

Regular Meeting
Via Teleconference
February 16, 2021 5:32 p.m.

The Board of Commissioners met in a **REGULAR MEETING *via teleconference due to COVID-19 Pandemic*** with Mayor Santiago presiding. Members present on conference call included Commissioner Pepitone, Vice-Mayor Parent, and Commissioner Udalovas. City Solicitor, Brock Russell, Administrator, Regina Burke, CFO, Marcella Shepard and Manager of Parks & Grounds, Samantha Cruz were also on the call. Due to a conflict in schedule, Commissioner Cooper joined the call at 5:47 p.m.

Teleconference was open to the public as required by law. Attendance of all attendees was taken by City Clerk upon entering the call. Public attendees in the order which they joined the teleconference was as follows: Doug Wilson, Tamara Isajiw, Bill Davis, Julie McGough, Kevin Gandy, Nick Talvacchia, Hattie Ayres, Harry Rothman, John Butchsky, Eric Wolfe, Avery Dutch, Ed Zadroga, Kim Hall, Joanne Murphine, Ricardo Ramos, Emanuel Morales, Brandan Kavanaugh, Steven Hartman, Emelio Santiago and Angel Lopez.

Mayor Santiago led the salute to the Flag.

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

City Clerk to Review Changes to the Agenda

Mayor Santiago asked if there were any changes to the agenda. Ms. Hitchner stated there is one change to the agenda being:

1. Addition of Resolution authorizing award of contract through a fair and open process to Carolla Brothers Landscaping Inc./dba D & R Landscaping for Landscape Maintenance Services, Lawn Grass Treatment Services and Lawn Grass Mowing Services-2021, in an amount not to exceed \$115,810.77.

Bills

The following bills were ordered paid, when properly certified on a motion by Vice Mayor Parent and seconded by Commissioner Pepitone. The motion was carried by the following vote. Yeas: Commissioner Pepitone, Vice-Mayor Parent, Commissioner Udalovas and Mayor Santiago.

SEE COPY OF BILLS FOLLOWING THE SIGNATURE PAGE OF THIS MEETING

Minutes

Vice-Mayor Parent made a motion to approve to dispense with the reading of the minutes for February 2, 2021 Regular Meeting. Commissioner Pepitone seconded the motion which was carried by the following vote: Yeas: Commissioner Pepitone, Vice-Mayor Parent, Commissioner Udalovas and Mayor Santiago.

Public Comment on Agenda Items Only

Mayor Santiago stated that this is the time for any Public Comment on Agenda Items Only if anyone wishes to be heard. City Clerk, Jeanne Hitchner called the names of residents in order of attendance that was taken at the beginning of the meeting.

Seeing no one come forward, Mayor Santiago closed the Public Portion on Agenda Items Only.

Old Business

Mayor Santiago asked City Clerk if there was any Old Business. Ms. Hitchner stated there was no Old Business.

Petitions and Letters

Mayor Santiago asked the City Clerk if there were any Petitions and Letters. Ms. Hitchner stated there were none.

Reports of Commissioners

Commissioner Pepitone

Commissioner Pepitone made a motion to receive and file the following reports for the month of January 2021 :

1. Millville Fire Department Emergency Medical Services Report
2. Millville Fire Department Report
3. Millville Fire Department Inspections Report

Vice-Mayor Parent seconded the motion, which was carried by the following vote: Yeas: Commissioner Pepitone, Vice-Mayor Parent, Commissioner Udalovas and Mayor Santiago.

Commissioner Udalovas

Commissioner Udalovas provided updated information on the CDBG program and grant application process. She announced there will be a mandatory meeting held on February 25, 2021 for all interested parties.

Commissioner Udalovas asked Brock Russell to discuss updates on the ASPCA matter. Mr. Russell advised there are no updates at this time.

Vice-Mayor Parent

Vice-Mayor Parent made a motion to receive and file the Tax Collector's Report for the month of January 2021. Commissioner Pepitone seconded the motion, which was carried by the following vote: Yeas: Commissioner Pepitone, Vice-Mayor Parent, Commissioner Udalovas and Mayor Santiago.

Mayor Santiago

Mayor Santiago read the Streets and Roads report for the month of January 2021. Vice-Mayor Parent made a motion to receive and file the report. Commissioner Pepitone seconded the motion, which was carried by the following vote: Yeas: Commissioner, Vice-Mayor Parent, Commissioner Udalovas and Mayor Santiago.

Vice-Mayor Parent extended his appreciation for all the hard work Streets and Roads have been putting in to keep the city safe and clean.

Ordinances on 2nd Reading

City Clerk read Ordinance No. 04-2021 approving and authorizing an application to the Cumberland County Roadway Department for the Tidal Wave Softball to hold a Coin Drop on April 24, 2021 and April 25, 2021 at the intersections of Buckshutem and Cedarville Roads.

Commissioner Udalovas made a motion to approve the ordinance on second reading, which was seconded by Vice Mayor Parent.

Mayor Santiago opened the meeting for a public hearing on this ordinance only.

Commissioner Cooper joined the call at 5:47pm. He remained on the call from this point of the meeting forward.

Hattie Ayres wished the team good luck and good weather.

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

The motion was carried by the following vote: Yeas: Commissioner Pepitone, Vice-Mayor Parent, Commissioner Udalovas, Commissioner Cooper and Mayor Santiago.

The City Clerk read Ordinance No. 05-2021 amending the Redevelopment Plan for Block 266, Lots 7.04, 7.05, 7.06 and 7.07 with Village Drive Healthcare Urban Renewal LLC for the purpose of including an additional permitted use for warehousing and wholesale distribution of medication and related pharmaceutical to nursing homes, assisted living facilities. This use is temporarily permitted and

Commissioner Udalovas made a motion to approve the ordinance on second reading, which was seconded by Commissioner Cooper.

Mayor Santiago opened the meeting for a public hearing on this ordinance only.

Brock Russell asked Nick Talvacchia to give a brief overview of the project.

Mr. Talvacchia explained that due to the pandemic the State of N.J. has halted the issuance of licences for Adult Day Cares. He stated they had to find a temporary use for the space, which is why they are amending the plan to be a warehouse and wholesale distribution center.

Commissioner Copper asked what types of medications will be distributed.

Eric Wolfe stated there will be a variety of medications such as liver, kidney, heart and blood medications, as well as some pain medicine.

Mr. Russel confirmed that this medication will be for wholesale only and not available to the public.

The Mayor stated this group is top notch and he enjoyed working with them.

Mr. Talvacchia and Mr. Wolfe thanked the Commissioners and Mr. Russell for their help.

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

The motion was carried by the following vote: Yeas: Commissioner Pepitone, Vice-Mayor Parent, Commissioner Udalovas, Commissioner Cooper and Mayor Santiago.

The City Clerk read Ordinance No. 06-2021 amending the Salary Ordinance pursuant to the Municipal Code Section 2-69 titled Salaries of Officers and Employees for full-time police officers of the Police Benevolent Association Local #213 in the classified Civil Service for the years 2020 through 2023.

Commissioner Pepitone made a motion to approve the ordinance on second reading, which was seconded by Vice-Mayor Parent.

Mayor Santiago opened the meeting for a public hearing on this ordinance only.

Commissioner Udalovas read the following prepared statement for the above mentioned Ordinance:

"I realize that my statement this evening will not have an impact on the outcome, nor is it intended to, but it will provide the information that each resident and attendee should be imparted. The issue that I expressed regarding the resolutions and ordinance pertaining to the SOA and PBA contracts on February 2nd were due to the fact that in one vote, the City Commission made a decision that would irrevocably confirm another tax increase in 2021 and in proximal years from now until 2023 when we have many residents that voice the concerns that I will read aloud in the following email from a resident which I obtained permission to share with the Commission and public today:

"Thank you for stating most Millville residents are experiencing 0% pay increases, if they are fortunate enough to still be employed. I am 66 years old and retired. Increases in property taxes are a great concern. However, I am concerned for some of my 1972 classmates who are currently out of work, that need to work to make ends meet."

The reason I am sharing this email, in addition to the reason that I initially made the statement that in a time of a global pandemic when many residents may be struggling with unemployment and property owners including landlords who may not be collecting rent for properties due to a moratorium are also encountering similar challenges to the tenants and homeowners who may not be able to fulfill their monthly lease or mortgage payments, is due to the fact that the February 2nd Commission meeting reflected an overall sentiment where conversations of Commissioner Pepitone, Commissioner Cooper and Vice-Mayor Parent did not express the reality of the City's finances and what agreement to a 4 year contract with 3% increases across the Board would create for the City in the 2021 budget. The 2021 budget

consisted of earnest conversations with our CFO in December when the City awaited final figures regarding collections from the City's EMS revenue in 2020. This conversation consisted of learning the City's impending deficit to begin preparing for 2021, and included discussions of eliminating the addition of any new positions in 2021 and even drafting a plan to submit to the Civil Service Commission to be approved and obtain approval to produce notices for layoffs that would be subsequently provided to employees in specific positions to create substantial reductions. I contacted the CFO and City Administrator via phone and email specifically and with frequency to express my support and willingness to work to accommodate the City's goal of revising my own budget to meet the goal of achieving a reduction that would not result in a tax increase in 2021.

In an email dated Friday, January 8th at 3:11 PM to the Commission, the CFO provided the following preliminary information to the budget that is summarized as the following: After surveying tax collection, the surplus is estimated to be approximately \$6,000,000.00. With this figure, \$4,500,000.00 from surplus can be used to support the 2021 Budget reducing the deficit to \$600,000.00. It is possible that eliminating new positions can save \$150,000.00. If all departments were to create a 10% decrease from a combination of cuts in salaries and Other Expenses, the City may be able to decrease the deficit without layoffs.

In an email dated Friday January 8th at 3:44 PM, I expressed to Marcella Shepard, the City's CFO that I would like to ensure that her professional recommendation for a productive surplus is being observed in this budget and that I am steadfast in my view that reductions, if necessary, to maintain the 0-cent increase should be utilized.

Therefore, my surprise can be noted that with the information suggested pertaining to the budget, that items included on the January 4th Agenda at 8:47 AM on the same day for the Contract of position of Police Chief were not reviewed by the CFO prior to being added and consisted of a 3% increase each year for 4 years. In 2021, the result was projected to be a 6% increase of approximately \$9,000.

The contract received a 3 to 2 approval notwithstanding that it had not been reviewed by the CFO as the attached contract had been forwarded at 8:47 AM by the City Clerk to only the Commissioners at the direction of Commissioner Pepitone. It was confirmed via email to me upon my request later in the afternoon that the CFO had not been consulted at all. This one primary detail when I stated it during the meeting did not prevent Vice Mayor Parent who is the Director of Revenue and Finance from voting to approve even though it did not appropriately follow the channels of his own department for which he should require all Commissioners to answer for increases contrary to any reductions sought in December 2020. The resulting salary ordinance, as we know, will amount to \$178,758.84, which in 2023 will be approximately \$130,000 more than the amount of \$47,813 that a Step 1 officer will achieve in the same year. A 3% increase each year for 4 years does not demonstrate a City facing a deficit nor does this action support a City's intent to submit a plan to the Civil Service Commission to plan for and have approved a plan for reduction in the City's workforce, as all decisions pertaining to finance must be considered in the approval of the plan to demonstrate concerted effort to reducing spending prior to any approvals of layoffs. This one decision alone already demonstrated a detriment to the City's plan to reduce the overall budget to attempt to achieve a 0-cent tax increase for property owners in 2021.

Similarly, the SOA contract reflects a 3% increase each year for 4 years with the Step 1 Sergeant salary being \$97, 839.24 in 2021 and the range at the opposite end of spectrum for Step 3 of the Captain's salary ending at \$131,917.74 in 2023. For residents who are once again falling on hard times or are on fixed income, 3% increases for the SOA contract over 4 years seems less urgent in light of the year that we have had with the pandemic, and I will be the first to admit, as an elected official who does not seek to earn popularity for making decisions that disregard less fortunate residents or seek an endorsement of unions for a future election in which I do not seek to participate, that a 2% increase as accounted for by the CFO would have been generous given the year and to the range of salaries pertaining to the administrative level. But as witnessed by the trend of 4 years of 3% increases as offered to the Police Chief contract, the tide changed to create the same increases to the SOA when Commissioner Pepitone sought to negotiate on his own and have documents forwarded to

legal counsel for contractual approval and had the same items added to the February 2 meeting of the Commission on the morning of the meeting without significant discussion being documented with Revenue and Finance.

It is when we examine the numbers of the PBA contract that I will highlight the exact demographic who, if residing and paying taxes in Millville, will receive a 3% increase with a step added each year but will not receive the same degree of relief that the SOA or Police Chief contracts can provide because the Step 1 salary of only \$45,068 in 2021 will also need to absorb a now 4 cent projected increase as expressed by the CFO in an email dated Friday, February 5th when the City's tax assessor provided figures pertaining to a decrease in ratables again in 2021 – a notification that I have emailed the Tax Assessor, CFO and City Administrator to seek additional information regarding this issue encountered in 2020 when the City discussed its budget in the Spring and hosted numerous inquiries from the Commissioners and a member of the public regarding the trends and any impacts that the City's tax appeals process, approach or representation could in fact have on the City's tax base.

I seek to make myself abundantly clear now with the specific numbers for why a 3% increase across all steps and contracts for 4 years does not make sense if it causes a 4-cent property tax increase. I know that I am not alone in asking why the few increases, namely 2%, that Revenue and Finance sought to provide to the PBA were not isolated to only the PBA contract and concentrating on the first 8 steps to create an increase that could seek to achieve higher starting salaries with a 0-cent property tax increase since the administrative contracts could have been asked to explore a shorter contract period with less of an increase in 2021. We, as a Commission, did not provide any relief to entry-level police officers when the increases in property taxes will now need to be paid by them if they are property owners in the City so that the 3% can be supported for higher steps. A 3% increase in income to an individual making less than \$50,000 is significantly affected by a 4 -cent property tax increase if they live in Millville and must now deal with the effects of this decision by the Commission. It is simple in the understanding that the only way that a contract works favorably for our PBA is if we provide the increase in income to them and then not cause a property tax hike, which is what we may have been able to achieve if planned properly with the CFO.

For the January 4th meeting to include an explanation from Commissioner Pepitone that the City has the funds to appropriate into the increase in a Police Chief Contract because there were vacant police officer positions throughout the year demonstrates again that when there were funds to be considered by the CFO that Commissioner Pepitone prematurely with his executive decision decided where they would go rather than to discuss with the CFO how the unspent funds could either be used to contribute to the increases for the PBA or could create some modicum of relief for the taxpayers. When we are in a deficit, there is no spare money discovered to allocate for a contract. A deficit means that the funds were needed in another line item yesterday. Allow me to make this clear, when you earn less income and your City raises taxes to pay for other contracts, some of which do not need increases because they are significantly higher than what most employees in the City earn or what some residents even with gainful employment can hope to earn, your City and Commissioners did not help anyone. To be on step 1 and place your wellbeing in danger everyday as a police officer and now to pay more taxes because your City's elected officials did not fairly approach the process is the problem we face now. It was the duty of the Commission to be concentrated in its efforts to focus increases on the introductory steps while still demonstrating fiscal responsibility at a time when our City's residents desperately needed its officials to make difficult decisions that may have made them unpopular but were morally empathetic nevertheless and sought not to continue to pass the increases onto residents. Any increases needed to go to our PBA only this year. It's the only outcome that was reasonable and each resident in Millville who does appreciate their sacrifice and sees them on our City's streets walking neighborhoods and mentoring our youth knows that this is where our available funds that do not cause additional increases should be dedicated this year rather than to across-the-board 3% increases that include administrative positions. We need to live by our means as individuals and City Commissioners, viewing city finances as if it were our own budgets in our own households. We would need to recognize that rather than to complain about lack of ratables and cast blame, we need to budget and reduce spending.

These decisions, I will note, cannot go into effect unless a union seeks to ratify them, but my view that the City could have advocated for both taxpayers and members of the public Safety Department is that the Commission would have had to provide options that focus on the City's mission of increasing the lower steps of the PBA scale. It would not have been quite as effective in gaining popularity, but it would have been reasonable and necessary. In researching previous scales adopted in the City's history, the contract adopted for 2012 to 2015 of the PBA when previous guide steps of 1 – 6 were divided into Steps 1-16, I noted that, historically, the city maintained a minimum salary of \$36,920 from 2012 – 2015 for Step 1 officers with not a single increase provided. It was only at Step 16 that an increase in salary is demonstrated across the 4 years. It is clear that a remedy to the issue of addressing the disparity of increases from the administrative level to our City's rank and file will not occur immediately, but each decision made should prioritize our PBA and the introductory steps over a course of years to address this discrepancy before providing increases to the highest salary under Ordinance in the City of Millville which is the salary of Police Chief according to the guide, or to any other administrative salaries.

Taxpayers should expect each Commissioner to perform his or her job using the professional recommendations of legal counsel and the City Administration to mitigate circumstances such as the one outlined above prior to seeing the publication of an agenda. And finally, we need to see this through the scope of the City as a whole. Commissioner Pepitone had noted in the February 2nd meeting that he has learned that I speak to the City's Business Administrator every day. It is true. I email and forward concerns to supervisors across the City if I receive them in an email from residents and I call every day Monday through Friday for an update and sometimes on the weekends when agenda items that are questionable to me are added to the agenda on Friday afternoon, mostly to discuss with the City Administrator if there are any matters I have left outstanding or what I need to research to be prepared for each week. I often make the first call or send the first emails to be proactive. Each Commissioner should be encouraged to do the same if they are genuinely concerned about doing their job. All of the supervisors who are in the admin group or bargaining unit in the City including our City Administrator and Chief Financial Officer will be next to host negotiations, and even with all of the leadership that our supervisors across every City Department provide, I have stated that I will not support a 3% increase for any position in 2021 when all of the evidence provided by Finance suggests that the City cannot support it financially. That should demonstrate a great amount of impartiality and fairness because, in my assertion, the numbers are the evidence that we should utilize in decision making.

I am further disheartened that the Commission would have been on the brink of considering if some positions and employees throughout the City should have been eliminated when the record shows that the Commission was willing to provide 3% increases for so many positions at, near or above \$100,000 annual salary, especially one that will reach over \$178,000 in the very near future. Some of our residents survive on \$30,000 to \$40,000 a year and I cannot fathom that another Commissioner would expect to find fault in my reasoning for not endorsing an increase. Ultimately, this decision also demonstrated to the Civil Service Commission that if the City were to seek to reduce positions and issue notices, that the circumstances do not justify eliminating positions because we have promised such increases to others. So now when we absorb these new costs and ask taxpayers to contribute more, the City would not be considered seriously for reducing costs by discontinuing the employment of the earmarked positions, not that we should even explore that avenue now out of good conscience. It would be profoundly disrespectful to terminate the employment of a position to reduce a tax increase when the police chief and SOA contracts have been provided generous increases of 3% per year over not 1, 2, or 3 years but over the course of 4 years.

The fact of the matter is that this was not just a decision of 3% over 2% but the City dashed any possibility of providing a plan to the Civil Service Commission to notify of layoffs for other positions across the City that would have been necessary to achieve a 0-cent increase by not demonstrating a concerted effort to decrease spending internally. That was the decision at stake that evening, and each of the Commissioners had this information at his or her disposal; therefore, the disregard to survey the information thoroughly is the decision that should be under scrutiny.

I spoke to the importance of moving forward and attempting to adapt to the budget in spite of the ineffective financial decisions made by the City Commission in January and February and I met with the CFO on Monday February 8th to learn of any budgetary reductions that can be made to Public Affairs in order to alleviate the burden on taxpayers for which she provided additional reductions that she had surveyed and for which I had expressed support to assist in the 2021 budget. As she had stated in her own correspondence, reductions of 10% across all departments could make a sizeable impact, and I would implore that the Commission immediately seek to meet the recommendations by meeting with the CFO to view each budget and create as many opportunities as possible for our taxpayers to save. I realize that the Vice Mayor had specified to the CFO that an increase of 3 cents would be acceptable, but I will assert that it is not acceptable in this year and that we should be working cooperatively with the CFO to not negate what reductions should be made but to accommodate with our professionals to act on behalf of the taxpayers who we represent and in my evaluation are not regarding as highly as we should. I will repeat that all of these funds about which we speak are not our own, but rather the funds of our taxpayers. Decisions should not be made for you to gain popularity but for you to demonstrate your leadership. Leadership does not signify pacifying one another with your comments or to simply boost one another's self-esteem in public session every first and third Tuesday of the month. It is to make the difficult decisions that often entail stating "no" because the City is bigger and more important than any single one of us.

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

The motion was carried by the following vote: Yeas: Commissioner Pepitone, Vice-Mayor Parent, Commissioner Cooper. Nays: Commissioner Udalovas. Mayor Santiago abstained.

City Clerk read Ordinance No. 07-2021 An Ordinance amending the Salary Ordinance pursuant to the Municipal Code Section 2-69 titled Salaries of Officers and Employees for full-time police officers of the Millville Police Superior Officer's Association in the classified Civil Service for the years 2020 through 2023.

Commissioner Pepitone made a motion to approve the ordinance on second reading, which was seconded by Vice-Mayor Parent.

Mayor Santiago opened the meeting for a public hearing on this ordinance only.

Hattie Ayres thanked Commissioner Udalovas for studying the facts and doing her job so thoroughly. She stated the officers do a great job and deserve a raise, but she has great concern for the tax increase that will come along with this decision.

Joanne Murphine agrees with the salary increase because the Police on the streets of Millville do a great job. She stated the Police who sit behind a desk all day do not deserve the same increase.

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

The motion was carried by the following vote: Yeas: Commissioner Pepitone, Vice-Mayor Parent, Commissioner Cooper. Nays: Commissioner Udalovas. Mayor Santiago abstained.

Consent Agenda

All matters listed under the Consent Agenda are considered to be routine and non-controversial by the Board of Commissioners and will be approved by one motion. There will be no separate discussion of these items unless a governing body member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. City Clerk read the following resolutions:

Resolution No. 53-2021 approving a discharge of mortgage executed by LaShaya Handy and Ricky Cooper for property located at 606 East Main Street, Block 449, Lot 14.

Resolution No. 54-2021 approving a Discharge of Mortgage executed by Mary Jo Morse for property located at 466 South Third (Second) Street, Block 530, Lot 17.

Resolution No. 55-2021 approving a Discharge of Mortgage executed by Frank L. Brown and Arlene M. Brown for property located at 606 East Oak Street, Block 396, Lot 29.

Resolution No. 56-2021 authorizing adjustments in the tax and utility records.

Resolution No. 57-2021 authorizing the utilization of contracts set forth in the Cumberland County Cooperative Pricing System and the Educational Services Commission of New Jersey.

Commissioner Udalovas made a motion to approve all Consent Agenda items, which was seconded by Commissioner Cooper. The motion was carried by the following vote: Yeas: Commissioner Pepitone, Vice-Mayor Parent, Commissioner Udalovas, Commissioner Cooper, and Mayor Santiago. Nays: None.

Resolutions

The City Clerk read the following resolutions:

Resolution No. 58-2021 authorizing an extension for the project entitled "2019 HVAC Maintenance and Service Contract" to Falasca Mechanical, Inc. for an additional one (1) year term with all pricing to remain the same in the annual amount of \$17,210.00.

Commissioner Cooper moved for the adoption of this resolution. Commissioner Udalovas seconded the motion, which was carried by the following vote: Yeas: Commissioner Pepitone, Vice-Mayor Parent, Commissioner Udalovas, Commissioner Cooper, and Mayor Santiago.

Resolution No. 59-2021 authorizing award of contract through a fair and open process to Carolla Brothers Landscaping Inc, /dba D & R Landscaping for Landscape Maintenance Services, Lawn Grass Treatment Services and Lawn Grass Mowing Services-2021, in an amount not to exceed \$115,810.77

Commissioner Cooper moved for the adoption of this resolution. Commissioner Udalovas seconded the motion. The motion was carried by the following vote: Yeas: Commissioner Pepitone, Vice-Mayor Parent, Commissioner Udalovas, Commissioner Cooper, and Mayor Santiago.

New Business

Mayor Santiago asked City Clerk if there was any New Business. Ms. Hitchner stated there was none.

Public Comment

Mayor Santiago stated that this is the time for the public comment portion of the meeting if anyone wishes to be heard. He asked for comments to be limited to approximately 5 minutes. City Clerk, Jeanne Hitchner called the names of residents in order of attendance that was taken at the beginning of the meeting.

Tamara Isajiw thanked Commissioner Udalovas for her hard work and transparency to the public. She stated that many people appreciate the information that she provides and admire her dedication to her position as a Commissioner.

John Butchsky thanked the Commissioners, especially Commissioner Pepitone for their support of the Millville Police Department. He stated he is looking forward to working with everyone in the years to come.

Joanne Murphine congratulated Commissioner Udalovas on doing such a great job.

Ms. Murphine asked Commissioner Cooper where the Dog Park was located. He stated it will be on the Union Lake beach once it opens.

Comments by Commissioners

Commissioner Cooper

Commissioner Cooper stated we were snowed out for the groundbreaking ceremony for the Dog Park so the new date for this will be March 4th.

Commissioner Cooper congratulated the Millville Police Department on getting a competitive contract. He stated if we want to become a world class city, we must pay our officers appropriately.

Commissioner Cooper wished everyone a Happy Black History month and noted many black individuals have contributed to the world we live in.

Commissioner Cooper reminded everyone that Covid is still among us and we must continue to practice safety and use precautions. He encouraged everyone to get the Covid-19 vaccine.

Commissioner Pepitone

Commissioner Pepitone stated that with all the information Commissioner Udalovas provided, she left out the money being saved by not filling five new police officer positions. He stated this will cut a penny off the tax rate.

Commissioner Pepitone thanked all that supported the salary ordinance for the Millville Police Department. He stated we must pay them what they are worth if we want to move forward.

Commissioner Udalovas

Commissioner Udalovas extended a thank you to the Department of Public Works for making reductions to their department's budget. She stated she is sincerely looking forward to learning the details of Commissioner Pepitone's plans for budget reductions in his department.

Commissioner Udalovas read the following prepared closing statement:

As the Commission and members of the public have witnessed a great deal of debate in the January and February meetings of the Commission, I deem that it is important to address that which is factual and relevant to future outcomes and to set any statements that can be characterized as incendiary for the purpose of political rhetoric or one's own public image for the 2021 election to rest.

There are far more inconsistencies with the statements of some, but not all, of the Commissioners that can be listed in one statement, but it would be effective to address the closing statements of Commissioner Pepitone, Commissioner Cooper and Vice-Mayor Parent, as I found it imperative to obtain a recording of the public meeting and examine questions being highlighted and statements made. I would also note that this information I gather and state has been collected throughout the course of performing my roles and responsibilities as a Commissioner and should in no way, shape or form provoke retaliatory measures or interactions characterized by non-communication on any important City business with any of our City Officials including but not limited to the City Administrator, City Solicitor, City Clerk or CFO by any Commissioners who are displeased with my public comment.

Commissioner Pepitone, I noted your discontent when referring to the resolution for appointment of Municipal Court Judge as included initially on the January 19th Agenda and any suggestion that may have been made by some individuals to suggest that you endorse the decision. At the January 19th meeting, while a public comment at the February 2nd meeting cited my reading into the record an email regarding the resolution at 2:18 on January 15 prior to the publishing of the agenda, I will include the following two quotes: "I will begin by advising that my rationale for sending my email to you is due to the recent developments of Commissioner Cooper's motion to add this item to the Agenda when the Municipal Court is a sector of Public Safety, a Department that is jurisdiction of Commissioner Pepitone." The second quote includes the following: During this time, the City Administrator had advised me that Commissioner Pepitone expressed that an appointment would not be made in September due to possible changes in the municipal court that could reflect a shared court system with a neighboring township. She had advised that the City Solicitor imparted that if an appointment were not to be made that Judge Witcher would continue as Municipal Court Judge." These words constituted my statement on January 19, 2021 in regard to statement on the subject. I am still awaiting word regarding when this matter will be addressed by the Department of Public Safety with the facilitating of plans for either reappointment or Special Session via the City Clerk's Office.

This information provided was all factual and consisted of that which I had been provided upon inquiry into the resolution item. I cannot account for the misinterpretation

that you had cited had taken place in your February 2nd comments, but I can provide that all of my correspondences pertaining to this item have been dispensed to members of the public requesting information by way of the City Clerk as they were also a part of public record.

On February 2nd, the topic of ratables had been highlighted – a topic that today I confirmed in a previous statement that the City has witnessed its second consecutive year of a decrease in ratables in the amount of a decrease of \$8,784,661 – a topic for which you have so abundantly highlighted is a setback created by Economic Development. While the Department of Public Affairs has continued to hold the line on its budget and even reduce spending in an attempt to create relief for taxpayers in 2021, the growth that may have been stymied by such instances of the economic climate is in progress with such projects as the Nabb Avenue Solar Project that will provide increases in ratables for the County, School Board at an estimated amount of \$67,547 and Local Utility Tax estimated at \$103,000 as cited in a recent Daily Journal article and the Planning Board's recent approval of preliminary and final site plan for Agriterra in the James R. Hurley Industrial Park. The project as presented at the Planning Board level, includes components of a Wastewater Pre-treatment facility by the developer to be environmentally compliant with the City's infrastructure. I cannot attest to any conversations that Commissioner Pepitone has declared as having had or confirm any correspondences pertaining to his view that infrastructure improvements needed to be made with bonds. I can attest, however, to Commissioner Pepitone's view that a Planning Board or any other board can be disregarded in decisions pertaining to redevelopment. I need only to highlight the fact that in the early months of this Commission, a Board titled in our city's Ordinance as the Industrial Commission was dissolved without thought for its mission or even the contributions in time and volunteerism of its members. It is confirmed through this action alone, that the due process and expertise that our constituents and local volunteers bring to the City's process are only valued when favoring the will of a Commissioner. Additionally, waging an attack on the Department of Public Affairs or myself as a Commissioner as Commissioner Pepitone had done is a reflection of his opinion on the work of our legal counsel who has provided all due process under Redevelopment Law, in addition to the work of the Planning Department and Planning Board which must, under Redevelopment Law, have a role in approving all projects for preliminary and final site plans. These stakeholders are the professionals who hold the qualifications for all such approval of projects, and any attendee at one of the City's land use board meetings can see the level of dedication, professionalism and experience that these board members bring to the City's land use proceedings. They are prepared, humble and consistently refer to the City's code, Master Plan and Board Solicitor to make informed decisions – traits that would serve our Board of Commissioners well to emulate. If I have ever expressed concerns regarding finance and another Commissioner's Department, it has been only as pertaining to finance. To denigrate our City's professionals in a Department or legal counsel that follows due process to redevelopment law is neither professional nor acceptable. As it pertains to ethics, I would neither seek to disregard Department professionals or Land Use Boards as Commissioner Pepitone had stated that he would nor would I support motions by a Commissioner to proceed with unethical behavior. I have and will continue to follow legal recommendations as set forth by our City Solicitor and professionals.

Once again, revisiting the topic of ratables, it should be a view of this Commission that when we face not one but two years of reductions in ratables that we revisit the concept of the City's efficacy in procuring effective legal counsel in Tax Appeals cases as was discussed during budget discussions in 2020. In seeking to ascertain more information, I sought to ask the City's former legal counsel who represented in matters of Tax Appeals, Mr. Brock Russell, the approximate time, resources and approach to the Tax Appeals process. I sought this information on my own accord, and I ask that the Commissioners not seek to act begrudgingly toward Mr. Russell for my conveying it to the public. Mr. Russell advised me that the approach taken, especially in matters of Tax Appeals is not to settle in order to protect the City's tax base. In my own comparison of the \$15,000 award of contract to counsel outside of the City Solicitor for the court appearances for which I know that previous contracts with Mr. Russell were billed and the evidence that the CFO commented on that a second year of decrease in ratables is unusual, it is clear that the City's approach to explaining the ratables in arbitrary terms needs to be a discussion with the professionals including legal counsel, the CFO and the Tax Assessor to investigate and remedy the actual root of the issue of a consistent loss over the

previous 2 years. Has not a single Commissioner, including the Director of Revenue and Finance asked why we are decreasing at such a rapid rate? Have you asked, if Commissioner Cooper's details regarding the firm handling the Tax Appeals contract are true in regard to representing over 60 municipalities, if the City is receiving the attention in representation to Tax Appeals to protect its ratables especially to the tune of the contract amount of \$15,000 which is significantly lower than any other contract or sums that the City has had to disburse on an annual basis to this firm? A small contract of \$15,000 is not a savings if the result is the City's ratables plummeting by millions of dollars each year. We should certainly be exploring if the best offense to approaching our budget in the future is a strong defense in regard to the legal counsel handling our Tax Appeals process.

The matter of ratables, contracts and Finance all pertain to the Director of Revenue and Finance, who is Vice-Mayor Parent. I am speaking to each of these matters today not because they pertain to my department of Public Affairs but because Revenue and Finance should be the authority on all departmental decisions across the City. It would be very effective for the Commission to meet annually and create a plan with the CFO having the overarching authority to determine and communicate immediately that which can be completed and that which is not recommended with the decision being respected by each Commissioner and Department. For this budgetary plan to be effective, it involves empowering our CFO to make the recommendations and asking that each Commissioner adhere to them. It will consist of voting "no" and taking a strong stand, but better to advocate for the taxpayers of the City who make up the tax base than to simply speak to gain approval.

It requires much more conviction and courage to vote "no" to an item than it would to vote "yes" to those that are ill-prepared or not completely vetted. To vote "yes" is to only to pass the ill effects of the consequences for the taxpayers to absorb. It would be far more favorable for agenda items included on the Agenda to always meet deadlines to be included and pass with confirmation from necessary departments prior to voting, than for a single Commissioner to attempt to highlight all of the questions gathered in one meeting that should have been addressed prior to adding.

The fact that I have been witness to this disregard by Commissioners for its financial decisions weighs on me every single day, which is why I deem that the most important job that I have for the remainder of 2021 is to illustrate every process for the public, to perform my role as I have done for the last 3 years in ensuring that each email and phone call is addressed and to ensure that I ask all questions even if I must deal with personal and unprofessional comments and reactions that ensue. Any individual who has actually worked in this role for 4 years and paid attention to the challenges that our City officials and professionals face would weigh heavily the decision to announce himself or herself for candidacy again and commit to another term of 4 years. My personal view of public service consists of the following: Our City is better served by a Commissioner who works tirelessly, respectfully, responsibly, and with empathy for 4 years with the intent of contributing something meaningful to his or her hometown than to elect Commissioners for a second term who have not demonstrated the courage or work ethic to perform their roles in even the first term. It is factual that the previous three years have yielded experiences that I have learned from extensively, and that I would have anticipated my colleagues would have learned similarly. Additionally, I assert that any individual in this role who truthfully realizes the degree of work, time and sacrifice on the basis that he or she performed the work firsthand that must be performed by a Commissioner in a four-year term would think thoroughly before seeking a subsequent term, as this job should be the most unselfish role that any of us have ever occupied in our lives. The concept of every first and third Tuesday constituting a public spectacle for these same peers to grandstand for the upcoming election season is further disheartening to our City's professionals who must witness that their professional opinions on finance and contiguous issues are time and time again disregarded. It is disheartening for me to see that this job in public service is regarded as one that will not profoundly impact the lives of so many seeking to keep their households afloat, but rather a platform to promote themselves as individuals rather than to advocate for taxpayers and others aside from themselves. I make this statement this evening to respond as I think that my role as a Commissioner has never been more important than it is now - to continue to ensure that each inquiry from the public is addressed and to bring to light the facts that our public should be apprised of on all matters

pertaining to our City Officials and our process. I have a great deal of respect for our City's taxpayers, and I will continue to work throughout this year to make the decisions that may not garner popularity but will be made to advocate for their own financial recovery during this difficult year.

Vice-Mayor Parent

Vice-Mayor Parent thanked everyone for their attention to reducing the budget. He stated that if anyone has any questions, they can utilize the open-door policy at the Department of Revenue and Finance.

Vice-Mayor Parent encouraged Seniors to take advantage of the tax freeze by contacting the Tax Office.

Mayor Santiago

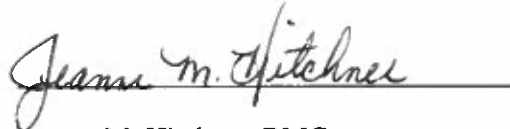
Mayor Santiago stated many seniors do not have internet and are not getting the message about the Covid-19 Vaccinations. He provided the contact information for the County Health Department and encouraged the public to share with the seniors they know.

Mayor Santiago thanked everyone from the Commission and Departments within the city for working on ways to reduce the budget. He stated he was especially proud of the Public Works Department for their diligence in cutting costs.

Adjournment

There being no further comments the meeting was adjourned on a motion by Commissioner Cooper and seconded by Commissioner Udalovas subject to the call of the chair. All were in favor. None were opposed.

Respectfully submitted,



Jeanne M. Hitchner, RMC
City Clerk