

**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
Millsboro Council Chamber
322 Wilson Highway
Millsboro, Delaware
April 7, 2014**

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

Pledge of Allegiance

Public Comments - No comments

SECRETARY'S REPORT - Secretary Greg Hastings presented the minutes from March 10, 2014 council meeting for Council's approval. Thoroughgood moved and Keenan seconded to approve the minutes from March 10, 2014 council meeting as written. Motion approved unanimously with Hodges absent.

TREASURER'S REPORT - Treasurer Truitt presented the bills and bank balances to Council for approval. Hastings moved and Petruzella seconded to pay the bills from the designated accounts as presented. Motion approved unanimously with Hodges absent.

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Atkins Land Lease - Mr. John Atkins would like to rent the property on Railroad Avenue for his produce stand; last year he did this without any traffic issues. He plans to employ 8 to 10 kids. Mr. Atkins is asking that the council consider that he could pay \$ 100 a week until Memorial Day when activities pick up and then have the rent increase to \$200.00 a week through to Labor Day, then back to \$ 100.00 until business slows up to the point that it is not worthwhile to stay open. Keenan moved and Truitt seconded to accept pay of \$100.00 a week until Memorial Day when activities pick up and rental would increase to \$ 200.00 a week until Labor Day, then reduce to \$100.00 a week as long as he stays open which will be until business slows up enough to not merit opening. Motion approved unanimously with Hodges absent. Schrider-Fox, town solicitor will draft a new lease.

MILLSBORO FIRE COMPANY - President Mike Mitchell presented. February was a slower month for them in which they responded to only 41 fire and rescue calls and 147 EMS runs.

They want to thank the Town for all the support that they give Millsboro Fire Company. They would like to extend a special thanks to the Police Department for their assistance with the traffic during the fires on Washington Street (Bennie Smith Funeral Home) and Main Street (Blue Water Grill). Without their expert training and devotion to the town, the fire scene would not have been as manageable with all of the units responding to help.

GREATER MILLSBORO CHAMBER OF COMMERCE - Amy Simmons, Executive Director presented; next year will be 20th Annual Bridal Show. Millsboro Art League is holding a Quarter Auction April 11 at the Millsboro Fire Hall doors open @ 5 and game starts 6 to 9. Chamber Membership luncheon will be held April 17 at The Pint with guest speaker Dr. Susan Bunting. Easter Egg Hunt will be held April 19 with three groups; Sky Brady will be back with entertainment. August 16 Dirt Road Outlawz will be performing a concert at Millsboro Town Center; there are 200 tickets to be sold and they are \$ 10.00 person. Golf Tournament and Country Festival will be held in September.

MILLSBORO POLICE DEPARTMENT - Chief Murphy gave report.

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Training - On March 28th Lt. Calloway graduated from the FBI National Academy 10 week training course. He has returned to his regular schedule.

On March 31st - April 3rd Chief Murphy and Sgt. Legates attended FBI-LEEDA Executive Leadership Training in Dover.

Homeland Security - No issues to report.

CALEA Update - No issues to report. We are in the period between assessment so there isn't much going on.

Miscellaneous - Our recruit is doing well with no issues to report. Reminder regarding police recruits - no news is good news.

Chief Murphy has scheduled a departmental meeting for 7 a.m. on Thursday, April 17th at the police department.

STREETS - None

RECREATION - None

WATER AND SEWER REPORT -

Dagsboro water use-Mayor has appointed a committee Thoroughgood, chair, Petruzella and Hodges to hold meeting and report back at the May 5th council meeting.

Water line relocation on State Street, CAFE contract amendment. Due to the change of the description of the work CAFE is going to have to go back and reengineer the design. There is additional relocation of power lines and telephone lines that require the original water line relocation design to be changed. DELDOT understands that everything has to be started over. Therefore, CAFE has submitted a new amendment to the existing engineering contract for the town to approve. CAFE will contract with the Town, the Town pays CAFE and then submits to DELDOT and DELDOT reimburses the Town. Truitt moved and Petruzella seconded to approve the contract amendment for the amount of \$13,000. Motion approved unanimously with Hodges absent.

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Sewer Adjustments due to water leak - 127 West State Street and 123 Nicole's Court; Town Manager has made adjustment as ordinance allows no council action to be taken.

Wastewater Operator License level increase - Last month you unofficially agreed to pay Zack Riddle a .25 cent an hour raise due to him having received his Level 3 Operator in training Wastewater license. Thoroughgood moved and Petruzella seconded to approve to increase Zack Riddle pay by .25 cents an hour and make it retroactive to March 11th. Motion approved unanimously with Hodges absent.

Updates:

Contract E, contract has been closed out.

Contract G, extra days were given to Daisy Construction on 1st amendment change order, Daisy has signed the 2nd amendment and the 1st amendment is supposed to have been signed, however, the town has not received the signed copy.

Loan Closing, resolution to approved the One Million Five Hundred Forty Two Thousand Dollars (\$1,542,000) for a term not to exceed forty (40) years at an interest rate to be determined per the Department's (USDA) current interest rate policy, but which in no case shall exceed 5%. Thoroughgood moved and Truitt seconded to approve One Million Five Hundred Forty Two Thousand Dollars (\$1,542,000) for a term not to exceed forty years at an interest rate and not to exceed 5%. Roll Call vote: Thoroughgood aye, Keenan aye, Hastings aye, Petruzella aye, Truitt aye, and Mayor aye. Motion approved unanimously with Hodges absent.

Public Hearing continued from March meeting, MR Zoning amendment for Day Care Learning Center. The hearing was opened last month and was continued this month while the committee reviewed suggestions that were presented. The committee did meet and has compiled new recommendations. The approved amending MR zoning to include Early Childhood Learning Center:

Parking: one (1) space per six (6) children and per employee (38 Spaces) Play Area: 6000 sq. minimum with 6 ft. fencing Fence: Minimum 6 ft. solid fencing at any road frontage and Six (6) ft. chain link elsewhere.

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Truitt moved and Petruzella seconded to approve the committee recommendations that are as follows: Parking- one (1) space per six (6) children and per employee (38 spaces) Play Area- 6000 sq. minimum with 6 ft. fencing. Fence - Minimum 6 ft. solid fencing at any road frontage and six (6) ft. chain link elsewhere. Motion approved unanimously with Hodges absent.

Supplemental Tax Billing - April 1 thru June 30 for the balance of the fiscal year. These are properties that have had changes that resulted in their assessed values changing. Property Tax Associates has completed their computations and submitted the paperwork. Thoroughgood moved and Truitt seconded to approve the Supplemental Tax Bill to property owners. Motion approved unanimously with Hodges absent.

Tax Assessments - the annual changes to the assessment list are ready for acceptance by council. The notices were posted and available for viewing stating the assessment list for FY15 and the town charter requires that the public hearing take place at the regular schedule council meeting on May 5th. Thoroughgood moved and Petruzella seconded to approve annual assessment list and the Public Hearing for appeals to be held at the regular council meeting in May 5, 2014 at 7:00 p.m. Motion approved unanimously with Hodges absent.

Partitioning of property - 135 West State Street, 1-33-17.09 parcel 14.00, zoned medium density residential. Ms. McWhite-Bartell is asking to divide her property into two parcels. Her residence is on the parcel nearest the road. There is a 12 foot wide access easement to the property located in the rear. Due to the width of the lot there cannot be a separate road dedicated to access the back parcel. DELDOT has approved the easement area. Petruzella moved and Truitt seconded to approve to accept approval for easement at the rear of the property and allow the partitioning of the property. Motion approved unanimously with Hodges absent.

Festival Hispano - Assistant Town Manager Schifano presenting. Schifano stated a request has been made to use W.B. Atkins Park for the Festival Hispano on August 10, 2014. The date has been cleared with the Millsboro Little League. Mayor Bryan asked Chief Murphy if he had any issues. Chief Murphy said they have never had an issue with the festival.

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Thoroughgood moved and Keenan seconded to approve that they be allowed to hold the Festival. Motion approved unanimously with Hodges absent.

Millsboro Town Center - HVAC unit change. Mike Bauman, Davis, Bowen and Friedel presented explaining the action that is recommended to best handle the humidity issue. The engineer is suggesting installing a valve to one of the units and test for comfort level and humidity issue; this will not void the existing contract. Thoroughgood moved and Petruzella seconded to approve to have a valve added to a unit for testing for comfort level and humidity level. Motion approved unanimously with Hodges absent.

Keenan moved and Truitt to adjourn 7:40 pm. Motion approved unanimously with Hodges absent.

Respectfully submitted



Greg Hastings,
Secretary