

**MINUTES OF THE MILLVILLE
TOWN COUNCIL MEETING
October 9, 2012 @ 7:00PM**

1. CALL TO ORDER:

Mayor Hocker called the meeting to order with the Pledge of Allegiance at 7:00 pm.

2. ATTENDANCE:

Mayor Gerry Hocker, Deputy Mayor Jon Subity, Council Members' Robert Gordon, Joan Bennett and Harry Kent. Town Solicitor Seth Thompson and Town Manager Debbie Botchie were also present.

3. ANNOUNCEMENTS:

No announcements

4. ADOPTION OF MINUTES:

Deputy Mayor Subity motioned to accept the Council minutes of September 11, 2012 & the Workshop Notes of September 25, 2012. Council Member Kent seconded his motion. All present voted in favor. Motion carried unanimously 5-0.

5. TREASURER'S REPORT:

Council Member Joan Bennett presented the Financial Report for month ending 9/30/12.

September 30, 2012:

General Revenue: \$ 41,552.	General Expenses: \$ 32,052.
Restricted Revenue: 36,816.	Restricted Expenses: 6,108.

Council Member Subity motioned to accept the Treasurers Report. Council Member Kent seconded his motion. All present voted in favor. Motion carried unanimously 5-0.

6. ADMINISTRATIVE REPORT:

Ms. Botchie noted her report was included in the packet.

7. SWEARING IN of Charles W. Laskowski as Board of Adjustment Member: Seth Thompson, Town Solicitor swore-in Charles W. Laskowski for a Board of Adjustment position.

8. Public Hearing: Council Member Gordon motioned to open the **Public Hearing** at 7:07pm. Council Member Kent seconded his motion. All present voted in favor. Motion carried 5/0.

9. PUBLIC HEARING:

A. Resolution 13-02: A Resolution Terminating the Millville-by-the-Sea District and the Millville-by-the-Sea Special Fund Created by Resolution 09-01.

Synopsis:

If approved, Resolution 13-02 will terminate the Millville-By-The-Sea ("MBTS")

Special Development District and the MBTS Special Fund created on February 10, 2009 by Resolution 09-01. It would also revoke the related pledge of the proceeds of the MBTS Special Tax to the MBTS Special Fund and the requirement that proceeds from the MBTS Special Tax be paid into the MBTS Special Fund. Public comment regarding concerns and issues with Millville-By-The-Sea Special Development District.

Council Member Gordon read the Public Hearing Notice printed in the Coastal Point. Solicitor Seth Thompson explained to the audience this resolution revokes Resolution 09-01 which designated the Special Development District and removes the pledge of money to Millville by the Sea Special fund.

Town Manager Debbie Botchie reported she received written comments from the following residents: Sally Griffin of Huntington St, Lisa Escaffi of Belvedere St, Robert Wisgarda of Pembroke Lane, and John Miller of Tybee Street. Mr. Thompson suggested the petition the residents signed also be included with the written comments. Council Member Bennett noted she appreciated the work of the staff and Mr. Thompson and the Millville by the Sea residents who shared their feelings with Town Council.

Mr. Richard Shoobridge, Tybee Street, asked if the resolution would mean Millville by the Sea was no longer a master planned community. Mr. Thompson said the resolution would have no effect on the zoning designation.

Mr. Art Berman, Huntington Street, questioned if they [MBTS] will have another opportunity in the future to ask again [for the SDD designation]. Mr. Thompson said the resolution doesn't foreclose a future request.

Mr. Beau Brenton, Center Point Rd, inquired as to why Council Member Subity had not recused himself. Town Manager Debbie Botchie said he would prior to the vote.

Council Member Bennett motioned to close the Public Hearing and return to Regular Session. Council Member Gordon seconded her motion. All present voted in favor. Motion carried 5/0.

10. NEW BUSINESS:

Council Member Subity recused himself from the discussion and vote.

Council Member Bennett motioned to approve Resolution 13-02 to terminate the Millville by the Sea special tax district and the Millville by the Sea special fund which were created by Resolution 09-01. Council Member Gordon seconded her motion. All present voted in favor. Motion carried 5/0.

Council Member Bennett stated she was in favor based on the testimony she heard from the developer, the Town Manager, and her own examination of the facts. After hearing numerous comments from the residents of Millville by the Sea she said she did not find adequate benefit to the Town of Millville or to the property owners of Millville by the Sea.

Council Member Kent said he voted in favor of Resolution 13-02 because he feels strongly the people in the Town do not gain any benefit, and it is only equitable

when everybody in the Town be on the same basic common need should be for everyone and be taxed accordingly.

Council Member Gordon stated he felt in was in the best interest of the townspeople to vote for Resolution 13-02.

Mayor Hocker said he was in favor of Resolution 13-02 because the citizens that live in the district would be greatly impacted and based on the questions, comments and concerns that the Council received justified his vote. He noted the times have changed, economy has changed and ideas have changed and the vision of the developers is not the same as we heard back then when the SDD was approved. He said he cannot differentiate this development from any other RPC.

11. COMMITTEE REPORTS:

A. Pumpkin Festival:

Council Member Subity gave a report on the Pumpkin Festival held October 6th at the Millville Fire Department grounds. He said the festival was very successful, we had beautiful weather, a great crowd and fun for all. Mr. Subity thanked Town Manager Debbie Botchie, Kami Banks, Town Staff, Town Council, Millville Volunteer Group, Millville Fire Department, Millville businesses, the charitable groups, ROTC, saying we are very fortunate to have the support of all the local residents and businesses. Council Member Bennett asked Town Manager Debbie Botchie if she had any figures she could give the Council, Ms. Botchie responded she would have the figures for the festival available at the next meeting. Council Member Kent said he was impressed by the magnitude of the crowd as well as the effort of the Town staff and the Millville volunteer group adding “without them the festival could not have gotten off the ground.”

B. Sprinkler Committee:

Council Member Gordon reported having appointments with three companies regarding the design and installation of a sprinkler system. None of them expected a lot of problems with the project and copies of the building plans will be sent to the three companies next week.

C. Farmer's Market :

Market Master Linda Kent handed out copies of her report to the Council Members and thanked the Town staff and the Millville Volunteer Group for their help every week. Mrs. Kent noted T.S. Smith has shown interest in next year's Farmer's Market and Bennett's Orchard will be selling blueberries next year. She also mentioned the vendors commented the market season was too long and that it should end the beginning of September. Some of the other comments to bring more customers to the market were moving the market to another location like the fire house grounds, having blood pressure screenings or offering flu shots.

Council Member Subity thanked Mrs. Kent for her time and asked if there were any concerns regarding the church and parking. Mrs. Kent said she thought everything went smoothly.

11. PROPERTY OWNERS/AUDIENCE COMMENTS:

Sally Griffin, Huntington St, thanked Council for having all the workshops for the residents

and the orderly way the SDD issue was handled.

Mitch Rubin, Windsor Ct, also thanked Council saying it restores his faith in a system that works.

12. ADJOURNMENT:

Mayor Hocker announced next meeting of the Council would be a workshop October 23, 2012.

Council Member Bennett motioned to adjourn the meeting at 7:43pm. Council Member Gordon seconded his motion.

All present voted in favor.

Motion carried unanimously 5/0.

Respectfully submitted,
Donna M. Schwartz, Town Clerk