

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



**Phone: (302) 934-8171  
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TOWN OFFICE  
PARKS/RECREATION  
STREETS  
WATER/SEWER

POLICE DEPT. 934-8174

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

**Minutes  
Millsboro Town Council  
Regular Council Meeting  
Millsboro Council Chamber  
322 Wilson Highway  
Millsboro, Delaware  
September 3, 2013**

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, Treasurer Michelle Truitt, Councilpersons Tim Hodges, Jim Petruzella, Irene Keenan, Town Manager Faye Lingo, Assistant Town Manager Matt Schifano, Town Solicitor Mary Schrider-Fox, Development Coordinator Linda Johnson, and Town Clerk Tammy Phillips with Secretary Greg Hastings absent. Guests - see attached list.

**Pledge of Allegiance**

**Public Comments** - none

**SECRETARY'S REPORT** -Town Manager Lingo presented the minutes from the August 5, 2013 council meeting for Council's approval. Thoroughgood moved and Keenan seconded to approve the minutes from the August 5, 2013 council meeting as written. Motion approved with Hastings absent.

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

**MILLSBORO FIRE COMPANY** - Chief Matt Warrington stated how many fire and ambulance calls for the month. A member of 63 years of service passed away William J. Davis.

**GREATER MILLSBORO CHAMBER OF COMMERCE** - Amy Simmons, Executive Director stated 15<sup>th</sup> Annual Golf Classic was a great success. There were 52 golfers.

Next membership meeting will be on Thursday September 19<sup>th</sup> at Chimes of Millsboro.

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Millsboro Country Festival Updates-Approval for Car Show came the day after last Town Council meeting from the bank that owns property. They will be using the black top in St. Helen's Crossing on Monroe St. Flyers have been distributed at different Car Shows in the area. Virgil Ellwanger and John Thoroughgood are heading up this project.

Please check out their website to see the commercial for the festival. CAT Country and sister stations advertising for the festival is underway. They had an interview with Cooter and are having some promo spots with him airing at different times. They are also having Dukes of Hazard trivia where people can call in and win wristbands for the festival. Jimmy's Grille has signed on to be our title sponsor, and as a bonus to us they are feeding one meal to everyone who volunteers. They are also roasting a pig the day of the event. Posters and flyers are being distributed. If you would like to help advertise the event please see Amy so she can get you flyers. They still need some volunteers to help the day of the event. You will receive a free T-shirt, free meal and free wristband to get you into all the concerts and events.

Little Miss Millsboro Pageant will be held on Sunday October 20<sup>th</sup> at 2pm at The Millsboro Town Center. Please pass this information along to anyone that has girls ages 4-16 that would like to participate. Information is also available on our website.

Christmas Parade December 11<sup>th</sup> @ 7:00 p.m.

**MILLSBORO POLICE DEPARTMENT** - Chief Murphy absent. Parking on Main Street in front of the police department was tabled until the October meeting.

**PUBLIC HEARING** - Ken Usab from MR&A, presented that Plantation Lakes, requesting a modification of and an amendment to the Master RPC Plan and Phase 1 Sub-phase 1.2/part of sections F, G & H site plan. The request was to make changes to the larger units and also to the Jefferson, which has a master bedroom on the first floor. The product mix is better for sales and appealing to the community. On Bridgewater Road, Lennar wishes to replace the 8-18 ft. Bellhavens with 5-28 ft. Jefferson (first floor master bedroom) and omit 7-22 ft. Kentwells with 5-28 ft. Jeffersons. On Ashville Road, Lennar wishes to replace 4-18 ft. Bellhavens with 7-22 ft. Kentwells. On Charlotte, Lennar wishes to replace 7- 18 ft Bellhavens with 6-22 ft Kentwells and on Plantation Bouelvard changed from 8-18ft Bellhavens with 5-28 ft Jeffersons. This would be a loss of 10 units. The larger units and the master bedroom on the first floor are the units that are selling at this time. Mrs. Lingo added there was a letter received from a resident of Plantation Lakes, Mr. Mauch, and he feels this is a positive change and for the proposed changes. In the audience, Guy Miconi questioned How many units do you totally plan to do away with at Plantation Lakes? Ken stated in this section net deduction is 10 units. Lawrence Appleman stated Delaware is attracting an older clientele it's very favorable due to taxes compared to New York, New Jersey and Massachusetts. The older clientele want the first floor master bedroom. Robert Harbrant questioned How does this affect the overall plan? Are we moving forward in the same direction that will solve by putting more Jefferson? Brian McManus stated similar to what Lawrence Appleman mentioned we are addressing larger demand products. Yvonne McComb wanted to know how this affects

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the bonds? Mrs. Lingo made it clear that the current bonds are already in place for this Phase, with the Town Solicitor in agreement. Thoroughgood moved and Truitt seconded to close the Public Hearing. Motion approved with Hastings absent. Thoroughgood moved and Truitt second to accept new plans to reduce 10 units and first floor master bedroom. Motion approved with Hastings absent. Mayor Bryan called for a roll call. Thoroughgood-yes, Keenan -yes, Hodges-yes, Truitt-yes, and Mayor-yes, therefore the motion was approved with councilperson Petruzella abstaining and Hastings absent.

**PARK AND RECREATION REPORT -**

On September 8<sup>th</sup> at Cupola Park a dedication is being held for special needs swing.

**STREET REPORT -** Mayor appointed a committee Hodges(chairperson), Thoroughgood and Mayor to review engineer proposals for a street condition inventory.

**WATER AND SEWER REPORT -**

Contract H, change order # 2, Kerr from Cabe Associates, includes replacement of the electrically actuated RIB influent valves with air actuated valves as well as two other items. An additional breaker needs to be installed at the spray irrigation system. Balancing of unit quantities for the RIB undercutting and engineered sandy fill contingent items. The resulting change to the total contract amount based on these items is a reduction of \$ 1,556.00 for a new contract amount of \$2,917,049.00. The original contract amount was \$ 2,922,000.00, therefore the total contract reduction is to date is \$ 4,951.00. Hodges moved and Petruzella second to approve the contract reduction of \$ 4,951.00 to make contract amount \$ 2,917,049.00. Motion approved with Hastings absent.

Contract G -Kerr from Cabe Associates presented a claim letter from Daisy for time delay to test line due to railroad derailment. Petruzella moved and Hodges second to approve one additional day to Contract G. Motion approved with Hastings absent.

**MAYOR'S REPORT-**

Millsboro Land Associates - request final site plan extension; this is the undeveloped parcel directly behind the Food Lion Shopping Center-Sussex County tax map no. 1-33-21.00 parcels 3.01 Hodges moved and Truitt second to grant one (1) year extension October 2014, on final site plan of vacant lot behind Food Lion Shopping Center Motion approved with Hastings absent.

Millwood Acquisitions, LLC - requesting a minor change in phase 2 town-house section to add a courtyard. The courtyard will have a connection wall in the front with a split-rail fence in the rear. This courtyard could be in place of a door in the 4<sup>th</sup>, 5<sup>th</sup> or 6<sup>th</sup> position of the building. Until they submit the building plans they will not be sure which location it will be placed. It was made clear to Mr. Prata, if approved this is for the courtyard only. This is not for the buildings. Plans for the building have not yet been submitted. Hodges moved and Keenan second to approve the courtyard concept and to give them more flexibility in the 4<sup>th</sup>, 5<sup>th</sup> or 6<sup>th</sup> position of the building. Truitt moved and Petruzella second to grant approval of the courtyard concept. Motion approved with Hastings absent.

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Rental Committee Reports - Hodges (chairperson) presented White Farm lease is approved and can move forward for advertisement for bids. Petruzella moved and Hodges second to approve to move forward with advertisement for bids on White Farm lease. Motion approved with Hastings absent.

Hodges (chairperson) presented a new lease for Hair Depot with small increase. Truitt moved and Keenan second to approve Hair Depot lease contract with small increase. Motion approved with Hastings absent.

Conditional Use Renewal - Corner Liquor Store, 302 Main Street, Sussex County Map No. 1-33-17.13-088.00 Patel, residence with a business. The Town has not received any complaints concerning the use. Thoroughgood moved and Keenan second to grant two years (09/06/2015) renewal on a conditional use at 302 Main Street, Sussex County Map No. 1-33-17.13-088.00. Motion approved Hastings absent.

Keenan moved and Thoroughgood second to adjourn the meeting @ 7:55 p.m.

Respectfully Submitted,



Greg Hastings  
Secretary