

Richard C. McCarthy Commission Chamber  
Millville City Hall  
Work Session  
April 5, 2022, 5:30 P.M.

The Board of Commissioners met in a **WORK SESSION** with Mayor Orndorf presiding. Members present: Hewitt, Sooy, Romanik and McQuade. City Solicitor, Brock Russell was also present.

### **Salute to the Flag**

The Salute to the Flag was led by Mayor Orndorf.

### **Open Public Meeting Statement by City Clerk**

"This meeting is being conducted in accordance with the Open Public Meetings Act of 1975 and 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."

### **Public Comment**

Mayor Orndorf declared the public comment portion open on agenda items only and asked if any person present wished to be heard.

There being no response Mayor Orndorf declared the public comment portion on agenda items closed and asked for comments by the Commissioners.

### **Discussion Items**

Commissioner Romanik stated he received an email from "Smoky George" recently regarding a hydro electric power being installed at the Sharp Street dam and inquired if any of the Commissioners are familiar with the topic. Vice-Mayor Sooy responded that he will meet with engineering to see if they have any information on the matter.

Commissioner McQuade mentioned there was a 2019 Federal Grant that was offered for hydroelectricity and is not sure if the grant still exists and advised that he had the file at one time and will see if he can find it. Commissioner Hewitt also reminded everyone that the dam and the lake is state property.

Vice-Mayor Sooy asked Marcella Shepard to provide an explanation on the CAP Bank Ordinance on second reading.

Marcella Shepard explained that there are two CAP calculations: the levy CAP and the appropriation CAP and the ordinance allows the city to raise the appropriation part of the budget and a referendum is needed to raise the levy CAP over 2%. She stated that she believes there was a prior misunderstanding and explained that if the governing body voted the appropriation down and there is an emergency next year and the appropriation needs to be raised, it is beneficial to have those revenues sitting in the bank so they can raise the amount if needed. She emphasized that it has nothing to do with the levy or raising taxes more than 2%, it has to do only with the appropriation.

Vice-Mayor Sooy stated there is a redevelopment agreement on the agenda with Trulieve and anticipates a lot more will be coming up in the near future and asked the City Solicitor to provide an overview of the redevelopment agreement.

Brock Russell, City Solicitor, stated that Trulieve is currently under contract and they were anxious to have a redevelopment agreement approved and the next step for them will be to go before the Planning Board for their site plan approval. Mr. Russell stated that they were very fair in their negotiations with the Redevelopment Agreement and if that is approved they will be ready to go before the Planning Board and then ultimately the city can close title.

Vice-Mayor Sooy asked Mr. Russell to explain what a Redevelopment Plan is with Mr. Russell explaining that if the city is selling land privately the city has to comply with The Local Redevelopment and Housing Law and one of the requirements is that the redeveloper has to enter into a Redevelopment Agreement with the municipality, which is separate and apart from the Purchase and Sale Agreement, and it obligates the redeveloper to comply with the redevelopment plan and it survives closing and there

would be covenants that go into the deed that requires the redeveloper to perform, which gives the municipalities the ability to control what happens on the property post-sale and control the development.

### Public Comment

Mayor Orndorf declared the public comment portion open and asked if any person present wished to be heard.

Tony Trumbo, Superintendent of Public Schools, extended his congratulations to the governing body members on their election and to Mayor Orndorf for her election as first female Mayor in the City of Millville. Mr. Trumbo stated he looks forward to working together with the governing body to make the City of Millville the best it can be.

There being no further comments Mayor Orndorf declared the public comment portion closed.

### Closed Session Resolution

City Clerk read the following resolution:

Resolution No. 111-2022 authorizing a closed session meeting for the following matters:

1. Harry Cranmer vs. City of Millville Settlement Negotiations  
Exception: Litigation and Attorney/Client Privilege
2. Audra Capps v. City of Millville, Police Officer Joseph Dixon, Police Officer Bryan Orndorf, and Millville Chief of Police Jody Farabella  
Exception: Pending Litigation and Attorney/Client Privilege
3. Tanika Joyce v. City of Millville, Police Officer Joseph Dixon, Millville Chief of Police Jody Farabella, John/Jane Doe(s) I, John/Jane Doe(s) II, John/Jane Doe(s) III, John/ Jane Doe(s) IV  
Exception: Pending Litigation and Attorney/Client Privilege
4. Barry Cottman v. Jody Farabella, Millville Chief of Police, Police Officer Joseph Dixon, Police Officer Robert Runkle and the City of Millville  
Exception: Pending Litigation and Attorney/Client Privilege
5. 200 G Street- Former Wheaton Property  
Exception: Attorney/Client Privilege

Vice-Mayor Sooy made a motion, which was seconded by Commissioner Hewitt. The motion was carried by the following vote: Yeas: Hewitt, Sooy, McQuade, Romanik and Orndorf.

### Adjournment

There being no further comments the meeting was adjourned on a motion made by Commissioner Hewitt and seconded by Vice-Mayor Sooy subject to the call of the chair. All were in favor. None were opposed.

Respectfully submitted,

  
Jeanne M. Parkinson, RMC  
City Clerk