

Minutes

Millsboro Town Council

Regular Council Meeting

January 3, 2011

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

PUBLIC HEARING – Community Development Block Grant (CDBG) with Sussex County. Mike Jones with Sussex County Community Development is handling the applications for scattered home improvements. Community Development Housing gets money from Kent and Sussex County over 2 million dollars. Town grants will give low moderate income doors, roofing, plumbing and windows, etc. Grant for the town guidelines \$ 32,700 one person income and \$ 4,600 per person household. It must be home owner occupant no rental property. Citizens may call CDBG for application at 302-855-7777, names will go on list. Mayor Gum closed the public hearing on Community Development Block Grant. Thoroughgood moved Bryan second to close the public hearing. Motion approved unanimously. Thoroughgood moved Bryan second to accept the application for Community Development Block Grant. Motion approved unanimously.

SECRETARY'S REPORT – Secretary Hastings presented the minutes from the December 6, 2010 council meeting for Council's approval. Hodges moved Bryan seconded to approve the minutes from the December 6, 2010 council meeting as written. Motion approved unanimously.

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

MILLSBORO FIRE DEPARTMENT - Ron O'Neal, President stated the Millsboro Fire Company wishes to thank the Town Council for the successful working relationship we enjoyed in 2010 and look forward to another good year in 2011. The Fire Company would also like to take this opportunity to thank Larry Gum for his years of service as Chief of our organization. Mr. Gum has moved to the Safety Officer's position as Deputy Chief Matt Warrington moves in the Chief's spot. The organization is very fortunate to have had Larry at the helm for the past years as he has lead us through some very tough yet rewarding times. We look forward to his service and guidance for many years to come as well as wish

luck to incoming Chief Warrington. The end of 2010 numbers has been calculated for both EMS and Fire responses. Fire Calls- 499, up approximately 17% from last year's total of 414; overall increase of 8.8% since 2007. We ended the year with a roster of 6 junior limited members, 8 ambulance associates and 52 active members. EMS calls – 2025, up approximately 3.2% from last year's total of 1962 but is an overall increase of 18.4% since 2007. We end the year with 7 full times and 6 part time EMT's to cover those calls. Plus we have budgeted for another full time employee in 2011. Final numbers are not in as of yet, but we will be just short of 3700 man hours for 2010 and we will have traveled approximately 60,000 miles. Monthly, Millsboro's EMS is consistently in the top 5 Sussex County EMS providers with the number of calls, but are normally 1st in the number of man hours and miles traveled, providing transport to medical center in Lewes, Milford, Seaford and Salisbury. 2010 funding from the State of Delaware saw no drop as compared to 2009 when we suffered a 6% cut in support. Sussex County funding was up 4% from 2009 when we saw a reduction of 8% from the County. Unfortunately it looks as though a significant cut in Grant in Aid could be coming from the State as they begin preparations for their 2012 budget process. Member of the DVFA will once again by lobbying to reduce the cut in funding to the volunteer fire service. In comparison to the unstable income, as the number of emergency responses goes up, so do the costs of training, apparatus, supplies and outfitting personnel. Fuel – appx \$ 27,000; Insurance on apparatus/building – \$ 35,000; new personnel - \$ 4,500 (turnout gear, pager, required training); aerial truck – \$ 650,000 (our current ladder truck is 31 years old)

GREATER MILLSBORO CHAMBER OF COMMERCE – Amy Simmons stated the Santa house had over 300 visits and a lot of comments how great the new location is. Central Bridal Show is scheduled February 20, 2011 at 11:00 to 3:00 at Millsboro Civic Center.

MILLSBORO POLICE DEPARTMENT - Chief Murphy stated Sgt. Legates attended ARIDE training at Troop 2 on December 16th and 17th. Pfc. Lowe attended Reid Technique training at the SPTA on December 15th-17th. Homeland Security level remains at yellow. CALEA Update, the end of the year is ready and will be distributed soon. The Christmas Parade was held as scheduled with no issues to report. The recent snow storms were uneventful; the storm on December 16th resulted in one minor property damage accident and numerous other traffic related complaints. The second storm on December 26th was also uneventful and only generated in a few minor complaints. Council asked questions concerning graffiti and property damage in Town. Chief Murphy advised an arrest had been made and do not know at this time if it is linked to the any of the other complaints.

PARKS AND RECREATION REPORT – No report

STREET DEPARTMENT – No report

WATER AND SEWER REPORT – No report

MAYOR'S REPORT – Zoning Change for property Sussex County Map No. 1-33-17.17 parcel 70 from medium density residential to highway commercial. The public hearing was closed last month awaiting comments from the Office of State Planning. The State report has been received and supports the zoning change. Thoroughgood moved Hastings second to approve to change zoning on property Sussex County Map No. 1-33-17.17 parcel 70 to highway commercial. Motion approved unanimously.

CABE engineering contracts- There are three contracts.

1 – SPCC Plan, due to the size of the generator at the wastewater plant we were required have a Spill Prevention Control and Countermeasures Plan and this plan is required to be certified by an engineer- Cost \$ 3500.00. 2 - Water Supply and Treatment Improvements, First-Year Operations and Assistance, Cost \$ 30,000.00. 3 - Engineering Services Agreement, Environmental Appeal. For their assistance working on the appeals that have been filed, Cost \$ 48,000.00. Town Solicitor Mary Schrider-Fox has reviewed and is okay with the contracts. Hodges moved Bryan second to accept all three (3) contracts SPCC Plan, Water Supply and Engineering Services Agreement. Motion approved unanimously.

Wharton's Bluff- the developer is requesting dedication of water and sewer for Wharton's Bluff B. After discussion with Town Solicitor Mary Schrider-Fox's office it is their recommendation and the CABE'S opinion that we wait and do parcel A and B together at one time and there are still some legal requirements that need to be taken care of on parcel A due to the bankruptcy.

Plantation Lakes - subdivision site plan and development agreement amendment. The committee has been meeting and is not ready to make a recommendation in time for January 3, 2011 meeting. Thoroughgood moved Bryan second to approve to hold a Public Hearing February 7, 2011 at 7 p.m. Millsboro Council Chambers.

Zoning Change – White Farm, the portion that the town owns. Sussex County Map and parcel No. 1-33-15.00 parcel 30.00; 1-33-11.00 parcel 3:00; 1-33-16.00 parcel 75.03. These parcels were annexed into town as MR – Medium Density Residential and Millsboro's Comprehensive Plan designates it to be Open Space. The Office of State Planning had approved the town's plan with this understanding. Hodges moved Bryan second to approve to hold a Public Hearing February 7, 2011 at 7 p.m. Millsboro Council Chambers.

Building Fund Impact Fees - request for waiver. You have received three letters requesting a waiver of the building fund impact fee. They were from Mr. Gilligan of Wharton's Bluff, Pret Dyer of Millsboro Town Center and Mark Prata of Millwood. Also Ryan Homes a builder. The council waived the fee from November 1, 2009 and had it reinstated November 1, 2010. The number of edu's billed went down during the year the fee was waived from 50 to 39 EDU'S. Brad Messenger, Division Manager-Vice

President NVR, t/a Ryan Homes, LLC stated he had done his own study and it was to the builder's best interest. Hastings suggested waiver Fire, Ambulance and Building Fund fee to increase income. Hodges suggested for subdivision improved lots and final approval on commercial lots to waiver Fire, Ambulance and Building Fund Fee. Hodges moved Hastings second to accept to waive Building Fund Fee only on improved residential and commercial lots which have final approval. Vote taken with Thoroughgood nay, Keenan yes, Hastings yes, Hodges yes, Truitt nay, Bryan nay and Mayor Gum nay, motion failed

8:09 pm Bryan moved Truitt second to recess till 8:15 to enter into executive session. Motion approved unanimously.

Regular Session

Reconvene 8:15 p.m

9:15 p.m. meeting called to order with Mayor Larry Gum presiding. Present were Vice Mayor Robert Bryan, Secretary Greg Hastings, Treasurer Michelle Truitt, Council persons John Thoroughgood, Irene Keenan, and Tim Hodges, Town Solicitor Mary Schrider-Fox, Town Manager Faye Lingo and Assistant Town Manager Matt Schifano.

Byran moved Truitt second to authorize the Town Solicitor Mary Schrider-Fox and Town Manager Faye Lingo to proceed with obtaining special legal council. Motion approved unanimously.

Bryan moved Hodges second to authorize the Town Manager Faye Lingo to adjust those water and sewer accounts that have a high water usage due to flushing required when they experienced iron in their water by using the same usage as their January 2010 bill. Motion approved unanimously.

9:30 p.m. Keenan moved Thoroughgood second to adjourn. Motion approved unanimously.

Respectfully Submitted,

Greg Hastings

Secretary

