

Commission Chamber, City Hall
 Millville, New Jersey
 December 23, 2008, 12:00 p.m.

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

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

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

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

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

COPY OF BILLS SEE PAGES

THROUGH

The following proposed ordinance was read on first reading:

Ordinance No. 1-2009

An Ordinance to approve the application and grant agreement for a five year exemption or abatement from taxation pursuant to Article I of Chapter 65 of the Municipal Code re: Zeus Realty, LLC, Millville Self Storage (Phase II) 2303 West Main Street

Director Derella moved for the adoption of the proposed ordinance on first reading with final consideration to be given on January 6, 2009 after due publication as provided by law.

Director Shannon seconded the motion.

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

The following proposed ordinance was read on first reading:

Ordinance No. 2-2009

An Ordinance to approve the application and grant agreement for a five year exemption or abatement from taxation pursuant to Article I of Chapter 65 of the Municipal Code re: Goodmill, LLC, Kay Jewelers, 2160 N. Second Street

Director Derella moved for the adoption of the proposed ordinance on first reading with final consideration to be given on January 6, 2009 after due publication as provided by law.

Director Shannon seconded the motion.

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

The following proposed ordinance was read first reading:

Ordinance No. 3-2009

Ordinance to approve the application and grant agreement for a five year exemption or abatement from taxation pursuant to Article I of Chapter 65 of the Municipal Code re: Goodmill, LLC, Party City, 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 January 6, 2009 after due publication as provided by law.

Director Shannon seconded the motion.

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

The following proposed ordinance was read first reading:

Ordinance No. 4-2009

Ordinance to approve the application and grant agreement for a five year exemption or abatement from taxation pursuant to Article I of Chapter 65 of the Municipal Code re: Goodmill, LLC, Sonic Drive-Thru, 2162 N. Second Street

Director Derella moved for the adoption of the proposed ordinance on first reading with final consideration to be given on January 6, 2009 after due publication as provided by law.

Director Shannon seconded the motion.

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

The following proposed ordinance was read first reading:

Ordinance No. 5-2009

Ordinance to approve the application and grant agreement for a five year exemption or abatement from taxation pursuant to Article I of Chapter 65 of the Municipal Code re: Goodmill, LLC, Venuto's Old World Pizza, 2166 N. Second Street

Director Derella moved for the adoption of the proposed ordinance on first reading with final consideration to be given on January 6, 2009 after due publication as provided by law.

Director Shannon seconded the motion.

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

The following proposed ordinance was read first reading:

Ordinance No. 6-2009

Ordinance to approve the application and grant agreement for a five year exemption or abatement from taxation pursuant to Article I of Chapter 65 of the Municipal Code re: Grayling Corp., Chili's Grill & Bar, 114 Bluebird Lane

Director Derella moved for the adoption of the proposed ordinance on first reading with final consideration to be given on January 6, 2009 after due publication as provided by law.

Director Shannon seconded the motion.

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

The following proposed ordinance was read first reading:

Ordinance No. 7-2009

Ordinance to approve the application and grant agreement for a five year exemption or abatement from taxation pursuant to Article I of Chapter 65 of the Municipal Code re: JLD Realty, LLC, Finish Line Auto Repair, 204 South Wade Blvd.

Director Derella moved for the adoption of the proposed ordinance on first reading with final consideration to be given on January 6, 2009 after due publication as provided by law.

Director Shannon seconded the motion.

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

The following proposed ordinance was read first reading:

Ordinance No. 8-2009

Ordinance to approve the application and grant agreement for a five year exemption or abatement from taxation pursuant to Article I of Chapter 65 of the Municipal Code re: Ripicon South Laundromat, 1125-1127 South Second Street.

Director Derella moved for the adoption of the proposed ordinance on first reading with final consideration to be given on January 6, 2009 after due publication as provided by law.

Director Shannon seconded the motion.

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

The following proposed ordinance was read first reading:

Ordinance No. 9-2009

Ordinance to approve the application and grant agreement for a five year exemption or abatement from taxation pursuant to Article I of Chapter 65 of the Municipal Code re: Richard & Ann Selover, R.N. Selover, Co., 17-21 Wolf Road

Director Derella moved for the adoption of the proposed ordinance on first reading with final consideration to be given on January 6, 2009 after due publication as provided by law.

Director Shannon seconded the motion.

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

The following proposed ordinance was read first reading:

Ordinance No. 10-2009

Ordinance to approve the application and grant agreement for a five year exemption or abatement from taxation pursuant to Article I of Chapter 65 of the Municipal Code re: F. Jacquet & Sons, Inc., 71-79 Reese Road

Director Derella moved for the adoption of the proposed ordinance on first reading with final consideration to be given on January 6, 2009 after due publication as provided by law.

Director Shannon seconded the motion.

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

Resolution No. A-6351 authorizing the award of professional service contract to J. Fred Coldren, 301 Franklin Street, Cape May, New Jersey to provide professional services to expedite the processing of disciplinary matters and grievance matters within the five (5) departments of City government, in an amount not to exceed \$10,000.00 was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Vanaman and Quinn.

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

Resolution No. A-6352 authorizing the award of professional service contract to Clarke, Caton and Hintz, Station Place, 400 Sullivan Way, Trenton, New Jersey to provide consultant services to the City of Millville Planning Board and Zoning Board of Adjustments, in an amount not to exceed \$5,000.00 was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Vanaman and Quinn.

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

Resolution No. A-6353 authorizing the award of professional service contract to mcManimon & Scotland, LLC, One Riverfront Plaza, 4th Floor, Newark, New Jersey to perform legal services in connection with the sale of bonds pursuant to Bond Ordinances adopted by the City of Millville and RAD related documents for the City of Millville, to be paid at various hourly rates was adopted, by the following vote: Yeas: Shannon, Parent, Derella, Vanaman and Quinn.

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

Resolution No. A-6354 authorizing the award of professional service contract to Gruccio, Pepper, DeSanto & Ruth, PA, 817 E. Landis Avenue, Vineland, New Jersey to perform legal services in connection with collective bargaining negotiations, personnel administration, employer-employee relations and other related matters, in an amount not to exceed \$40,000.00 was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Vanaman and Quinn.

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

Resolution No. A-6355 authorizing the award of professional service contract to Edward Duffy, Esquire, 2630 E. Chestnut Avenue, Vineland, New Jersey to perform legal services in connection with disciplinary matters involving City of Millville employees, in an amount not to exceed \$5,000.00 was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Vanaman and Quinn.

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

Resolution No. A-6356 authorizing the award of professional service contract to Bowman & Company, 601 White Horse Pike, Woorhees, New Jersey to perform audit and other financial services, to be paid at various hourly rates was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Vanaman and Quinn.

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

Resolution No. A-6357 authorizing the award of professional service contract to Chance & McCann, LLC, 201 W. Commerce Street, Bridgeton, New Jersey to provide legal services for the City of Millville in litigation, in an amount not to exceed \$5,000.00 was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Vanaman and Quinn.

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

Resolution No. A-6358 authorizing the award of professional service contract to General Code Publishers, 72 Hinchey Road, Rochester, New York to provide codification services in connection with the editing and printing of Ordinances to be incorporated in the Municipal Code, in an amount not to exceed \$7,500.00 was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Vanaman and Quinn.

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

Resolution No. A-6359 authorizing the award of professional service contract to Graphicus Communication, LLC, 16 E. Pine Street, Millville, New Jersey to provide advertising, marketing and public relation services, in an amount not to exceed \$4,200.00 was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Vanaman and Quinn.

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

Commissioner Derella made the following comments:

"Mr. Mayor, we did go through an open process with several of these contracts. Some of which we got responses and some we did not. Some of our attorneys, especially bond council, our auditors, which is Bowman and Company, they're very specialized fields and people that could apply with the correct qualifications and experience were very limited. We did have

applicants for this particular position, which was the advertising and public relations for the City of Millville and the hourly rates by Graphicus were one of the deciding factors. Experience wise, both firms demonstrated the ability on paper and what they presented us in regards to projects they have done were pretty much equal. When it came down to an hourly rate, that made a little bit of a difference for us for the savings down the road."

Mayor Quinn: *"That's important to make the savings, that's good."*

Resolution No. A-6360 authorizing the award of professional service contract to Allen Associates, 630 S. Brewster Road, Vineland, New Jersey to provide consultant services regarding the insurance needs of the City of Millville, to be paid at a rate of \$1.00 plus insurance broker fees was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Vanaman and Quinn.

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

Commissioner Derella made the following comments:

"The reason for the amount of that is, again, with our insurance brokers, as you saw, what you get is insurance broker fees plus one dollar. Basically this is the cost, if I'm not mistaken, Maureen, of what our insurance premiums are going to be when it goes forward from there. So that covers all of the employees in the City in each one of the different departments. So, we had to make sure that those funds were certified. This is another one where we did have another person who was interested, another company, we laid out on the table experience, what they've done, services offered and the cost. And, basically, the cost was about the same because each insurance broker has a particular fee that they charge. But, service wise, each company had delivered the same service and Allen and Associates actually being local and delivering the same service as a larger company, we felt that it was in the best interest to stay where we were at, no change in cost, persay."

Resolution No. A-6361 authorizing the award of professional service contract to William R. Mints Agency, PO Box 766, Millville, New Jersey to provide consultant services regarding the insurance needs of the City, to be paid at 4.50% of total assessment from ACMJIF Self Insurance Plan and 10% of insurance premiums for coverage for accidents, bonding and flood was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Vanaman and Quinn.

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

Commissioner Shannon made the following comments:

"Yes, Mr. Mayor, real quick, this was an area in which we did have a couple local firms present to us. And, finding both firms very professional, we leaned towards the side of experience here. Millville has been very successful in the Atlantic Count JIF and we felt that the experience far outweighed anything else we could look at there, and the

continuity in moving forward with the very tedious times that we live in. So, we felt that experience was one of the main factors. Driving forces with this one."

Resolution No. A-6362 authorizing the appointment of Lewis N. Thompson, as Fund Commissioner to the Atlantic County Municipal Joint Insurance Fund was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Vanaman and Quinn.

Commissioner Derella made the following comments:

"Okay, Mr. Mayor, Lew Thompson has been serving on this thing and the JIF has been very good to the City of Millville in regards to keeping our premiums down. One of the requirements that Lew has to go through as well as our insurance broker of record is the attendance at approximately thirty meetings per year. That includes the safety meetings that happen on a monthly basis here in the City, the actual JIF meetings themselves, as well as the committees they need to serve on. So, it is very time consuming for both parties. They have to be in attendance, it is very difficult to send a substitute person in their place to attend those things because keeping the continuity it needs to be done. They coordinate that with Bob Polise who oversees our safety aspects in the City, and due to all of his diligence as we switched over to the JIF Mayor ten years ago, it has led to significant savings. I believe, Lew, this year is the first year our premium will be over a million?"

Lewis Thompson: "Yes."

Commissioner Derella: *"So we've done a tremendous job as a staff across the board making sure that these things are put in place. A lot of hard work, and again, a lot of time needs to be spent by our appointee, Lew, to that Board as well as our insurance broker. It's not just show up when you want. It is a serious commitment that has to be done at those meetings."*

Mayor Quinn made the following comments:

"It's interesting, over twelve years ago when we first got elected, the insurance was well over a million at that time, it had come down substantially about four hundred seventy thousand, if I remember correctly, when we went out and got quotes, and of course one of the quotes was from the Atlantic County Joint Insurance Fund. So, that's pretty good, considering we've had ten years and it's still lower today than it was twelve years ago. So, that's a good thing."

Resolution No. A-6363 to appoint a Risk Management Consultant as required by Atlantic County Municipal Joint Insurance Fund re: William R. Mints Insurance Agency was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Vanaman and Quinn.

Commissioner Derella made the following comments:

"Yes, Mr. Mayor, when we took some RFPs in regards to the various positions, Mint's original fee, working with the JIF was at 6%, if I'm not mistaken. His response back to us through the RFP process, he had lowered his fee to 4 and a half percent, and is helping with Mr. Thompson in regards to that. That's more in line with what the average fee is for the brokers on record for the other municipalities which, I believe, is forty-four now."

They were 4.93 I think you told me was the average. So, we're in the ballpark. And, again, he reduced his fee knowing the magnitude of work that has to be done. So, in that experience, definitely, as Commissioner Shannon said, weighed heavily on us with ten years experience in that JIF."

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

Bob Tesoroni: *"Good afternoon, Mr. Mayor and Commissioners, Bob Tesoroni, Howard Street, Millville. I know there'll be an opportunity at the next Commission Meeting to address on second reading the Ordinances read this afternoon, but prior to that, I would ask that you gentlemen give careful consideration into the unchartered water that you're about to embark upon. In the past, it's been the position of this Commission, or the majority of this Commission, that abatements are necessary because we're in competition, and without the abatements they would not come. The ten applications before you at this time, that is not the case. They are here. So, it should be obvious to you that the word is out. You get a free ride in Millville. And, I would ask you to give careful consideration to that at the very least between now and then. Maybe do something that a professional staff member doesn't like to do on your staff. And that's a negative impact study. I know these are difficult financial times for businesses, but they are for the taxpayers also. And, I think you need to consider the negative impact on the taxpayer with these abatements. Thank you, and I wish for you and your families a nice holiday season."*

Richard McCarthy: *"Just by way of clarification, all five year abatements are approved after the project is completed, not before."*

Lester DiDomenico: *"Good afternoon, Mr. Mayor, gentlemen. Just as a counterpoint..."*

Mayor Quinn: *"Would you mention your name...?"*

Lester DiDomenico: *"Oh, I'm sorry. I'm Lester DiDomenico, JLD Realty on 204 South Wade Boulevard. And, as a counterpoint, I am one of the ten, but I am here because of the abatement. That was part of my package. And, trust me, I've got a very fine line whether we could have put this up or not, and that abatement made all the difference in the world to me, being where I am right now. So, I do want to say that I expected that was going to be part of the package when I came in. I may have been naïve on my part. But, I'm very concerned that it doesn't get through, because that would hurt me terrifically, and had I not had this abatement, I wouldn't have started this project. So, thank you."*

Commissioner Parent: *"How many people are employed with you?"*

Lester DiDomenico: *"Well, we started out with just my son, but we're going to have at least three people there by the time...We're going to pick up employees as of January 1st of this year, and that's because of the move."*

Commissioner Parent: "Thank you."

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

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

Approved:

James F. Quinn
Mayor

Joseph J. Derella

W. James Parent

James T. Shannon

David W. Vanaman
Commissioners

Attest:

Lewis N. Thompson
City Clerk/Administrator

**BILL LIST
CITY OF MILLVILLE
MEETING DECEMBER 23, 2008**

ATLANTIC TIME SYSTEMS	495.00
CLARKE CATON HINTZ, INC.	887.95
GPM ASSOCIATES	5,920.00
KEY EQUIPMENT	390.00
R.E. MICHEL COMPANY, INC.	17.88
PERFORMANCE PLUS, LHA, LLC	1,500.00
BROCK D. RUSSELL, LLC	3,750.00
RUTGERS, THE STATE UNIVERSITY	490.00
TARGET BANK	132.21
 TOTAL VOUCHERS FOR 12/23/08	 13,583.04
 CITY OF MILLVILLE SALARY ACCOUNT	 286,865.21
 TOTAL VOUCHERS & SALARY 12/23/08	 300,448.25