

**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  
February 4, 2013**

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

Pledge of Allegiance

Public Comments - none

Mayor Bryan commented that before we start the meeting he would like to thank M&T Bank who on Friday February 1, 2013 gave the Town a donation of \$2,500 to use toward the Town Museum. Mayor Bryan suggested that the donation could be used for display cases, easels or whatever else we determine that we may need.

**SECRETARY'S REPORT** - Secretary Hastings presented the minutes from the January 7, 2013 council meeting for Council's approval. Hodges moved and Petruzella seconded to approve the minutes from the January 7, 2013 council meeting as written. Motion approved unanimously with councilperson Irene Keenan absent.

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

Impact Fees - Town Manager Faye Lingo reported that the Town's Impact fees would automatically increase with the December Consumer Price Index. Lingo stated that council would need a motion if they did not want the fees to increase. Mayor Bryan asked for questions or comments. Ms. Lingo stated that the fees would increase 1.78 percent if no action were taken. Mayor Bryan again asked for questions or comments, there were none. The Impact fees will increase 1.78 percent.

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**MILLSBORO FIRE COMPANY** - Mayor Bryan called on Mr. Ron O'Neal, President, for his report but first thanked him for being our host for the past several months. Ron said that it was not a problem and congratulated the Town on their new facilities.

Ron gave an update on the SAFER grant, (Staffing for Adequate Fire and Emergency Response), that he presented during the January council meeting. The State has currently accepted sixteen grants. Millsboro did apply for a grant, but just prior to the meeting, they had not heard anything related to their grants' status.

Ron reported that in the past three to six months our 10-11 calls have increased. A 10-11 call is a second emergency call received when the primary ambulance is out on another call. When this happens, the next available district, i.e. Dagsboro or Gumboro is contacted to handle the call and you end up with a delayed response time. Millsboro is looking to hire an additional part-time EMT to bring Millsboro to two full two-person crews during the peak hours. This would help alleviate the 10-11 calls. These calls are not only a safety issue; they are a financial issue as Millsboro is loosing billable calls. They are going to try the part time supplement on a trial basis to see how it works out.

The Millsboro Fire Company hosted the quarterly meeting of the Delmarva Volunteer Fire Fighters Association on Sunday February 2<sup>nd</sup> and had about 120 members of the Tri-State area attend. The guest speaker was Delaware Emergency Management Agency Director Jamie Turner.

**GREATER MILLSBORO CHAMBER OF COMMERCE** - Amy Simmons, Executive Director said she was glad to be back in the Town offices. At this time, Amy has about twenty requests for Civic Center rentals, so word of the facilities availability is getting out.

Amy also reported that there would be a meeting for the direction of a "New Event" in Millsboro at 4:00pm on February 11, 2013 in the Chamber Office. Town Council and Town representatives are welcome to attend the meeting. The nature of the "New Event" was not disclosed but members of Southern Delaware Tourism will be at the meeting.

The 18<sup>th</sup> annual Central Sussex Bridal Show will be held Sunday March 3<sup>rd</sup> from 11am - 3pm in the Civic Center. Vendor spots are filling up quickly.

The Millsboro Art League is showing art from the Sussex Correctional Institution therapeutic art class through March 1, 2013. There will be a reception Saturday February 9<sup>th</sup> from 2 to 4pm. There will be light refreshments and ballots for best of show and honorable mention. Art pieces are for sale.

Plans are underway for the annual Easter Egg Hunt to be held at Cupola Park on Saturday March 30<sup>th</sup> at 11:00am.

**MILLSBORO POLICE DEPARTMENT** - Chief Murphy asked to be excused tonight. His report is in the packet.

**STREET REPORT - NO REPORT**

**PARK AND RECREATION REPORT** - Mayor Bryan called on John Thoroughgood to report on a request for a new group, "Mercy's Well" to perform at Cupola's Concerts in the Park series. John was contacted by the group, which plays contemporary gospel, with a request to play in the concert series. Hastings moved and Hodges seconded that Mercy's Well be allowed to play. Motion approved unanimously with councilperson Irene Keenan absent.

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**WATER AND SEWER REPORT** – Town Manager Faye Lingo reported that there were three adjustments to made due to leaks, and that she made those adjustments as Town Ordinances allow. No council action is required.

CABE Contract amendments – Ms. Lingo presented CABE engineering contract amendments for both contract G and H requesting fee increases. Mayor Bryan stated that there had been concerns related to the amendments and that he, John Thoroughgood, Faye Lingo and Mark Downes from CABE met to discuss the amendments. CABE agreed to a \$5,000 reduction to each contract requested fee increase from \$15,000 each to \$10,000 each. Mayor Bryan said they felt good about this and they recommend approval. The contract amendments were related to the re-bidding of both contracts and their related costs. Thoroughgood motioned and Petruzella seconded that the contract amendments for both contract G and H be accepted. Motion approved unanimously with councilperson Irene Keenan absent.

**MAYOR'S REPORT** – Plantation Lakes site plan amendment –Town Manager Lingo reported that this item was tabled from last month due to language on the plan that related to the Town's maintenance of streets within the development. Mary Schrider-Fox stated that she and the Plantation Lakes attorney have been working on the issue of street maintenance. They agreed to change the wording on sheet 2 of 21 that referenced Town maintenance to wording that left everybody "treading water" on the street maintenance issue. The new wording states the issue of street ownership and maintenance will be in accordance with the original Plantation Lakes annexation and development agreement, the construction and funding agreement, and other agreements related to the Plantation Lakes development. Ms. Schrider-Fox feels that this is a good temporary fix from a legal perspective until a permanent resolution to the street maintenance issue is adopted. The Plantation Lakes attorney is gathering additional information for Ms. Schrider-Fox and Town and committee review. Ms. Schrider-Fox says that this will be a lengthy process.

Mayor Bryan stated that the issue was tabled last month solely due to the street maintenance language. Ms. Schrider-Fox said that this issue has now been resolved and that the committee had met and reviewed the wording proposal and recommend adoption. Hodges motioned and Truitt seconded that the site plan amendment with the new street maintenance wording be accepted. Mr. Petruzella announced that he needed to abstain. Mayor Bryan called for a roll call. John-yes, Greg-yes, Tim-yes, Michelle-yes, Mayor-yes, so the motion approved with council person Irene Keenan absent and council person Petruzella abstaining.

Farmers Market – Town Manager Faye Lingo presented the Millsboro Downtown Partnerships request to make several changes to the Farmers Market. These requests include:

- Change of location from Main and Washington to Cupola Park.
- Change of day from Thursday to Wednesday.
- Change of time from 2pm to 6pm to 9am to 1pm
- Change of months from June through September to May through August.
- Addition of a semi-permanent sign with the Towns' sign between Main and Washington.

Mayor Bryan asked what semi-permanent was. Mr. Dave Lomas, Market Manager, responded by saying that they would like to have a professionally

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made sign placed on the same posts as the Town's sign just below the Town's sign, in front of the Dairy Queen. They are hoping to leave it there year round except when the Town needs that space. Mayor Bryan was concerned about having it up year round. Mr. Lomas responded that they would like it up at least 30 days before the market starts. Mayor Bryan asked if they had a mock up sign. Mr. Lomas said they did have a rough draft of the sign but had not brought it with them. Mayor Bryan said we would like to see a mock up. Thoroughgood made a motion pending a review of the sign that the Farmers market could place the sign 30 days before the Market starts and take it down 30 days after the season ends. Hodges seconded the motion. Motion approved unanimously with councilperson Irene Keenan absent.

Town Solicitor Mary Schrider-Fox said that the dates, time and location are tied to an existing conditional use permit and that these changes would need to be approved. Thoroughgood motioned and Truitt seconded that the conditional use permit be modified for the new dates, time and location. Motion approved unanimously with councilperson Irene Keenan absent.

Personnel - Town Manager Faye Lingo reported that the two new police officers requested to each carry over 16 hours of leave time that they were unable to take due to scheduling conflicts. The officers were hired April 20, 2012, graduated the academy September 21 and then each took off one week before doing field training from September 28 through December 30, 2012. Petruzella motioned and Truitt seconded to carryover the sixteen hours of leave. Motion approved unanimously with councilperson Irene Keenan absent.

Mosquito Control Spray - Manager Faye Lingo reported that each year the State offers to do mosquito control spraying within the Town of Millsboro. To do the spraying, the State needs Councils approval, a signed waiver and the Towns' boundaries. Thoroughgood motioned that they do mosquito control and asked that they advertise it to notify all beekeepers. Hastings seconded the motion. Motion approved unanimously with councilperson Irene Keenan absent.

Building Improvements - Assistant Town Manager Matt Schifano reported that phase one is complete and we are in it. Schifano said that we moved into phase one on January 14, 2013 and abatement started on phase two the next day. There were five change orders for January that were submitted to the building committee. Two were offsetting change orders related to tile. Other change orders included a credit for a door-frame, the installation of a roton hinge to the mechanical room and the replacement of a heater in the kitchen. The kitchen was not in the original scope of the project, but the heater has been broken for some time and it made sense to replace it now.

Schifano reiterated that phase one is done and that Richard Y. Johnson and sons did a great job. Mayor Bryan then pointed out the monitors that were in use this evening showing a slide show of the original building and its renovation and now displaying the meetings agenda. He expressed appreciation to Mr. Schifano for all of his hard work and to Mr. Sauer for his assistance.

Thoroughgood motioned and Hastings seconded that all the change orders Mr. Schifano presented be accepted. Motion approved unanimously with councilperson Irene Keenan absent.

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Parade Wagon - Town Manager Faye Lingo reported that it was discussed at budget time that Council might want to make a donation to Mr. Zach Riddle for the use of his wagon in the Millsboro Christmas Parade if Council used the wagon in the parade. Mayor Bryan said that we should give him at least \$100 for the use of the wagon and his pulling it through the parade. Thoroughgood motioned and Hodges seconded that we make a \$100 donation to Mr. Riddle. Motion approved unanimously with councilperson Irene Keenan absent.

Pick up Truck - Town Manager Faye Lingo stated that the budget includes \$26,000 for a new public works truck. Ms. Lingo reported that the low bid including a snowplow was \$27,061 or \$1,061 over budget and asked for a motion to accept this bid if Council was agreeable. Thoroughgood motioned and Hodges seconded that we accept the \$27,061 bid. Councilperson Hastings asked where the additional \$1,061 would come from. Ms. Lingo said that it would come either from another public works budget line item or from reserves if necessary. Councilperson Hastings accepted this response. Mayor Bryan said there was a motion and second on the floor and called for a vote. Motion approved unanimously with councilperson Irene Keenan absent.

Lot Partition - Mayor Bryan called on Mr. Thoroughgood to present this item. Mr. Thoroughgood said that Preston & Daisy Williams are asking to partition their lot with improvements. One lot would remain as their residence and the second lot would be conveyed to a new property owner and become a part of that property. The Board of Adjustment has approved the new set backs and it is up to council to approve the division of the property. Hodges motioned, Petruzella second to accept the partition. Mayor Bryan abstains and Thoroughgood calls the vote, Jim-yes, Tim-yes, Michelle-yes, Bob-abstain, John-yes, and Gregg-yes. Motion approved with councilperson Irene Keenan absent and Mayor Bryan abstaining.

Thoroughgood moved and Hastings seconded to recess the Regular Council meeting and to enter into an Executive Session. Motion approved with councilperson Irene Keenan absent; 7:30 pm.

Regular Session  
Reconvene @ 8:00 pm

There was no discussion or action taken.

Truitt moved, Petruzella second to adjourn the meeting, approved unanimously with Keenan absent.

Respectfully Submitted,



Greg Hastings  
Secretary