

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



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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
MAY 4, 2015**

7:00 pm meeting called to order with Mayor Robert H. Bryan presiding. Present were Vice Mayor John Thoroughgood, Treasurer Michelle Truitt, Council persons Ron O'Neal and Tim Hodges, Town Solicitor Mary Schrider-Fox, Assistant Town Manager Matt Schifano, Town Manager Faye L. Lingo. Absent were council person Irene Keenan and Secretary Joseph J. Brady.

Mayor Bryan led the pledge of allegiance.

Public Comments, none

Secretary's Report – Town Manager reported in the secretary's absence that the minutes have been distributed and asked for approval. Hodges motioned, Truitt second to approve the minutes as written, approved unanimously with Keenan and Brady absent.

Treasurer's Report – Treasurer Michelle Truitt presented the bills for payment. Hodges motioned, O'Neal second to approve paying from the designated accounts, approved unanimously with Keenan and Brady absent.

Millsboro Fire Company – Ray Burton could not be here this evening so town manager read the report.

Greater Millsboro Chamber of Commerce - Amy Simmons the Director reported that the business expo was a success and they are planning to do it next year only shorten the time. May 7th is the coffee meet and greet from 8 am to 9 am; the general membership meeting will take place at the Mill Pond and PNC will be the speaker. The Millsboro Art League has a quarter auction scheduled for May 15. The annual golf class is scheduled for June 16th and the next Boro Bash meeting is scheduled for 4 pm on May 5th. There are two rentals in May and every weekend in June.

Millsboro Police Department, Chief Murphy advised that Ptl. DuFour attended a child safety seat class to complete his certification. Homeland Security, no issues to report. CALEA update, the onsite inspection went well. The items that they focused on were the high liability areas and the areas that are the most challenging to manage. This was Millsboro's third on-site inspection. The department has logged 7840 patrol miles for the month of April.

Public Hearing, Annual Tax Appeal

The assessment list has been posted and advertised. The Charter requires a public hearing be held the first meeting in May to hear any appeals by property owners concerning the assessments. Town Hall has not received any written appeals but have appeal forms available if anyone here would like to make an appeal. With no one present to make an appeal the hearing will be left open until the end of the meeting.

Street Report, Town Manager reported that the bids were opened on April 16th for the storm water project on Wilson Highway. Four bidders had showed up to the prebid meeting and of the four Sam's Construction, LLC is the only one that submitted a bid and it is in the amount of \$337,750.00. The bid request was for a base bid with alternates for mill and overlay of Mitchell Street from Wilson Highway to Old Landing Road. The \$337,750.00 does include the alternates. Davis, Bowen and Friedel, Inc. has reviewed the proposal and confirmed the calculations and have recommended the town accept the bid. The amount does fit within the projected budget numbers for the Town so if acceptable council approval is needed to award the bid so we can issue the notice to proceed to Sam's Construction. Truitt motion, Thoroughgood second to accept Davis, Bowen and Friedel's recommendation to accept Sam's Construction proposal of \$ 337,750.00, approved unanimously with Keenan and Brady absent.

Recreation Report, Town Manager reported that the failed pipe at Cupola Park has been replaced. We are waiting for settling and then a final paving will be done.

Water and Sewer Report – There were once again this quarter more than the average adjustments done due to the freezing weather we had this winter and pipes bursting. The list is included in the packet. No council action necessary.

Mayor's Report:

Conditional Use Application, James Schreppler made the application for property 209 Morris Street, 1-33-17.13 parcel 101.00. Mr. Schreppler described the business that has been operating on Main Street known as Design Works. She works alone but has had one employee assist over the years on occasion. Mr. Schreppler explained that he would want to put the business on the first floor in the front. When it was owned by the Hudson's they occupied 1400 square foot shop in the front and they changed the structure and lived in the back and upstairs. Mr. Thoroughgood asked about the noise level. Mr. Schreppler explained that the machines have electric motors and maybe the oldest is a little noisy but they plan to get rid of it. Mr. Schreppler has a rental license for the property but has not rented it out. If agreeable he would like to put Design Works out front and rent the rest of the building out as a residence.

Thoroughgood asked about the hours of operation. Mr. Schreppler said she usually opens 8 am to 5 pm with maybe one UPS delivery a week. Minimal foot traffic. Mr. Hodges asked if the residence is physically separated from the business with separate water and electric meters. Mr. Schreppler responded that there is a separate electric meter and could add a separate water meter if required. O'Neal asked if the fire marshal's office would have to give approval. Schreppler said he would check and certainly add fire extinguishers. Thoroughgood motioned, Hodges second that it be approved with hours 8 am to 5 pm and one employee, approved unanimously with Keenan and Brady absent.

Millwood, Mark Pratta explained the currently it is divided into four phases and they are asking for ten phases. This will make it easier for Fannie Mae funding. If a phase is sold 50% then then they will lend money so this allows each section of townhomes to be its own phase and thus qualify for funding. If approved they will then rewrite the condo documents to reflect the changes and understand the town solicitor has to approve those as well. Town Manager explained that the development is not changing just redefining the phases which requires council approval. This cannot be done by town staff. Town Solicitor explained that if this is approved not to be surprised if the entire county assigned new parcel numbers. Right now each phase has its own parcel number. Truitt motioned, Thoroughgood second to approve the new phasing plan, approved unanimously with Keenan and Brady absent.

Building Code, supplement inspections. Kenny has met with the building inspector and they found areas that needed amending to match what the town already does. One of the areas is that right now we are still using the 2009 Energy Code but the plan states 2012 energy code. Hodges was concerned with the 2012 code costing the home owner more money. Also concerned that this new language states that building permits would have to renew at six months and right now we still allow it to be good for one year. Mayor Bryan suggested the matter be tabled and Council person Hodges meet with Kenny to see if some of these concerns can be worked out and the Mr. Hodges report back to council at the June meeting.

Water and Wastewater Asset Management Incentive Program, Town Manager reported that the State of Delaware is accepting applications for asset management programs. This would be a tool that would allow the town to better plan maintenance for the water and wastewater plant in the future. It involves listing pumps, blowers and different type of equipment giving the age and condition. This would also include collection and distribution lines. The plan is to include all of the town mains onto a computer system so that if public works needed to dig or mark an area they could better locate and describe the condition and type of pipe that is in the ground. Right now the Town has to rely on memory and would illuminate having to carry rolls of maps in the cars. CABE Associates would take the lead and make sure all of the information is entered into the program with Kenny's input on the age and condition. There are two programs: one for the water and a second for the wastewater. If the town council is interested then a separate resolution for each department would be needed. Applications are due May 28th.

Hodges motioned, Thoroughgood second to approve a resolution to apply for the water asset management grant in the amount of \$100,000.00 due May 28th, approved unanimously with Keenan and Brady absent.

Hodges motioned, Thoroughgood second to approve a resolution to apply for the wastewater asset management grant in the amount of \$ 100,000.00 due May 28th, approved unanimously with Keenan and Brady absent.

Refinance current debt, Town Manager explained that there is an opportunity for the town to refinance a loan we have with USDA through Delaware's Financial Assistance Branch at a cheaper interest rate. The purpose is to be able to use the money we save and do another project such as rebuilding the Cupola pump station and the M & T pump station. This would allow us to finance through USDA for those projects. The idea is that we can afford those with the money we are saving.

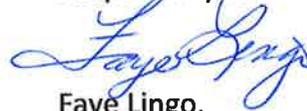
Thoroughgood motion, Hodges second to approve the refinance the USDA loan with the state in their program at a reduced rate, approved unanimously with Keenan and Brady absent.

Hodges motion, O'Neal second to reinvest the savings in the sewer projects through USDA as required as a condition of the refinancing, approved unanimously with Keenan and Brady absent.

Tax appeal public hearing, Mayor Bryan called to see if anyone has come in since the beginning of the meeting to state their tax assessment appeal. Hearing nothing, the hearing is officially closed.

7:40 pm Thoroughgood motion, Hodges second to adjourn, approved unanimously with Keenan and Brady absent. No executive session necessary.

Respectfully submitted,



Faye Lingo,

Town Manager filling in for Secretary Brady