 80 DBA sustained for 20 minutes at a residential property line. So, the readings come in with the track being well within the parameters that were established by our Zoning Ordinance. It's an exempt use in terms of the State Noise, so there's no work that needs to be done with that and none of the measurements exceeded or approached the 80 DBA threshold. Actually rarely did they even come to be in the 65 or 68 range, although there's a couple of 2 second readings that spiked at that level. So, the conclusion is the track is operating within the parameters that were established for its operation. We have submitted this to the clerk with the full appendix if any of the individual sound readings need to be examined or checked, but from an operational standpoint in terms of noise the track is within the parameters that were set."

Mayor Shannon: "I'm sorry, Dr. Ayres before you leave, let me ask you one question. You keep talking about the appendix of the readings. That was the pages, the pages of the thick document that we received of just decibel readings."

Dr. Ayres: "Yes, those are the actual noise measurement report forms that are filled out with each set of readings."

Commissioner Finch: "Thank you. Wayne, do you want to add anything? This is Wayne Caregnato, who did the actual testing on the weekends and during the week whenever we received complaints. We would send him out to monitor what those concerns were, so Wayne you want to say a few words?"

Wayne Caregnato: "Kim said most all of it, but I can be available if anybody has any technical questions. But, the monitoring as she said was done from May 1<sup>st</sup> to probably about the 15<sup>th</sup> of October. I was on locations on a lot of Saturday and Sunday mornings at the racetrack at 7:30 a.m. to be certain they were in compliance with the start time for the racing. I am certified by Rutgers and the State of New Jersey to monitor and write noise reports. The equipment I use is the equivalent of the equipment that is specified in New Jersey NJAC 7:29, which is noise regulations, it is calibrated properly and everything is in order and everybody took this very seriously. The monitoring locations were determined on not only the Ordinance, but the complaints, the best places to get neighborhood residual noises, which are ambient, as well as always taking the initial reading down wind, so there was no favoritism shown and as a matter of a fact we did everything we could to take the readings where the levels would be the highest brought on by the weather. After 160 readings and I did the vast majority of them, I never found the racetrack to be out of compliance with the Ordinance that we have written. Like I said, when we get in the open part, if anybody has any technical questions I'd be more than happy to answer them."

Commissioner Finch announced the Fall Leaf Program, began today and will continue through the month of December advising the residents during this time the City will be picking up their loose leaves that are raked to the curb or bagged leaves that are placed at the curb noting there will be no collection of brush during this time, but will resume in January.

The Municipal Court Report for the months of August & September 2009; the monthly Activity Report for the Millville Fire Department during the months of August 2009 and September 2009 were ordered received and filed, by the following vote. Yeas: Finch, Derella, Vanaman and Shannon.

The Tax Collector's Report for the Month of September 2009; Annual Report of Taxes Not Collectible for the Year 2009 were ordered, received and filed, by the following vote. Yeas: Finch, Derella, Vanaman and Shannon.

Report from Tax Assessor regarding applications for abatements received for 5-Year Tax Agreements for the 2010 Tax Year were ordered received and filed, by the following vote. Yeas: Finch, Derella, Vanaman and Shannon.

Commissioner Derella made the following comment:

"On tonight's agenda for ordinances first reading, Item No. 5 is the application that was submitted by China Wok. I do have issues after reviewing all of this. I go through each one of these as you all do. I think that the jobs on there unfortunately are just transferred from one site to the next. The renovations to the building itself were done prior to China

*Wok renewing their lease and there's quite a few residential properties that are clearly defined as residential on the second floor. Mr. Rosenberger did clarify to pull those away from the property, but I feel that the majority of the things and factors that I look at do not support this application for first reading. So, I felt though that it should go through the process, so I will introduce it at that time, but again I wanted you to hear from myself and the Revenue and Finance of what my thoughts were in regards to that."*

The following proposed ordinance was read on first reading:

Ordinance to approve the application and agreement submitted by Goodmill, LLC for a five year exemption or abatement from taxation pursuant to Article I of Chapter 65 of the Municipal Code for the project known as The Little Gym, 2102-2198 N. Second Street.

Director Derella moved for the adoption of the proposed ordinance on first reading with final consideration to be given on Monday, November 16, 2009 after due publication as provided by law.

Director Finch seconded the motion.

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

The following proposed ordinance was read on first reading:

Ordinance to approve the application and agreement submitted by Second & High LLC for a five year exemption or abatement from taxation pursuant to Article I of Chapter 65 of the Municipal Code for the project known as Bay Atlantic Credit Union, 600-724 High Street.

Director Derella moved for the adoption of the proposed ordinance on first reading with final consideration to be given on Monday, November 16, 2009 after due publication as provided by law.

Director Finch seconded the motion.

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

The following proposed ordinance was read on first reading:

Ordinance to approve the application and agreement submitted by Second & High LLC for a five year exemption or abatement from taxation pursuant to Article I of Chapter 65 of the Municipal Code for the project known as Jackson Hewitt, 600-724 High Street.

Director Derella moved for the adoption of the proposed ordinance on first reading with final consideration to be given on Monday, November 16, 2009 after due publication as provided by law.

Director Finch seconded the motion.

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

The following proposed ordinance was read on first reading:

Ordinance to approve the application and agreement submitted by Second & High LLC for a five year exemption or abatement from taxation pursuant to Article I of Chapter 65 of the Municipal Code for the project known as New York Chicken, 600-724 High Street.

Director Derella moved for the adoption of the proposed ordinance on first reading with final consideration to be given on Monday, November 16, 2009 after due publication as provided by law.

Director Finch seconded the motion.

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

The following proposed ordinance was read on first reading:

Ordinance to approve the application and agreement submitted by Hong Jiang for a five year exemption or abatement from taxation pursuant to Article I of Chapter 65 of the Municipal Code for the project known as China Wok, 301-303 High Street.

Director Derella moved for the adoption of the proposed ordinance on first reading with final consideration to be given on Monday, November 16, 2009 after due publication as provided by law.

Director Finch seconded the motion.

The motion failed, by the following vote. Yeas: Finch and Shannon. Nays: Derella and Vanaman.

\*(Please note the Ordinance will not be published and will not be scheduled for a public hearing.)

The following proposed ordinance was read on first reading:

Ordinance amending the Municipal Code of the City of Millville, Chapter 39, Motor Vehicle and Traffic Regulations, Article X, Schedule 21, Parking Reserved for Handicapped Persons:

(Adding)

- a) 308 W. Green Street - Placard # HS3393
- b) 307 W. Green Street - Placard # P598915
- c) 418 W. Powell Street - Placard # P684760
- d) 322 S. Fourth Street - Placard # P861138

Director Vanaman moved for the adoption of proposed ordinance on first reading with final consideration to be given on Monday, November 16, 2009 after due publication as provided by law.

Director Derella seconded the motion.

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

The following proposed ordinance was read on first reading:

Ordinance No. 40-2009

An ordinance amending the Zoning Map of the City of Millville authorizing the rezoning of approximately eighty-six and a half (86.49) acres of block 18, lot 2 from Lakeshore Conservation (LSC) Zoning District to the Interchange (I-2) Zoning District pursuant to Planning Board Resolution 30-2009.

Director Derella moved for the adoption of the proposed ordinance on first reading with final consideration to be given on Monday, November 16, 2009 after due publication as provided by law.

Director Finch seconded the motion.

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

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

Ordinance No. 33-2009

Ordinance amending the Municipal Code of the City of Millville, Chapter 56, Article III- Sewer User Charges changing the annual sewer user charge from \$440.00 to \$480.00 per EDU, the annual user charge for industrial domestic waste from \$5.50 to \$6.00 per 1,000 gallons of sewer flow, Article VI- Water User Charges changing quarterly charge in excess water consumption from \$2.50 to \$2.75 per 1,000 gallons and Article VII- Sewer and Water Connection Fees changing the sewer connection rate from \$1,320.00 to \$1,750.00 per EDU and the water connection rate from \$770.00 to \$960.00 per EDU.

Director Finch made a motion to amend Article VII Sewer and Water Connection Fees on the Ordinance introduced on October 6, 2009 to change the Water Connection Rate as introduced from \$960.00 to \$940.00 and the Sewer Connection Rate as introduced from \$1,750.00 to \$1,740.00 and the amendment as referenced is not a material change that requires republication.

Director Derella seconded the motion.

Commissioner Finch mentioned that City Engineer, John Knoop, Superintendent Floyd Burt, and Auditor Michael Cesaro were in attendance and would be making some brief remarks.

Commissioner Finch also made the following comments:

*"The Water and Sewer operations are 24/7, 365 day operations. The Water Utility Department employs fourteen full time employees. There's approximately 7,500 water accounts. The Water Operating budget in 2009 was \$3,240,070.00. The proposed budget for 2010 was \$3,577,345.00. It is regulated by the DEP for it's operating permits and it's also regulated by the New Jersey Safe Drinking Water Act and the Federal Safe Drinking Water Act and the EPA, the Environmental Protection Agency. There are nine wells operating within the Water Utility, five storage elevated tanks and one five million gallon ground storage tank. The rate history of the Water Utility itself, in 1991, the base rate increased from \$16.00 per 9,000*

gallons to \$25.00 per 10,000 gallons. Also in 1991, excessive use was set at \$1.60 per 1,000 gallons above the 10,000 gallons. In 2002, there was a rate increase for the excessive use, it went to \$2.50 per 1,000 gallons and the proposed increase today is to increase the excess use from \$2.50 to \$2.75 per 1,000 gallons. The estimated revenue to be generated from the increase will be \$76,000.00. On the Sewer Utility side, again, it's a 24/7 operation. Approximately 7,000 sewer accounts, nineteen full time employees, the operating budget for 2009 was \$5,809,764.00 proposed for 2010 is \$5,879,872.00. There are 21 pump stations and approximately 135 miles of production lines that must be maintained. The estimated revenue from the increase is \$448,000.00 and the history of the Sewer increase is the most recent. Again, in 1991, the base rate changed to \$240.00 per annum, in 2004 the rate went to \$440.00 per annum. And tonight we're proposing a rate increase to \$480.00 per annum. On the industrial and commercial side, in 1991, it changed to \$3.75 per 1,000 gallons of water consumption. In 2004 it went to \$5.50 per 1,000 gallons of consumption. Tonight we're proposing to \$6.00 per 1,000 gallons of water consumption. That's basically a very fixed amount to cover the operations. I would like to ask our Engineer at this time, John Knoop, and Superintendent to maybe explain some of the projects that will be going on at the Sewer Utility and if you could come to the microphone and give us a summary on those."

Floyd Burt: "My name is Floyd Burt. I reside on Silver Run Road here in Millville. I've been a resident most of my life. I have 30 years in the Wastewater Treatment business, fourteen at Landis and fourteen here, thereabouts. I've committed most of my life to Water and Wastewater Treatment. And I'd just like to give a quick overview of what it actually costs to run the plant. The month of September we treated 79.1 million gallons of wastewater, approximately 100 cubic yards of the sludge a week which totals up to like \$300,000.00 a year if everything runs smooth. As Commissioner Finch said, we have 21 pump stations. The Wastewater Plant itself, the electric bills run \$380,000.00 in '09, physically in '09. Approximately 135 miles of collection lines, some of them over 100 years old. My research with the plant, in 1907 the raw Wastewater went right into the Maurice River here at the Main Street Bridge. We spend about \$200,000.00 a year in chemicals. We perform over 6,000 lab analysis in a year as required by the DEP and EPA. We do about 4,000 more in house not required to be reported with our own lab. Things come up all of the time that cost extra money, I'm not even sure if some of the Commission is aware, three years ago we had to spend \$12,000.00 mandated by the Delaware River Basin Commission to do a PCB study. It was required by every Sewer Plant that discharges into the Delaware River. Two years ago, we had additional costs of \$4,000.00 in State Testing required because of the amount of amalgam in the dentist office and they're doing a before and after of all of the systems required to put into reclamation systems in the office to capture this particular metal. We'll have to retest again two more years from now to see the impact that it's had. Then we're regulated by the DEP, the New Jersey Safe Drinking Water Act and the EPA. We have a lot of State fees incurred over the year just to pay the DEP. We're budgeted at \$75,000.00 and we spend almost that much just in licensing permits. There are pollution permits for the generators. It's close to \$3,000,000.00 a year just for the repairs and energy cost and capital projects we've done in the past, that's an addition to the 3 million just to operate the plant. We've spent a lot of efforts in the past ten

years on education. We have seven licensed people working there now. That helps us out with efficiency with the manpower. Safety training and our in-house lab, which we're certified to do five different testing procedures daily. We used to have twenty-five employees, we're down to nineteen now. We've eliminated night shifts through some modern technology with our SCADA System. It automatically calls out, we probably have about thirty alarms in the plant, and if one is triggered it automatically calls us, and, of course, we respond. We're doing a lot more work in-house, and recently we've rebuilt the GRIT System, \$10,000.00 in parts is the rule of thumb. If you outsource this kind of work you can times it by two, so, we did the GRIT System in-house at \$10,000.00. It would have been about \$20,000.00 to outsource it. We redid our sludge piping in the plant, \$5,000.00, rebuilt the primary sludge pumps, \$5,000.00, numerous other small jobs in-house and we figure we're saving about fifty percent. Again, I won't go into a lot of detail, but I have a chart here, if anybody would like to see it, of the money we've saved in just the last five years on projects we've done in-house versus outsourcing. Now, I'd just like to take this time to commend everybody that's worked with the City Engineer and the Planning Board, you know, the Commissioners for being open to new ideas and, we're doing the best we can, trying to run it like it's our own business and take pride in it. Thank you."

Commissioner Finch: "Thank you, Floyd."

John Knoop: "Thank you, John Knoop, City Engineer, I have about twenty years of experience with the City, and almost fifteen now as City Engineer. I'll quickly go over some of the Water Utility projects since Pat Ney, unfortunately, hurt himself, I think, over the weekend and could not make it. I'll go over some of that and give you an update on the bigger Wastewater Treatment Plant project that we've got going on with the Infrastructure Trust, and then maybe hit, briefly some of the bigger sewer projects that we've done over the last twenty years. When I started with the City, so it was approximately twenty years ago, we were in the process of upgrading all of the meters in the homes and businesses in the community. And, unfortunately, that should probably be done again. That's a cash register for the Water Utility, and twenty years is about the use of the life on those meters. So, that's to be done again shortly. In the nineties, through the Infrastructure Trust Program, as it's now called, the City was very aggressive about upgrading undersized Water Mains, so a lot of your older Center City Water Mains were upgraded. A lot of the two inch, four inch, six inch, were upgraded to at least an eight inch, which is standard. It helps you for fire prevention and water quality and water quantity to your homes. So, a lot of those Water Mains were eliminated and upsized with these services to the homes. Since I've been here, actually, recent periods, we've built two water tanks, one recently 750,000 gallon tank out to the Airport and another one up at Bluebird Lane, that was 150,000 gallon storage tank. A new Water Treatment Facility was placed out near Memorial High School by Wheaton Field there on E Street. That was a state of the art new well with water treatment. We put major treatment facilities in at the Airport and our Bridgeton Pike well. Those two or three facilities help with water quality and ground water contaminations that were found in both areas. We've recently ran a major water extension out to our new Airport Industrial Park and looping it in and around Buckshutem and Dividing Creek Roads. Newer projects, or

projects on the board are the new well and a Booster Pump Station to be located, hopefully out to Geissinger Avenue, with the additional wells to replace some of the outdated wells that we have, and we're also in the process of putting in a SCADA System, which is a Supervisory Control And Data Acquisition Computerized System to monitor wells, tanks and gives you a Supervisory Control of the overall facility from a laptop or your desktop. A lot of that work, as Floyd had mentioned, I know the Water Superintendent, Pat Ney, they've hired an electrician, and they have, in recent time, hired personnel that's more hands on. They're doing actually all of the SCADA project in-house, which that's going to be significant savings to the City. And actually, it's going to allow us to do more within the project. We're within the bond cost of the project, so, they are now doing a lot of the stuff in-house. As a matter of fact, we have to, we're increasing water pressures as we're serving areas on the western side of town that are higher in elevation. There's a need to boost pressure in the City. The Water Utility has taken on Booster Pump Stations for the tanks now, because now our tanks are actually during periods when we're not getting a lot of flow. They're actually going to be full as we raise those system pressures. So, we'll have to pump water in and out of those tanks on a daily basis with a little help from my department and consultants. We've put together a little plan, and in-house, they put the booster pumps, the controls and everything through the Water Utility. So, that was significant savings. Unless there's any questions on Water Utility projects, I'll move to the update on the Wastewater Treatment Plant. I was here in June of this year and that was at the time of the bond introduction. The bond was for \$8,843,000.00, Bond Ordinance No. 19-2009, that was for the Wastewater Treatment Plant upgrade. That was for Phase I, basically, back then of what came out of the Master Plan prepared by and presented by AECOM. They were formally Metcalf and Eddy, they were before this Commission over a year ago presenting the findings of a comprehensive Master Plan. At the time, in June, we were proud to announce that we qualify for ARRA Funding, that's the American Recovery Reinvestment Act, that's the stimulus funds that the Obama Administration has put out. We were 75<sup>th</sup> out of, I think, over 700 projects at the time, and the ARIA Funding, the Municipalities close on these funds as they get their permits and are ready. And, luckily, we were well along with permitting and design at the time. Unfortunately, the scope of the project, which included an additional clarifier thrust us into a Level 2 Environmental Review at the State Level, which, it's a very comprehensive process, and they actually by-passed us just for that portion of the project. But, luckily, we were able to salvage the critical parts of the project, which Floyd can tell you, was the aeration system, and I'll get to that in a minute. That's about a five million dollar piece of the original 8.8 million dollar bond, and that stimulus fund is a fifty percent grant. It's a forgivable loan up to fifty percent. The other fifty percent comes out at a low interest rate, about half of the market rate. Actually, recently, as part of an agreement that the State has drafted, they are actually mandating that the City do these Phase IA improvements. We broke the project into Phase IA, which is the aeration system improvements, and then the clarifier is part of IB, so under a recent draft agreement sent down by the State DEP to address some of the violations that the City has had, they are mandating that we do these Phase IA improvements. So, it is significant that we are able to do that with the federal funds and the fifty percent forgivable loan,

and we can have that in the works and design and permit ready. As a matter of fact, we've already advertised for bid. We intend to receive bids November 19, and if the bids come in favorable, we should be able to award by December 1 of this year and that qualifies us and should lock in our funding for that project. Future phases, including this IB project will be evaluated once we can monitor and evaluate how well Phase IA and the aeration system is performing. So, really it's dictated the schedule for the improvements and the future Master Plan phases of the report will be dictated upon how well Phase IA is performing and future permit conditions. Just real quick, I'll just go over some projects that I just started jotting down, major projects that the Sewer Utility has taken on in the last approximately twenty years. Keeping with the plant, they've done a major upgrade to the sludge handling system, the SCADA system also was addressed down there, they made the move from chlorine disinfection, well, they actually installed chlorine disinfection in '90 and then moved in 2004 to UV disinfection. There's been some major pump station modernizations and upgrades as far as capacity. Ireland Avenue was upgraded, South Second Street pump station was done, West side and high school is designed and in the works and should be coming up shortly, major areas that were on septic systems, such as Marlyn Terrace, that area around Rieck Avenue, I forget the name of the subdivision, Peach Drive..."

Commissioner Finch: "Whitemarsh?"

John Knoop: "Near White Marsh, but that subdivision, Peach Drive, Acorn Drive, back in there, off of Rieck Avenue, that area was extended and there was an assessment to the local residents on that, but they were partially subsidized by the Sewer Utility. We've upgraded many mains in Center City. Columbia Avenue was a major upgrade, South Second Street got slip-lined, in addition to areas that had disrepair of one hundred year old sewer mains. We took care of them throughout the last twenty years. We just bid a major manhole rehabilitation project in the Third Ward, we've upgraded a lot of mains on the older West Side, Park Avenue, Ireland Avenue, that area. When we slip-lined South Second Street, we eliminated about a half million gallons of flow in there, so that was a major project for the Sewer Utility and freed up sewer capacity for our Utility. That flow was groundwater flow and failing mains, cracked mains, an infiltration flowing into the mains. Most recently, we just bid the Fifteenth Street Sewer Extension which will extend sewer to un-sewered areas in the South Millville Industrial Park. And I just wanted to point out the Sewer Utility is doing a lot of the things that weren't done in the past, they're cleaning mains, keeping up on the service of the mains, and it's a much bigger system then it used to be."

Commissioner Finch: "Does anybody have any questions for John at this time? Providing water and wastewater treatment services to residents is big business. Very demanding, its very heavily regulated by the DEP and by EPA, and therefore we need to keep the operations current in terms of new technologies and all those types of activities for efficient operations. And that's the reason we're going for the rate increase to provide these upgrades on that basis. Again, it's very heavily regulated, it's very important for safe, quality water discharging. And we have, also with us to discuss the use of the Sewer Utility surplus funds, Mike Cesaro from Bowman &

Company. Mike, if you could explain the use of the utility surplus funds..."

Michael Cesaro: "Good evening, Mayor and Commissioners. Just for the record, my name is Michael Cesaro. I am in my second year serving as City Auditor. I do have over twenty years experience with Municipal Accounting, and one of the things you are charged with as a governing body is to ensure that you're utility budgets are balanced, meaning that your revenues must equal your appropriations. So, therefore, as you continue to look at operating costs, capital costs, debt service costs, you have to take into consideration in order to balance that, the appropriate revenues that you want to bring in. So the City has an established practice of setting its water and sewer utility rates to meet those costs, and the State of New Jersey allows us to use what would be considered surplus. So, at the end of the year, you've met all of your appropriations, you've generated revenue through the year, and it's the little piggy bank that's left over. The State allows us, in its budget manual, to utilize that surplus, not only for the operations of the utility itself, which we do, we can also utilize that and anticipate that as revenue in our current fund. Just to give you a little bit of history, what was called the gross receipts and franchise tax, it was a thirteen percent excise tax that was levied on non-governmental utilities. The City has taken upon itself, as do many municipalities, to transfer surplus that is generated from its utilities to help offset that lost State Aid Revenue that we would otherwise had received had we had a private utility. So, therefore, since we have a governmental utility, one of the costs that we have built into the utility budget is the generation of that surplus to help fund the loss of State Aid Revenue. In 1997, the gross receipts and franchise hike was replaced by another type of energy receipts tax. Once again, had the City been in a situation where those utilities were privately owned, we would have had, once again, State Aid Revenue. We lose that revenue, because we actually operate our own utility. So, therefore, having that surplus that would generate through these revenues, we're able to balance our budget and also provide the loss funding in the current fund. So, it is a common practice, the Division of Local Government Services that reviews our budget has signed off. It signs off on most municipalities. I have several other municipalities that also utilize the surplus that's generated from their utilities in the current fund to replace that lost, what would be considered lost State Aid."

Commissioner Finch: "Thank you very much. Any questions?"

Commissioner Derella: "No, I just want to clarify a couple things with you, Mike. The State Law does allow us to utilize those surpluses from the utilities?"

Michael Cesaro: "Yes. In fact, Commissioner, it not only allows you to use prior surplus, there's also a section in the utility budget that allows you to actually appropriate what would be current surplus generated from utility, so on sheet 33 of the budget where you actually have the appropriations side of the utility, there is a line item in there that allows you to have general surplus, which would actually be a revenue in the current fund. So, not only can you utilize prior surplus in the current fund, you can also generate current year surplus in the utility and turn that over to the current fund. We do not use

that second option. We use the first option where we're taking actual previous surplus that has been generated."

Commissioner Derella: "And I know that, if any municipalities are going for a tax levy, based on the cap that's been established by the State of New Jersey, that's the first thing that the auditors and the DCA will look at is those surpluses as they do, generally, whenever I've been involved with going to Trenton and meeting with the DCA, the first thing you do is look at all your surplus balances and start making recommendations, they call them recommendations, more like demands, in regards to what you're supposed to do to try to control property taxes. I did do a little background and I do know that the City of Millville has been using surplus in both these utilities since the early 90's right on through to help supplement and control property taxes, so it's nothing new that we're doing as an administration since we've come in office. I do know that, since '97, or actually a little later than that, around 2000, we really established and tried to be consistent and trying to keep our figures so that we could tag it to something rather than just arbitrarily pulling money from those surpluses so they could continue to operate and still generate some surplus for emergent situations and still be able to carry their debt. It seems though, unfortunate though, where the thirteen year span between 1991 and 2004, where there were no increases and surpluses, we're pretty good, we've probably waited a little bit too long to be able to create those increases. So again, hindsight, maybe we could have done a little better back then. But, again, we do generate and utilize surplus based on a formula and try to make sure it's consistent year in, year out, rather than just snatching as much money as possible."

Michael Cesaro: "That's correct. And it's also a very prudent, fiscal measure to make sure that you're actually assessing the true costs of the utility operation that you have as a governmental utility."

Commissioner Vanaman: "Yeah, Michael, you're saying that the State allows for the transfer of the surplus funds. Couldn't they also remain within the utility?"

Michael Cesaro: "The surplus, even of itself, does in fact remain with each utility. A small portion of that utility surplus is turned over to the current fund. A small portion is also utilized to help balance the actual utility budget of itself, and then a significant portion has remained with each utility in case there is emergencies, you have that surplus to draw on."

Commissioner Vanaman: "Thank you."

Commissioner Finch: "Mr. Mayor, I think that the utilities are well managed, we should be very proud of our people that do operate the utilities that are extremely important for everybody, everyday, so it's really prudent on us to make sure that we provide the upgrades that are needed to keep the plants running efficiently. That's all I have, Mr. Mayor."

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

Robert Tesoroni: "Good evening, Mr. Mayor, Commissioners, Bob Tesoroni, Howard Street, Millville. First, I'd like to commend the Water and Sewer Department on the fine job that they do and the cost savings that we have realized because of their prudence. On October 6 of this year, at the Commission Meeting, Resolution A-6657 authorized the balances within the Water and Sewer Department be credited to the surplus. At that time, I questioned what balance were we talking about, and after a short period of time, Mr. Derella added up figures, it came to \$441,093.47. I asked what the surplus was, there was no response from the chair. No one could answer what the current surplus was. Now, I think that would be important before we ask for a rate increase, to know how much money we have on hand. Well, I did an OPRA Request and I got that information. And, as of June 30, it was \$2,774,018.29 was our surplus between the two utilities. Add to that the \$441,093.47 on that evening you're allowed to go back into the surplus, we're over three million dollars, 3.2 million dollars as a surplus. Now, I have to question, you know, Mr. Vanaman just asked a question to Mr. Cesaro, I think the question you were asking wasn't necessarily answered. The State allows you to transfer, and we understand that the surplus remains within the utility. We're talking about the money that's being transferred into the general funds. The State allows that. No one's questioned whether it's legal or illegal. Without question, it is legal. Is it the prudent thing to do in this stage of time? When you look at the taxes that continue to rise, we're the highest tax State in the country, the poorest county in the State, and the highest unemployment rate at 12.6% according to the press release the other day, and we're going to impose yet another tax. Well, let's go back a little bit to the previous increase in the Sewage Department. In 2004, you increased it \$100.00 a year because we needed it. Well, let's take a look at what we had as a surplus. In 2004, it was \$459,191.00. After the increase, the surplus went up to \$1,100,000.00. It is now at \$1,300,000.00 prior to being audited this year. That's in the Sewage Department. I'm sorry, \$1,700,000.00 because we have to add the \$441,000.00 to it. In the Water Department, prior to being audited we're at \$1.4 million. Since 2002 to 2008, you have transferred, let's see, I'm sorry, 2.6, 1.2, we would have \$540,000.00 from 2002 to 2008 combined between the two that were being transferred into the general fund. That exceeds the increase that you're asking for tonight. So, if you'd said no to this increase and you do not put the burden on the people that currently have water and sewage, we'd know why we're doing it. It's going to offset the tax increase that you gentlemen are struggling with. But you have to ask yourself, 'is that the fair thing to do to the people that have water and sewer?' That would be like taxing those that have their own well and septic system, and saying we're going to take that money and put it into the general fund for everyone to benefit from. And I don't think it's the proper thing to do. And I would ask you, that, at the very least that you'd table this Ordinance. I don't think that there's been a demonstrated need for this increase other than you need to balance your budget. And, unfortunately, gentlemen, what you're faced with up there, and three of the five Commissioners that currently sit up there created this problem, you're faced with a budget that you can't balance. The credit cards are finally due, and you've got to pay them somehow. Well, I don't appreciate it being on my back, because I'm still going to have to pay that tax increase after it's all said and done, plus the increase in water and sewer. Thank you."

Mayor Shannon: "Thank you."

Joe Hanlon: "Joe Hanlon, 1107 Earle Avenue in Millville. That was quite a presentation given. Now I know when I hit the slot on the toilet bowl what's going on in the City. It's amazing, absolutely amazing. But I'm here on really a serious note as far as finances are concerned. First off, it really gets under my skin that we're going to have a rate increase because I've watched over the years the transfer of funds out of the Sewer and Water Utility into the general fund. To me, what that tells me is, I don't know, really and truly, what the Municipal tax rate is if these transfers weren't being made over the years. Secondly, the word came up about running the Sewer and Utility Authority as a business. Certainly, in any business you create reserves for unanticipated costs. And, I guess that's what these reserves, I call them, are for. Something that's going to come up in the future that you don't know about. Whether it be orders from the State for different reasons, but you have to be prepared for it. Then, in the, I think it was June, it came up about the 8.8 million dollar bond issue for improvements to the Sewer and Water. Well, that was mind boggling. Fortunately, I guess maybe not fortunately, there's a stimulus fund from the government that's going to cover fifty percent of that. So, immediately, I thought to myself, my God, what would happen if we didn't get the stimulus funds? What would our increase be? I'm just amazed that reserves weren't built up to accommodate any future costs that were gonna come up because they must have known about these costs a long time previous to June. So, I questioned, really, how we can transfer any more money out of the sewer and water utility, any money, into the general fund. It should remain there. Any business, knowing that they're going to have heavy expenses, should be prepared for it. Not come to one account out of seventeen hundred accounts. And I resent the fact that I have to pay an increase to cover these costs even when the government is giving fifty percent of it. The other point being our increases in the future are going to have to be questioned. And by that, I mean, we really, as a citizen, okay, we've got to look at any transfers out of that utility. Because, evidently, besides the 8.8 million dollars, there are a lot of other things gonna come up. And we've got to be prepared for it. I'll leave it at that. Basically, you can get my point. I'm against any increase in the rate. I thank you, and I thank all the veterans of this Country in the military who gives me the opportunity to stand here and voice my opinion. Next week is Veteran's Day. Thank God for them."

Mayor Shannon: "Thank you."

Paul Porreca: "Good evening, Mr. Mayor, Commissioners, my name is Paul Porreca, I live on Porreca Drive. I was just curious about the connection fees. And, I noticed you adjusted them through the amendment, so there must be some very careful analysis as to why you need to do that and how much, because, I have to tell you, these connection fees are very substantial to begin with. If you go to do any improvement at your property that requires the payment of this connection fee, and of course, anything you do does, and if you have any new construction or a new business, you're trying to lure new businesses to town or industry. This is, even with your reduction, I think, and I didn't do the math precisely, but it looks like a twenty-five to

thirty percent increase in the connection fees, which is really huge. Particularly..."

Commissioner Finch: "...the calculation that was used, and I'm not familiar with that calculation, I think Richard might be able to address that..."

Richard McCarthy: "We use the authority statutes as a guide, which gives you a formula for doing it, but I would point out, this is, the last time the connection fees were raised was from fiscal year 2004 the figures were used. We're now using fiscal year 2009 figures, so it's a five year period. And what you do, is you take the, the reason for the connection fees is that new connectors are contributing to the cost of what it took to put this system in place. The other people that have, the people that have been users for many years, have the security to that particular system. And, over the period of years, the cost associated with that system increases. In connection with that, the new connectors come in, and the purpose of the connection fee is for them to make a contribution to where we are today versus where others were their own period of years and them having to contribute over a period of years. And we do use the authority, the statute, even though we're not required to do that, we use the statutes that are in place to deal with Sewer Utility Authorities and the Water Utility Authorities, and you do that by calculating over a period of time, this goes from 1989 to 2009, fiscal years, I mean. Federal Debt service that extended over that period of time, and then also the Sewer Capital Expenditures and then you divide that by the number equivalent to dwelling units that are in existence for each of the utilities at the end of the fiscal year 2009 since that's where the calculations are. And for the fiscal year of 2009 there was in the Sewer Utility, 12,972 equivalent dwelling units and dividing that into a total of \$22,567,318.73, that gives you the connection fee for the Sewer Utility as of fiscal year 2009. In the Water Utility, there were equivalent dwelling units of 12,019 units and that was divided into, when you consider the debt service for that number of years plus the capital expenditures divided into a total of \$11,304,762.67 and you divide those EDUs and it generated the connection fee. But, see, you're not talking about a single meter because we only do the connection fees periodically. We did them in 1990, we did them in 2004, and we did them in 2009. So it's a five year period that we're making up in one particular thing. In other words, it's five years of past five, and there's been those contributions to the system in the form of debt service and the form of capital expenditures and you divide it by the number of EDUs."

Paul Porreca: "But it's also true of your rate increases. They're only done every four or five years, Commissioner?? so I don't understand the last comment, just like I don't understand the prior comments. All I know is, that you're giving a ten percent increase to your rates in terms of gallonage or units for sewer and you're giving a twenty-five to thirty percent increase on your connection fees, and they don't equate, and I don't understand what he said, but I don't choose to. I'm sorry I asked in the first place."

Richard McCarthy: "I would just add that the connection fees are backward looking and the user fees are forward looking in terms of what the potential cost that's expected for the utilities in the future. The connection fees are backward

looking to whether the cost that actually puts the system in place up to this point in time. So the methodology of calculating is completely different."

Commissioner Derella: "And all our rates, excuse me, our connection fees are now very similar to neighboring municipalities, I mean, we're far behind those in the City of Vineland..."

Richard McCarthy: "Actually, the interesting thing is, is when Bill McCafferty and I were the first ones that worked out these connection fees in 1990 prior to that time, I think they were done, kind of like, arbitrarily. And, for the Administration, in 1987, I think the connection fees were \$700.00 for Sewer and \$700.00 for Water. So when we came in and did the actual calculations based on statutes, there was actually a reduction of the sewer and water connection fees in 1990 based on the formulas. And we followed the formula since that time, even though I've been doing this in connection with the Housing Authority through their own statutes."

Clay McLacey: "Clay McLacey, Glenside Road, Millville. The thing I don't understand is if you had a surplus in this fund, and somebody must have known that things were going to be coming up, why this surplus was taken down over the years? I don't understand it. It doesn't seem to make sense. It doesn't seem to be a smart way of running things, particularly and now you're going to ask us to be paying more for our water and sewer and I'm against it. I think that the money should not have been taken in prior years. I think it's just wrong."

Mayor Shannon: "Thank you. Anyone else?"

There being no further comments Mayor Shannon declared the public hearing closed and asked for comments from the Commissioners.

Commissioner Finch stated that he has made his comments and the public has had explanations.

Mayor Shannon: "I guess, one of my questions, Commissioner Derella, I know that over the past few years we've worked pretty diligently on the Municipal Budget. And I know that we've looked at those surpluses and I know that prior administrations were working a few years ago receiving extraordinary aid. An aid that we were told that we wouldn't be receiving anymore, we started working diligently to cover that shortcoming there. Also, with the surplus that we were building up and holding in reserve in the utilities, were we not directed by the State to utilize some of that surplus?"

Commissioner Derella: "We are always asked and directed to try to use any surplus that we have. But one of the things that we have to remember with the water and sewage surplus, always and prior to us, we always make sure that there is enough money to be able to cover the costs, that it is self-sustaining, that it could carry the debt of any projects that had to be taken on. We went through a thirteen year process where we had to balance that. And, again, prior administrations before us did the same thing in regards to taking money out to help offset property taxes. We got to a point now where we know that the anticipated debt service is going to be created because of this major project, we would not be able to recover it as it was. We have

control of the amount of money we've taken out to help offset the budget, we've been as consistent as possible. I could not tell you off the top of my head, when we first found this issue coming on. I would say, John, correct me if I'm wrong, maybe a little over a year ago, a year and a half ago was when we really noticed and the DEP really came down here monitoring us very closely in regards to this project give or take sixteen to twenty-four months, we've kept a close eye on it. Again, we are charged with providing clean, safe drinking water as well as proper disposal in the DEP guidelines. And that's what happens, Mayor. You try to make sure you balance those things all the way through, but I don't think anyone realized that there would be an 8.8 million dollar upgrade that was going to be needed based on the proper maintenance that we have done diligently through Mr. Burt's department as well as the Water Department and Mr. Ney and Engineering. Again, we've been monitoring this, that's been past practices we've went through and I think it is, from my particular seat, in Revenue and Finance, the prudent way for us to balance our budget. Some people do disagree, and they make valid points, but I still stick to our job to make sure we balance the budget, to maintain proper surpluses and to move forward."

Mayor Shannon: "Mr. Vanaman?"

Commissioner Vanaman: "Yeah, thank you, Mr. Mayor. This is a tough one to vote on. Because we do know that there is going to be some tax increase coming up and we're asking everybody, including ourselves, to pay this new water and sewer fee. I do know that there are substantial improvements that have to be made over the next couple years. I guess I can only hope that, maybe about this time next year that if there is any surplus that is transferred out of sewer and water does not equal the approximate income that's taken in this year with the new rate."

Commissioner Derella: "We will continue to look at the budget, and the goal is to try to maintain the same amount. It's been very consistent except for one spike here and what we've utilized in regards towards our budget, which we all have supported in the past. So, again, and I will go on record that I don't have water and sewer in my house, I wish I did. It would increase the assessed value of it to have those utilities, and the cost that I have to maintain my water system to make sure that the water that comes into my house is safe, the maintenance on my septic, which is now 18 years old, or actually, 20 years old, actually is more costly than the sewer rates or the water rates."

Mayor Shannon: "I guess the last question I have, if I could, direct a question to Mr. Burt. We did an upgrade a few years ago in which we upgraded to ultraviolet. We actually went from chlorine to the ultraviolet and from that, DEP came down and actually found higher chloroforms were not being killed or they were getting close to the limit, and that's one of the reasons that we're looking at doing this upgrade at this point, correct?"

Floyd Burt: "This actually all started in 2000 with a permit renewal to operate the plant. It's a packet about that thick, that's where all those tests that we have to do come from and regulations about maintenance of the plant. It's all regulated. We used to use chlorine and sulfur oxide gas to de-

chlorinate, and that was for disinfection reasons. Both chemicals are very hazardous to the environment and employee safety to say the least. So, UV, ultraviolet, disinfection was becoming rather trendy, it's widely used in Europe as disinfection means. It actually went into design in 2001, and not only was the ultraviolet disinfection system done with the aerators and the aeration tanks were done, the aerators and the sludge holding tank was done in addition to new blowers to supply air to the aeration tanks. So, I think the total project was like two and half million. So, after the ultraviolet disinfection system was online, and part of it was driven by the 2000 Operating Permit, they changed our chlorine limits from two parts per million down to .036, a basically non-detectable going to the river. So, the decision was made back then to go with the ultraviolet disinfection for employee safety, about a wash as far as the cost, and it's much more user friendly to the environment receiving waters going to the Maurice River. However, it hasn't performed as well as was originally expected, and we've had numerous weekly violations in addition to a couple monthly violations, which are serious offenses to the DEP, and to the environment, for all that goes. So, now we're faced with the dilemma of doubling the capacity to UV, going back to chlorine, which is not the best thing to do as far as employee safety, the cost is about a wash, and it's just, it's gotten to the point to where the heart of the operation is the aeration tanks. That's where the actual treatment takes place. And it's believed by the consultants we hired that by improving the aeration tanks, and that's the mode of operation, from contact stabilization to a conventional plug-flow with anaerobic selector, those tanks were built in 1955, there's been a lot of advances in the technology since then, so we can retrofit our existing tanks with this upgrade with the idea that it's going to remove a lot more pollutants from the sludge going to the UV System, which will allow the UV system to work effectively so we can stay away from the chemicals."

Mayor Shannon: "Thank you. Any other questions or comments, Commissioners?"

There being no further comments from the Commissioners, Mayor Shannon asked for a roll call on the motion to adopt Ordinance No. 33-2009 as amended.

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

Resolution No. A-6661 authorizing submission of application to the New Jersey Urban Enterprise Zone Authority for funding from the Enterprise Zone Assistance Fund in the amount of \$710,500.00 to fund the Tourism Marketing Year 7, with the City providing a 20% match in the amount of \$850.00 for police overtime.

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

There being no response Mayor Shannon declared the public hearing closed and asked for comments from the Commissioners.

Commissioner Vanaman: "Yeah, I have a question. This \$850.00 that's being talked as a twenty percent match, what is that 20% of?"

Lewis Thompson: *"Of the anticipated or expected overtime figure only for the events."*

Commissioner Vanaman: *"Okay, because that doesn't show up as a separate line in here anywhere, that's why I..."*

Mayor Shannon: *"I figured it was on like the \$4,500.00 projected in overtime for the event is the way I took that, Commissioner, correct me if I'm wrong, roughly, is that right?"*

Commissioner Vanaman: *"Okay, okay. Gotcha. There's no..."*

Mayor Shannon: *"That's the way I took that, if I'm wrong, I..."*

Lewis Thompson: *"...anticipated overtime rate doesn't require any match on the straight time, only on the overtime."*

Commissioner Vanaman: *"Right. Okay."*

There being no further comments from the Commissioners Mayor Shannon asked for a roll call on the motion.

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

Resolution No. A-6662 authorizing submission of application to the New Jersey Urban Enterprise Zone Authority for funding from the Enterprise Zone Assistance Fund in the amount of \$135,969.00 to fund the Millville Main Street/MDC Operating Budget Year 5.

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

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

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

Resolution No. A-6663 Resolution approving application for an Economic Development loan submitted by Gran Prix Partners, LP in accordance with the recommended terms and conditions subject to the applicable approvals required by the Enterprise Zone Development Corporation of Vineland-Millville and the New Jersey Enterprise Zone Authority and authorizing submission of application to the New Jersey Urban Enterprise Zone Authority for Funding from the City of Millville's Second Generation Enterprise Zone Assistance Funds in the amount of \$1,000,000.00.

Commissioner Derella: *"Yes, Mr. Mayor, this is part of the hotel that's been proposed, actually approved by the Planning Board several months ago at Bluebird Lane. Basically this is for us to apply to the State UEZ for this. We're looking at a potential 3% interest on the loan in regards to these people, and thirty jobs are anticipated to be generated and the estimated cost of the project is \$15 million. But again, this is basically for us to move forward and get in front of the State UEZ Board."*

Mayor Shannon: *"Thank you, any other discussion?"*

Commissioner Vanaman: *"Just real quickly, Mr. Mayor, one thing I do like about this agreement as it's written, is that the dispersed amount is tied to the borrower actually raising an equal amount of money, dollar for dollar."*

Mayor Shannon: *"Good point. Any other comments?"*

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

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

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

Resolution No. A-6664 authorizing adjustments to the City of Millville Tax and Utility Records was adopted, by the following vote: Yeas: Finch, Derella, Vanaman and Shannon.

Resolution No. A-6665 authorizing Special Assessment of Municipal Liens for certain properties due to expenses incurred by the City of Millville relating to Clean-Up of Properties/Board & Secure plus administration fees in accordance with Chapter 11, Article VI of the Municipal Code was adopted, by the following vote. Yeas: Finch, Derella, Vanaman and Shannon.

Commissioner Finch: *"This is a continued effort by the Permits and Inspections Departments for the property maintenance areas and cleaning up our City. We have been very aggressive all season and it's just carrying through."*

Resolution No. A-6666 Resolution amending Resolution No. A-6335 adopted on December 2, 2008 re: professional service contract with Adams, Rehmann and Heggan Associates, Inc. to perform supplemental professional engineer services in connection with the updating of the municipal Wastewater Management Plan in an additional amount of \$20,000.00 for a new total consideration of \$54,200.00 was adopted, by the following vote: Yeas: Finch, Derella, Vanaman and Shannon.

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

Mayor Shannon: *"I'm just hoping it doesn't take us as long as it's been taking Vineland..."*

Commissioner Finch: *"Seventeen years..."*

Mayor Shannon: *"...to get an approval for Wastewater Management..."*

Commissioner Derella: *"And they still don't have one."*

Mayor Shannon: *"Yeah, and you know, it just seems like an awful lot of time and money is being wasted to get the State's approval here, so hopefully we get ours a little sooner than Vineland does."*

Commissioner Derella: *"This is...the County's taking lead on this, so again, there was a hundred thousand dollars that was a grant prior to that. So, again, you're right, hopefully it*

*doesn't take us seventeen years and three hundred some thousand dollars that's cost the City of Vineland so far."*

Resolution No. A-6667 Resolution amending Resolution No. A-5736 adopted on April 3, 2007 re: professional service contract with Adams, Rehmann and Heggan Associates, Inc. to perform supplemental professional engineer services in connection with the sewer and water extension to facilitate the proposed Airport Industrial Park and New Jersey Motorsports Complex in an additional amount of \$29,733.75 for a new total consideration of \$277,748.75 was adopted, by the following vote: Yeas: Finch, Derella, Vanaman and Shannon.

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

Resolution No. A-6669 authorizing Change Order No. 1 for the project entitled "City of Millville Wayfinding Signage-Phase I" with L&H Signs, Inc. of Reading, Pennsylvania for an additional amount of \$18,457.33 with the total new contract amount of \$234,338.33 was adopted, by the following vote. Yeas: Finch, Derella, Vanaman and Shannon.

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

Resolution No. A-6671 authorizing Change Order No. 1 for the project entitled "Millville Historical Society in the 1857 Millville Bank - Roof Stabilization & Restorations" with Pravco, Inc. of Rahway, New Jersey for an additional amount of \$12,527.15 with the total new contract amount of \$76,414.87

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

Mayor Shannon: *"I would like to submit, for the record, Mr. Clerk, this is really under my Department, Parks and Public Property, that unforeseen problems once they took the sheathing off the roof, I would gladly share these with the other Commissioners, but that's one of the problems when you do restoration work on some of these older buildings, you really don't know what you're going to get into until you start removing that outside sheathing. But once that roof was uncovered, they found some major structural problems. It looks as though somebody tried to do some patchwork from underneath and really had it a real mess when they got into it. So there was a lot of extra work that had to be done, so we're glad that the structure's sound. Some masonry work was actually done around the soffit areas, so that's the reason for that Change Order, but I will submit this for the record so we have that on file."*

Resolution No. A-6673 Resolution approving request for Performance Guarantee Reduction as submitted by the City Engineer in compliance with N.J.S.A. 40:55D-53 (Municipal Land Use Law) from HSS Developers LLC, as principal of the irrevocable letter of credit from Sun National Bank, to reduce their performance guarantee for the Maurice River Condos Project located off of Columbia Avenue on the Maurice River, block 352, lots 22 & 54 from the amount of \$2,388,341.52 to \$1,054,545.49 was adopted, by the following vote. Yeas: Finch, Derella, Vanaman and Shannon.

Commissioner Derella: *"Mr. Mayor, all of us got the detailed report from the Engineering Department. Brian Prohowich, Senior Engineer, he painstakingly goes through each and every line item to make sure things were appropriately done to allow for the reduction of these bonds, and then, again, it's reviewed by John Knoop before it finally gets to our agenda."*

Mayor Shannon: *"I have to say I'm glad that those guys are a little bit younger than I, because I had a tough time looking through those line items on that third page."*

Commissioner Derella: *"I got them to blow it up for me though."*

Resolution No. A-6674 authorizing adjustments to the City of Millville Tax and Utility Records was adopted, by the following vote. Yeas: Finch, Derella, Vanaman and Shannon.

Resolution No. A-6675 authorizing a professional services contract with the National Development Council to perform professional financial services in connection with financial analysis and structuring for Economic Development projects and the Revenue Allocation District (RAD) Program in the amount of \$18,000.00 for a 3 month period. (Source of Certification of Funds: UDAG) was adopted, by the following vote: Yeas: Finch, Derella, Vanaman and Shannon.

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

Resolution No. A-6676 Resolution approving request for Performance Guarantee Release as submitted by the City Engineer in compliance with N.J.S.A. 40:55D-53 (Municipal Land Use Law) from Radha Kisan, LLC, principal of the irrevocable letter of credit from Sun National Bank, to release their performance guarantee in its entirety in the amount of \$151,506.18 for the Dunkin Donuts site plan located on the northwest corner of Route 49 and Carmel Road, 1104 & 1106 W. Main Street, block 32, lot 37 was adopted, by the following vote: Yeas: Finch, Derella, Vanaman and Shannon.

Commissioner Derella: *"Again, Engineering, Brian Prohowich, Senior Engineer, has provided us with a checklist that all of the requirements have been met."*

Resolution No. A-6677 authorizing a Subordination Agreement between the City of Millville and Barry Michael DeLeon to subordinate its first mortgage held by Acre Mortgage & Financial, Inc. for property located at 9 North Park Avenue in Millville, more particularly described as block 100, lot 26 consisting of a two story single family residential dwellings in the amount of \$146,208.94 to a new first mortgage with Acre Mortgage & Financial, Inc. in the principal amount of \$148,352.00, which is basically an adjustment of the rate and term with no cash going to the borrower was adopted, by the following vote: Yeas: Finch, Derella, Vanaman and Shannon.

Resolution No. A-6678 Resolution approving request for Performance Guarantee Release as submitted by the City Engineer in compliance with N.J.S.A. 40:55D-53 (Municipal Land Use Law) from Thunderbolt Area Federal Credit Union, principal of the irrevocable letter of credit from Thunderbolt Area Credit Union, to release their performance guarantee in its entirety in the

amount of \$10,300.00 for the site plan improvements and expansion of their facility located on the corner of Bogden Boulevard and Cedarville Road was adopted, by the following vote: Yeas: Finch, Derella, Vanaman and Shannon.

Report from Engineering Department regarding bids received by the Millville Purchasing Board on September 1, 2009 for the project known as "City of Millville Wayfinding Signage- Phase IB recommending the two (2) bids received be rejected.

Mayor Shannon: *"I'd just like to point out that the Phase IB, if you go back to Resolution No. A-6669, when they talked about the clear coat, that's what wasn't in the bid specs for IB, so we're going to have to go back and revisit that and get that bid package out with the clear coat estimated in there."*

<p><b>COMMISSIONERS</b></p> <p>JAMES T. SHANNON, MAYOR Director of Parks &amp; Public Property</p> <p>JAMES F. QUINN Director of Public Affairs</p> <p>JOSEPH J. DERELLA, JR., Vice-Mayor Director of Revenue &amp; Finance</p> <p>DAVID W. VANAMAN Director of Public Safety</p> <p>DALE L. FINCH Director of Public Works</p>	<p><b>CITY OF MILLVILLE</b></p>  <p><i>"A MAIN STREET NEW JERSEY COMMUNITY"</i></p> <p>12 SOUTH HIGH STREET P.O. BOX 609 MILLVILLE, NEW JERSEY 08332</p> <p>TELEPHONE: (856) 825-7000 FAX #: (856) 825-3686 www.millvillenj.gov</p>	<p><b>OFFICERS</b></p> <p>LEWIS N. THOMPSON City Clerk/Administrator</p> <p>RICHARD C. MCCARTHY City Attorney</p> <p>MAUREEN P. MITCHELL Chief Financial Officer</p> <p>SUZANNE L. OLAH Tax Collector</p> <p>BRIAN P. ROSENBERGER Tax Assessor</p>
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October 14, 2009

Mayor and Commissioners:

On Tuesday, September 1, 2009 at 10:00 A.M. the Millville Purchasing Board received bids for "City of Millville Wayfinding Signage - Phase IB". There were two (2) bids received in the amounts of \$66,540.00 and \$66,400.00. The Engineer's Estimate for this phase of work was \$64,280.00. A complete tabulation of the bids received is detailed in a Summary of Bids on file in the City Clerk's Office. Monies for Phase IB of this project are available from the remaining balance of a \$300,000 grant received from the New Jersey Department of Transportation Local Aid for Centers of Place Program. This remaining balance at the time of the bids was \$72,091.50, however, since such time certain changes in the previously awarded Phase I contract have resulted in a present available balance of only \$53,644.17. Additionally, the Engineer has determined that the changes necessary to the Phase I contract further warrants substantial revisions to the specifications for the Phase IB work.

Based upon the above circumstances, I hereby recommend that all bids received for "City of Millville Wayfinding Signage - Phase IB" be rejected for 1) being substantially in excess of the amount of funds presently available for this phase of the project and 2) so that the Engineer may substantially revise the specifications for this work. I further advise that this rejection of bids is subject to the approval of the New Jersey Department of Transportation Local Aid for Centers of Place Program. Accordingly, it is the intent of the Engineer to proceed with revisions to the specifications for this work and re-bid this project in the near future.

Respectfully Submitted,

  
Richard S. Jones, PE, CME  
Assistant Municipal Engineer

RECEIVED & FILED

RSJ:rj/rj1023

NOV 2 - 2009

LEWIS N. THOMPSON  
CITY CLERK

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

Motion to authorize a Social Affair Permit for a Beef and Beer on behalf of the BPO Millville Elks Lodge No. 580 to be held at 1815 East Broad Street on November 21, 2009 from 7:00 p.m. to 11:00 p.m.

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

Motion to authorize the following Raffle License:

a) Raffle License No. 887 on behalf of St. Mary Magdalen Church for an Off-Premise Raffle to be held at BPO Millville Elks Lodge No. 580, 1815 East Broad Street on February 20, 2010 at 9:30 p.m.

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

Motion to approve Special Events on Public Lands application:

a) Annual Christmas Parade, sponsored by the Greater Millville Chamber of Commerce, to be held on November 27, 2009 beginning at Harrison and High Street at 7:00 p.m. proceeding south with the parade ending at City Hall (Parade Duration is approximately 2 hours) subject to receipt of Incident Action Plan

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

Report from Adolf Tarasevich, Assistant City Engineer, regarding proposals received on Thursday, October 15, 2009 at 10:00 a.m. for the project entitled "Third Ward Manhole Rehabilitation Project in the Millville Municipal Sewer Collection System"

## CITY OF MILLVILLE



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Tax Collector

BRIAN P. ROSENBERGER  
Tax Assessor

October 20, 2009

TO: Mayor and Commissioners:

RE: Award of Contract for project known as the:  
"THIRD WARD MANHOLE REHABILITATION PROJECT"

On Thursday, October 15, 2009, the Millville Purchasing Board received bids for the "Third Ward Manhole Rehabilitation Project". Four bids were received ranging from a high bid of \$209,625.50 to a low bid of \$71,899.50.

After reviewing the bids and consulting with the Sewer Utility Superintendent and the City Engineer, I hereby recommend that the award of this contract be made to SWERP Corp., P.O. Box 252, Lafayette Hill, PA 19444 for their low bid of \$71,899.50.

This award is subject to certification of available funds by the City Treasurer's office.

*Adolf Tarasevich*

Adolf Tarasevich  
Asst. Municipal Engineer  
Environmental Affairs

RECEIVED & FILED

OCT 2 - 2009

LEWIS N. THOMPSON  
CITY CLERK

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

Report from Adolf Tarasevich, Assistant City Engineer, regarding proposals received on Thursday, October 15, 2009 at 10:00 a.m. for the project entitled "South 15th Street Sanitary Sewer Extension in the Millville Municipal Sewer Collection System"

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Chief Financial OfficerSUZANNE L. OLAH  
Tax CollectorBRIAN P. ROSENBERGER  
Tax Assessor

October 20, 2009

TO: Mayor and Commissioners:

RE: Award of Contract for project known as the:  
"Fifteenth Street Sanitary Sewer Extension"

On Thursday, October 15, 2009, the Millville Purchasing Board received bids for the "Fifteenth Street Sanitary Sewer Extension Project". Ten bids were received ranging from a high bid of \$838,650.00 to a low bid of \$274,328.00.

After consulting with the Sewer Utility Superintendent and the City Engineer, I hereby recommend that the award of this contract be postponed until the next City Commission Meeting pending further review of the bids received.

*Adolf Tarasevich*

Adolf Tarasevich  
Asst. Municipal Engineer  
Environmental Affairs

RECEIVED &amp; FILED

NOV 2 - 2009

LEWIS N. THOMPSON  
CITY CLERK

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

Report from Purchasing Agent regarding proposals received on Tuesday, October 20, 2009 at 10:00 a.m. for the project entitled "Furnishing Various Chemical Supplies - 2010 & 2011"

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Chief Financial Officer

SUZANNE L. OLAH  
Tax Collector

BRIAN P. ROSENBERGER  
Tax Assessor

October 20, 2009

TO: Board of Commissioner

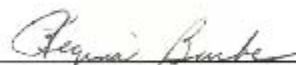
FROM: Regina Burke, Acting QPA

The Purchasing Board received bids on October 20, 2009 for the Chemical Supplies 2010-11 Contract for the Sewer Utility, and Water Utility.

Four (4) bids were received from the following companies:

1. Premier Chemicals
2. Polydyne, Inc.
3. Univar USA
4. J.C.I. Jone Chemicals, Inc

The City is reviewing the bids received and we will recommend an award at the November 2, 2009 meeting.

  
Regina Burke

RECEIVED &amp; FILED

NOV 2 - 2009

LEWIS N. THOMPSON  
CITY CLERK

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

Motion to authorize advertisement of RFP for professional services contracts to be awarded by criteria established pursuant to NJSA 19:44A-1 et.seq. with said proposals to be returned to the Purchasing Board on Tuesday, December 1, 2009, 10:00 a.m., Commission Chamber, City Hall

- 1) Municipal Bond Counsel
- 2) Municipal Auditors
- 3) Special Counsel
- 4) Advertising, Marketing and Public Relations Firm
- 5) Insurance Broker of Record
- 6) Broker of Record for Employee Benefit Program
- 7) Planning Consultant
- 8) Traffic Engineer
- 9) Independent Hearing Officer
- 10) Assistant City Solicitor

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

Motion to authorize the following Raffle License:  
a) Raffle License No. 889 on behalf of the American Legion Post No. 882 for 50/50 Off-Premise Raffles to be held at 220 Buck Street on the last Tuesday of every month for the Year 2010 at 7:00 p.m.

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

Motion authorizing the following Special Events on Public Lands:

a) Holly Give-A-Way sponsored by the Millville Shade Tree Commission to be held on Friday, December 18, 2009 at the Glasstown Plaza from 4:00 p.m. to 9:00 p.m. subject to receipt of Incident Action Plan

b) Soul of the Season sponsored by the Millville Development Corporation to be held on Saturday, December 12, 2009 at the Arts District on High Street from 6:00 p.m. to 9:00 p.m. subject to receipt of Incident Action Plan

c) Remember Me Candlelighting Ceremony sponsored by the Millville Recreation & Compassionate Friends to be held on Sunday, December 13, 2009 at the Glasstown Plaza from 6:00 p.m. to 9:00 p.m. subject to receipt of Incident Action Plan

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

Report from City Engineer regarding proposals received on Thursday, October 15, 2009 at 10:00 a.m. for the project entitled "South 15th Street Sanitary Sewer Extension in the Millville Municipal Sewer Collection System"

## CITY OF MILLVILLE



"THE HOLLY CITY"

12 SOUTH HIGH STREET  
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Tax Collector  
BRIAN P. ROSENBERGER  
Tax Assessor  
DONALD S. AYRES  
Director of Economic  
Development  
KIMBERLY J. AYRES  
Planning DirectorTo: Mayor and Commissioners  
From: John Knoop  
Re: South 15<sup>th</sup> Street Sewer Extension  
Date: October 28, 2009

The City of Millville Purchasing Board received bids on October 15, 2009 for the South 15<sup>th</sup> Street Sewer Extension.

Ten (10) bids were submitted for this project ranging from a low of \$274,328.00 to a high of \$838,650.00. The Engineer's Estimate for this Project is \$561,750.00.

Based on a review of the bids submitted, I recommend that the City award the contract to the low bidder, Mazzara Excavation, Corp, Farmingdale, NJ, for their low bid in the amount of \$274,328.00 at the November 2, 2009 Commission Meeting.

If you have any questions, please contact me.

CC: Lew Thompson  
Adolf Tarasevich  
Pat Ney  
Floyd Burt

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NOV 2 - 2009

LEWIS N. THOMPSON  
CITY CLERK

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

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

Paul Porreca: "Good evening, Mr. Mayor and Commissioners, my name is Paul Porreca, I live on Porreca Drive. I'd like to remind everybody to vote tomorrow morning, or tomorrow sometime, you'll probably remember to do it any way,"

Mayor Shannon: "I've got my notes, I've got my notes, I was going to tell them..."

Paul Porreca: "but it won't hurt to tell them twice, will it Mayor?"

Mayor Shannon: "There you go, I'll remind them."

Paul Porreca: "It's a little ridiculous that they have a twenty-five percent turnout predicted. That's shameful, isn't it? Anyway, let's hope that our reminding them will get two or three more people there. How's Commissioner Quinn doing?"

Commissioner Finch: "He's doing well, he's going to the doctors, I understand, Wednesday, tomorrow, Wednesday, and he says he's doing well."

Paul Porreca: "Okay, because I think people would like to know. I've had a lot of people ask me how he's doing, and I didn't know, well that's good, so he'll be back soon, I trust. I've been reading newspaper accounts about the new Solar Company that's coming to Millville, and that's terrific. In those newspaper reports, there was a comment by one of the Principals that I read from the new company that they chose Millville for, some of the reasons that they chose Millville were because of the many State and Local incentives that had been offered. Then followed a description of some of the State incentives, what they were, but there was no descriptions of what the local incentives were, and I was wondering if you could tell us what the local incentives are that helped to bring this company to town."

Mayor Shannon: "To be honest with you, Mr. Porreca, at this point, those incentives haven't been finalized. There have been discussions, they've had discussions with us, the main key was, you know, getting the State involved, DCA was heavily involved, Don Ayres was involved with those discussions, and there were some parameters laid out that nothing was finalized yet. We do not have a Municipal Development Agreement with that spelled out."

Paul Porreca: "Oh, but I read it right, I mean, that's what the guy said, he said local incentives."

Mayor Shannon: "Well we, you know, we laid out a few incentives that the City possibly could lay out, but nothing was finalized."

Paul Porreca: "Are you prepared to tell us what they were or not?"

Mayor Shannon: "At this point, no, because we're still in discussions with the company on that."

Paul Porreca: "Could I even ask? We don't have another fifteen year job on the table, do we?"

Mayor Shannon: "I don't think we're looking at fifteen, but that's just my opinion."

Paul Porreca: "Well, that's one anyway. Thank you."

Joe Hanlon: "Joe Hanlon, 1107 Earle Avenue, Millville. Quick question. Friday, I was up at the brand new soccer field, and they were just finishing up all of the striping in the parking lot. By the way, that is a beautiful field. When is it going to be put in use?"

Mayor Shannon: "Well, that has actually been delayed a few different times. Going back and forth, it should be pointed out that the City has stayed out of the final negotiations with the

developer and the Soccer Association. We've allowed them to finalize their final deal. We provided the land to the developer to build that project for the Soccer Association. Because of some of the Change Orders that the Soccer Association has asked for, and the developer has agreed to, it's actually taking about eight to ten months longer, Joe, than we anticipated. We're hoping that by the fall, possibly the spring of this year, they'll be able to start playing games out there. One of the issues that they had was planting the grass as compared to getting sod down. The Soccer Association utilized some of the money paid by the developer directly to the Soccer Association to the tune of \$50,000.00 a year for ten years, they actually utilized some of their funds to provide, not only the irrigation system out there, but again, they worked out with the developer, and also they brought sod in. And right now, what the City has done, is we've assisted the Soccer Association in planting some of the swales around the field. You know how you've got the swales around the fields?"

Joe Hanlon: "Yeah."

Mayor Shannon: "We've provided a planter, a seeder, rather, okay for the City. The Soccer Association, again, has purchased all that seed, so we're basically planting swales. So, we're going to be finalizing that, hopefully, come springtime, we're hoping to be able to christen that and use that facility."

Joe Hanlon: "It sure is a beautiful set up, I'll tell you that. I've been watching that thing develop, boy. Okay, thank you."

Mayor Shannon: "Thank you. Again, I should point out, I don't know if everybody's aware of this, but that is part of the land swap with Goodman Properties for the Union Lake Crossing. At the time, they actually utilized a field and a half that they had taken from the Soccer Association, and John, you may have to correct me, but I think originally it was Green Acres and working with the State. Originally it was two to one that they had asked for replacement, and when it came down they actually said they wanted four to one. So, by taking that field and a half, they increased the size of the fields that we turned over to the Green Acres and they will have four, six, six immediate fields, four of them lit, all sodded, all six fields are sodded, four of them will have the championship lighting. I learned all kinds of information about foot candles from Mr. Jones. Handicapped accessible concession stand, meeting room, storage area, mechanical room, I'm trying to think of some of the other amenities they've got in there. Well, obviously, Joe saw the parking, Mr. Knoop failed originally the walking trails and the parking lot, they had to come back in and redo that. As you said, they're finishing up the striping. There's some parking lot lights coming from the developer. We also were contacting Atlantic City Electric to utilize the backside of their poles for additional lighting that will be paid for by the developer, Goodman Properties. The additional area, after the six fields, which would be, help me with my direction, it would be, is it south? The back corners, when you look at it from McCafferty Boulevard, that back corner where the practice area is."

John Knoop: "Towards the Industrial Park."

Mayor Shannon: "Okay, towards the Industrial Park, that'll actually be used for now, Joe as a large practice area in which they'll just be able to move and designate practice areas so the players will not have to practice on the actual game fields. Eventually, the Soccer Association themselves are looking to expand that, but remember, that is a fifty acre site so we're thinking that we possibly could get a total of ten full fields with a possibility of two short fields for the younger group. So, we are looking at a very nice Soccer Complex for years to come. The Soccer Association will be able to generate revenue from tournaments that they'll be able to host because of the amenities they have out there. The good news is, the City did not give up our property behind Lakeside. We will still control that area. The School Board is looking to partner with us and develop the north end, possibly putting in a couple small baseball fields, maybe a couple combination fields for girl's lacrosse, girl's field hockey, things of that nature, but we're still discussing future plans from that area. So, we still have that area also to utilize. So we're very excited about the Recreation Area that has been opened up."

Bob Tesoroni: "Good evening, Mr. Mayor, Commissioners, Bob Tesoroni, Howard Street. I have a question. Do you anticipate transferring any money from the Water and Sewer surplus into the general fund this year?"

Commissioner Derella: "For our 2010 budget?"

Bob Tesoroni: "2010 budget, yes. Before you finalize your budget and submit your current budget, do you plan on transferring any money into that?"

Commissioner Derella: "Well, we'll be transferring from those two surpluses to help offset any tax increase, yes."

Bob Tesoroni: "To help offset any tax increase."

Commissioner Derella: "...the same formula that we stated earlier in today's meeting."

Bob Tesoroni: "Okay, do you have any idea what that figure would be?"

Commissioner Derella: "At the present time, I don't have that in front of me so I don't want to misquote."

Bob Tesoroni: "Do you think it'll be in line with what we've been doing in the past? About \$540,000.00 a year?"

Commissioner Derella: "It'll be probably around 385 to \$400,000.00 in the sewer and about 200..."

Lewis Thompson: "...185..."

Commissioner Derella: "...185 to \$200,000.00 in the other."

Bob Tesoroni: "Thank you."

Commissioner Derella: "That same formula."

Bob Tesoroni: "Thank you."

Commissioner Derella: "Exactly how it was stated."

Bob Tesoroni: "Thank you. It was an impressive presentation this evening. I almost anticipated that we would have some heavy guns here, but it doesn't change the facts a bit. Even with changes to the processing plants, the stricter approval level set by State and increases in operating costs, you still saw a continued increase in the surplus. It is now 3.2 million combined. And an average of \$540,000.00 per year being transferred into the general fund. Now, Mr. Finch stated that the anticipated increase would be about \$524,000.00. Of course, we can't anticipate what the hookup fees and stuff like that, but we can project with the fee increase what it will be."

Commissioner Finch: "That's with both utilities."

Bob Tesoroni: "Both utilities. That is less than we're going to be transferring into the general fund. So how you see a need for an increase is beyond me. Maybe I'm missing it, maybe you have, you know, you're seeing it clearly and I'm wearing the spectacles, I don't know. But, let's call it what it is, gentlemen. The increase is to be utilized as a means to generate revenue, and Mr. Derella said it himself, to offset a tax increase. By your own admission, the New Jersey Motorsports Park said all they could afford was \$175,000.00 a year in taxes. And you agreed to it for fifteen years. Then a representative from Goodman Industries stood here and said, 'you need to work with us during these hard economic times.' And you refuse to rescind the illegal abatements. And that's what they are. They haven't met all of the criteria. It doesn't say some of it, it says all of it. And then the taxpayers stand here and ask you to be considerate of them because they're the foundation of this City, and what do you do? You increase their fees to use it somewhere else other than the utilities. I don't know what you're asking the people to do. How much do you think you're going to get out of them? It's nice that we have a corporation that says they're coming here to town and going to provide 280 jobs. That's a start. But we've lost a lot of jobs in the last few years, gentlemen. And the revenue's not here. You go to some of these shops that have been in business forever. Jim's Lunch is one of them. You used to have to stand outside to get in there any day of the week. Now you can go in there and there's empty seats. Why? because the factories have closed up. So what's our answer to that? We're going to add an additional tax. Gentlemen, I ask you to rethink what you're doing up there. You're killing the people in this City. They're moving out left and right. The campaign signs aren't all coming down. There's one that's going to stay up, and that's in every neighborhood: 'For Sale'. And there's a reason. They can't afford this City anymore. Thank you."

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

Mayor Shannon: "Bob, I did want to just clarify one thing. You said illegal abatements?"

Bob Tesoroni: "Yeah."

Mayor Shannon: "Okay. Just wanted to check on that."

Bob Tesoroni: "They don't meet all of the criteria. That's what it is."

Mayor Shannon: "Got ya. Okay, as Mr. Porreca pointed out earlier, don't forget to vote. As Commissioner Finch pointed out, go early and often."

Commissioner Finch: "Early and often."

Mayor Shannon: "Do get out. Hopefully, we'll get a good turnout tomorrow. The weather is supposed to be good, so they can't use the weather as an excuse. But we do encourage everybody to get involved in the process, get out and vote, very important election tomorrow in the State of New Jersey. Commissioner Vanaman, any comments?"

Commissioner Vanaman: "Nothing other than to add, once again, to reinforce everybody should get out and vote. Very important this time."

Mayor Shannon: "That's three. Joe?"

Commissioner Derella: "Obviously, vote. And I'll save my comments in regards to what some of the abatements have done for the next meeting because I know we have some things on the agenda at that time. I don't think that it is fair that they blame this Administration for some of the economic downfalls and downturns throughout the country. We are doing our share to try to create as much opportunity for the residents of the City of Millville as we possibly can. A brief example is Union Lake Crossing will generate in abated taxes to the City of Millville \$2.8 million from '07 to 2011 as opposed to the seven businesses that were previously there that would have turned into about \$356,000.00 to the City of Millville. So, we are doing our fair share in regards to trying to be very, very prudent in the way we structure our deals in the best interest of the City of Millville."

Mayor Shannon: "Commissioner Finch?"

Commissioner Finch: "Nothing."

Mayor Shannon: "Last chance."

Commissioner Finch: "Nothing."

Mayor Shannon: "Well, there was four times, Mr. Porreca they mentioned to vote for you."

Resolution No. A- 6679 authorizing Closed Session re: NJDEP Administrative Consent Order for Sewer Department and to discuss Sewer Utility Operation compliance schedule and improvements was adopted, by the following vote: Yeas: Finch, Derella, Vanaman and Shannon.

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

Approved: November 16, 2009

James T. Shannon  
Mayor

Joseph J. Derella

David W. Vanaman

Dale L. Finch  
Commissioners

Attest:

Lewis N. Thompson  
City Clerk/Administrator

**BILL LIST  
CITY OF MILLVILLE  
MEETING NOVEMBER 2, 2009**

A-QUALITY BUSINESS SYSTEMS,LLC	95.00
ACE PLUMBING & ELEC SUPPLY	377.60
AHOME, INC	1,260.00
ALL ELECTRIC, INC.	1,450.00
ALLONARDO BROS. GARAGE	22.63
AMERICAN PLANNING ASSOC.	300.00
JOANMARIE ANDREOZZI	1,250.00
ARAMARK UNIFORM SERVICES, INC.	1,005.44
ARCADIS U.S., INC.	1,165.19
ASSN MUNICIPAL ASSESSORS NJ	110.00
AT&T	19.51
ATLANTIC CITY ELECTRIC	48,851.14
ATL. CO. UTILITIES AUTHORITY	14,611.20
DON AYRES	236.36
BANC OF AMERICA LEASING, INC.	384.14
BAYSHORE DISCOVERY PROJECT	250.00
BETHEL DEVELOPMENT CORPORATION	1,875.00
BIRCH'S COMMUNICATIONS	834.50
BOGARTS IN INK	334.64
BOWMAN & COMPANY LLP	19,687.00
BOYCE ASSOCIATES	2,025.00
CERTAPRO PAINTERS	342.01
CITY OF MILLVILLE	1,662.08
CITY MILLVILLE PAYROLL DED ACC	345,351.47
CITY OF MILLVILLE UTILITY	15,454.50
COMCAST, INC.	341.34
CUMBERLAND CO. CLERK'S OFFICE	424.00
CCIA	654.28

CUMBERLAND REMINDER	514.00
CUMBERLAND VALVE INC	326.57
CUMBERLAND TREE SERVICE, LLC	675.00
DDK CONSTRUCTION	7,042.00
DEERFIELD ELECTRIC	1,392.00
DERICK I. GLENN	875.00
BEATRICE MACKIE	65.00
JEANNIE DUBOIS-CHARD	72.00
EDWARD DUFFY, ESQ.	364.00
DYNAMIC IMAGING SYSTEMS, INC.	4,733.00
EDMUNDS & ASSOCIATES INC.	28,550.00
EMTEC, INC.	2,876.00
FIRST DUE EMERGENCY SUPPLY INC	1,606.36
FLEMINGTON BUICK CHEVROLET	22,307.00
THE FLOWER FARM, INC.	120.00
FORT DEARBORN LIFE INSURANCE	1,828.80
FREE SPIRIT PUBLISHING, INC.	171.81
GARRISON ENTERPRISE INC	6,830.00
GIANCOLA MOTOR CAR, INC.	80.00
GKI/BETHLEHEM LIGHTING LLC	677.66
GARY M. GLASS, M.D.	650.00
GLOBAL TRACKING COMMUNICATIONS	70.00
GPM ASSOCIATES, INC.	28,500.00
GRAINGER	299.74
GREENBAUM, ROWE, SMITH AND	220.00
GRUCCIO, PEPPER, DESANTO	11,172.82
INDUSTRIAL SUPPLIES INC	245.36
ADOLPH KIEFER & ASSOC INC.	606.97
L & H SIGNS INC.	31,734.51
LANDSMAN UNIFORMS INC.	275.00
LAWMEN SUPPLY CO, INC.	252.30
LOPEZ BROS CONSTRUCTION, LLC	3,305.13
LOWE'S CO., INC.	669.91
MCI COMM SERVICE	20.01
RODNEY R. MACAVOY	16,285.00
MAIN STREET SUPERMARKET	44.66
MATTHEW BENDER & CO, INC.	340.89
RICHARD C MCCARTHY ESQ	3,333.33
MCMASTER-CARR SUPPLY CO	4,969.67
MES/ALL SAFE, INC.-PENNSYLVANIA	426.00
MIG ENVIRONMENTAL, LLC	285.00
MILLVILLE AUTOMOTIVE, INC.	10.49
MILLVILLE DEVELOPMENT CORP	64,562.36
WILLIAM R. MINTS AGENCY, INC.	1,027.50
MODERNPOSTCARD	261.05
NATIONAL DEVELOPMENT COUNCIL	6,000.00
PATRICK NEY	100.00
VERIZON	13,225.89
PENN-JERSEY MACHINERY, INC.	379.24
POSITIVE PROMOTIONS	278.46
PROF GOVT EDUCATORS, INC.	90.00
QUALITY CONTROL LABS, INC.	1,186.75
BROCK D. RUSSELL, L.L.C.	572.00
A C SCHULTES, INC.	14,700.00
ADAM SEITZ	30.00
SERVICE TIRE TRUCK CENTER, INC	3,272.45
HACC	300.00
CUMBERLAND CO TREASURER	4,469,785.87
S & J PIZZERIA	35.95
SJ FARMERS EXCHANGE, INC.	1,281.00
SJ GAS COMPANY	632.42
RICKY SLADE CONSTRUCTION INC.	121,604.77
SOUTH STATE INC	2,309.30
S & S WORLDWIDE, INC.	227.44
STATE OF NEW JERSEY	413.00
STEELMAN PHOTO SUPPLIES	63.00
STUDIO T+L, LLC	8,000.00

SUPERCIRCUITS, INC	1,069.41
JOSEPH SUTHERLAND	356.81
360 TRANSLATIONS INTERNATL INC	199.50
WES THOMPSON PLUMBING & HEATNG	4,800.00
TOMLIN BROTHERS AUTO BODY, INC	1,719.45
TREASURER, STATE OF NJ	80.00
TRI-CITY PAPER & JAN. SUPPLIES	1,389.30
UNIVERSAL SUPPLY CO., INC.	319.10
URBAN ENTERPRISE ZONE	647.06
SIEMENS/WALLACE & TIERNAN	2,381.60
USHLER'S FRAME & BODY SHOP INC	5,097.50
PHILIP S VAN EMBDEN, ESQ	600.00
VITAL COMMUNICATIONS, INC.	100.00
VWR INTERNATIONAL, INC.	1,215.96
W. B. MASON COMPANY, INC.	4,858.13
WHEATON ARTS & CULTURAL CENTER	7,097.43
ALICE E WOOD	300.00
WWNJ	1,000.00
ZEE MEDICAL SERVICE, INC.	37.05
JEFFREY MAROLDA	5,760.00
IN HIS PRESENCE WORSHIP CENTER	2,500.00
K HOVNANIAN HOMES	52,962.00
JOHN COLEMAN	82.02
HELEN BROWN	395.74
TYRA CAUSEY	1,329.97
JOSEPH & TRACY DACY	390.18
JOHN & SUSAN GARDNER	1,474.68
ANNIE NORTON	723.54
EUGENE TAYLOR, JR	805.97
ST PAULS LUTHERAN CHURCH	137.00
TOTAL VOUCHERS FOR 11/02/09	5,455,364.87
CITY OF MILLVILLE SALARY ACCOUNT	110,798.04
CITY OF MILLVILLE SALARY ACCOUNT	453,555.19
TOTAL SALARY FOR 11/02/09	564,353.23
TOTAL VOUCHERS & SALARY 11/02/09	6,019,718.10