

3<sup>rd</sup> Floor Conference Rm, City Hall  
Millville, New Jersey  
April 4 2006, 5:00 p.m.

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

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.

Resolution No. A- 5405 authorizing a closed session regarding sale of land, development agreements and pending litigation was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

**CLOSED SESSION**  
**APRIL 4, 2006**

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

Conference Room No. 2, City Hall  
Millville, New Jersey  
April 4 2006, 6:30 p.m.

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

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

The City Clerk/Administrator noted there was a problem with the Bond Ordinance No. 14-2006 concerning Water Utility/Capital Projects and an error in the preamble concerning the publication of the public hearing date.

It was noted the process would start over with the Bond Ordinance being introduced on first reading this evening.

The City Clerk/Administrator noted additions to the agenda concerning authorizing attendance by a City Official at the Tax Sale on April 6, 2006 for bidding on parcels of property that could be considered for public use and a resolution authorizing public auction of vehicles on April 13<sup>th</sup>.

A request for a special event on public lands for the Holly City Regatta submitted by the Millville Parks Department was also added to the agenda.

The City Clerk noted as of this date the application has been submitted by the Parks Department, however there are no list of participants noted on the application in order to receive insurance certificates and/or waivers from the respective schools.

The City Clerk/Administrator also noted a motion to authorize for the sale of one (1) 1984 Mack Compactor Body to be sold at a meeting of the Purchasing Board on April 18<sup>th</sup> with a minimum bid of three thousand (3,000) dollars.

Mayor Quinn referred to the City of Millville's Southern New Jersey Development Council Showcase Presentation on Wednesday, April 05, 2006 at the City Commission Chambers and Mayor Quinn noted the recent passing of Earl Dubois, who was 95 years old and served the City of Millville as Chairman of the Millville Industrial Commission and was a former executive of the Wheaton Industry Corporation.

Commissioner Hollingshead noted the loose leaf pickup would continue during the month of April and reported that he would submit a statement regarding the sewer and water connection issues regarding residents on Cedar Street.

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

Commission Chambers, City Hall  
Millville, New Jersey  
April 4 2006, 7:00 p.m.

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

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

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

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

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

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

**COPY OF BILLS SEE PAGES THROUGH**

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

There being no response Mayor Quinn closed the public comment portion of the agenda and called upon the City Clerk/Administrator for petitions and letters.

The City Clerk/Administrator read the following letter from Commissioner Shannon, Director of Parks and Public Property, appointing Elizabeth Nicke as Recreation Supervisor pursuant to her certification from the State of New Jersey Department of Personnel effective April 4, 2006.

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

The Report of Investment of Funds on behalf of the Municipal Treasurer for the months of January and February 2006 were ordered, received, filed and the proper officials authorized to execute same, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

Commissioner Shannon reported on the forthcoming Easter Egg Hunt and urged everyone to attend.

Commissioner Parent noted the City of Millville was recently notified by Congressman LoBiondo that our Weed and Seed Program Grant Application has been approved and called upon Dr. Kim Warker for a presentation.

Dr. Kim Warker made the following comments:

"Just to report to the Commissioner's that we did get notification today from Congressman LoBiondo that we were successful in seeking the Weed and Seed Grant through our first try. We have worked on the project for probably about two years. It really, it's just a culmination of a lot of commitment and caring from people in the neighborhoods. We were very fortunate that a long time ago we started our neighborhood meetings, we started our neighborhood planning, because we were able to just put on paper some of the things that we've been doing for the last several years rather than having to say what we will do and I think that helped our application a lot and you know, Ron and I both get a lot of the attention on this project, but really it belongs back to the people in our Center City, our Third Ward, our South Millville, the Westside people, who've just formed. These guys have hung in with us for an awful long time they know we have done what ever we can do up to this point, but now we will have resouces to back that up and I think when you combine them with our Community Development, when you combine with the RAD and the revenues we are going to get through the RAD really this is a great opportunity just a one time shot to really have a significant impact, so from my perspective we just put on paper Ron and myself the feelings and the words that are expressed to us by the neighborhood group what they want to do it really is a plan and a strategy that they developed, it came from them and we took the words and put them on paper, but we just have the utmost respect and regard for the people that who worked on this so hard and it's not a situation that we are going to have to say now we are going to have to figure out our next step, we are going to flow right into it. The Chief has been committed to it and actually has been implementing part of the strategy, whether we got the money or not and that's certainly helpful. The Neighborhood Groups have prioritized their projects, so it's just going to be a matter of spending some money and we're pretty good at that, so we're just so excited to hear that today, it's like we finally get to say back to the residents, you know, we fulfilled a promise to you, we now have resources to go with the other things. I want to thank the Commissioners, because you guys have all worked individually on our steering committee and from here forward it will be the steering committee that will be making a lot of decisions about what we'll do and how we'll spend the money and the timeframe for doing that. But, all of you represent different departments and all of them have helped us in this process tremendously. All are representing our steering committee and it really is a great representation and a great togetherness of people that come forward to push this thing ahead. I want to thank each of you individually, your department, because they're the backbone of this strategy as we move forward. I think the Chief might have a few comments to."

Chief Harvey made the following comments:

"Thanks Kim, I think one of the things that put us heads above everyone that applied throughout the United States was the fact that the neighborhood groups have been together since about roughly around 1989, which I know I've been involved and Commissioner Parent and I believe Commissioner Hollingshead, his very first term in office and that was a plus for all of us. Plus the fact that we're going to get one hundred and seventy-five thousand dollars from the Federal Government that doesn't cost the taxpayers of the City of Millville anything. The Police will get half of that money and the Seed will get the other half to do the different initiatives that we want to incorporate in there. It will be able to allow me to put officers in the target area that we have selected and to work the

*overtime to rid the drugs, the prostitutes and the criminal element that are there without putting the burden on the taxpayers. It will allow us to work with the FBI, the DEA to come in and combat some of the larger dealers and things in the neighborhoods. I can't echo enough of what Kim said with the Commissioners on how you guys all supported what we've been trying to do, the neighborhood on how they have been behind us and it was great to get that phone call today, so that we know what direction we're going in. Our feet have been on the ground running long before we've even gotten the money to do this and that's just going to give us that extra boost that we needed. Thank you guys."*

*Commissioner Parent: "Thanks Chief. Again, you know, Kim, Chief and Rose thanks a lot for the time and effort that you've put into it and I know that our neighborhood groups are going to be very pleased with some of the results that not only is happening now, but in the future. Again, thanks a lot guys. Thank you for your work. Progress, Mr. Mayor."*

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

A report from the City Attorney concerning acquisition of property noting the Declaration of Taking for block 228, lot 11, 2206 N. 2ND Street now owned by the City of Millville was ordered, received and filed, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

Commissioner Hollingshead reported on the loose-leaf pickup for the month of April and urged all residents to please not to place any brush and mix it in with the loose-leaves as it's detrimental to the equipment.

Commissioner Hollingshead also reported on the Hazardous Household Waste Program in cooperation with the Cumberland County Improvement Authority to be held at the Public Works Facility on Saturday, April 22, 2006 from 8:00 a.m. to 2:00 p.m.

Commissioner Hollingshead made the following statement:

*"I would like to read a statement and this is in regards to the petition that was submitted on March 21<sup>st</sup> at the Commission Meeting concerning Water and Sewer Utility Ordinance. In response to the petition submitted at the March 21, 2006 Commission Meeting, I have had discussions with City Staff and have a draft of an ordinance for further review and discussion. The draft Water & Sewer Utility Ordinance states that a property owner may delay connection to sewer and water if the owner provides proof that well and septic was installed within 20 years and they agree to provide Tri-Annual Sewer Test Reports. Now, I'm going to read this fast, so I don't expect you to absorb it all and what we're going to do is we'll have copies available for you and then of course you can always ask some questions. But, it's still in a rough draft form at this point. But, we wanted to make an announcement to let you know we've been working diligently on this and I'm going to continue reading this, but again if your septic was installed within 20 years and they agree to provide Tri-Annual Sewer Test Reports and annual water test reports that indicate compliance with County Standards. For existing septic systems older than 20 years or if tests & reports are not supplied or if test results show that well or septic failed the test, then the owner must connect within 180 days."*

Exception: If the cost of installation of the water or sewer lateral exceeds \$3,000.00 (not including permit & connection fees) or household annual gross income does not exceed US Dept of HUD, which is Housing and Urban Development, limits for low and moderate income a waiver may be granted if well or septic is older than 20 years and functioning properly.

Examples Of Income Limits:

- 1 Person Household \$31,550.00
- 2 Person Household \$36,100.00
- 3 Person Household \$40,600.00
- 4 Person Household \$45,100.00

These Household Income Limits are used for all other assistance the City of Millville provides, such as AHOME and some of the other agencies that we deal with. It is the responsibility of the Governing Body to protect the health, safety and welfare of all residents of the City of Millville. This ordinance will provide a balance between the concerns of individual property owners while still fulfilling that responsibility. Again, we'll have copies of this and I believe Susan has copies of the draft if I'm not mistaken for you to read and you can pick it up after the meeting. But, we have been working on it and we're going to continue to work on it and fine tune it, but that's just a rough draft and a summary of what we have come up with so far and with that Mr. Mayor, progress."

Mayor Quinn made the following comments:

"Let me reiterate, because I saw Mrs. Hall throwing her pen in frustration. This is a rough draft, this is not set in stone, this is a give and take, you look at it and you tell us what you would like to see changed. That's why it's a draft, we had to start somewhere and I think looking it over, we'll talk when it's open-session, you and I, you certainly can talk. What I'm trying to get at is instead of getting to the point where, you know, we're already...well, that's...look at it, look at the rough draft. I read it over today and it certainly has some good points. There's still some fine tuning and we certainly have all felt your plea's from two weeks ago and we've had the same feeling that you had. There is no way someone who cannot afford, absolutely and I think that's why John's talking about the income levels and things like that to do that. You can't force someone to do that and that's what we're trying to get around and be able to give options available, timelimits available, all of the things that are there that will be looked at and we're open to take your sugestions still, this is a rough draft, so it's a give and take. Take it home, sit down, look at it, call Commissioner Hollingshead, or certainly, Mr. Shafer, who's dealing with this in the Water and Sewer Department as Superintendent and you know we need to fine tune it. This is a draft, you give back, you know, some input and take a look at it though and read it word for word, analyze it and then come back to us and you know, within now or the next couple of weeks, we'll give you time to look it over and sit down as a group or sit down individually with your families and talk about how does it effect you and you know these are things that I think need to be looked at. It is a rough draft and it has plenty of room for movement to try to make it so that it's paletable for those who do live out there. There are actually, believe it or not, we've actually had phone calls from people who want to hook in, you know, for whatever reason and that does happen. So, there is the side of it where there are not as many obviously as those who don't want to, yes, exactly, we have some who want to hook into it and eventually if your septic system gives way, you might want to hook into it too and that's why

*I think they're trying to take a period of time and say okay, you know, if you have one that's twenty years or newer, fine, it's okay. If it isn't, you know, then you have to have the test to make sure it's okay, so there's a lot involved in that and then as I say, you can certainly...I'm sure Mrs. Robostello will have copies for all of you, draft to take home and sit down and look at it. On another subject we have a couple of things happening. First of all, tomorrow here at City Hall at 9:30 a.m. the Southern New Jersey Development Council will be coming to Millville with over 50 of their members to visit our City and to look at the prosperous things that have been happening in Millville. We, in the last few months were named one of the finest cities in South Jersey, the South Jersey Development Council recognized that and wanted to come down and see first hand what's going on in our town. So, from 9:30 until about 10:30 I guess, or so we're going to have presenters talk about things we've been doing, we have a developer coming in talking about the developments happening in Millville. We will all speak with them, the City Staff, myself will welcome them and we'll talk to them about what is happening in Millville and then we're going to take them on a walking tour of downtown Millville and we'll rap up with light refreshments for them at the Riverfront Renaissance Center for the Arts and that will be around 11:30 tomorrow morning."*

Mayor Quinn also noted the passing of dear friend of the City of Millville, Earl DuBois who was 95 years old and was a past Chairman of the Millville Industrial Commission and a former executive of Wheaton Industries.

Mayor Quinn noted Mr. DuBois progressive thinking led to the extension of Wade Boulevard from Broad Street to Wheaton Avenue in cooperation with the Cumberland County Board of Freeholders when he was serving in that capacity and noted the efforts of Mr. Feltes and the Public Works crew who completed that project in house.

The following proposed ordinance was read on first reading

Bond Ord. No. 14-2006

Bond Ordinance for Water Utility Capital Projects that include new well and treatment facility at or near the airport \$1,000,000.00; Construction of new facility to remove radionuclides at Bridgeton Pike Well \$2,500,000.00 and SCADA System Upgrade \$500,000.00 for a total amount of \$4,000,000.00.

Director Hollingshead moved for the adoption of the proposed ordinance on first reading with final consideration to be given on Tuesday, April 18, 2006 after due publication as provided by law.

Director Derella seconded the motion.

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

The City Clerk/Administrator noted the Bond Ordinance was being reintroduced on first reading due to a correction in the public hearing date in the preamble of the newspaper publication.

The City Clerk/Administrator noted we were starting the process over as of this date.

Resolution No. A-5406 authorizing a Person-to-Person and Place-to-Place transfer of Plenary Retail Consumption License No. 0610-33-009-010 in the name of Delsea Park, Inc., to Dominic J. Romano as an inactive Pocket License with the effective date of said transfer

being April 6, 2006. was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

Resolution No. A-5407 authorizing a Person-to-Person and Place-to-Place transfer of Plenary Retail Consumption License No. 0610-33-009-011 in the name of Dominic J. Romano, Inactive Pocket License, to Rare Hospitality International, Inc. trading as Longhorn Steak House to be located at N. Delsea Drive/Route 47 with the effective date of the transfer being April 6, 2006. was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

Resolution No. A-5408 authorizing a professional service contract with Steven S. Neder, Esquire, for special services rendered during the course of his appointment as Municipal Judge as set by the governing body on an annual basis in the amount of fifteen thousand (15,000) dollars for the period from April 1, 2006 to May 31, 2007 was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

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

Resolution No. A-5409 authorizing a professional service contract with Ned Rogovoy, Esquire, for special services rendered during the course of his appointment as Assistant City Attorney as set by the governing body on an annual basis in the amount of fifteen thousand (15,000) dollars for the period from April 1, 2006 to May 31, 2007 was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

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

Resolution No. A-5410 authorizing adjustments to the Utility and Tax Records of the City of Millville was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

Resolution No. A-5411 authorizing cancellation of mortgage in the name of Keith Hartzel in the amount of fifty thousand (50,000) dollars was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

Resolution No. A-5412 authorizing Special Assessments for Clean Up of Property known as block 390, lot 13, 303 N. 9th Street in the amount of five hundred twenty (520) dollars and Board and Secure of Properties known as block 274, lot 9, 1010 Archer Street, in the amount of one hundred twenty (120) dollars and block 307, lot 1, 718 High Street in the amount of three hundred ninety (390) dollars plus seventy-five (75) dollars in counsel fees was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

Resolution No. A-5413 authorizing correction of Resolution No. A-5282 concerning a lien from block 257, lot 6 (1200 N. 2nd St) to block 233, lot 15 (2119 N. 2nd St) was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

Resolution No. A-5414 authorizing and directing the City Clerk/Administrator to attend the tax sale on April 6, 2006 and bid for parcel or parcels of real estate, which would be useful for public use pursuant to NJSA 54:5-30 was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

Resolution No. A-5415 authorizing a Public Auction of vehicles and bicycles no longer needed for public use on April 13, 2006 at 10:00AM at the police impound lot on Brandriff and Columbia Avenue was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

The City Clerk/Administrator read the following report:

April 4, 2006

To: Board of Commissioners

From: Ronald J. Charlesworth  
CFO/PA

The Purchasing Board received bid on April 4, 2006 for one (1) 2007 Tandem Axle Truck equipped with rearloading refuse body for the Streets and Roads Department.

One (1) bid was received from Granturk Equipment Company, Inc., One Schuylkill Parkway, Building B, Bridgeport, Pennsylvania 19405 in the amount of \$134,750.00.

I have reviewed the bid received and recommend we award a contract to Granturk Equipment Company, Inc., in the amount of \$134,750.00.

Resolution No. A-5416 authorizing award of bid for one (1) 2007 Tandem Axle Truck equipped with Rearloading Refuse Body to Granturk Equipment Company, Bridgeport, Pennsylvania for their bid in the amount of one hundred thirty-four thousand seven hundred fifty (134,750) dollars was adopted, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

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

Raffle License No. 778 on behalf of Millville Army Airfield Museum for 50/50 to be held on June 24 & 25, 2006 was ordered, received, filed and the proper officials authorized to execute same, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

The City Clerk/Administrator read correspondence from the State of New Jersey Department of Transportation concerning a Public Information Meeting to be held on April 25, 2006, 4:00 p.m. to 7:00 p.m., 4th floor Commission Chambers City Hall regarding the Route 49/55 Interchange Project.

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

Commissioner Derella made the following comments:

*"This has to do with the Interchange at Routes 49/55 out by the High School area into our Industrial Park. There have been several other public hearings over the last two years and I encourage the residents of that neighborhood to please make sure that they attend. There were some comments last year, the state has made some changes, our Engineering Department is reviewing it. It's not what we would like to see, but it's a starting point. So, again we encourage the residents out there to please, please attend this meeting."*

A Special Event on Public Lands application submitted by the Millville Parks Department for the Holly City Regatta to be held at Fowser Road Dock on April 15, 2006 from 11:00 a.m. to 5:00 p.m.

subject to receipt of certification of insurance and waivers for participants from the Department of Parks and Public Property.

A motion was passed to receive, file and approve the Special Event on Public Lands application for the Holly City Regatta subject to receipt of certification of insurance and waivers for participants from the Department of Parks and Public Property, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

A motion was passed to authorize the City Clerk to advertise for bids for the sale of one (1) 1984 Mack "Cab Over" Truck equipped with a 25 Cubic Yard Compactor Body with approximate mileage of 104,500, which is no longer needed for public use to be sold as is at a meeting to be held by the Purchasing Board on Tuesday, April 18, 2006 at 9:30 a.m. Minimum bid in the amount of three thousand (3,000) dollars, by the following vote. Yeas: Shannon, Parent, Derella, Hollingshead and Quinn.

Mayor Quinn made the statement we have now reached the public comment portion of our meeting. Anyone who would like to address the Commission please go to the podium, state your name, address your concerns and please limit your comments to approximately five (5) minutes.

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

*"Good evening, Mr. Mayor and gentlemen. My name is Paul Porreca, I live on Porreca Drive. I really would like to ask Mrs. Hall if she will meet with me after the meeting to give me some lessons on how to get results from the City Commission, because her and her group came here two weeks ago and tonight you've got an ordinance already to discuss with them and I think that's really responsive and terrific. Unlike the response that I've received I might add, the Motorsports contract was in default in June of 2005. It'll be a year in two months. In December of 2005, figuring you fella's have a lot to do, it may have gotten overlooked, I called to your attention that there were a number of provisions in that contract that had been breached and as a result the contract needed to be renegotiated or voided or something. I got no response, so I came to a public meeting and brought it up again and I still have had no response and you're done the agenda, so there's no comments on it tonight. I would really like to know where you stand in the renegotiation of this contract, which is clearly in default and get an opportunity, frankly, somehow before you go introducing an Ordinance with the new terms in it. Because, then it's on a downhill slide and I, maybe once or twice in history have I seen an Ordinance changed between first reading and second adoption. In any event that's my request and perhaps I'll get some response. However, before you do move on to those renegotiations if you're not already in the progress or even if you are I would like to add another clause that you should look at and perhaps get some explanation for it. The real estate aspect, sale aspect of this, not only calls for settlement in June, which didn't happen. But, also says that the land is sold as is and that any and all environmental defects after a six month period are accepted by the buyer. Then, and it's their responsibility, then I read that the City bonds two million dollars, is going to get reimbursed by other taxpayers money, I might add, through a Brownsfield Grant, because a private developer is not eligible for such a grant, but your picking up the onus for the three million dollars study that really is the developers responsibility for seven plus of land. The City owns 1200, the Motorparks is buying seven hundred, you therefore still*

own five hundred, so where's the equity there when you're picking up one hundred percent of the tab. The point being that's a part of what you should think about or consider in your renegotiations. It was also interesting that the City is now going to do an environmental study of the entire track, when at the time you bought the Petino's aspect of it you determined none was necessary. Now, I don't know what that's all about and perhaps we can get an explanation for that too. Then this morning I read construction is about to begin in June and that's good, so long as the contracts in place. You got a month to do it. But, I also read that the park had sold, sold past tense, 10 trackside Villas, on land that they hadn't gone to settlement on yet. I think maybe you ought to look at that and try to figure out what that's all about. All of that said, it just seems to me that announcement today and the lack of action tells me again, or is more evidence to the fact. That as good as this project is I think that you gentlemen should look out a little bit for the taxpayer and not just give them everything they want or everything they ask for. I might also point out that their first payment on their six hundred thousand dollar interest free loan was due April 1<sup>st</sup> and I checked at 4 o'clock and nobody knows whether they paid it or not. So, you know, there's another default, if in fact it wasn't paid, if it was, fine. You know, you have to start doing some cost benefit analysis with these grants, these abatements, these perks that you are providing to developers and industry. All we hear are all of the benefits and the gloss of the Chamber coming here tomorrow, but to every action that you take there is an opposite and other reaction. Now, the question, is it fifty-one percent on the good side or is it fifty-one percent on the bad side. But, we never hear any discussion of consequences, associated cost, risks, long-term consequences and I think it's about time you start to do that. I'll give you an example and I'll sit down. The report on tonight's agenda, you know, you blow through it and unless you come here and investigate you don't know what happened. The report from Mr. McCarthy about property acquisition on North Second Street. Well, if I'm not mistaken, Commissioner Derella gave in the past, if I'm not mistaken that is the situation where the City exercised it's condemnation power under the Redevelopment Act. I stood at this microphone when you created the Redevelopment Zone and said men don't put condemnation in that Ordinance. What's that there for? I'll have to go back and get the tape from Mr. Thompson to find out who among you said it, but nobody disagreed. "Don't worry we're not going to use it." Okay, well, you did and you condemned at least two properties up there, the billboard, fine; and the Veterinarian's Office, the City condemned it. The title passed to the City, that's not reported here tonight. So, now the City owns a Veterinary Hospital, which means that the veterinarian is not paying taxes and Goodmill is not going to pick up that cost, so now the taxes at the veterinarian hospital run about fourteen hundred dollars a month. So, between the time that you took the title and the time that you gave the title to Goodmill and they do whatever they're suppose to do, we're getting ripped off for fourteen hundred dollars a month. Now, that's a kind of thing we ought to know about. I don't think you're giving us the whole picture. It's all peaches and cream and perfume and roses. It's not so, so I implore you gentlemen to start being a little more candid, lets not talk about fifteen hundred jobs, when it's a hundred. Let's not talk about, you know, we're not going to condemn, but then condemn it. Don't tell us what the tax consequences are, we shouldn't have to come down here and ask a thousand questions. We shouldn't have to come down here and investigate or spend time down City Hall buying copies of agreements to review them, because nobody down here is checking on them. It's not our job. That's why you're elected and I ask you please, how about we tighten up and face up and tax abatements and loans and

those financial reports we'll get to another day, because I think my five minutes is up."

Lois Hall made the following comments:

"Good evening I'm Lois Hall and I live at 2536 Cedar Street. I understand we'll see your proposal afterwards. I just want to bring out two new things that I learned this week. I did finish interviewing everybody who lives in this area. Five people I still haven't caught home, so forgive me for those. But, out of sixty-eight that were interviewed, two need to hookup to sewer. That's fine, they need the system. The rest of us do not. That's one of the points we're trying to make. Now, the businesses, they say the same thing, they don't need it. People come out to get the coffee, because it's made with good water. They don't like the Millville water. It's going to hurt the two businesses. I do have one question. I believe that County law supersedes City, am I correct?"

Richard McCarthy: "County Law? In what respect? We have several jurisdictions."

Mayor Quinn: "The County doesn't even have the ability to do an ordinance."

Commissioner Parent: "They have no legislative power."

Mayor Quinn: "They have no legislative power."

Commissioner Parent: "The County has no legislative power."

Mayor Quinn: "The state does."

Richard McCarthy: "Our authority is granted by State Statutes, but the County does adopt resolutions and ordinances in connection with the health area. They may have adopted a couple of ordinances that address sewer and water issues. But, they don't, ours is corollary to theirs. They don't override us..."

Lois Hall: "Well, they say that a house is exempt, if it is one hundred feet within the center of the road. Not two hundred, the City says two hundred. They tell me that you can't be more strict on that. I just need an explanation of that."

Richard McCarthy: "Well they're wrong."

Commissioner Parent: "That's why we have lawyers."

Richard McCarthy: "Who's they?"

Lois Hall: "I can't afford a lawyer. Remember we're here saying we can't afford water and sewer, we can't afford a lawyer."

Commissioner Parent: "Who did you speak from the County who said that, if you give it to Mr. McCarthy..."

Lois Hall: "it's in writing..."

Commissioner Parent: "If you give it to Mr. McCarthy, he'll clarify it."

Lois Hall: "We don't understand. We want to understand."

Richard McCarthy: "Well, I do appreciate that and I think we're going to, we'll address all of the questions and everything at the end of the meeting. What we've tried to do with the draft

ordinance, as the Mayor has already indicated, we tried to balance the concerns, the public responsibility for public health verses the sensitivity of the concerns of the residents out there. I think we've made a very good first effort, we're certainly considering any recommendations that you may have regarding that, but we still have to be concerned about public health."

Lois Hall: "I understand public health, but why sixty homes and not the entire Millville to be tested. That's another point. Not just us, our neighbors."

Richard McCarthy: "This Ordinance will apply throughout the City. Any Ordinance that's adopted will apply throughout the City, not just in this area."

Lois Hall: "So, the people behind me who currently cannot hook up to City water and sewer, they will have to be tested also?"

Richard McCarthy: "This Ordinance only applies to situations where there are mains available and if you don't have a main available, we're not dealing with those situations. This is a situation where there's water mains and sewer mains are going to be made available and the issue is under what circumstances should a property owner, residential property owner be required to connect and that's what we're trying to address in the ordinance."

Lois Hall: "Okay, well, we'll review it later."

Will Booth addressed the Board of Commissioners noting his business and the other restaurant business do not want to connect to City Water or City Sewer. They like the quality of their well water and would like an answer concerning the relief being considered for residents when no one has mentioned anything about the two businesses in the area.

It was noted he uses three to four times the amount of water as the residents.

Shannon Tomlin indicated she is representing her mother who lives at 2453 Cedar Street and made the following comments:

"I am for the second time responding to a letter my mother received from the City of Millville dated March 13, 2006. This letter states that she will be required to connect to the City Sewerage and Water lines that will be run past her house. It further states that work will commence during the month of March 2006. The month was already half over when the letter was received. The letter lists the cost she will be required to pay, which in her case amounts to approximately ten thousand dollars as explained at the last City Commission Meeting held March 21, 2006. Tonight I would like to ask a question. At the last Commission Meeting Mayor Quinn told us that when he lived on Hillside Avenue in Millville that he would have liked to had his property connected to City Water and Sewerage. However, the City followed their usual procedure of polling all of the people in the area who would be effected if this were provided. He said that it turned out that the majority did not want City Water and Sewerage and so Mr. Quinn was forced to live with the majority's decision. What he said was confirmed by other City Officials, who were here that night and one called it majority rule and another said he preferred to call it the democratic process. My question tonight is, what changed to allow the Planning Board to become a self-appointed dictatorship and overrule the wishes of the majority in order to grant the desire of one man? The developer, who stands to make a huge profit at the expense of all

these people, who must pay for City Water and Sewerage and clearly don't want it. Nearly all the people that will be affected, signed the petitions saying they don't want it. That constitutes an overwhelming majority. These people were already on record as having turned down the opportunity a few years ago when the established procedure was followed and they were surveyed and they declined the offer to be connected to City Water and Sewerage. Now, all of a sudden majority rule does not apply anymore. This time they weren't even asked. The democratic rule was thrown out the window and majority rule ignored in favor of one man, the developer. My question again is what changed to make you abandon established procedures. The Planning Board went against the City's own policy. Do you really feel satisfied that it is okay to do that? What makes this out of town developer so much more deserving of your favor than the citizens of this City who put you in office to serve them and represent their best interest and I might add have the power to vote you out of office as well if they feel someone else will do a better job. I ask again, what changed to cause you to ignore the democratic process you used in the past? If I were you, I would let the Planning Board know that I am upset with them and I would remind them that they are not a dictatorship with the authority to surpass the City's established policies and procedures and overrule the will of the majority in favor of one man. I'm asking that you take whatever steps that are necessary to have their decision revoked or fine them in the amount of all the cost these people are going to have shoulder, because of their decision and apply that money to pay these costs in place of these people paying it. Take a stand and defend the rights of the people you serve. Put the Planning Board in it's place and correct the wrong that has been done. The City Commission has certainly been kind and I believe sympathetic. But, that's not enough, we need to act on our behalf. Now, I wrote this letter before I came here tonight, obviously and I found out a couple of other facts since I wrote it. First of all, I would like to thank Mr. Hollingshead, because he has made an attempt to make the draft of this Ordinance and whoever else is working with him and I would thank him that he's at least attempting to resolve the problem. However, I would really need to read it, before I know if I would be satisfied that was a satisfactory resolution. But, I also was very surprised to discover that Mayor Quinn and Commissioner Derella both sit on the Planning Board that approved this project without following the established procedure and asking the residents, who would be severely financially impacted by their decision, on whether they wanted it or not. From reading the letter that was sent announcing that this was going to happen, the letter said that the project was already approved before the people even received the letter of notification, let alone having been surveyed first. So, it seems like it was a little bit backwards and I'm sure that the date of the permits when they were filed is public record, so that can be determined if that was actually approved before the letter was even sent out. But, since you violated your own established procedure for handling these matters, we all make mistakes, but you still have the opportunity to redeem yourselves and make things right. If you blew the opportunity to get the developer to pay, which I'm not sure if that's blown, but if it was, for what was done solely for his benefit as was stated in the letter. I believe that the Planning Board carries insurance to cover such blunders. Thank you."

Mayor Quinn: "Before we go on this one needs to be addressed. You're taking two issues and I understand of not knowing the inside of what's going on I totally understand what you're saying. If we were able on Hillside Avenue to have gotten Sewer, we would have all paid thousands and thousands of dollars, because the line would have been run down the street. The benefit to anyone who wants the sewer

is you only pay from the sewer connection line from the street into your house. Obviously, most of you don't want that, that's fine. The system, as it's setup and yes I did sit on the Planning Board with Joe when this was brought forward. Let me tell you, the developers putting out millions of dollars to connect the water and sewer from where it terminates to his location. He had to do that, because he couldn't put in septic systems and wells. When he did that it had nothing to do with you folks, because you didn't have to pay a dime for that extension. I would've, on Hillside Avenue if I wanted it, I would've paid thousands of dollars, as would my neighbors, in order to get that line extended on Hillside Avenue or anywhere in the City. If somebody else comes to us on Carmel Road and says I want to extend the water and sewer on Carmel Road. Okay, fine, it's x amount of dollars per foot for whatever amount of footage you have on your roadway, that's the way that thing happens. Let me tell you, this developer, certainly all developers make money, but the project that's going out there is tremendously beneficial to each and everyone of you and to me and to everybody in the City of Millville. Because, the ratables that this developer brings has absolutely no impact on the schools, it's 55 and over people who are going into that community. So, it is a good situation, that type of program, that project is good. The other thing you will see down the road and none of you, obviously, except for two, nobody wants to hook up. Hey, I don't have a problem with that. The thing that you have to realize is that when it comes time to sell your property, having water and sewer in front of that property jacks that value of that lot and that house that you have right now, when and if you ever do sell it. So, you're getting a hidden gain by having that. I understand your concern about being mandated to hook into water and sewer. I have a problem with that as you do to. That doesn't seem the American way, that doesn't seem fair that it has to be done and I think the draft that Mr. Hollingshead has put together with his Department addresses that and addresses concerns. If I'm a resident and I live there and I have a septic system that's thirty-five years old and it's not working for me, you know what, I'm lucky that water and sewer is out front. I can then go hook into it for a heck of a lot less money than having to build another septic system. Granted, maybe there aren't any of those right now, but sometime down the road there maybe and at that time they'll say, yeah, that was okay. It wasn't hidden, it was out front, there was an agenda that had to be dealt with. We have a developer now that's talking to us about wanting to build out on East Main Street or West Main Street. We said look, no resident is going to pay to have the water and sewer line extended to get to that developer. You the developer must pay the millions of dollars to do that and I'm not saying they're making money on the other end, yeah, they have to invest that. We did not come to each property owner and said well, the normal system, like Jim Quinn when he lived on Hillside Avenue, if I wanted that normal system and that's why my neighbors turned it down, they would have had to pay thousands of dollars. We're not just talking about hooking into it, we're talking about running it up the City, street and all that. You get the benefit of having that run by you, so if you ever need it or if you, as I said to you, I assure you, your property values, having water and sewer on that lot will sky rocket, when it comes time..."

Shannon Tomlin: "and the taxes will go up."

Mr. McCarthy made the following explanation of the facts:

"Mr. Mayor, if I could. Let me just clarify one thing, the lady at the microphone is confusing, mixing apples with oranges. Our development regulations make it perfectly clear that what you're dealing with the developer is the running of mains and laterals and

the Planning Board followed exactly what the regulations and standards are. You are not being asked in the context of this connection to pay anything towards the mains and laterals. That's where the procedures setup when the City of Millville is going to run a main and a laterals out to a particular area, whether it be sewer, water or both. That's where we get into the procedure about notifying the property owners and asking them whether they want it, because ultimately if they're not paying one hundred percent for that main or that lateral, they'll be paying something towards that main or that lateral through an assessment. That's a whole different process from what you're talking about here. That's what the Planning Board dealt with this project. The developer paid for the main and the laterals. What we're talking about here is, once the main and the laterals have been laid at someone else's expense, not taxpayers expense, not your expense. Under what circumstances should you be required to connect based on state policy, based on environmental concerns, based on public health issues. That's what we're trying to address in this Ordinance. The Planning Board absolutely acted properly, they acted consistent with the regulations and we are trying to address and make changes to another set of regulations to try to be sensitive to your concerns. Different set of regulations, different set of circumstances."

Lew Thompson: "To clarify the issue is that, the two distinct issues are improvements made on public property, being the mains and the laterals compared to improvements on private property that the City cannot subsidize or whatever and has never subsidized any work on private property."

Shannon Tomlin: "Not even when you insist that it be done for someone else's benefit. That's what I'm not understanding..."

Mayor Quinn: "that isn't for their benefit..."

Shannon Tomlin: "Well the letter that the sole reason for that line running past the house, was for the developer, so the line wouldn't be running past the house unless you approved the development. How could you approve that for the developer knowing that it was going to have to run by the house knowing that these people were going to have to pay money to stop up their wells and their septic systems and all that garbage? Knowing it was going to cost all that money, how couldn't you say to the developer, well you know what the only way I can make these people or ask these people, even to pay this money, or ask these people to allow you to pass this by me, so that you can have your development would be if your willing to pay a few extra dollars here to pay for what it's going to cost them. Because, they don't want it..."

Richard McCarthy: "Because, it would be reversed by the court."

Commissioner Derella made the following comments:

"If I may interject here Mr. McCarthy, please. You guys haven't had a chance to read the ordinance that Commissioner Hollingshead, along with our attorney, we've contacted the State Legislator's, we've talked to Nick Asselta, as you have, Nelson Albano, Jeff VanDrew, we've all been working diligently the last two weeks to try to address the issues and still balance the law that we have to follow. You did mix apples and oranges and I do have to step back and say the Planning Board does their homework. They spent hours, countless hours before meetings, after meetings, during meetings to make sure they try to protect the rights of the people of the City of Millville and to insinuate that they did not is an

insult to myself, the Mayor and everybody else who sits on there and does all that dedicated time. Those meetings were public, they were in the paper, the comment was made by myself in regards to it that if it goes by the property within 200 feet there needs to be a hookup. That's the way the State Statute reads, we are trying to address your concerns and we're debating back and forth without you seeing our effort in giving us input back on what we've tried to put in place to address your concerns. So, again, the developer put two and one half million dollars into it, we made him run the lateral as well, did everything the Planning Board could possibly do to try to address those issues and now we're faced with a whole set of new challenges and we're trying to move forward to make that happen. Our debate back and forth can continue, but until you guys get a chance to see that, it's a step forward by the City and a response by the City to try to address your concerns and still work within the confines of the regulations that we have to follow and I think in reading it twice, yes, there's some tweaking you're probably going to want to do. But, by and large it has addressed some of the major concerns financially and over the long-term of your property. So, please give that a chance, so that we can come back and have more of a positive dialogue, rather than arguing back and forth. I think that would be much more productive."

Shannon Tomlin: "Okay. I just have one other comment. What I was questioning was the procedure that you didn't ask the residents what they preferred, which is the procedure that's always followed in the past and I don't see where that is different here."

Commissioner Derella: "The difference is that there was no developer putting it in, the residents were polled this will be at your expense. The entire thing, that 2.5 million dollars, in addition to all the other costs. Well, most people are going to say no. Here, the Planning Board, different situation, if somebody wants to develop, all those costs are on them."

Shannon Tomlin: "but, you felt we could afford that much..."

Commissioner Derella: "didn't say that. He's within his rights, as Mr. McCarthy said. Yes, we could have went to court, we could have lost and went forward. The Planning Board has done that, the Planning Board has stood up on several occasions in regards to people wanted to convert to duplexes and those kinds of things and we've went to court and sometimes we win, but most of the time we have lost. So, again, we were well informed on the Planning Board. Is it the best interest for the sixty-two or sixty-four families. We couldn't use that at that time, but we did the best we could..."

Shannon Tomlin: "I'm not meaning to be arrogant, excuse me. I'm just very concerned and I'm feeling somewhat, like I'm being misunderstood as well. That's what I'm trying to express here and I do appreciate the fact that you're working on something. I appreciate that very much. I just do want to be sure that it's something that's really going to work for us and not..."

Commissioner Derella: "That's why, you're going to get it, look at it and bring it back, so that we can have that positive dialogue. Because, you've brought concerns that, you know, need to be addressed to the best of our ability."

Shannon Tomlin: "Thank you."

Fletcher Taylor owner of Shannon's Sub Shop addressed the Board of Commissioners and made reference to his objections to his business having to connect to water and sewer and noted it was his understanding that Fortune Lane was to be the direct route for the proposed project and wanted to know how this was changed.

Fletcher Taylor made the following comments:

"Jim Quinn, you just mentioned, I just heard that the cost of the septic, to hook up to the sewer. But, as far as the people, it's only a seventy-five permit to upgrade from the septic system through the County. So, it would be cheaper for the residents, if they have problems with their septic system to do it that way than it is to hook up to the sewer line, if they had choose to do that..."

Mayor Quinn: "Really, Fletcher, it's only seventy-five dollars to upgrade?"

Fletcher Taylor: "I have three properties down on Cedar Street and Buckshutem Road. I got two new wells, three years old. The septic systems have all been upgraded. So, you guys, are going to come down there, I haven't got an estimate yet, but I'm planning on getting my kids out there with shovels to dig holes and maybe some of you guys want to help me put in the water and sewer line and we can do it on a Saturday's and Sunday's when the City of Millville is closed and I won't have to buy a permit. Another thing is you're blocking off Cedar Street and it's hurting my business and I'm pretty sure Mr. ?????? business. There's no way that you can just block off one lane. I mean these contractor's put the waterline on the left hand lane going down. They need both lanes? If they do, they ain't much of a contractor."

Mayor Quinn: "Good question..."

Commissioner Derella: "It's a County road..."

Fletcher Taylor: "We called three weeks ago..."

Richard McCarthy: "They were putting in a big box today and that's why they blocked, I happened to be in the Engineer's Office when he was talking to the Police Department to try to get to keep the one lane open. One of the Officer's was out there, who's very experienced in Public Safety and deals with this all of the time and said that the reason why it was blocked off today was because they were putting in a big box in there and they had heavy equipment going back and forth across there. They're trying very hard in the Engineering Department, through the County Road Department and through the Police Department to keep one lane open as much as possible, but there's going to be occasions I guess when certain things are being done that it's unavoided."

Fletcher Taylor: "Well, it's been blocked off every day from day 1..."

Richard McCarthy: "Well talk to John Knoop and I think he can give an explanation of what they're trying to do."

Fletcher Taylor: "Well, who's going to pay for the loss of business? You or the developer, I mean we're losing several thousand dollars..."

Mayor Quinn: "Well, the thing is the developer's bringing you in probably eight hundred more people, so you'll be so busy you'll love it..."

Fletcher Taylor: "Oh, yeah, I might be out of business before that happens..."

Mayor Quinn: "No, I don't think so Fletcher, I know you, you know, let's be honest..."

Fletcher Taylor: "I don't see you guys out there spending money..."

Mayor Quinn: "I don't drink coffee..."

Fletcher Taylor: "you don't have to drink coffee, we got water, I see you guys drinking water, a dollar a bottle. It would be nice if the residents out there, even the business people would have been notified that this might happen down the road, you know, but a person that's living on, say Rieck Avenue, is not going to go all the way down Hogbin Road and back up to Buckshutem Road and buy a sub. They're going to go somewhere else."

Mayor Quinn: "Fletcher, I have to ask you. You're a very astute businessman, I've known you for years. Now, in all honesty, wouldn't you rather have a commercial property that has the availability of water and sewer?"

Fletcher Taylor: "No. Because my water and sewer bill in that restaurant is, you charge me for two and half gallons of water for every gallon of water I use. So, it's cheaper for my septic system in my well and the water is better than the City of Millville water."

Mayor Quinn: "Well, I tell you Wawa would probably debate that with you, because they sell..."

Fletcher Taylor: "Well, hell, Wawa makes a million dollars a week on coffee..."

Mayor Quinn: "I know, but it's City Water they're using, isn't it, that's my point..."

Fletcher Taylor: "yeah, but they also have a filter system on it. So, that there tells you there's something wrong with the City of Millville water. I mean I got City of Millville water where I'm living at and I'm putting a new system on it tomorrow. Just don't tell, I'm not getting no permit for it..."

Commissioner Derella: "you're on record now..."

Fletcher Taylor: "I don't care, I won't pay it. I would like for you guys, from Day 1 you been putting ?????? on there now, then when they put the sewer lines down the center lane the whole road is going to be blocked off for three more weeks. So, I mean, it's not right for the business people for Booth and myself, I mean if we can send you the bill are you going to pay it."

Richard McCarthy: "Fletcher I can tell you that the City Engineer is very concerned about that and he's trying to get things straightened out, so why don't you talk to him in the morning and maybe he can give you the details on that. He's working with everybody on it and he's on a day-to-day basis on this..."

Fletcher Taylor: "I don't like talk, I like action. I mean money goes in my pocket, not in the Engineer's Department. So, somebody will get back to me on that?"

Commissioner Derella: "Yes, I'll have Mr. Knoop contact you."

Reverend Wesley Kenyon addressed the Board of Commissioners expressing his concerns over the water and sewer issues and thanked the governing body for the prompt response and attempt to work with the residents.

Reverend Kenyon noted the Mayor's comments concerning the passing of Earl DuBois noting his father, Earl DuBois and Mike Lascarides were responsible for the location of the Genesis Healthcare Center being located in the City of Millville and reminded everyone that the people of Millville have made Millville what it is and we do not want to lose people by not being able to afford to connect to the water and sewer on Cedar Street.

Mayor Quinn made the following comments:

"What these people are bringing are homes that my Aunt Alice and Uncle Bill Felmey, Mr. Bacon and his wife are looking for. They are 55 and over houses. They don't want their big house and they don't want their yard. Fortunately for my Aunt and Uncle they were able to get in at Village Estates. Right now, there's a waiting list at Village Estates of thirty people trying to get in there. So, these homes are needed. These are 55 and over homes, so there are people who live in our community can go get a home, that's downsized from their own home and still live in the community. Because, these are good things that are going to be able to serve us. Not all will be from our community Wes, but we, I, Mr. and Mrs. Bacon, he's in Kiwanis with me and he said to me the other day, I'm looking to downsize, he has a great big home out at Earl Avenue and Cedarbrook Avenue and I want to get something that's more sizing for he and his wife and this is in the same neighborhood, the Westside of town, so it does have some benefit for those who live here now who would like to downsize. The empty nesters, who you would have to be..."

Reverend Kenyon: "and that's very true. I look at the balance behind you and it is a balance we're talking about here. But, I don't want to drive people out at the same time as we try to balance and that's what we don't want to have happen. There's one other thought that I had and I don't want to get into all the law stuff, because I don't want to get into a big argument about this. But, if there is a way, when the Planning Board looks at a project, when you look at it in the paper, you do not look at it in the paper as this will effect, how is it going to effect me over on Cedarville Road. We don't look at that. Most residents here did not look at that. I looked at that project coming in, when I came into that meeting that night only because I was worried about the water runoff, because of all the land that had been cleared behind my house and the water runoff we were getting. I was concerned about that at that point and time. But, the residents can't see that and there's no way they can know, until all of a sudden they get a notice in the mail. So, if there's a way that we can change some of the procedure on how we do this, I think that will help us in the future to bring more peace to the City."

Mayor Quinn: "I agree, that's a very good point, it really is..."

Reverend Kenyon: "thank you..."

Mayor Quinn: "thank you, that would've helped, we could have had the residents there and they could have understood what was happening at that point and time. We'll certainly be cognizant,

because this will happen again as more development occurs out on West Main Street, we'd at least let people know, the residents that this will be passing you here. But, fortunately I think with the work that this group, Lois and the people that are here have done is you have benefited the future too, I think of other residents in Millville, by helping us to work together to establish an Ordinance that's palatable, that's acceptable for the property owners and still can give us the information that we need to be able to service the people properly. Reverend Kenyon that's a great suggestion that you have, as we do more line extensions and the developers going to pay for it, let's let the property owners know where it's going to be passing you here's what the situation is, so you would be prepared. Because, especially let's face it, if you had a bad septic system and a bad well and you knew that you were going to be having water and sewer, you would then be happy. But, the majority of the people don't need that at that point and time, so that would save them from having to go out and expend that money if they wanted to hook in."

Doris Price made the following comments:

"My name is Doris Price and I live at 2453 Cedar Street and like you said, to put the money into connecting and everything, you know, if something isn't working well that's one thing, it's there you would have the choice. However, we put money out already. Now, like you say these homes are for like 55 and over and to me, maybe I'm wrong, that means I bought a house, I put money into sewerage and so on over the years, several wells and now I'm going to buy a house for 55 and over and I have no idea what they sell for and mortgage..."

Mayor Quinn: "I didn't mean you Ma'am, I didn't mean you specifically, I want you to stay in your house where you are..."

Doris Price: "but, yeah, but most of the people that live out there are in the same position. I guess what I'm saying is, okay, we put more money in our taxes go up, but the property is worth more, but still it's money we don't have, a lot of us, to put out in the first place. I don't know of any loans we can get with no interest, maybe there is, but I don't know of any. All I'm saying, even to mortgage your house or get a lien against it or whatever, where does the money come to pay the loan. I think that's a dilemma a lot of us are in and I realize that the property would be worth more, but it's kind of like if you don't have, I guess anybody, if they got money to put into a business, they'll get it back someday. I don't think I'm going to live long enough to get it back. At least I don't want to be one hundred years old, I don't believe I do. Thank you."

Mayor Quinn: "You're welcome and thank you and thank your daughter Lois, because I know they put a lot of work and the other people who live out there to talk about the situation, Sharon Tomlin."

Gloria Morrison made the following comments:

"Hi, I'm Gloria Morrison, I live at 2535 Cedar Street and I was all prepared to, you know, go over the hardship letter that I sent to Mr. Hollingshead, I like all the rest of the residents, have a very hard time coming up with ten thousand dollars. I have a thirty year mortgage, I've only paid seven years on it, I'm sixty years old, that means I'd have to work until 83 to pay off my house. If I had ten thousand dollars extra I would put it towards the principle of my home, which I don't have. I make a very mediocre income,

maybe, I don't know if I'll qualify for this gross income HUD situation that you're presenting to us, but I can tell you right now, I live from paycheck to paycheck. I won't go through elaborating on my hardships, because just like everyone else I can't afford this hookup. But, I did want to address, there's been a lot of talk about health and safety for the citizens, you know, with the water system and the septic and that we should be required to test our water and septic. I just want to bring to your attention that I have a daughter and her husband and grandchildren that live at 1422 Lloyd Terrace. They were recently notified by the City of Millville Public Water System that there were levels of gross alpha and total radium levels above drinking water standards. The last 4 quarterly samples exceeded standard contaminant levels. In other words they were drinking contaminated water for one year before they were notified by the City. They now come to my house, because I have pure well water that has passed all tests. They take jugs of water home, because even though they've been disconnected to this contaminated water, they don't feel secure with the City Water. So, they can't afford to buy their water, they said they wouldn't even feed it to their dogs. So, they come to my house, they take the jugs of water and what I'm wondering is why do we have to test our water and our septic. I have a septic that's only seven years old, I'm one woman living in this house, the septic should last me until I die. As far as testing the water and the septic, I don't know what the cost is to test our septic three times a year, it was presented to us tonight, so I have no idea what that costs..."

Commissioner Hollingshead: "It's once every three years..."

Gloria Morrison: "Oh, once every three years, I thought it said tri-yearly."

Richard McCarthy: "No, semi would be twice a year, bi is once every two years, so when you see tri, it means once every three years."

Gloria Morrison: "Okay, I misunderstood, I thought you said tri-yearly, we didn't have a copy of this to review..."

Richard McCarthy: "I understand, we are working on it feverishly over the last two days."

Gloria Morrison: "Okay, well, after we read that I think maybe we'll have a better understanding, but I just don't understand why we would have to have testing."

Richard McCarthy: "Well, if the City didn't have testing, they wouldn't even have detected that particular thing. I know, here's a point that you need to remember and I know you're not going to listen to it, but I'm going to give it to you anyway. Water can taste great and look great and still be contaminated. You have to realize that, you know, and the purpose of testing, the whole theory behind and we have some environmentalists in the audience here tonight. The whole theory behind the public water systems and sewer systems is to address legitimate environmental concerns. The reason why there's state regulations that govern authorities that require that these connections take place is because of the environmental concerns. Because, generally speaking it's more environmentally safe to be on a public water system and a public sewer system than it is to be on a private system for a whole host of reasons, not the least of which is that the public water system is tested all the time. I would doubt that as many private wells that are in this community that are tested at all and they have no idea. We had to close down, because of contamination that we detected in an area not

to far from the airport a several or a few years ago where five private wells were contaminated and we extended sewer and waterlines out there to cover that and the property owners, since they don't test their private wells new nothing about it. That's the problem here. You need to keep in mind that what we're trying to do is balance public health and environmental concerns verses legitimate, sensitive concerns an important concerns from an economic standpoint. But, it's a balance to try to come out, you can't put it all one way and say if it's going to cost anything at all forget the environment, forget everything about it, forget the health issue. We're just asking you to just listen to what we proposed and we will listen to you. But, lets be reasonable, because you're looking at it from strictly an economics standpoint and you could care less about the environment or your own health."

Mayor Quinn: "No, no. Let me tell you something and this is unbelievable that this occurred. I grew up with a well, I loved my well water. I grew up where Walmart is now basically. Another lady, who I will let be nameless, she grew up on the other side of the railroad tracks near Caloris Avenue. We were both at the University of Pennsylvania Hospital being treated for cancer in September of this year. You know what she said to me, she said, Jim, do you think it might be that we grew up right alongside of the Nescolite Superfund Toxic Cleanup Center and we drank well water. I said you know what, I never thought about that, but that's a scary thought and I loved the taste of my water, you know, we always said, you know, in fact I'd go to my Aunt and Uncle's and I would say ew, you got City water, ew I like my water it tastes better, but Dad never had it tested, nobody ever thought about it during those periods of time and Nascolite contaminated, it's a superfund toxic cleanup center and this woman and I both had cancer, maybe it wasn't affiliated with the water, who knows. But, it makes you think about our environment, you know, which I know Jane prays about everyday and concerned about the environment. This is one of those things of what Mr. McCarthy is saying is, it probably would behoove all of us to have well water, I don't anymore, but for all who do have well water just for their own sake, as we said, those people that are close to the airport, their's was contaminated. Yeah, the City, we've had that problem too, but at least it's checked and monitored, so I don't know, you know, it's something that they..."

Gloria Morrison: "Well, my only question is that they were drinking this water for a year, before they were..."

Mr. McCarthy: "It was all explained there's no health risk..."

Commissioner Derella: "It was all explained in the letter. The levels were below of what was considered to be a problem. When they reached a certain point the City immediately took action, every resident in the City of Millville received a letter that was attached to City Water and we made the proper changes immediately."

Gloria Morrison: "but, it just took away their confidence in drinking the City water, so they come to my house..."

Commissioner Derella: "but, again, because the City monitors it on a regular basis and there's certain standards that have to be met, it was detected immediately and it was addressed immediately..."

Gloria Morrison: "I don't consider a year immediately..."

Jane Galletto addressed the Board of Commissioners representing Citizens United and made the following comments:

"Good evening, my name is Jane Galetto and I represent the Citizen's United to protect the Maurice River and it's Tributaries. Boy, I hate to say I agreed with Mr. McCarthy, but I did until he dug his hole and then he jumped in, I didn't know he was going to do that. But, it is true that City water is by and large tested more than public waters. But, a lot of us that have our own, I mean private wells, a lot of us that do have our own private wells do get them tested, so there's the other side. I think all of us want good water and I have a really feel for the people who have a situation where they can't afford to hook in or haven't had time to plan that into their budgets and that's really an important thing. I hope that something can be done. That wasn't the reason I came this evening, there had been a few quotes in the paper from Mayor Quinn recently suggesting where in the environmental community on the sand mining issue of the triangle. The triangle is the land that's bordered by Dividing Creek Road, Silver Run Road and Buckshutem Road, we call it the triangle of the environmental community. Because, we've had a long history of advocating with that area to be preserved. In this project that's proposed by Hansen is vastly different than some of the projects that have been proposed in the past. In the late 80's we objected to, I think it's important to say the history that we have with this site. In the late 80's we objected to the Genstar Mine, which the Planning Board found negatively on that applicant and did not grant the application, as well as the CAFRA, which is the Coastal Zone Facilities Act folks found this project was inappropriate on the river, because of the barging element. It had a huge number of truckloads per day and at the time the project would have left a lake collectively, that was almost twice the size of Union Lake. So, it really represented, I would say sort of shipping off Millville, you know, it was enormous the project, then sludge was placed on that site and we objected to that as did the County and I believe some of the City Officials joined in those objections and that sludge was stopped. As a result of the clearing that was done on that site, prior to that sludge and placement, we advocated for a I think you call it a Tree Harvesting Permit, which is the proper title of the Millville Ordinance and that in fact was taking on after that, so we've had a long history of advocating for protection of this site. More recently the Better Materials Company wanted to extend the mine, that they are mining in the Bevan Wildlife Management area and they also had a piece of property that they could mine that was separate from this piece, so what they were seeking from the state was to extend the existing mine, rather than make a new hole in the forest. Since they had all the abilities, as best we could tell to open up a whole new area in the forest, we felt that it was better that they extended the existing mine and the Bevan Wildlife Management area, because that was also in the Bevan Wildlife Management area that other envelope that they could open. We started having talks with them about the possibility of protecting the triangle and the bluff and Green Acres and the other members of the Environmental Community were interested in preserving both the triangle and the bluffs and the City was somewhat amicable to the bluffs, but they weren't really interested in...that the cleared area might be able to be grasslands and that was what we had hoped for when we tried with Better Materials to have them preserve the property, but they said that the City wasn't encouraging the preservation of properties is what they told us. I can't say, but based on your most recent zoning I would have to say that statement had some accuracy. So, the Grassland Habitat was the best shot for that property, because it's cleared, it's very hard to find a lot of aspects about the property that we could talk about protecting, unless it were to be developed or managed that is, not

developed, as Grassland Habitat. Because, unlike the Holly Farm where you have a plethora of threatening an endangered species on the site and there's lots of regulations that you can discuss and talk about with protecting, unlike Union Lake where you have a special jewel there in terms of the lake being the largest, the second largest lake in New Jersey, the largest man-made lake. It's just much more difficult to talk about protecting a farm piece, unless you wanted to make it agriculture or unless you wanted to have the land conservation not have the mining aspect to it. So, we've been looking at their plans and their plans shows that the protected, the areas that have the best chance of being protected, they are showing a buffer from the areas where the Pine Barrens Tree Frog is and the Coopers Hawk. They're already staying away from those areas. So, it makes it more difficult to criticize it from an environmental perspective and it seems as though the Planning Board is scrutinizing this very heavily, this project. It's harder for us to enter into this fray unless we have more information that helps us to. Now, a couple opponents of the information aren't available to us yet. Brian Slough's report wasn't done and then when we get it, we're probably going to get it when the Planning Board is already, you know, might also be making the decision or the same day as the public hearing, so we'd be winging it on his statements if he doesn't get it done rather soon to help us to look at things that we haven't considered. The Engineering Department just put in a list of questions to the developer, again they'll probably get the answers to those questions the same night as the Planning Board. If you want the environmental community to be involved we would need some time to see if there's some things that we're missing, some obvious things that we're missing. Now, had the property not been zoned business and industry they probably would be going into the water table or you know, creating ponds and those ponds we would be advocating for our reclamation plan that include a wildlife habitat. Because, often times old mining areas are some of the best wildlife habitat you could have and we'd be talking about shallows in the ponds, we'd be talking about sculpting the edge, we'd be talking about creating grasslands or how they might go about managing the site. But, in fact, by making the area business and light industry, you actually gave them the bright idea to essentially strip mine the site, so they can sort of get double bang for their buck. In other words why create a pond when you can go and stay just above the water table and have your cake and eat it too. Ship out a lot of the sand, make the profits that you're interested in and now build on what remains. So, again this new zoning that you gave to it, that we asked you not to, makes it so much harder for us to talk about things that ought to happen. As far as reclamation, you're talking about twenty-five acres at a time, grass and trees. But, am I to bring in our conservation group and say boy, guys we ought to make sure those grass and trees goes there, I mean I like the idea, but better make sure those grass and trees goes there so we can clear it later for light industry and business. I mean, you know, there's a portion of the property that could still be preserved, that could still be treated well. That's what we'd like to see, but in terms of, you know, where are we, I don't mean to be rude, but where have you been. You know we've been advocating all along for the protection of this property, but it wasn't what you wanted, you wanted something different. Now, you want us to talk about the environmental attributes when somebody's coming in and mining. I mean it's really hard, it's not that easy, you're not making it that easy for us and when you say stuff like that without coming to us and asking us what's going on and we very rarely object to any projects that haven't had some sort of public forum. With Genstar, if you remember correctly they took their dog and pony show all over South Jersey before they came to Millville. So, we had a really good idea about their project of what they wanted to do. But, the

first public forum is this Planning Board and now we don't even have the tools to say, geez, let's see what some of the City Consultants and everything are saying to help us out more..."

Mayor Quinn: "We'll try to get you the tools..."

Jane Galetto: "yeah, because when I look at the project they are already doing a lot of the things that we would ask for, we would ask for a buffer from the special ????? we would still ask and continue to ask that this land be preserved. But, you know, Mr. McCarthy told you that, what legal legs do we have to stand on. I mean, we need you guys, we need you to be in the same ballpark as us on this open-space issue..."

Mayor Quinn: "but, we were in the same ballpark with you Jane..."

Jane Galetto: "on the three hundred acres and it's a huge difference..."

Mayor Quinn: "and it was the right thing to do..."

Jane Galetto: "you have the Motorsports Park, you know what our stance was on the concerns there. That eight hundred acres isn't part of the picture anymore and you had the three hundred acres that have been in ????? it's a completely different project and now you have a situation where you're not going to be left with the possibility of specifically wildlife habitat unless there's some really major changes there. That's it, thanks."

April Carter, 810 Dock Street, addressed the Board of Commissioners noting she had her tires slashed on March 26<sup>th</sup> and five days later she again had her tires slashed.

Ms. Carter indicated she was requesting two (2) streetlights to be placed in front of her house and is concerned about the vandalism in the area.

Commissioner Shannon indicated the Third Ward area is being targeted for streetlight improvements and a plan is in place and they're working with Atlantic City Electric Company.

There being no further comments Mayor Quinn declared the public comments portion closed and called for comments from the Commissioners:

Commissioner Derella: "Mr. Mayor, if I could I guess I'll do it backwards. I appreciate Mrs. Galetto's comments, she has been in attendance in all of the Planning Board Meetings, especially when environmental issues were in jeopardy. But, I will debate the fact that in all those meetings information is not readily available they get it out as quickly as they can. There have been comments by your experts and the City's experts the information is not there soon enough and that's why these meetings do get tabled and you continually have all those sets. So, whenever that information is available we want to make sure we get it to you, but again the Planning Board has done a very nice job making sure they do not make hasty decisions and they want to listen to all the testimony, we review tapes, we do a lot of things. Some of the information has been provided by the variety of environmental groups in all those hearings have been very informative for myself as a Planning Board member, because I have learned a lot and it's help me be a better board member in regards to that. In regards to Mr. Porecca's comments, as always he does his homework, but I want to remind

everyone that in regards to eminent domain condemnation of the properties that were there, the comments were that it would be a last resort, but we would exercise that right. It came evident that we needed to do that. Since then there has been an agreement reached and all of those things have occurred, but again the wording there was, again, last resort. In regards to the motorsports we are actively working on renegotiating that particular development agreement. Understand it's been said here several times that litigation really delayed the project from moving forward, once that was resolved we now are able to pursue again opportunities to maybe redraft some of those sections and help protect the City of Millville even more. But, again, it's negotiations that is going on and will continue to so. In regards to the April due date, we're well aware of that, as are the developers, because they've been reminded by myself through the month of March that they have a payment due and we have debated that across the board. They understand that the City will accept nothing else, but the payment. Our payment schedule will go out this week and payment is due before the end of the month of April. Just like any other bills they go out and you have a slight grace period and we will get the money, believe me. I've been watching this thing very, very closely, because we got an investment and we want our payment back, not just in this project, but some others that are out there and we are addressing the opportunity to be more aggressive with our recurring of monies. People that are delinquent, we are now going after them with a little bit more professionalism and a little bit more aggressiveness, because some things do need to be addressed."

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

Adopted: April 18, 2006

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Mayor

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Commissioners

Attest:

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City Clerk/Administrator