

**MAYOR and COUNCIL  
TOWN OF MILLSBORO  
322 Wilson Highway  
Millsboro, Delaware 19966 - 1216**

OFFICE HOURS  
MONDAY — FRIDAY  
8:00 a.m. to 4:30 p.m.



**Phone: (302) 934-8171  
Fax: (302) 934-7682**

TOWN OFFICE  
PARKS/RECREATION  
STREETS  
WATER/SEWER

POLICE DEPT. 934-8174

**Minutes  
Millsboro Town Council  
Regular Council Meeting  
August 1, 2011**

7:00 P.M. meeting called to order in the Council Chambers at 322 Wilson Highway, Millsboro, Mayor Robert Bryan presiding. Present were Secretary Greg Hastings, Treasurer Michelle Truitt, Council Persons, Irene Keenan, James Petruzella, Town Manager Faye Lingo, Assistant Town Manager Matt Schifano, Town Solicitor Mary Schrider-Fox, Development Coordinator Linda Johnson, and Town Clerk Tammy Phillips. Vice-Mayor John Thoroughgood and Tim Hodges were absent. Guest- see attached list.

**PLEDGE OF ALLEGIANCE**

**PUBLIC COMMENTS** – Arlene Wilkes from 290 Meadows Court, Magnolia Meadows, “Why do we have brown water? Lingo stated, since the new water plant went online October 2010 we have been experiencing brown water. The Water department has determined that because of increased flow and increased velocity in the water mains, we are seeing a scouring of water lines that have loosened up accumulated rust and lime from previous years. To clear the lines of this rust and lime, we will perform a complete flushing plan town wide. Due to the current high daily water demand we have during the summer months, it would be nearly impossible to flush out our system while trying to meet the daily water demand. We are also planning on increasing the lime to raise the PH levels as well as rework some of our piping to get a better mix of all the water coming directly from our Town wells. In the fall, when water demands decrease, we will carry out a complete flushing plan. The water you are receiving is safe drinking water and is tested daily.

**TREASURER’S REPORT** – Treasurer Truitt presented the bills and bank balances to Council for approval. Keenan moved Petruzella seconded to pay the bills from the designated accounts as presented. Motion approved with Vice Mayor Thoroughgood and Hodges absent.

**GREATER MILLSBORO CHAMBER OF COMMERCE** - Amy Simmons Chamber Coordinator, Coordinator, we have final plans for Big Thursday. We will not be closing downtown area. The vendors wanted to stay at Cupola Park and we do not have enough vendors to split around town. Thursday, August 11 at 5:30 the Big Thursday Auction begins the festivities for the weekend and will be held at Civic Center. Friday, August 12 at 5:30 Robert Lougheed "Elvis" and the Mystery Train Band at Cupola Park. Saturday, August 13 at 10:00 begins kid's activities, entertainments though out the day, 8 foods, and 25 crafts vendors. GMCC is requesting approval from Mayor and Council of alcohol tasting and purchasing which will be our 2<sup>nd</sup> annual with the approval of the council. Truitt moved Keenan seconded to allow only on Saturday, August 13, the tasting and purchasing of alcohol at the Cupola Park. Motion approved with Vice Mayor Thoroughgood and Hodges absent. The Civic Center rental will end November 14, 2011 due to construction for approximately one year November 2012. The 13<sup>th</sup> annual Golf Tournament will be held September 7<sup>th</sup> at Bay wood.

**MILLSBORO FIRE COMPANY** – Ron O'Neal president reported the proposal for a new aerial device was presented at the June and July fire company meetings by the Truck Committee, and was approved and voted on by the company at the July meeting. The contract has been awarded to E-One of Ocala, Florida, for a new Typhoon class, 78 foot aluminum ladder aerial apparatus. This unit meets all the newest NFPA regulations in safety and emissions, and provides for a greater reach over our existing 30 year old 50 foot apparatus, thus allowing the company roof access to basically every building in our fire district. The Truck committee, chaired by Matt Warrington, did a great job in laying out the specifications for the apparatus and working within our budget. Delivery of the unit is scheduled for mid to late March 2012. We are also forming a committee to spec a new ambulance for the replacement of our oldest unit, designated "A", which is a 2006 Ford with 86K miles. Unfortunately this unit, which has already had the chassis replaced once, has been having problems and has become unreliable. With the increased number of EMS calls, we are averaging 35 k to 50 k per unit, per year. It is important that we keep the mileage at a minimum on each unit, which we haven't been able to do because of the problems with "A". There is an approximate build time of 6 months, once the specifications for the unit have been completed and approved by the company. The fire company will be hosting the Shrimp Eat on Saturday, August 13<sup>th</sup> from 3 to 5 p.m. or sold out. Cost will be \$10 for ½ lb. of steamed shrimp and an ear of corn. Proceeds from this event will benefit the Delaware Burn Camp. The DVFA is holding a Memorial Service/Stair Climb on Sunday, September 11 to commemorate the 10<sup>th</sup> anniversary of 9/11. The Memorial Service will be at Silver Lake at 9 am, with the Stair Climb to be held at Dover International Speedway. Teams from fire companies around the State will climb the 7 story grandstands at the speedway to pay tribute to the firefighters who climbed the twin towers on that day in 2001. August is a busy month at the firehouse as we play host

to the quarterly meeting of the Del-Mar-Va volunteer Firefighters Association and Ladies Auxiliary on Sunday, August 7<sup>th</sup> the Shrimp Eat on Saturday, August 13<sup>th</sup>, followed by Sussex County Fire Chief's Association monthly meeting on Thursday, August 18<sup>th</sup>.

**MILLSBORO POLICE DEPARTMENT** – Chief Murphy reported that Patrolman Steven Lowe is back from his medical leave and August 1, is his first shift this evening. July 12<sup>th</sup> Cpl. Wheatley attended Firearms Instructors training at the Delaware State Police Range. July 21<sup>st</sup> a departmental shoot was held at the Bridgeville Rifle Range, Ptlm Rogers, PFC Lyons, Cpl. Wheatley, Sgt. Legates and Lt. Calloway were in attendance. Homeland Security threat level remains at yellow. No issues to report. Calea no issues to report. The following events have been scheduled for the month of August Seashore 5k run, Big Thursday will have 2 officers assigned directly in Cupola park from 9 am till no longer needed. Car Show has not contacted us. Hispanic Festival is held August 21<sup>st</sup> from 12 – 6 p.m. will have 2 officers assigned directly in W B Atkins Ball Park. We have schedule a DUI checkpoint for August 27<sup>th</sup> from 10 pm until 2 am.

#### **STREET REPORT – NO REPORT**

**PARK AND RECREATION REPORT** – Lingo reported, Millsboro Major League Softball team and Millsboro Big League Baseball team won State Championship.

**WATER AND SEWER REPORT** – we have had a problem with water meter at 277 Church Street Unit 6, we would usually credit the account, but in the case the tenant is moving out and the landlord and tenant are requesting us to issue a check to tenant. The tenant pays us directly for the water and sewer bill. Truitt moved Petruzella seconded to approve to issue a check to tenant at 277 Church Street Unit 6. Motion approved with Vice Mayor Thoroughgood and Hodges absent.

#### **MAYOR'S REPORT-**

203 Main Street, Millsboro Art League 1-33-17.13-120.00, is requesting permission to install track lighting around their gallery at their expense. Schrider- Fox stated that they have to understand that it's attached to the fixture and it becomes part of the building or if they take the lighting they have put the ceiling back in the conditional to install the lighting. Petruzella moved Hastings seconded to allow Millsboro Art League to install track lighting at their expense. Motion approved with Vice Mayor Thoroughgood and Hodges absent.

Millwood dedication of utilities and pump station 2-33-5.00-086.00, Mark Prata from Mitchell Avenue Associates, LLC is requesting to dedicate the utilities and pump station 2-33-5.00-086.00. Truitt moved Keenan seconded to accept the request of dedication at Millwood utilities and pump station 2-33-5.00-086.00. Motion approved with Vice Mayor Thoroughgood and Hodges absent.

Plantation Lakes Community Center East 1-33-16.00-952.01, Steve Ness from Lennar is requesting for site plan approval on Plantation Lakes Community Center East. The Community Center will feature cardio, weigh room, showers, kitchen, pool, and etc. Petruzella moved Truitt seconded to approve the site plan for Plantation Lakes Community Center East 1-33-16.00-952.01. Motion approved with Vice Mayor Thoroughgood and Hodges absent.

Somerton Chase 1-33-20.00-040.00, 041.00 and 041.01, Tim Wentling, is requesting for one year extension in regard to the Somerton Chase preliminary plan approval. At this time, DELDOT has requested some major issues to be done from the entrance of Somerton Chase all the way to intersection at Delaware Avenue or Hickory Hill Road adding shoulders and length and redoing the whole and additional Delaware Avenue-Old Landing Road out to Laurel Road which and some even at DuPont Boulevard (Route 113) and Radish Road and pedestrian improvements. Truitt moved Hastings seconded to allow Somerton Chase 1-33-20.00-040.00, 041.00, and 041.01 one year (August 1, 2012) extension on preliminary plan approval. Motion approved with Vice Mayor Thoroughgood and Hodges absent.

Quit claim request for properties along DuPont Boulevard (Route 113), 1-33-21.05 parcel 023.03, parcel 023.01 and parcel 023.00. Truitt moved Petruzella seconded to approve the transfer to property owners a proper deed must be submitted to the town for legal review approvals and signature and will require a legal description with meets and bounds with no expense to the town. Motion approved with Vice Mayor Thoroughgood and Hodges absent.

Annexation of enclaves, Schrider- Fox state Chapter section 3- property owners needs to come to the town and request to be annexed in the town. The Town can't approach the property owners to be annexed in the town. Hastings questioned, "What can we do with disturbs noises, trash, abandoned vehicles"? Schrider-Fox stated to call Sussex Code Enforcement and Department of Health to notify them of the issues.

**SECRETARY'S REPORT** – Secretary Hastings presented the minutes from the July 5, 2011 council meeting for Council's approval. Truitt moved Petruzella seconded to approve the minutes from the July 5, 2011 council meeting as written. Motion approved with Vice Mayor Thoroughgood and Hodges absent

Procedures for safety Kids playing basketball in streets. Chief mentioned, "That there is an ordinance on skateboards in the town". Hastings asked "Do we have jurisdiction where it is?" Schrider-Fox stated, "We do of a person but not the basketball net". If the property is town property, than we do have jurisdiction, but not private property. Mayor appointed a committee for procedure for safety which includes Hastings (chairperson), Petruzella, and Chief.

8:05 p.m. Keenan moved Petruzella second to recess till 8:15 p.m. to enter into executive session. Motion approved Vice Mayor Thoroughgood and Hodges absent.

Regular Session 8:15 p.m. – 8:35 p.m.

Reconvene @ 8:35 p.m., regular session called to order with Mayor Bryan presiding.

Keenan moved Truitt second authorizing Schrider-Fox to write a contract leasing the 10 +/- acres which is known as the Dukes Farm to Collins Farm for farm purpose. Motion approved with Vice Mayor Thoroughgood and Hodges absent.

8:40 p.m. Keenan moved Truitt seconded to adjourn. Motion approved with Vice Mayor Thoroughgood and Hodges absent.

Respectfully Submitted,



Greg Hastings  
Secretary